

## **PRE-APPLICATION AND APPLICATION DRAFT BAR PHASES SUMMARY OF THE PUBLIC PARTICIPATION PROCESS**

This section of the report is included in compliance with the Regulations. Public participation is an integral part of the EIA process, and affords potentially interested and potentially affected parties (I&APs) an opportunity to participate in the EIA process, or to comment on any aspect of the development proposals.

Other relevant considerations regarding the public participation process being undertaken for this project are that:

- The public participation process being undertaken for this project complies with the requirements of the Regulations.
- The description of the public participation process included in sections below itemises the steps and actions undertaken.

Adverts will be placed in the following newspaper:

- Ons Kontrei on 6 September 2024

# Tafeltennisspelers deur na SA's

Berig en foto: Verskaf

**MATZIKAMA:** Die Weskus Skole Tafeltennisspan het op Saterdag, 17 Augustus aan vanjaar se Wes-Kaap Skole Tafeltennisproewe by Fairview Primêr, Grassypark deelgeneem. Die persone met gestremde het by Astra Primêr in Montana gespeel.

'n Totaal van 15 spelers uit die Weskus het deelgeneem en almal het baie goed presteer en die Top 8 uitklopfonds gehaal. Daar was slegs twee posisies in elke ouderdomsgroep beskikbaar.

Die Weskus Tafeltennis Federasie is trots op alle spelers van die Weskus wat hul onderskeie skole met lof verteenwoordig het. Hul weet dat elkeen hul heel beste gegee het. Baie van die spelers het ook 3de en 4de plek behaal.

Die volgende spelers is opgeneem in die Wes-Kaap Skole Tafeltennisspan wat die Wes-Kaap vanaf 12-16 Desember by die Suid-Afrikaanse Top Skole Kampioenskappe in Pretoria gaan verteenwoordig. Amaru Joseph van Hoërskool Vnrhynsdorp is in die Seuns O/18 span opgeneem. Amy-Lee Fortuin, ook

van Hoërskool Vnrhynsdorp, speel in die persone met gestremde afdeling en haal die PARA Class 6-10 O/18 dogterspan. Adurecia de Villiers van Vredendal Senior Sekondêr is in die O/14 dogterspan opgeneem. Sy is tans ook nommer 1 in die Wes-Kaap in dié ouderdomsgroep.

Die Weskus Tafeltennis Federasie bedank graag vir Chariton Riddles, voorsitter van Weskus Skole Tafeltennis en Wilmerine Oktober wat die skole struktuur verteenwoordig het. Verder bedank hulle ook die afrigters van Vnrhynsdorp en Vredendal Tafeltennisklubs, asook die verteenwoordigers van die Weskus Tafeltennis Federasie, Rozelda Louw en Danritch Booysen. Dan ook die verteenwoordiger van die Departement Sport en Kultuur, Eugene Beukes, alle ouers, beshgede, skole en gemeenskapslede. "Hou aan om ons toekomstige nasionale atlete te ondersteun en motiveer. Dit word opreg waardeer," sê die Weskus Tafeltennis Federasie bestuur.



Amaru Joseph, Amy-Lee Fortuin en Adurecia de Villiers.

## CSS se sterretjies skyn helder

Berig: Mariaan Smuts  
Foto: Verskaf

**CLANWILLIAM:** Twee en twintig leerders van Clanwilliam Senior Sekondêr het op Vrydag, 19 Julie aan die Klaver Kunstede deelgeneem. Elf leerders verwerf Cum Laudé en twee van die leerders, Naemah Douries en Gerald Hanekom, behaal elk 100%.

Die res van die leerders wat Cum Laudé behaal het, is: Chriswill Kotzé 92% vir Prosa en 94% vir Voordrag. Jowan Owies 94%, Garron Cupido 98%, Nicole April 91%, Ashante Swatz 91% en Mischae Links 90% vir Voordrag. Jero'lin Johnson 91% en Eon Renier 90% vir Poetry.

Die leerders behaal ook 13 goud, 8 silwer en 7 blou toekennings. Marika Williams, die leerders se drama-onderwyser, is ontsettend trots op die leerders aangesien hulle fondsinamelingsprojekte gehou het om die inskrywingsfoeie en vervoerkostes te dek. Williams wens hulle voorspoed toe en hoop dat hulle liggies nooit sal verdoof nie.



Leerders wat Cum Laudé toekennings by die Klaver Kunstede behaal het.

**30 DAYS REGISTRATION START FROM 6 SEPTEMBER ENDING 7 OCTOBER 2024**

**APPLICATION IN TERMS OF THE NEMA EIA REGULATIONS, 2014 (AS AMENDED)** Nieuwe Rust Housing project on erf 162 and 164 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units. DEA & DP REFERENCE NUMBER: 16/3/36/71/F3/13/3142/24

Notice of a Public Participation Process (PPP) is hereby given in terms of the Environmental Impact Assessment (EIA) Regulations (2014, as amended) made under Section 24 (5) and 44 of the National Environmental Management Act (NEMA), Act No. 107 of 1998 (as amended). This notice also serves to inform the public that a draft Basic Assessment process will be followed and that the draft reports and its Appendices for the Application will be available for public comment on our website: <https://enviro-eap.co.za/public-participation/>. When landing on the Public Participation Page on the website please scroll down until you locate the project title as indicated above (valid for full duration of 30 day commenting period).

**TAKE NOTE THIS WILL ONLY BE AVAILABLE ON THE WEBSITE WHEN YOU AS A REGISTERED INTERESTED AND AFFECTED PARTY GET NOTIFICATION FROM ENVIRO-EAP THAT IT IS AVAILABLE.**

Notice is given of the public participation process commenced by Matzikama Municipality.

**Location:** Situated on the Northern Edge of Nuwerus with access off existing Olyf Street and Arcarcia Street.

**Listed Activities:** The application process for Environmental Authorization will follow a Basic Environmental Impact Assessment process. The proposed development constitutes Listed Activities 27 and 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended) and Listed Activities 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).

**Exemption:** No application for any exemption is sought.

**Opportunity to participate:** Interested and Affected Parties are invited to register interest for the respective application within the process, or provide written comments to Enviro-EAP within 30 days of this notice (excluding public holidays). The project title, your full name, contact details, plus indication of any direct business, financial, personal or other interest you may have in this application must please be provided and fully described. **Sections 11 and 18 of POPI Act, 2013 (Act No. 14 of 2013):** The personal information and comments provided will be included in reports to be submitted to the Competent Authority to enable informed decision-making. Also, if you choose to register as an I&AP your personal information will be made available to an appellant in the case of an appeal, and an applicant/EAP/independent person for purposes of being informed and given access to an audit report. This information may be made available in terms of section 11(1)(c) and 11(1)(d) of the POPIA, without requiring consent.

Contact: Nicolaas Hanekom  
Enviro-EAP, PO Box 205, Agulhas 7287  
Tel/Cell: 076 963 6450  
email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)



## Digter van formaat

Berig en foto: Verskaf

**LUTZVILLE:** Baie geluk aan Sunell Coetzee (foto onder) 'n leerder van Hoërskool Lutzville met drie gedigte wat in die bloemlesing Inkspraak 5 opgeneem is nadat sy aan die Inkspraak in Afrikaans 2023-poësie- en skryfkompetisie deelgeneem het. Daar was altesaam 1397 inskrywings van 343 digters en skrywers, wat die prestasie werklik noemenswaardig maak.



### CEDERBERG MUNICIPALITY / MUNISIPALITEIT NOTICE: 153/2024 PROPOSED REZONING AND CONSENT USE ON ERF 3988, CLANWILLIAM

Notice is hereby given in accordance with Section 45 of the Cederberg By-law on Municipal Land Use Planning (PG 8062 of 15 March 2019), that an application was received for the proposed Rezoning and Consent Use on Erf 3988, Clanwilliam. The application is available for viewing from Monday to Thursday between the hours of 08:00 and 15:00 and Friday between the hours of 08:00 and 14:00 at the Technical Services, Town Planning & Building Control Department, 2A Voortrekker Street, Clanwilliam. Any objections and/or comments may be lodged in writing to the Municipal Manager, Private Bag X2, Clanwilliam, 8135 on or before 7 October 2024, in accordance with Section 50 of the relevant By-Law quoting your name, address or contact details, interest in the application and reasons for comment. Telephonic enquiries may be directed to Mr. A. Neethling at 027 482 8000 during the above-mentioned days and hours. The Municipality may refuse to accept objections and/or comments received after the aforementioned closing date. Any person who cannot write will be assisted by a municipal official by transcribing their comments.

Applicant: CK Rumboll and Partners, Tel no. 022 482 1845.

E-mail [planning1@rumboll.co.za](mailto:planning1@rumboll.co.za) or [reception@rumboll.co.za](mailto:reception@rumboll.co.za)

Owner: Cederberg Municipality, 2A Voortrekker Street, Clanwilliam,

Tel no. 027 482 8000

Property description: Erf 3988 (Portion of Erf 279), Clanwilliam

Physical address: Ou Kaapse Road (Divisional Road 2183)

Reference number: CLW/13772/MC

Description of application:

- Rezoning** of Erf 3988 (120.7051 Ha), Clanwilliam, from Undetermined Use Zone to Resort Zone I to permit tourist accommodation, in terms of Article 15(2)(a) of the Cederberg Municipality Land Use Planning By-Law (PG 8062 of 15 March 2019).
- Consent** Use on Erf 3988, Clanwilliam, to permit a function venue, tourist facilities, and a wellness centre on the property, in terms of Article 15(2)(c) of the Cederberg Municipality Land Use Planning By-Law (PG 8062 of 15 March 2019).

GF MATTHYSE  
MUNICIPAL MANAGER  
Municipal Office  
2A Voortrekker Street, CLANWILLIAM, 8135

**KENNISGEWING: 153/2024**

### VOORGESTELDE HERSONERING EN VERGUNNINGSGEBRUIK OP ERF 3988, CLANWILLIAM

Kennis geskied hiermee ooreenkomstig Artikel 45 van die Cederberg Munisipaliteit Verordening op Munisipale Grondgebruikbeplanning (PK 8062 van 15 Maart 2019) dat 'n aansoek ontvang is vir die voorgestelde Hersonering en Vergunningsgebruik op Erf 3988, Clanwilliam. Die aansoek is beskikbaar vir besigtiging vanaf Maandag tot Donderdag tussen die ure van 08:00 en 15:00 en Vrydag tussen die ure van 08:00 en 14:00 by die Tegnieksdienste, Stadsbeplanning en Boubeheer Departement, Voortrekkerstraat 2A, Clanwilliam. Enige besware en/of kommentare kan voor of op 7 Oktober 2024 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Clanwilliam, 8135 ingedien word, in ooreenstemming met Artikel 50 van die betrokke Verordening, met vermelding van u naam, adres of kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan Mnr A Neethling by 027 482 8000 gedurende bogenoemde dae en ure. Die Munisipaliteit mag weier om besware en/of kommentare wat na voormelde sluitingsdatum ontvang is te aanvaar. Enige persoon wat nie kan skryf nie, sal deur 'n munisipale amptenaar bygestaan word om hul kommentaar op skrif te stel.

Applikant: CK Rumboll en Vennote, Tel no. 022 482 1845,

E-pos: [planning1@rumboll.co.za](mailto:planning1@rumboll.co.za) of [reception@rumboll.co.za](mailto:reception@rumboll.co.za)

Eienaar: Cederberg Munisipaliteit, Voortrekkerstraat 2A, Clanwilliam,

Tel no. 027 482 8000

Eiendomsbeskrywing: Erf 3988 (Gedeelte van Erf 279), Clanwilliam

Fisiese Adres: Ou Kaapse Weg (Ondergeskikte Pad 2183)

Verwysingsnommer: CLW/13772/MC

Beskrywing van aansoek:

- Hersonering** van Erf 3988 (120.7051Ha), Clanwilliam, vanaf Onbepaalde Sone na Oordsone I om toerisme-akkommodasie te akkommodeer, ingevolge Artikel 15(2)(a) van die Cederberg Munisipaliteit Verordening op Grondgebruikbeplanning (PK 8062 van 15 Maart 2019).
- Vergunningsgebruik** op Erf 3988, Clanwilliam, om 'n onthaalfasiliteit, toeristefasiliteit en 'n gesondheidsentrum te akkommodeer, ingevolge Artikel 15(2)(c) van die Cederberg Munisipaliteit Verordening op Grondgebruikbeplanning (PK 8062 van 15 Maart 2019).

GF MATTHYSE  
MUNISIPALE BESTUURDER  
Munisipale Kantoor  
Voortrekker Straat 2A, CLANWILLIAM, 8135

The notice board was placed on site on 18 August 2024



Site Notice location map



NEIGHBOURS NOTICES

Neighbours Notice. DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/24. Nieuwe Rust Housing project on erf 182...

**File Message Help ESET**

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Neighbours Notice. DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/24. Nieuwe Rust Housing project on erf 182 an...

Nicolaas Hanekom  
To  
Cc Admin  
Bcc anina@octoplace.co.za; landaccounts@wwf.org.za; retshof@kingsley.co.za; reggies747@gmail.com; ernst@skaapwagters.co.za; santjiesgeldenhuis@gmail.com; TheresaN@Transhex.co.za

This is the most recent version, but you made changes to another copy. Click here to see the other versions.

Neighbours\_Notice.pdf 127 KB

Good day

You were identified as a neighbour. Please take note that I blind cc (Bcc) you all in order to protect your information in terms of POPIA.  
Take note of requirements below.  
**THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 14 OF 2013) REQUIREMENTS (POPIA)**

7:06 AM  
4/6/2025

**Nicolaas Hanekom**

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**From:** Nicolaas Hanekom  
**Sent:** Thursday, October 31, 2024 5:35 PM  
**Cc:** Admin  
**Subject:** Neighbours Notice. DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/24. Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units.  
**Attachments:** Neighbours\_Notice.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Admin	Delivered: 10/31/2024 5:35 PM
	anina@octoplace.co.za	
	landaccounts@wwf.org.za	
	retshof@kingsley.co.za	
	reggies747@gmail.com	
	ernst@skaapwagters.co.za	
	santjiesgeldenhuis@gmail.com	
	TheresaN@Transhex.co.za	

Good day

You were identified as a neighbour. Please take note that I blind cc (Bcc) you all in order to protect your information in terms of POPIA.

Take note of requirements below.

**THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 14 OF 2013) REQUIREMENTS (POPIA)**

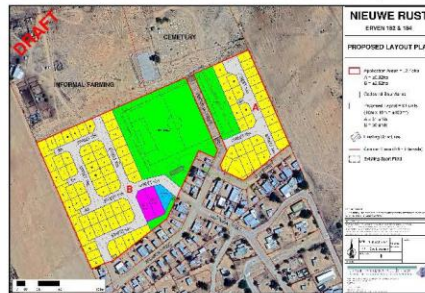
*"The EIA Regulations require that an applicant bring to the attention of the proponent and/ or applicant any issues which such party believes may be of significance to the consideration of the application [Regulation 43(1) of the EIA Regulations]. The purpose is for the further processing of information with the purpose for which the information of the registered I&APs was collected, namely to ensure that registered I&APs participate and remain informed of the EIA and appeals submitted against decisions for which they were initially registered as I&APs.*

*The requirements of section 18 of POPIA should also be noted. Section 18(1) of POPIA requires that if personal information is collected, the responsible party must take reasonably practicable steps to ensure that the data subject is aware of, amongst other things, the information being collected, the name and address of the responsible party. You as a registered I&APs are informed during this collection of your information that such information may be required to be made available to an appellant in the case of an appeal,. Therefore you as a registered I&APs/commenting parties is duly informed of the reasons/purpose why the register of I&APs are compiled, the name and address of the EAP and applicant, as well as that the information will be made available to appellants, in the case of an appeal."*

**NEIGHBOURS NOTICE**

**APPLICATION IN TERMS OF THE NEMA EIA REGULATIONS, 2014 (AS AMENDED) Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units.  
DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/24**

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**Location:** Situated on the Northern Edge of Nuwerus with access off existing Olyf Street and Arcarcia Street.

**Listed Activities:** The application process for Environmental Authorization will follow a Basic Environmental Impact Assessment process. The proposed development constitutes Listed Activities 27 and 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended) and Listed Activities 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).

**Exemption:** No application for any exemption is sought.

**Opportunity to participate:** Interested and Affected Parties are invited to register interest for the respective application within the process, or provide written comments to Enviro-EAP within 30 days of this notice (excluding public holidays). **The landowners of neighbouring properties (as notified) must please ensure that all persons residing on their land are informed of the application and opportunity to register.** The project title, your full name, contact details, plus indication of any direct business, financial, personal or other interest you may have in this application must please be provided and fully described. **Sections 11 and 18 of POPI Act, 2013 (Act No. 14 of 2013):** The personal information and comments provided will be included in reports to be submitted to the Competent Authority to enable informed decision-making. Also, if you choose to register as an I&AP your personal information will be made available to an appellant in the case of an appeal, and an applicant/EAP/independent person for purposes of being informed and given access to an audit report. This information may be made available in terms of section 11(1)(c) and 11(1)(d) of the POPIA, without requiring consent.

**Contact:** Nicolaas Hanekom  
Enviro-EAP, PO Box 205, Agulhas 7287  
Tel/Cell: 076 963 6450  
email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

Vriendelike Groete / Kind regards

Nicolaas Hanekom

Director, Enviro-EAP  
Pri Sci Nat (Reg. No. 004415)  
Ecological Science (Pri.Sci.Nat); Aquatic Science & Conservation Science (Cand.Sci.Nat)  
Reg. EAP (EAPASA): 2020/1146  
Competent Carbon Footprint Analyst

**Contact number:** 076 963 6450  
School str 2  
Agulhas  
South Africa  
7287



**Enviro-EAP**  
Environmental Consultants



Enviro-EAP (Pty) Ltd  
Reg: 2018/435233/07  
Director: Nicolaas Hanekom  
EAP's: Johndis Pienaar & Lauren Abrahams



Office: +27 (0) 76 963 6450  
Email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)  
Web: [www.enviro-eap.co.za](http://www.enviro-eap.co.za)





Postal Address:  
School Str 2  
Agulhas  
South Africa  
7287

Under the Protection of Personal Information Act, 04 of 2013 ("POPIA"), we have a general legal duty to protect information we process. Enviro-EAP (Pty) Ltd is committed to ensuring the security and protection of the personal information processed by the organization, and to provide a compliant and consistent approach to data protection. The information contained in this email and any attachments there to may be privileged or confidential and are only intended for the exclusive use and attention of the addressed recipient. If you have received this email by mistake, please delete same and advise the sender immediately. Should you have any questions related to our POPIA compliance, please contact [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za) or you may refer to Privacy Policy on our website.

Proof

**NEIGHBOURS NOTICE**  
**APPLICATION IN TERMS OF THE NEMA EIA REGULATIONS, 2014**  
**(AS AMENDED) Nieuwe Rust Housing project on erf 182 and 184 on**  
**±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91**  
**units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units.**  
**DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/24**

NUWERUS HOUSING PROJECT Farm/Erf ID neighbour	Adress please	Proof Sent.
Name: ERT VARK Farm Nr: RE/122 Area (Ha): 1190.00 SG Region: VANRHYNSDORP SG Code: C0780000000001 2200000	JCA van Wyk Madeliefiestraat NUWERUS 8201	
SG Region: VANRHYNSDORP Erf Nr: 216 Area (Sqm): 204.4 SG Code: C0780006000002 1600000	Gert Basson Familie Trust Posbus 189 VANRHYNSDORP 8170	

The draft Basic Assessment Report was emailed to the following key Departments.

STAKEHOLDER	CONTACT PERSON	EMAIL ADDRESS
DEA&DP: Development Management Private Bag X9086 Cape Town 8000	The Director Region 1 Mr. Zaahir Toefy	DEADP EIA Admin <DEADPEIAAdmin@westerncape.gov.za>
CapeNature Private Bag X5014 Stellenbosch 7599	Mr. Marius Wheeler Ismat Adams	<a href="mailto:mwheeler@capenature.co.za">mwheeler@capenature.co.za</a> 'iadams@capenature.co.za
DEA&DP: Pollution and Chemicals Management Private Bag X9086 Cape Town 8000	Ms. Arabel McClelland	Arabel.McClelland@westerncape.gov.za
DEA&DP: Waste Management Private Bag X9086 Cape Town 8000	Mr. Saliem Haider	Saliem.Haider@westerncape.gov.za
Department of Agriculture, Western Cape: Land Use Private Bag X1 Elsenburg 7607	Cor van der Walt	<a href="mailto:landuse.elsenburg@elsenburg.com">landuse.elsenburg@elsenburg.com</a>
Department of Water and Sanitation Private Bag X16 Sanlamhof 7532	Mrs. Nelissa Nbobeni Mr. Warren Dreyer	<a href="mailto:ndobenin2@dws.gov.za">ndobenin2@dws.gov.za</a> <a href="mailto:DreyerW@dws.gov.za">DreyerW@dws.gov.za</a>
Heritage Western Cape Private Bag X9067 Cape Town 8001	CEO Heritage Western Cape	<a href="mailto:Ceoheritage@westerncape.gov.za">Ceoheritage@westerncape.gov.za</a>
Matzikama Municipality	Municipal Manager Mayor Ward Councillors	munman@matzikama.gov.za
West Coast District Municipality	The Municipal Manager /	<a href="mailto:westcoastdm@wcdm.co.za">westcoastdm@wcdm.co.za</a>

PO Box 242 Moorreesburg 7380	Mayor / Ward Councillors	
Department: Transport and Public Works Western Cape Government PO Box 2603 Cape Town 8000	Head of Department	'HOD.TransportPublicWorks@westerncape.gov.za'

And registered I&AP'S  
No registered I&AP's to date.

Notices were sent via the municipal officials during the rezoning application to all neighbours and occupiers of land adjacent. Neighbours notification of the rezoning application must be send to all neighbours by the municipality. The attached site notice was included in the neighbours notices send all neighbour. The notice requested them to register as Interested and Affective Parties (I&APs) and invited them to provide written comments together with the above reference number, their name, contact details and an indication of any direct business, financial, personal or other interest which they have in the application to the contact person indicated below within 30 days from the date of this notice. The notice also requested the owner to inform all persons residing on the property.

Neighbours notices (refer to below) send via municipal notification of neighbours notices or land use rezoning application must still proof be conducted but will be included in Draft BAR.

#### **STEPS TAKEN TO NOTIFY POTENTIALLY INTERESTED AND AFFECTED PARTIES**

This section of the report is included in compliance with the Regulations.

Potential I&APs were notified about the project by:

1. Fixing three notice boards at the boundary of the site in compliance with the Regulations. All relevant and required information was displayed on the notice board.  
The notice board contained the following minimum information  
(Size of Board 89 x 42 cm):
  - how to register as an interested and affected party;
  - the manner in which representations on the application may be made;
  - where further information on the application or activity can be obtained; and
  - the contact details of the person(s) to whom representations may be made.
  - The fact that the public participation process had commenced, that a basic assessment process will be followed, the dates within which they can register or send comments and what the proposed activity constituted, was displayed.
2. Giving written notice to owners and occupiers of land adjacent to the site where the activity is to be undertaken, the municipal councillor of the ward within which the site is located, the local municipality and those organs of state having jurisdiction in respect of any aspect of the project as required by the Regulations.
3. Placing an advertisement in a local newspaper in compliance with the Regulations.

Advert was placed in the Ons kontrei notifying the public of the development and inviting them to register as Interested and Affected Parties within 30 days.

4. Lists of Identified and Registered Interested and Affected Parties  
This section of the report is included in compliance with the Regulations. This list includes the potential as well as the registered Interested and Affected Parties. The list of parties who were identified as potential I&APs as per the requirements of the Regulations and the list of parties who requested registration as an I&AP, and who are registered on the I&AP database for the project as required in terms of the Regulations were included. A Comments and Response Report from registered I&AP's will be included.
5. Workshop with Key Role players  
No workshops were held.

**TABLE 1: LIST OF KEY DEPARTMENTS AND REGSITERED INTERESTED & AFFECTED PARTIES**

STAKEHOLDER	CONTACT PERSON	EMAIL ADDRESS
DEA&DP: Development Management Private Bag X9086 Cape Town 8000	The Director Region 1 Mr. Zaahir Toefy	DEADP EIA Admin <DEADPEIAAdmin@westerncape.gov.za>
CapeNature Private Bag X5014 Stellenbosch 7599	Mr. Marius Wheeler Ismat Adams	<a href="mailto:mwheeler@capenature.co.za">mwheeler@capenature.co.za</a> 'iadams@capenature.co.za
DEA&DP: Pollution and Chemicals Management Private Bag X9086 Cape Town 8000	Ms. Arabel McClelland	Arabel.McClelland@westerncape.gov.za
DEA&DP: Waste Management Private Bag X9086 Cape Town 8000	Mr. Saliem Haider	Saliem.Haider@westerncape.gov.za
Department of Agriculture, Western Cape: Land Use Private Bag X1 Elsenburg 7607	Cor van der Walt	<a href="mailto:landuse.elsenburg@elsenburg.com">landuse.elsenburg@elsenburg.com</a>
Department of Water and Sanitation Private Bag X16 Sanlamhof	Mrs. Nelissa Nbobeni Mr. Warren Dreyer	<a href="mailto:ndobenin2@dws.gov.za">ndobenin2@dws.gov.za</a> <a href="mailto:DreyerW@dws.gov.za">DreyerW@dws.gov.za</a>

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Heritage Western Cape Private Bag X9067 Cape Town 8001	CEO Heritage Western Cape	<a href="mailto:Ceoheritage@westerncape.gov.za">Ceoheritage@westerncape.gov.za</a>
Matzikama Municipality	Municipal Manager Mayor Ward Councillors	munman@matzikama.gov.za
West Coast District Municipality PO Box 242 Moorreesburg 7380	The Municipal Manager / Mayor / Ward Councillors	<a href="mailto:westcoastdm@wcdm.co.za">westcoastdm@wcdm.co.za</a>
Department: Transport and Public Works Western Cape Government PO Box 2603 Cape Town 8000	Head of Department	'HOD.TransportPublicWorks@westerncape.gov.za'

## PROOF SENDING PRE-APPLICATION DRAFT BAR

**Nicolaas Hanekom**

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**From:** Nicolaas Hanekom  
**Sent:** Wednesday, May 14, 2025 9:10 PM  
**To:** DEADP EIA Admin; Marius Wheeler; Ismat Adams; Arabel McClelland; Saliem Haider; Lance Mcbain-Charles; 'Landuse.Elsenburg@elsenburg.com'; Brandon Layman; Ndobeni Nelisa (BVL); Dreyer Warren <DreyerW@dws.gov.za> (DreyerW@dws.gov.za); Ceoheritage; munman@matzikama.gov.za; 'westcoastdm@wcdm.co.za'; WCDM Correspondence; 'HOD Transport and Public Works'; Johmandie Pienaar; Nicolaas Hanekom  
**Cc:** Admin; Belinda Swartland  
**Subject:** AVAILABILITY OF PRE-APPLICATION DRAFT BAR FOR COMMENT. DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/2. Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A =

### **AVAILABILITY OF PRE-APPLICATION DRAFT BAR FOR COMMENT.**

**Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units.**

**DEA&DP REFERENCE NUMBER: 16/3/3/6/7/1/F3/13/3142/24  
DATED APRIL 2025**

Dear Key departments

This email serves as a notification of the availability of the pre-application Draft BAR and appendices for **30-day** commenting period. Please take note of the details below which set out: - (1) How you can access the pre-application Draft BAR and appendices, (2) the commenting period and deadline for the submission of comments, and (3) how to submit of comments.

The pre-application Draft BAR and appendices are accessible via -

- (i) electronic download on our website at: <https://enviro-eap.co.za/public-participation/>. When landing on the Public Participation Page on the website please scroll down until you locate the project title as indicated above. (**valid for full duration of 30 day or during the full commenting period**).
- (ii) The report and appendixes can be downloaded using the following share link [Pre-Application-Draft-BAR](#)

### **(2) COMMENTING PERIOD ON THE PRE-APPLICATION DRAFT BAR AND APPENDICES AND DEADLINE FOR COMMENTS SUBMISSION**

The commenting period of the pre-application draft BAR and appendices is **30 days EXCLUDING PUBLIC HOLIDAYS**, starting from the **15 May 2025** ending on the **12 June 2025**. Your comments on the pre-application Draft BAR and appendices must be provided within the regulatory 30-day commenting period or by no later than the **12/06/2025**.

### **CONSULTATION WITH ORGANS OF STATE / KEY DEPARTMENTS [NEMA S240]**

To facilitate adequate consultation with State Departments that administers laws relating to a matter affecting the environment in accordance with the requirements of Section 240 of NEMA, please be advised that all registered interested and affected parties, organs of state, key departments, and/or stakeholders were [in receipt of this email] notified electronically of the availability of the pre-application Draft BAR and appendices on this date **14 May 2025**, **commenting period commence on 15 May 2025**. As such all RI&APs and Stakeholders are considered to be "in possession" of the pre-application Draft BAR and appendices from the date of electronic notification.

### **(3) SUBMISSION OF COMMENTS**

Please direct your comments in writing for the attention of the responsible EAP as per the contact information provided below:

**Responsible EAP:** Nicolaas Hanekom

**Email:** [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

I trust the above is in order, kindly acknowledge receipt.

Vriendelike Groete / Kind regards

Nicolaas Hanekom  
Director. Enviro-EAP  
Pri Sci Nat (Ecology) 400274/11  
Registered Environmental Assessment Practitioner: 2020/1146

**Contact number:** 076 963 6450

School str 2  
Agulhas  
South Africa  
7287



**TABLE 2: COMMENTS AND RESPONSES TABLE – PRE-APPLICATION DRAFT BAR**

STAKEHOLDER/IAP	DATE	COMMENT	RESPONSE
Department of Environmental Affairs and Development Planning Natasha Bieding Directorate: Development Management, Region 1	12 August 2024	<p>ACKNOWLEDGEMENT OF RECEIPT AND COMMENT ON THE NOTICE OF INTENT (“NOI”) TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED NUWERUS HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The NOI and associated documents dated and received by this Department via electronic correspondence on 30 July 2024, refer.</p> <p>2. This letter serves as an acknowledgement of receipt by the Department of the aforementioned documents.</p> <p>3. Following a review of the information submitted to this Department, the following is noted:</p> <p>3.1. The proposal entails the establishment of a housing development and associated infrastructure on Erven 182 and 184, Nuwerus. The proposed development includes the following:</p> <p>3.1.1. Development of 91 residential units;</p> <p>3.1.2. Community erven;</p> <p>3.1.3. Business erven;</p> <p>3.1.4. Internal road network;</p> <p>3.1.5. Development of a sports field; and</p> <p>3.1.6. Associated infrastructure;</p> <p>3.2. Access to the proposed development will be from existing Olyf Street and Arcacia Streets. The proposal includes the development of a secondary access from the site to Olyf Street, Acacia Street and Jacaranda Street, Nuwerus, which will be wider than 4m.</p> <p>3.3. The affected properties are zoned Undetermined.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Correct.</p> <p>Correct.</p> <p>Correct.</p>

	<p>3.4. Historically, the site is comprised of Namaqualand Heuweltjieveld and Southern Namaqualand Quartzite Klipkoppe Shrubland, which are categorised as Least Concern in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) List of Threatened Ecosystems in Need of Protection (dated 2022). The status of the indigenous vegetation on site will be confirmed by the botanical specialist.</p> <p>3.5. The total development footprint is approximately 3.45ha.</p> <p>3.6. The site is located outside an urban area.</p> <p>4.</p> <p>Applicable Listed Activities</p> <p>4.1. After considering the information provided in the NOI, the Directorate concurs that the proposed development constitutes the following listed activities as defined in terms of the NEMA EIA Regulations, 2014, as amended, namely:</p> <p>4.1.1. Activities 27 and 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended); and</p> <p>4.1.2. Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).</p> <p>4.2. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for authorisation. The Application Form must only include the applicable listed activities. 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.</p> <p>4.3. Details regarding the bulk services infrastructure required for the proposed development has not been included in the NOI. Please include these details in the pre-application draft Basic Assessment Report and confirm the applicability of Listed Activities 9 and 10 of Listing Notice 1.</p>	<p>Correct.</p> <p>Noted. Compliance statement will be included as specialist report.</p> <p>Correct.</p> <p>Correct.</p> <p>Noted. Thanks for concur.</p> <p>Noted.</p> <p>Noted. Services reports included in BAR.</p>
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		<p>5. Heritage Resources</p> <p>5.1. It is indicated that the development proposal triggers Section 38(1) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) .</p> <p>5.2. This Directorate notes that a Notice of Intent to Develop will be submitted to Heritage Western Cape (“HWC”). Please ensure that HWC remains part of the list of key authorities who will be invited to comment on the pre-application and draft Basic Assessment Reports (“BAR”).</p> <p>6. Screening Tool, Specialist Assessments and Protocols</p> <p>6.1. This Directorate notes that the Screening Tool Report (dated 25 July 2024) has identified a number of specialist studies to be conducted. A motivation as to why certain specialist studies highlighted in the Screening Report will/will not be conducted has been provided within the Site Sensitivity Verification Report (“SSV”) Report included as an appendix to the NOI.</p> <p>6.2. The following specialist assessments were identified in the Screening Report (dated 25 July 2024):</p> <p>6.2.1. A Landscape/Visual Impact Assessment;</p> <p>6.2.2. An Archaeological and Cultural Heritage Impact Assessment</p> <p>6.2.3. A Palaeontological Impact Assessment;</p> <p>6.2.4. A Terrestrial Biodiversity Impact Assessment;</p> <p>6.2.5. An Aquatic Biodiversity Impact Assessment;</p> <p>6.2.6. A Socio-Economic Impact Assessment;</p> <p>6.2.7. A Plant Species Assessment; and</p> <p>6.2.8. An Animal Species Impact Assessment.</p> <p>6.3. The following specialist assessments will be undertaken:</p> <p>6.3.1. Terrestrial Biodiversity Compliance Statement – Nicolaas Hanekom.</p>	<p>Correct.</p> <p>Correct. Await HWC comment.</p> <p>Noted.</p> <p>Correct.</p> <p>Noted. Included in BAR.</p>
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		<p>6.3.2. Aquatic Biodiversity Compliance Statement – Nicolaas Hanekom.</p> <p>6.3.3. Animal and Plant Compliance Statements – Nicolaas Hanekom.</p> <p>6.4. The “Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation” (“the Protocols”) were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and the Protocols are applicable to your development proposal.</p> <p>6.5. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking a SSV. According to the Environmental Assessment Practitioner’s (“EAP’s”) motivation as included in the SSV Report dated July 2024, this Directorate notes the following:</p> <p>6.5.1. The need to compile an Archaeological and Cultural Heritage Impact Assessment, a Paleontological Impact Assessment and Visual Impact Assessment will be determined by HWC. A NID will be submitted to HWC in terms of Section 38(8) of the NHRA. This Directorate awaits the comment from HWC to confirm whether any heritage/archaeological specialist studies will be required.</p> <p>6.5.2. The Directorate concurs with the EAP’s motivation relating to the agricultural, civil aviation and defence themes, as the proposal will not impact on agricultural land, civil</p>	<p>Noted. Included in BAR.</p> <p>Noted. Included in BAR.</p> <p>Noted. Specialist reports follow the Terms of Reference and protocols. Please refer to reports under Appendix G.</p> <p>Noted. Correct.</p> <p>Noted. Await HWC comments.</p> <p>Noted and thanks for concur.</p>
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		<p>aviation in the area, nor are any defence related structures or zoned located on the site or within close proximity to the site.</p> <p>6.6. Where an assessment protocol is prescribed for one of the environmental themes included in the Protocol (in this instance, animal species, aquatic and terrestrial biodiversity themes), the specialist assessment must comply with the Protocol.</p> <p>6.7. 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 verification and must comply with Appendix 6 of the EIA Regulations, 2014 (as amended).</p> <p>6.8. Please note that should relevant commenting authorities require any additional specialist assessments, the relevant specialist assessment must be undertaken.</p> <p>7. Consultation with State Departments/organs of state: In terms of Section 24O of the NEMA the competent authority must consult with every State Department that administers a law relating to a matter affecting the environment when the competent authority considers an application for an environmental authorisation.</p> <p>8. Process</p> <p>8.1. A Basic Assessment process must be followed in order to apply for Environmental Authorisation.</p> <p>8.2. Please ensure the BAR contains all information requirements outlined in Appendix 1 of the EIA Regulations, 2014 (as amended) for the requirements with respect to the 'Content of basic assessment reports'. You are advised that when undertaking the Basic Assessment process, you must take into account the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA</p>	<p>Noted. Specialist reports follow the Terms of Reference and protocols. Please refer to reports under Appendix G.</p> <p>Noted. Specialist reports follow the Terms of Reference and protocols. Please refer to reports under Appendix G.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to BAR for more detail.</p> <p>Noted. Please refer to BAR for more detail.</p>
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		<p>Regulations, 2014 (as amended) as well as any other Guidelines developed by the Department.</p> <p>8.3. The Department’s Guidelines can be downloaded from the Department's website: <a href="http://www.westerncape.gov.za/eadp">www.westerncape.gov.za/eadp</a>. In particular, the guidelines that may be applicable to the development proposal include, inter alia, the following:</p> <p>8.3.1. Guideline for Environmental Management Plans (June 2005)</p> <p>8.3.2. Guideline on Public Participation (March 2013)</p> <p>8.3.3. Guideline on Alternatives (March 2013)</p> <p>8.3.4. Guideline on Need and Desirability (March 2013)</p> <p>9. Public Participation</p> <p>9.1. A Public Participation Process (“PPP”) that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken.</p> <p>9.2. The pre-application BAR must be made available to the Interested and Affected Parties (“I&amp;APs”), including all the relevant State Departments that administer laws relating to a matter affecting the environment, for comment for a minimum period of thirty (30) days.</p> <p>9.3. In terms of good environmental practice, you are encouraged to engage with State Departments and other Organs of State early in the pre-application and formal EIA process to solicit their inputs on any of their requirements to be addressed in the pre-application and formal EIA process. Please note that this does not replace the requirement of making the pre-application and formal BAR available to State Departments/Organs of State as stipulated above.</p> <p>9.4. This Department further provides the following comments:</p> <p>9.4.1. Your attention is drawn to Circular 0027 of 2021 regarding the electronic administration of EIA applications.</p>	<p>Noted. Please refer to BAR for more detail.</p> <p>Noted. Please refer to this report for proof and more detail.</p> <p>Noted. Please refer to this report for proof and more detail.</p> <p>Noted. Please refer to this report for proof and more detail.</p>
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		<p>The Directorate: Development Management (Region 1 and 2) will continue with the electronic submission of correspondence and has for this reason established a dedicated e-mail address for the submission of all correspondence to the Directorates. For the Cape Town office, the e-mail address is DEADPEIAAdmin@westerncape.gov.za.</p> <p>9.4.2. This electronic means of working is effective from 01 February 2022 and all general EIA queries, correspondence, applications, non-applications and reports must be e-mailed to the aforementioned email address.</p> <p>9.4.3. E-mail notification to I&amp;APs is strongly supported. However, other means of notification for those I&amp;APs will be required, where no e-mail addresses are available, or where the likelihood of success of this electronic correspondence is expected to be low.</p> <p>9.4.4. Where I&amp;APs are unable to access electronic copies of the draft BAR, a hard copy of the report must be made available. Alternatively, the EAP will be required to engage with I&amp;APs, with respect to alternative methods of accessing electronic copies of the pre-application BAR.</p> <p>9.4.5. It is further recommended that each document be named in the following format:</p> <p>9.4.5.1. The date of submission to this Directorate (e.g., 2023-03-01);</p> <p>9.4.5.2. The name of the compiler; the property/erf no.; and</p> <p>9.4.5.3. The type of document it is (e.g., Pre-Application Basic Assessment Report/Comments and Response Report).</p> <p>9.4.6. Kindly ensure that the pre-application BAR is submitted as a standalone document, separate to the accompanying appendices, and ensure that each one of the appendices is saved separately (in PDF format and not scanned).</p>	
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	<p>9.5. The following State Departments/Organs of State must be consulted during the pre-application and EIA processes:</p> <p>9.5.1. The Department of Water and Sanitation;</p> <p>9.5.2. HWC;</p> <p>9.5.3. CapeNature; and</p> <p>9.5.4. Matzikama Municipality.</p> <p>10. Environmental Management Programme (“EMPr”)</p> <p>10.1. In accordance with Section 24N of the NEMA and Regulation 19 of the EIA Regulations, 2014 (as amended), the Department hereby requires the submission of an EMPr.</p> <p>10.2. The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended).</p> <p>10.3. 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).</p> <p>10.4. The EMPr must be submitted together with the pre-application BAR. When compiling the EMPr, the Department’s Guideline for Environmental Management Plans (June 2005), available on the Department’s website must be considered as well as Appendix 4 of the EIA Regulations, 2014 (as amended).</p> <p>11. Need and Desirability</p> <p>11.1. In terms of the NEMA and the EIA Regulations, 2014 (as amended), when considering an application, the Department must take into account a number of specific considerations including, inter alia, the need for and desirability of any proposed project. As such, the need for and desirability of the proposed activity must be considered and reported on in the pre -application BAR.</p>	<p>Noted. Please refer to this report for proof and more detail.</p> <p>Noted. Please refer to Appendix H in BAR for proof and more detail.</p> <p>Noted. Need and desirability (provision of much needed housing) is included directly in the BAR.</p>
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		<p>11.2. The pre-application 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. Refer to the Department’s Guideline on Need and Desirability (March 2013).</p> <p>12. Alternatives</p> <p>12.1. Please be advised that in terms of the NEMA and EIA Regulations, 2014 (as amended), the investigation of alternatives is mandatory. All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant Environmental Authorisation for an alternative as if the alternative had been applied for or may grant Environmental Authorisation for the proposed project in respect of all or part of the activities applied for in the application as specified in Regulation 20 of the EIA Regulations, 2014 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.</p> <p>12.2. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.e., the “No-Go” option) in addition to other alternatives identified. Every pre-application and formal EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. If, however, after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no</p>	<p>Noted. Please refer to BAR for more detail.</p> <p>Noted. Please refer to BAR for more detail.</p>
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		<p>reasonable or feasible alternatives other than the preferred option and the “No-Go” option.</p> <p>13. NEMA Principles In addition to the above, you must clearly show how the proposed project complies with the principles contained in Section 2 of the NEMA and must show how the proposed project meets the requirements of sustainable development.</p> <p>14. Social and Gender Considerations 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.</p> <p>15. Climate Change The pre-application BAR must report on the potential impacts on climate change. One of the objectives of the Western Cape Provincial Spatial Development Framework published by the Department is to minimise the consumption of scarce environmental resources such as water, fuel, building materials, mineral resources, electricity, and land.</p> <p>16. General 16.1. You are hereby advised that the pre-application BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014 (as amended), and must also include the information requested in this letter. 16.2. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or</p>	<p>Noted. Please refer to BAR for more detail.</p> <p>Noted. Please refer to BAR for more detail.</p> <p>Noted. Please refer to BAR for more detail.</p> <p>Noted.</p> <p>Noted.</p>
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		<p>confirmation that additional information or documents will not be requested, or of the outcome of an application.</p> <p>17. It is prohibited in terms of the NEMA to commence with a Listed Activity without a relevant Environmental Authorisation from the Competent Authority. Non-compliance in terms of the prohibition must be referred to the Environmental Law Enforcement Directorate of the Department for possible prosecution. The penalty for a person convicted of an offence in terms of the above is a fine not exceeding R10 000 000 or imprisonment for not more than 10 years, or both such fine and such imprisonment.</p> <p>18. Kindly quote the abovementioned reference number in any future correspondence regarding your pre-application process.</p> <p>19. The Department reserves the right to revise or withdraw its comments and request further information based on any information received.</p> <p>Your interest in the future of the environment is greatly appreciated.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
<p>Department of Environmental Affairs and Development Planning Directorate: Development Management, Region 1</p>	<p>26 May 2025</p>	<p>ACKNOWLEDGEMENT OF RECEIPT OF THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (“BAR”) FOR THE PROPOSED NUWERUS HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The pre-application draft BAR and associated documents dated and received by this Department via electronic correspondence on 15 May 2025, refers.</p> <p>2. This letter serves as an acknowledgement of receipt of the aforementioned documents by this Department.</p> <p>3. This Department will consider the pre- application draft BAR within the specified time period and advise you accordingly.</p> <p>4. Please note it is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

		<p>the Department has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution. 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.</p> <p>5. The Department reserves the right to revise initial comments and request further information based on the information received.</p>	Noted.
Department of Water and Sanitation	12//2025	<p>COMMENTS ON PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT OF NIEUWE RUST HOUSING PROJECT ON ERF 182 AND 184 ON ±3.45HA, AREA A = ±0.92HA AND AREA B ±2.52HA - PROPOSED LAYOUT = 91 UNITS (10M X 15M = ±150M<sup>2</sup>) A = 31 UNITS AND B = 60 UNITS</p> <p>Reference is made to the above-mentioned document dated April 2025 with DEA&amp;DP Reference Number:16/3/3/6/7/1/F3/13/3142/24.</p> <p>The above-mentioned document has been received and assessed by the Department please note the comments below:</p> <p>1. Please note that any development within the 1:100-year flood line or within 500m from any boundary of a wetland or water resource triggers water use activities and must be authorised and registered in terms of Sections 21 (c) “impeding or diverting the flow of water in a watercourse” and (i) “altering the bed, banks, course or characteristics of a watercourse” of the National Water Act, 1998 (Act No. 36 of 1998).</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted. Please take note that the development is outside the 1:100-year flood line.</p>

	<p>2. Kindly be informed that the proposed area for the Nieuwe Rust Housing Project is located in a regulated area. The Applicant is hereby advised to apply and obtain a Water Use Authorisation as prescribed in Sections 21 (c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998), the application should be submitted online via the Departmental Electronic Water Use License Application and Authorisation System (e-WULAAS) by following the link: <a href="http://164.151.129.107/ewulaas/">http://164.151.129.107/ewulaas/</a>.</p> <p>3. The Applicant must confirm the capacity and adequacy of the available wastewater infrastructure to ensure that the system can handle the additional load arising from the new Nieuwe Rust Housing Development.</p> <p>4. Please note that no new pump stations will be allowed within the 1:100-year flood line or riparian habitat, whichever is the greatest and/or within the temporary zone of a wetland unless authorised.</p> <p>5. Increased runoff due to vegetation clearance must be managed, and steps must be taken to ensure that stormwater does not lead to erosion and excessive levels of silt entering the water resource.</p> <p>6. Stockpiling of removed soil and sand must be stored outside the extent of the watercourse(s), to prevent being washed into the watercourse(s) and must be covered to prevent erosion.</p> <p>7. No pollution may occur to the surface and ground water resources due to any activity that may take place on site during the Nieuwe Rust Housing Development project. Should</p>	<p>However, application for WUA will be submitted on e-wulaas and commenced with should the department still require WUA because the original river was inside the regulated zone. The application on e-wulaas can always be cancelled should this be the case.</p> <p>Take note that the development is within 100m from the original water course, but due to landuse changes (i.e. cemetery and agriculture) the water course was altered and the delineated and mapped water course with freshwater ecological features were mapped further than 100m away from the development and therefore outside the regulated zone.</p> <p>Noted. Capacity of available services proof by the municipality will be included in final BAR.</p> <p>Noted. No pump station is planned within the 1:100-year flood line or riparian habitat.</p> <p>Noted. Please refer to EMPr for stormwater and erosion management control for management and mitigation actions to prevent erosion and silt entering the water resources.</p> <p>Noted. Stockpiling of removed soil and sand will be stored outside the extent of the watercourse.</p> <p>Noted. Please refer to EMPr for management and mitigation actions to prevent pollution of ground and surface water resources.</p>
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		<p>there be any pollution of the water resources, this Department must be notified immediately.</p> <p>8. Please note that no abstraction of surface or groundwater may take place or storage of water be created without prior authorisation from this Department, unless it is a Schedule 1 or Existing Lawful Use as described in Section 32 of the National Water Act, 1998 (Act No. 36 of 1998).</p> <p>9. Please note that no ground and surface water contamination may occur due to any activities such as oil spillage, littering, sewage and chemical ablution facilities.</p> <p>10. The comments issued shall not be construed as exempting the developer from compliance with the provisions of any other applicable Act, Ordinance, Regulation or By-law.</p> <p>11. The person who owns, controls, occupies or uses the land in question is responsible for taking measures to prevent any occurrence of pollution to water resources.</p> <p>12. Please note that all requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) must be adhered to.</p> <p>13. Please note that this Department reserves the right to amend and/or add to the comments made above in the light of subsequent information received.</p> <p>Please do not hesitate to contact the above office should there be any queries.</p>	<p>Noted. No abstraction of surface or groundwater planned and will not take place, nor will it be stored.</p> <p>Noted. Please refer to EMPr for management and mitigation actions to prevent pollution of ground and surface water resources.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
CapeNature	20 June 2025	<p>RE: Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units DEA&amp;DP Ref: 16/3/3/6/7/1/F3/13/3142/24</p> <p>Herewith comment on this application:</p> <p>1. The terrestrial biodiversity compliance statement was not included in the documentation for review.</p>	<p>Noted.</p> <p>Noted. Apologies. Copy included in draft BAR for comment.</p>

		<p>2. The botanical compliance statement does not include any indication of the floral composition of vegetation on site or its representivity in terms of mapped vegetation type.</p> <p>3. The faunal compliance statement does not indicate which faunal species are being referred to, their habitat requirements and likelihood of occurrence.</p> <p>4. It is noted as per the aquatic compliance statement that the site no longer contains discernible watercourses.</p> <p>5. It is recommended that the botanical and faunal compliance statements be revised and that the terrestrial biodiversity compliance statement be included in documents for review. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	<p>Noted. Please refer to amended report. The flora and vegetation structure on site is disturbed and does not represent the vegetation structure of Namaqualand Heuweltjieveld or Southern Namaqualand Quartzite Klipkoppe Shrubland. However, some parts top soil was not legally disturbed the last 10 years and therefore it contains indigenous vegetation in terms of the definitions of the NEMA EIA regulations 2014, as amended. Please refer to point 2, page 5 of the plant species report for more detail.</p> <p>Noted. The animal species compliance statement was amended to include the species listed in the screen tool report and confirm that its SEI is low or very low. Correct.</p> <p>Noted. Please refer to revised reports in draft BAR.</p> <p>Noted.</p>
Department of Environmental Affairs and Development Planning Directorate: Development Management, Region 1	24 June 2025	<p>COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (“BAR”) FOR THE PROPOSED NUWERUS HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The pre-application draft BAR and associated documents dated and received by this Department via electronic correspondence on 15 May 2025 and this Directorate’s acknowledgement thereof dated 26 May 2025, refer.</p> <p>2. The Directorate’s comments on the pre-application BAR are as follows:</p> <p>2.1. Project description</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

		<p>2.1.1. Page 19 of the pre-application BAR refers to a sports field, which has not been included in the activity description. Please ensure that the activity description is amended to include the proposed sports field and any other associated infrastructure.</p> <p>2.1.2. It is noted that the proposed development will be located within close proximity to a cemetery. The distance between the existing cemetery and the proposed development must be reported on.</p> <p>2.2. Need and Desirability and Planning Context</p> <p>2.2.1. The property is currently zoned Undetermined and requires the rezoning thereof to accommodate the proposed development. Although the proposed development of residential erven is noted, the need and desirability aspect of the proposal must be held in consultation with the surrounding communities.</p>	<p>Noted. Please take note that the proposed development as described under page 19 refers to the two erven be located on both sides of the sports field. The sports field is not part of the application and therefore it is not included in the activity description. Although indicated on the SDP, it is an existing facility. Noted. The distance between the cemetery and boundary of the development is approximately (20m from northern boundary of erf 182 and 70m from erf 184). The text under section H (Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.) was amended to include this detail.</p> <p>Noted. Please take note that the need and desirability aspect of the proposal was held in consultation with the surrounding communities. The housing opportunities and beneficiary list as per the municipal database was used and this determined the need and desirability for the project. This process was done through consultation with the local communities, with ward councillors and internal municipal procedures. It was further done in consultation with the surrounding communities both during the rezoning application (municipal process) and this Environmental Authorization Process. Further evidence of this is also noticeable on the site notice board proof photographs. When the notice board was placed, the project application was discussed and explained to the residents living on the edge of the development. This text was also added in the draft BAR under Section E,</p>
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		<p>2.3. Compliance Statements</p> <p>2.3.1. The Terrestrial Biodiversity Compliance Statement has not been included in the pre-application BAR.</p> <p>2.3.2. The Animal Species Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated April 2025) does not meet the requirements of the Protocols and lacks the following information:</p> <p>2.3.2.1. Based on the Screening Tool Report (dated 06 April 2025), the specialist was required to email SANBI at <a href="mailto:eiadatarequests@sanbi.org.za">eiadatarequests@sanbi.org.za</a> to determine the sensitive species with their unique identifiers listed in the Screening Tool Report. The aforementioned list of potential or identified sensitive faunal species including record of communication with SANBI has not been provided.</p> <p>2.3.2.2. The motivation to confirm that the study area is of “low” sensitivity for terrestrial animal species does not provide reference details regarding the habitat conditions and</p>	<p>PLANNING CONTEXT AND NEED AND DESIRABILITY, The Integrated Development Plan of the local municipality and The Spatial Development Framework of the local municipality.</p> <p>Noted. Apologies. Included in draft BAR for comment.</p> <p>Noted. However, it does meet the Protocols.</p> <p>Take note that the specialist does know what this sensitive species area. They were not recorded on site and the development will not impact on them. The impact of the development on their SEI was assessed. The compliance statements were updated. Please refer to updated reports in draft BAR. However, important to note the following in terms of the SANBI <i>As per the best practise guideline that accompanies the Animal and Plant Species Protocol for the screening tool, please, remember that the name of the sensitive species may not appear in the final EIA report nor any of the specialist reports released into the public domain. It should be referred to as sensitive plant or sensitive animal and its threat status may be included, e.g. critically endangered sensitive plant or endangered sensitive animal.</i></p> <p>The impact of the development on their SEI was assessed. The compliance statements were updated. These species were not recorded on site, nor is their</p>
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		<p>impacts associated with the potential identified sensitive animal species, viz., Aves-Circus maurus, Insecta-Lepidochrysops mcgregori, Invertebrate-Brinckiella mauerbergerorum and Invertebrate-Peringueyacris namaqua.</p> <p>2.3.2.3. Photographic evidence of a field survey that was undertaken on 15 August 2024 has not been provided.</p> <p>2.3.2.4. It is unclear as to whether the site survey was conducted in the ideal season for the identified animal species.</p> <p>2.3.2.5. Pages 13 and 14 of the Animal Species Compliance Statement lists the references consulted to inform the Animal Species Compliance Statement, the references include studies on mammals, reptiles, amphibians, Biodiversity Network for the Cape Town Municipal area, all of which is not relevant to this site and region, the only reference relevant to the study is Barnes K.N. 2000. The Eskom Red Data book of birds of South Africa, Lesotho and Swaziland. BirdLife South Africa, Johannesburg which may include references to one identified species, viz. Aves-Circus maurus only.</p> <p>2.3.2.6. In light of the above, the expertise of the specialist who conducted the Animal Species Compliance Statement is questioned.</p>	<p>habitat present on site and therefore the SEI is low. Please refer to updated reports in draft BAR.</p> <p>Noted. However, the Terms of Reference of the protocols only required that the date of survey is provided. However, all future reports, including this one will include a photographic record. Please refer to updated reports in draft BAR.</p> <p>The survey was conducted in the ideal season for animal species. The text was added under 5. A DESCRIPTION OF THE ASSUMPTIONS MADE AND ANY UNCERTAINTIES OR GAPS IN KNOWLEDGE OR DATA in updated animal species compliance statement.</p> <p>Noted. Apologies. Text was missed under references and removed from the updated animal species compliance statement attached under Appendix G of the draft BAR.</p> <p>Noted. Please refer to updated Animal Compliance report and responses above to explain and to further motivate why the specialist expertise is not questionable. Also refer to specialist qualifications, registrations and CV, which was also not questioned for proof of necessary experience and expertise.</p>
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	<p>2.5. Traffic Impacts</p> <p>2.5.1. The findings of the Traffic Impact Assessment dated 21 January 2025 compiled by Urban Development Solutions: Africa are noted. It is understood that the proposed development will extend from the existing road network with four access points. These access options have not been included in the project description detailed in the pre-application draft BAR. Please ensure that details in this regard are incorporated in the investigation of alternatives and included within the relevant section of the BAR.</p> <p>2.5.2. Comment on the findings of the Traffic Impact Assessment must be obtained from the relevant department within Matzikama Municipality and/or the Western Cape Department of Infrastructure.</p> <p>2.6. Heritage Impacts</p> <p>2.6.1. According to the pre-application draft BAR, a Notice of Intent to Develop was submitted to Heritage Western Cape (“HWC”). Comment from HWC in terms of Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) must be obtained and included in the BAR.</p> <p>2.7. Confirmation of Services</p> <p>2.7.1. Confirmation of the availability of the required services for the proposed development must be included in the BAR.</p> <p>2.8. Alternatives</p> <p>2.8.1. This Directorate notes that the preferred alternative and the “no-go” alternative have been identified and assessed in the pre-application BAR. It is recommended that the</p>	<p>Noted. Please refer to activity description that include a description of access points/roads. The new roads for Portions A and B will connect to the existing Olyf Street and Arcarcia Street respectively</p> <p>Noted. The pre-application BAR and Traffic Impact Assessment was submitted and sent to the Municipality and Roads and Transport department for comment. No comments were received, but their comments will again be requested in draft BAR. However, the Traffic Impact Assessment form part of the design of the Site Development Plan layout that was submitted to the municipality as part of the rezoning application for approval.</p> <p>Noted. No comments received to date. Comments were again requested and will be included as soon as it has been received.</p> <p>Noted. Confirmation of services will be included in final BAR.</p> <p>Noted. Please refer to activity description in preferred alternative number included and assessed in draft BAR</p>
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		<p>maximum number of housing opportunities for the proposed site is identified and assessed.</p> <p>2.9. Public Participation</p> <p>2.9.1. Confirmation of when the site photographs (i.e. Appendix C) were taken must be provided as the time stamp appears to be incorrect.</p> <p>2.9.2. Be advised that comments from the Department of Water and Sanitation and CapeNature are required and must be included in the BAR.</p> <p>2.9.3. Please be reminded that all proof of having conducted the Public Participation Process in terms of Chapter 6 of the 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.</p> <p>2.9.4. You are reminded that all comments received on the pre-application BAR must be adequately addressed, responded to and included in the BAR.</p> <p>2.10. General</p> <p>2.10.1. Section 6 (i.e. Protocols) of the pre-application BAR does not explain how the proposed activity or development complies with the requirements of the protocols referred to in the NOI. Please correct this error.</p> <p>2.10.2. Page 18 of the pre-application BAR indicates “Delineate urban edges in municipal SDFs to divert urban growth pressures away from critical biodiversity areas – the proposed development is located in the middle of existing urban area, which is not identified as CBA”. Please note that</p>	<p>under preferred activity and layout alternatives and layout.</p> <p>Noted. The time on the photograph is correct. They were taken 27/07/2023. Take note that the site was again visited on 15 August 2024 when the specialist studies were conducted.</p> <p>Noted. Comments received and included with responses in this table.</p> <p>Noted. Please refer to this report for proof of PPP conducted.</p> <p>Noted. Please refer to this report for comments received and responses to them.</p> <p>Noted. Please refer to draft BAR for corrections.</p> <p>Noted. It was amended to refer to it is located on the edge of the town.</p>
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		<p>the proposed site is located outside an urban area. Please correct this error.</p> <p>2.10.3. The proposed layout plan has no legend indicating the various proposed uses and colours. Please amend the legend accordingly.</p> <p>3. This Directorate now awaits the application for environmental authorisation.</p> <p>4. It is prohibited in terms of the NEMA to commence with a Listed Activity without a relevant Environmental Authorisation from the Competent Authority. Non-compliance in terms of the prohibition must be referred to the Environmental Law Enforcement Directorate of the Department for possible prosecution. The penalty for a person convicted of an offence in terms of the above is a fine not exceeding R10 000 000 or imprisonment for not more than 10 years, or both such fine and such imprisonment.</p> <p>5. The Department reserves the right to revise or withdraw its comments and request further information based on any information received.</p> <p>Your interest in the future of the environment is greatly appreciated.</p>	<p>Noted. Please refer to amended layout.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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**REFERENCE:** 16/3/3/6/7/1/F3/13/3142/24  
**DATE:** 12 AUGUST 2024

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: 021 201 3300  
E-mail: munman@matzikama.gov.za

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT AND COMMENT ON THE NOTICE OF INTENT ("NOI") TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED NUWERUS HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The NOI and associated documents dated and received by this Department via electronic correspondence on 30 July 2024, refer.
2. This letter serves as an acknowledgement of receipt by the Department of the aforementioned documents.
3. Following a review of the information submitted to this Department, the following is noted:
  - 3.1. The proposal entails the establishment of a housing development and associated infrastructure on Erven 182 and 184, Nuwerus. The proposed development includes the following:
    - 3.1.1. Development of 91 residential units;
    - 3.1.2. Community erven;
    - 3.1.3. Business erven;
    - 3.1.4. Internal road network;
    - 3.1.5. Development of a sports field; and
    - 3.1.6. Associated infrastructure;
  - 3.2. Access to the proposed development will be from existing Olyf Street and Arcacia Streets. The proposal includes the development of a secondary access from the site to Olyf Street, Acacia Street and Jacaranda Street, Nuwerus, which will be wider than 4m.
  - 3.3. The affected properties are zoned Undetermined.
  - 3.4. Historically, the site is comprised of Namaqualand Heuweltjieveld and Southern Namaqualand Quartzite Klipkoppe Shrubland, which are categorised as Least Concern in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) List of Threatened Ecosystems in Need of Protection (dated 2022). The status of the indigenous vegetation on site will be confirmed by the botanical specialist.
  - 3.5. The total development footprint is approximately 3.45ha.
  - 3.6. The site is located outside an urban area.

4. Applicable Listed Activities
  - 4.1. After considering the information provided in the NOI, the Directorate concurs that the proposed development constitutes the following listed activities as defined in terms of the NEMA EIA Regulations, 2014, as amended, namely:
    - 4.1.1. Activities 27 and 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended); and
    - 4.1.2. Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).
  - 4.2. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for authorisation. The Application Form must only include the applicable listed activities. 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.
  - 4.3. Details regarding the bulk services infrastructure required for the proposed development has not been included in the NOI. Please include these details in the pre-application draft Basic Assessment Report and confirm the applicability of Listed Activities 9 and 10 of Listing Notice 1.
5. Heritage Resources
  - 5.1. It is indicated that the development proposal triggers Section 38(1) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) .
  - 5.2. This Directorate notes that a Notice of Intent to Develop will be submitted to Heritage Western Cape ("HWC"). Please ensure that HWC remains part of the list of key authorities who will be invited to comment on the pre-application and draft Basic Assessment Reports ("BAR").
6. Screening Tool, Specialist Assessments and Protocols
  - 6.1. This Directorate notes that the Screening Tool Report (dated 25 July 2024) has identified a number of specialist studies to be conducted. A motivation as to why certain specialist studies highlighted in the Screening Report will/will not be conducted has been provided within the Site Sensitivity Verification Report ("SSV") Report included as an appendix to the NOI.
  - 6.2. The following specialist assessments were identified in the Screening Report (dated 25 July 2024):
    - 6.2.1. A Landscape/Visual Impact Assessment;
    - 6.2.2. An Archaeological and Cultural Heritage Impact Assessment
    - 6.2.3. A Palaeontological Impact Assessment;
    - 6.2.4. A Terrestrial Biodiversity Impact Assessment;
    - 6.2.5. An Aquatic Biodiversity Impact Assessment;
    - 6.2.6. A Socio-Economic Impact Assessment;
    - 6.2.7. A Plant Species Assessment; and
    - 6.2.8. An Animal Species Impact Assessment.
  - 6.3. The following specialist assessments will be undertaken:
    - 6.3.1. Terrestrial Biodiversity Compliance Statement – Nicolaas Hanekom.
    - 6.3.2. Aquatic Biodiversity Compliance Statement – Nicolaas Hanekom.
    - 6.3.3. Animal and Plant Compliance Statements – Nicolaas Hanekom.
  - 6.4. The "*Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation*" ("the Protocols") were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and the Protocols are applicable to your development proposal.
  - 6.5. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking a SSV. According to the Environmental Assessment Practitioner's ("EAP's") motivation as included in the SSV Report dated July 2024, this Directorate notes the following:

- 6.5.1. The need to compile an Archaeological and Cultural Heritage Impact Assessment, a Paleontological Impact Assessment and Visual Impact Assessment will be determined by HWC. A NID will be submitted to HWC in terms of Section 38(8) of the NHRA. This Directorate awaits the comment from HWC to confirm whether any heritage/archaeological specialist studies will be required.
- 6.5.2. The Directorate concurs with the EAP's motivation relating to the agricultural, civil aviation and defence themes, as the proposal will not impact on agricultural land, civil aviation in the area, nor are any defence related structures or zoned located on the site or within close proximity to the site.
- 6.6. Where an assessment protocol is prescribed for one of the environmental themes included in the Protocol (in this instance, animal species, aquatic and terrestrial biodiversity themes), the specialist assessment must comply with the Protocol.
- 6.7. 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 verification and must comply with Appendix 6 of the EIA Regulations, 2014 (as amended).
- 6.8. Please note that should relevant commenting authorities require any additional specialist assessments, the relevant specialist assessment must be undertaken.
7. Consultation with State Departments/organs of state:  
In terms of Section 24O of the NEMA the competent authority must consult with every State Department that administers a law relating to a matter affecting the environment when the competent authority considers an application for an environmental authorisation.
8. Process
- 8.1. A Basic Assessment process must be followed in order to apply for Environmental Authorisation.
- 8.2. Please ensure the BAR contains all information requirements outlined in Appendix 1 of the EIA Regulations, 2014 (as amended) for the requirements with respect to the 'Content of basic assessment reports'. You are advised that when undertaking the Basic Assessment process, you must take into account the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended) as well as any other Guidelines developed by the Department.
- 8.3. The Department's Guidelines can be downloaded from the Department's website: [www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp). In particular, the guidelines that may be applicable to the development proposal include, inter alia, the following:
- 8.3.1. Guideline for Environmental Management Plans (June 2005)
- 8.3.2. Guideline on Public Participation (March 2013)
- 8.3.3. Guideline on Alternatives (March 2013)
- 8.3.4. Guideline on Need and Desirability (March 2013)
9. Public Participation
- 9.1. A Public Participation Process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken.
- 9.2. The pre-application 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 minimum period of thirty (30) days.
- 9.3. In terms of good environmental practice, you are encouraged to engage with State Departments and other Organs of State early in the pre-application and formal EIA process to solicit their inputs on any of their requirements to be addressed in the pre-application and formal EIA process. Please note that this does not replace the requirement of making the pre-application and formal BAR available to State Departments/Organs of State as stipulated above.
- 9.4. This Department further provides the following comments:

- 9.4.1. Your attention is drawn to Circular 0027 of 2021 regarding the electronic administration of EIA applications. The Directorate: Development Management (Region 1 and 2) will continue with the electronic submission of correspondence and has for this reason established a dedicated e-mail address for the submission of all correspondence to the Directorates. For the Cape Town office, the e-mail address is [DEADPEIAAdmin@westerncape.gov.za](mailto:DEADPEIAAdmin@westerncape.gov.za).
- 9.4.2. This electronic means of working is effective from 01 February 2022 and all general EIA queries, correspondence, applications, non-applications and reports must be e-mailed to the aforementioned email address.
- 9.4.3. E-mail notification to I&APs is strongly supported. However, other means of notification for those I&APs will be required, where no e-mail addresses are available, or where the likelihood of success of this electronic correspondence is expected to be low.
- 9.4.4. Where I&APs are unable to access electronic copies of the draft BAR, a hard copy of the report must be made available. Alternatively, the EAP will be required to engage with I&APs, with respect to alternative methods of accessing electronic copies of the pre-application BAR.
- 9.4.5. It is further recommended that each document be named in the following format:
  - 9.4.5.1. The date of submission to this Directorate (e.g., 2023-03-01);
  - 9.4.5.2. The name of the compiler; the property/erf no.; and
  - 9.4.5.3. The type of document it is (e.g., Pre-Application Basic Assessment Report/Comments and Response Report).
- 9.4.6. Kindly ensure that the pre-application BAR is submitted as a standalone document, separate to the accompanying appendices, and ensure that each one of the appendices is saved separately (in PDF format and not scanned).
- 9.5. The following State Departments/Organs of State must be consulted during the pre-application and EIA processes:
  - 9.5.1. The Department of Water and Sanitation;
  - 9.5.2. HWC;
  - 9.5.3. CapeNature; and
  - 9.5.4. Matzikama Municipality.
- 10. Environmental Management Programme ("EMPr")
  - 10.1. In accordance with Section 24N of the NEMA and Regulation 19 of the EIA Regulations, 2014 (as amended), the Department hereby requires the submission of an EMPr.
  - 10.2. The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended).
  - 10.3. 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).
  - 10.4. The EMPr must be submitted together with the pre-application BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005), available on the Department's website must be considered as well as Appendix 4 of the EIA Regulations, 2014 (as amended).
- 11. Need and Desirability
  - 11.1. In terms of the NEMA and the EIA Regulations, 2014 (as amended), when considering an application, the Department must take into account a number of specific considerations including, inter alia, the need for and desirability of any proposed project. As such, the need for

and desirability of the proposed activity must be considered and reported on in the pre-application BAR.

- 11.2. The pre-application 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. Refer to the Department's Guideline on Need and Desirability (March 2013).
12. Alternatives
  - 12.1. Please be advised that in terms of the NEMA and EIA Regulations, 2014 (as amended), the investigation of alternatives is mandatory. All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant Environmental Authorisation for an alternative as if the alternative had been applied for or may grant Environmental Authorisation for the proposed project in respect of all or part of the activities applied for in the application as specified in Regulation 20 of the EIA Regulations, 2014 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.
  - 12.2. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.e., the "No-Go" option) in addition to other alternatives identified. Every pre-application and formal EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. If, however, after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no reasonable or feasible alternatives other than the preferred option and the "No-Go" option.
13. NEMA Principles

In addition to the above, you must clearly show how the proposed project complies with the principles contained in Section 2 of the NEMA and must show how the proposed project meets the requirements of sustainable development.
14. Social and Gender Considerations

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.
15. Climate Change

The pre-application BAR must report on the potential impacts on climate change. One of the objectives of the Western Cape Provincial Spatial Development Framework published by the Department is to minimise the consumption of scarce environmental resources such as water, fuel, building materials, mineral resources, electricity, and land.
16. General
  - 16.1. You are hereby advised that the pre-application BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014 (as amended), and must also include the information requested in this letter.
  - 16.2. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation that additional information or documents will not be requested, or of the outcome of an application.
17. It is prohibited in terms of the NEMA to commence with a Listed Activity without a relevant Environmental Authorisation from the Competent Authority. Non-compliance in terms of the prohibition

must be referred to the Environmental Law Enforcement Directorate of the Department for possible prosecution. The penalty for a person convicted of an offence in terms of the above is a fine not exceeding R10 000 000 or imprisonment for not more than 10 years, or both such fine and such imprisonment.

18. Kindly quote the abovementioned reference number in any future correspondence regarding your pre-application process.
19. The Department reserves the right to revise or withdraw its comments and request further information based on any information received.

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

Yours faithfully

Taryn  
Dreyer

Digitally signed by  
Taryn Dreyer  
Date: 2024.08.12  
12:00:41 +02'00'

pp **MR. ZAAHIR TOEFY**

**DIRECTORATE: DEVELOPMENT MANAGEMENT REGION 1**

Copied to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd)
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

E-mail: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)  
E-mail: [annalvdw@matzikamamun.co.za](mailto:annalvdw@matzikamamun.co.za)  
E-mail: [andre.oosthuizen@westerncape.gov.za](mailto:andre.oosthuizen@westerncape.gov.za)

**REFERENCE:** 16/3/3/6/7/1/F3/13/3142/24  
**DATE:** 26 MAY 2025

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: 021 201 3300  
E-mail: [munman@matzikama.gov.za](mailto:munman@matzikama.gov.za)

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED NUWERUS HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The pre-application draft BAR and associated documents dated and received by this Department via electronic correspondence on 15 May 2025, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned documents by this Department.
3. This Department will consider the pre- application draft BAR within the specified time period and advise you accordingly.
4. Please note it is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless the Department has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution. 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.
5. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully

Digitally signed  
by Taryn Dreyer  
Date: 2025.05.26  
08:42:34 +02'00'

Taryn Dreyer

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

Copies to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd)
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

E-mail: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)  
E-mail: [annalivdw@matzikamamun.co.za](mailto:annalivdw@matzikamamun.co.za)  
E-mail: [andre.oosthuizen@westerncape.gov.za](mailto:andre.oosthuizen@westerncape.gov.za)



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

### WESTERN CAPE REGION

Private Bag X 16, Sanlamhof, 7532 / 52 Voortrekker Road, Bellville 7530  
Tel #: (021) 941 6000 Fax #: (021) 941 6077

Enquiries : T Jodo  
Tel # : (021) 941 6328  
Email : [JodoT@dws.gov.za](mailto:JodoT@dws.gov.za)  
Reference : 16/27/E33EJA/11

**Attention:** Nicolaas Hanekom

School str 2  
**AGULHAS**  
South Africa  
7287

Dear Sir

**COMMENTS ON PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT OF NIEUWE RUST HOUSING PROJECT ON ERF 182 AND 184 ON  $\pm 3.45$ HA, AREA A =  $\pm 0.92$ HA AND AREA B  $\pm 2.52$ HA - PROPOSED LAYOUT = 91 UNITS ( $10\text{M} \times 15\text{M} = \pm 150\text{M}^2$ ) A = 31 UNITS AND B = 60 UNITS**

Reference is made to the above-mentioned document dated April 2025 with *DEA&DP Reference Number: 16/3/3/6/7/1/F3/13/3142/24*.

The above-mentioned document has been received and assessed by the Department please note the comments below:

1. Please note that any development within the 1:100-year flood line or within 500m from any boundary of a wetland or water resource triggers water use activities and must be authorised and registered in terms of Sections 21 (c) "*impeding or diverting the flow of water in a watercourse*" and (i) "*altering the bed, banks, course or characteristics of a watercourse*" of the National Water Act, 1998 (Act No. 36 of 1998).
2. Kindly be informed that the proposed area for the Nieuwe Rust Housing Project is located in a regulated area. The Applicant is hereby advised to apply and obtain a Water Use Authorisation as prescribed in Sections 21 (c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998), the application should be submitted online via the Departmental Electronic Water Use License Application and Authorisation System (e-WULAAS) by following the link: <http://164.151.129.107/ewulaas/>.
3. The Applicant must confirm the capacity and adequacy of the available wastewater infrastructure to ensure that the system can handle the additional load arising from the new Nieuwe Rust Housing Development.



**NATIONAL DEVELOPMENT PLAN**  
*Our Future - make it work*



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

4. Please note that no new pump stations will be allowed within the 1:100-year flood line or riparian habitat, whichever is the greatest and/or within the temporary zone of a wetland unless authorised.
5. Increased runoff due to vegetation clearance must be managed, and steps must be taken to ensure that stormwater does not lead to erosion and excessive levels of silt entering the water resource.
6. Stockpiling of removed soil and sand must be stored outside the extent of the watercourse(s), to prevent being washed into the watercourse(s) and must be covered to prevent erosion.
7. No pollution may occur to the surface and ground water resources due to any activity that may take place on site during the Nieuwe Rust Housing Development project. Should there be any pollution of the water resources, this Department must be notified immediately.
8. Please note that no abstraction of surface or groundwater may take place or storage of water be created without prior authorisation from this Department, unless it is a Schedule 1 or Existing Lawful Use as described in Section 32 of the National Water Act, 1998 (Act No. 36 of 1998).
9. Please note that no ground and surface water contamination may occur due to any activities such as oil spillage, littering, sewage and chemical ablution facilities.
10. The comments issued shall not be construed as exempting the developer from compliance with the provisions of any other applicable Act, Ordinance, Regulation or By-law.
11. The person who owns, controls, occupies or uses the land in question is responsible for taking measures to prevent any occurrence of pollution to water resources.
12. Please note that all requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) must be adhered to.
13. Please note that this Department reserves the right to amend and/or add to the comments made above in the light of subsequent information received.

Please do not hesitate to contact the above office should there be any queries.

Yours Sincerely,

**REGIONAL HEAD:** WESTERN CAPE  
**Signed by:** Rafieka Johaar  
**Designation:** Control Environmental Officer  
**Date:** 12/06/2025



**NATIONAL DEVELOPMENT PLAN**  
*Our Future - make it work*

Postal PO Box 26, Porterville, 6810  
Physical 72 Voortrekker Street, Porterville, 6810  
Website [www.capenature.co.za](http://www.capenature.co.za)  
Enquiries Ismat Adams  
Telephone 0870873188  
Email [jadams@capenature.co.za](mailto:jadams@capenature.co.za)  
Reference SSD14/2/6/1/8/3/\_Erf 182, 184\_Nuwerus  
Date 20 June 2025

Enviro-EAP (Pty) Ltd

Via email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

Attention: Nicolaas Hanekom

Dear Nicolaas

**RE: Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units**

DEA&DP Ref: 16/3/3/6/7/1/F3/13/3142/24

Herewith comment on this application:

1. The terrestrial biodiversity compliance statement was not included in the documentation for review.
2. The botanical compliance statement does not include any indication of the floral composition of vegetation on site or its representivity in terms of mapped vegetation type.
3. The faunal compliance statement does not indicate which faunal species are being referred to, their habitat requirements and likelihood of occurrence.
4. It is noted as per the aquatic compliance statement that the site no longer contains discernible watercourses.
5. It is recommended that the botanical and faunal compliance statements be revised and that the terrestrial biodiversity compliance statement be included in documents for review.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Kind regards,

Ismat Adams  
Digitally signed by Ismat Adams  
Date: 2025.06.20 15:59:52  
+02'00'

Land-Use Scientist: Landscape West  
Conservation Operations

**REFERENCE:** 16/3/3/6/7/1/F3/13/3142/24  
**DATE:** 24 JUNE 2025

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: 021 201 3300  
E-mail: [munman@matzikama.gov.za](mailto:munman@matzikama.gov.za)

Dear Sir

**COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED NUWERUS HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The pre-application draft BAR and associated documents dated and received by this Department via electronic correspondence on 15 May 2025 and this Directorate's acknowledgement thereof dated 26 May 2025, refer.
2. The Directorate's comments on the pre-application BAR are as follows:
  - 2.1. Project description
    - 2.1.1. Page 19 of the pre-application BAR refers to a sports field, which has not been included in the activity description. Please ensure that the activity description is amended to include the proposed sports field and any other associated infrastructure.
    - 2.1.2. It is noted that the proposed development will be located within close proximity to a cemetery. The distance between the existing cemetery and the proposed development must be reported on.
  - 2.2. Need and Desirability and Planning Context
    - 2.2.1. The property is currently zoned Undetermined and requires the rezoning thereof to accommodate the proposed development. Although the proposed development of residential erven is noted, the need and desirability aspect of the proposal must be held in consultation with the surrounding communities.
  - 2.3. Compliance Statements
    - 2.3.1. The Terrestrial Biodiversity Compliance Statement has not been included in the pre-application BAR.
    - 2.3.2. The Animal Species Compliance Statement (compiled by Enviro-EAP (Pty) Ltd and dated April 2025) does not meet the requirements of the Protocols and lacks the following information:

- 2.3.2.1. Based on the Screening Tool Report (dated 06 April 2025), the specialist was required to email SANBI at [eiadatarequests@sanbi.org.za](mailto:eiadatarequests@sanbi.org.za) to determine the sensitive species with their unique identifiers listed in the Screening Tool Report. The aforementioned list of potential or identified sensitive faunal species including record of communication with SANBI has not been provided.
- 2.3.2.2. The motivation to confirm that the study area is of "low" sensitivity for terrestrial animal species does not provide reference details regarding the habitat conditions and impacts associated with the potential identified sensitive animal species, viz., *Aves-Circus maurus*, *Insecta-Lepidochrysops mcgregori*, *Invertebrate-Brinckiella mauerbergerorum* and *Invertebrate-Peringueyacris namaqua*.
- 2.3.2.3. Photographic evidence of a field survey that was undertaken on 15 August 2024 has not been provided.
- 2.3.2.4. It is unclear as to whether the site survey was conducted in the ideal season for the identified animal species.
- 2.3.2.5. Pages 13 and 14 of the Animal Species Compliance Statement lists the references consulted to inform the Animal Species Compliance Statement, the references include studies on mammals, reptiles, amphibians, Biodiversity Network for the Cape Town Municipal area, all of which is **not** relevant to this site and region, the only reference relevant to the study is Barnes K.N. 2000. *The Eskom Red Data book of birds of South Africa, Lesotho and Swaziland. BirdLife South Africa, Johannesburg* which may include references to one identified species, viz. *Aves-Circus maurus* only.
- 2.3.2.6. In light of the above, the expertise of the specialist who conducted the Animal Species Compliance Statement is questioned.
- 2.3.3. Comment on the findings of the aforementioned compliance statements must be obtained from CapeNature and included in the BAR.
- 2.3.4. Please note that should any specialist study be older than two years at the time that the application for environmental authorisation is submitted to this Directorate, an updated specialist statement may be required.
- 2.4. Surface water Impacts
- 2.4.1. This Directorate notes that a General Authorisation in terms of Section 39 of the National Water Act, 1998 (Act No. 36 of 1998) for water uses as defined in Section 21 (c) or Section 21 (i) may be required. A comment from the Department of Water and Sanitation with respect to the findings of the Aquatic Biodiversity Compliance Statement must be obtained.
- 2.4.2. The potential impacts of stormwater and associated impact management actions have not been adequately addressed in the pre-application BAR. The layout and design details of the proposed stormwater management infrastructure and the relevant mitigation measures must be included in the relevant sections of the BAR and the draft EMPr.
- 2.4.3. It is recommended that a Stormwater Management Plan that includes details of stormwater infrastructure is developed and included in the EMPr. Comment from the Matzikama Municipality must be obtained in this regard.

## 2.5. Traffic Impacts

- 2.5.1. The findings of the Traffic Impact Assessment dated 21 January 2025 compiled by Urban Development Solutions: Africa are noted. It is understood that the proposed development will extend from the existing road network with four access points. These access options have not been included in the project description detailed in the pre-application draft BAR. Please ensure that details in this regard are incorporated in the investigation of alternatives and included within the relevant section of the BAR.
- 2.5.2. Comment on the findings of the Traffic Impact Assessment must be obtained from the relevant department within Matzikama Municipality and/or the Western Cape Department of Infrastructure.

## 2.6. Heritage Impacts

- 2.6.1. According to the pre-application draft BAR, a Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). Comment from HWC in terms of Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) must be obtained and included in the BAR.

## 2.7. Confirmation of Services

- 2.7.1. Confirmation of the availability of the required services for the proposed development must be included in the BAR.

## 2.8. Alternatives

- 2.8.1. This Directorate notes that the preferred alternative and the "no-go" alternative have been identified and assessed in the pre-application BAR. It is recommended that the maximum number of housing opportunities for the proposed site is identified and assessed.

## 2.9. Public Participation

- 2.9.1. Confirmation of when the site photographs (i.e. Appendix C) were taken must be provided as the time stamp appears to be incorrect.
- 2.9.2. Be advised that comments from the Department of Water and Sanitation and CapeNature are required and must be included in the BAR.
- 2.9.3. Please be reminded that all proof of having conducted the Public Participation Process in terms of Chapter 6 of the 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.
- 2.9.4. You are reminded that all comments received on the pre-application BAR must be adequately addressed, responded to and included in the BAR.

## 2.10. General

- 2.10.1. Section 6 (i.e. Protocols) of the pre-application BAR does not explain how the proposed activity or development complies with the requirements of the protocols referred to in the NOI. Please correct this error.

- 2.10.2. Page 18 of the pre-application BAR indicates “Delineate urban edges in municipal SDFs to divert urban growth pressures away from critical biodiversity areas – the proposed development is located in the middle of existing urban area, which is not identified as CBA”. Please note that the proposed site is located outside an urban area. Please correct this error.
- 2.10.3. The proposed layout plan has no legend indicating the various proposed uses and colours. Please amend the legend accordingly.
3. This Directorate now awaits the application for environmental authorisation.
4. It is prohibited in terms of the NEMA to commence with a Listed Activity without a relevant Environmental Authorisation from the Competent Authority. Non-compliance in terms of the prohibition must be referred to the Environmental Law Enforcement Directorate of the Department for possible prosecution. The penalty for a person convicted of an offence in terms of the above is a fine not exceeding R10 000 000 or imprisonment for not more than 10 years, or both such fine and such imprisonment.
5. The Department reserves the right to revise or withdraw its comments and request further information based on any information received.

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

Yours faithfully

**Keagan-Leigh** Digitally signed by Keagan-Leigh  
Adriaanse  
**Adriaanse** Date: 2025.06.24 09:31:57 +02'00'

pp **MR. ZAAHIR TOEFY**  
**DIRECTORATE: DEVELOPMENT MANAGEMENT REGION 1**

Copied to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd)
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

E-mail: admin@enviro-eap.co.za  
E-mail: annalivdw@matzikamamun.co.za  
E-mail: andre.oosthuizen@westerncape.gov.za

**TABLE 3: COMMENTS AND RESPONSES TABLE – PRE-APPLICATION DRAFT BAR**

STAKEHOLDER/IAP	DATE	COMMENT	RESPONSE
Department of Environmental Affairs and Development Planning Saa-rah Adams Directorate: Development Management, Region 1	28 JULY 2025	<p>ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM 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) FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The application form and associated documents dated 8 July 2025 as received by this Department via electronic mail correspondence on 14 July 2025, refers.</p> <p>2. This letter serves as an acknowledgement of receipt of the aforementioned documents by this Department.</p> <p>3. Based on the information provided, the following is noted:</p> <p>3.1. The proposal entails the development of a housing development and associated infrastructure on Erven 182 and 184, Nuwerus.</p> <p>3.2. The proposed housing development is comprised of Areas A and B with a combined total of 91 residential units.</p> <p>3.3. The proposal includes the development of internal roads which will connect from existing Olyf Street and Arcarcia Street.</p> <p>3.4. Historically, the site is comprised of Namaqualand Heuweltjieveld and Southern Namaqualand Quartzite Klipkoppe Shrubland, which are categorised as Least Concern in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) List of Threatened Ecosystems in Need of Protection (dated 2022). The status of the indigenous vegetation on site will be confirmed by a botanical specialist.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Correct.</p> <p>Correct.</p> <p>Correct.</p> <p>Correct.</p>

	<p>3.5. The total development footprint of the proposal is approximately 3.45ha.</p> <p>4. Applicable Listed Activities:</p> <p>4.1. Having considered the information contained in the Application Form, the Department concurs that the proposed development constitutes the following listed activities as defined in terms of the EIA Regulations, 2014, as amended, namely:</p> <p>4.1.1. Activities 27 and 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended); and</p> <p>4.1.2. Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).</p> <p>4.2. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. You are hereby advised that only the Listed Activities applied for in terms of the EIA Regulations, 2014 (as amended) will be considered for authorisation. 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. Failure to include any applicable Listed Activity may invalidate the application.</p> <p>4.3. Please revise the activity and project description to adequately describe the proposed development in relation to the applicable listed activities.</p> <p>5. Water Use License Application (“WULA”)</p> <p>5.1. On page 9 of the Application Form, it is indicated that a Water Use Licence (“WUL”) is required in terms of the National Water Act, 1998 (Act No. 36 of 1998). However, section 2.3 of the form, which requires a detailed explanation justifying the need for the WUL, is inadequately completed. This section must be revised to clearly outline the specific water uses that trigger the requirement for a licence. Furthermore, the application particulars and proof of</p>	<p>Correct.</p> <p>Noted and thanks for concur.</p> <p>Noted. Please refer to draft Basic Assessment report and appendixes for proof that basic assessment process is followed.</p> <p>Noted. Please refer to updated activity description that adequately describe the proposed development in relation to the applicable listed activities.</p> <p>Correct. Application process already started on the e-wulaas system.</p> <p>Noted. Although the development is outside the 1:100 year flood line, a Water Use authorization is required</p>
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		<p>submission of the WUL application to the Department of Water and Sanitation must be included in the Draft Basic Assessment Report (“BAR”).</p> <p>5.2. Please ensure that comment from the Department of Water and Sanitation is included in the Draft BAR.</p> <p>6. Screening Tool, The Protocols, Site Sensitivity Verification Report (“SSVR”) and Specialist Assessments</p> <p>6.1. Screening Tool Report</p> <p>6.1.1. This Directorate notes that the application form refers to the submission of the Screening Tool Report (dated 10 July 2025). The aforementioned Screening Tool Report has identified a number of specialist studies to be conducted. A motivation as to why certain specialist studies highlighted in the Screening Report will/will not be conducted has been provided in the Site Sensitivity Verification Report dated July 2025, submitted with the Application Form.</p> <p>6.1.2. The following specialist assessments were identified in the Screening Tool Report (10 July 2025):</p> <p>6.1.2.1. A Landscape/Visual Assessment;</p> <p>6.1.2.2. An Archaeological and Cultural Heritage Impact Assessment;</p> <p>6.1.2.3. A Palaeontology Impact Assessment;</p> <p>6.1.2.4. A Terrestrial Biodiversity Impact Assessment;</p> <p>6.1.2.5. An Aquatic Biodiversity Impact Assessment;</p> <p>6.1.2.6. Socio-economic Impact Assessment;</p> <p>6.1.2.7. A Plant Species Assessment; and</p> <p>6.1.2.8. An Animal Species Assessment.</p> <p>6.2. The motivation for not conducting certain identified specialist studies as identified in the aforementioned SSVR is noted.</p> <p>6.3. The following comments related to the SSVR must be noted and addressed accordingly:</p>	<p>under section 21 c&amp;1 for the infrastructure located inside the regulated zone of the river.</p> <p>Noted. Comment already received, but will again be requested.</p> <p>Noted. Correct.</p> <p>Correct.</p> <p>Noted.</p> <p>Noted. Please refer to updated SSVR in draft BAR to address comments.</p>
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	<p>photographs) of either the verified or different use of the land and environmental sensitivity; and (c) is submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations<sup>1</sup> (EIA Regulations).”</p> <p>6.3.3. Where an assessment protocol is prescribed for one of the environmental themes included in the Protocol (for example, aquatic biodiversity and terrestrial biodiversity), the specialist assessment must comply with the Protocol.</p> <p>6.3.4. 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 verification and must comply with Appendix 6 of the EIA Regulations, 2014 (as amended).</p> <p>6.3.5. Please note that should relevant commenting authorities require any additional specialist assessments, the relevant specialist assessment must be undertaken.</p> <p>6.3.6. The SSVR dated July 2025, makes reference to a site visit undertaken on 23 July 2023 (two years ago) to confirm or dispute the current status of the environmental features on site. The SSVR does not include any site photographs taken to confirm or dispute the current status of the environmental features on site, to further justify the requirement of these specialist assessments and compliance statements. As such, the SSV Report dated July 2025 is fatally flawed and does not meet these requirements.</p> <p>6.3.7. Based on the findings of the SSVR dated July 2025, the Environmental Assessment Practitioner (“EAP”) disputes the “Very High” sensitivity rating to “Low” and motivates that an Aquatic Biodiversity Compliance Statement will be undertaken. The EAP claims that the non-perennial river on site was incorrectly identified in the northern corner of the erf</p>	<p>Noted. Please refer to specialist report for scope of work and protocols followed, which might seem to be in a questionnaire format, but this is to ensure that the terms of reference and scope of the protocols are complied with.</p> <p>Noted. Please refer to specialist reports for more detail on terms of reference followed to meet the regulatory requirements.</p> <p>Noted. Another site visit was on 15 August 2025, which will be included with an evidence photograph in the updated SSVR.</p> <p>Correct.</p>
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		<p>182 and is non-existent as a result of historic land uses, including the existing cemetery and farming activities. The status of the aquatic features on site is therefore uncertain. Comment confirming the status of the wetland features on the property must be obtained from a suitably qualified freshwater specialist. The outcome of this specialist opinion should determine the requirement of an Aquatic Biodiversity Compliance Statement.</p> <p>6.3.8. The Screening Tool Report dated 10 July 2025 identifies the Terrestrial Biodiversity Theme as having a “Low” sensitivity rating. However, the Application Form indicates that the proposed development will result in the clearance of more than 1 hectare of indigenous vegetation, thereby triggering Activity 27 of Listing Notice 1. The EAP has indicated that a Terrestrial Biodiversity Compliance Statement will be submitted, but the motivation provided for this requirement is inadequate. A review of historical and recent Google Earth Pro imagery (from June 2011 to January 2023) shows ongoing clearance of the site, suggesting that the land is already transformed and that little to no indigenous vegetation remains. To verify the current vegetation status and determine whether Activity 27 is indeed applicable, input must be obtained from a suitably qualified botanical specialist. The outcome of this specialist assessment will</p>	<p>The status of the aquatic features on site does not exist anymore because of the historical uses. However, the aquatic. The risk associated with the development in terms of the the Department of Water and Sanitation 2015 publication: Section 21c and i water use Risk Assessment Protocol in Government Gazette no. 40229 dated 26 August 2016 is low.</p> <p>The loss of natural habitat, biota and basic ecosystem functions is extensive in the non-perennial river. The PES result for the watercourse is a category E. The EIS was calculated for the importance of ecosystem services provided and the result points to Low/marginal importance and sensitivity.</p> <p>Correct.</p> <p>Correct.</p> <p>Noted. SSVR was updated to include the following motivation. The site is degraded as is visible in the photographs. However, the top soil was not legally disturbed the last 10 years and some parts of the site contain indigenous vegetation, although in a poor ecological state as a result of the historical disturbances. Therefore the screen tool correctly identified a low sensitivity rating. These areas are bigger than 1ha in size and therefore the listed activity is triggered. Nicolaas Hanekom is a suitably qualified specialist and already confirm that a compliance</p>
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		<p>confirm whether a Terrestrial Biodiversity Compliance Statement is still required.</p> <p>6.3.9. The Screening Tool Report identifies the Agricultural Theme as having a “High” environmental sensitivity rating. In the Site Sensitivity Verification (SSV) Report, the EAP justifies the exclusion of a Landscape/Visual Impact Assessment on the grounds that the proposed development is located within an urban area, specifically, on the edge of town with direct access from an existing road (as stated on page 5 of the SSVR).</p> <p>6.3.9.1. However, in the Application Form (pages 6 and 13), the EAP motivates the applicability of Activity 28 of Listing Notice 1 by asserting that the proposed development is located outside an urban area. This same rationale, i.e., whether the site is within or outside the urban area, directly affects the applicability of Activity 28 of Listing Notice 1 and Activity 4 of Listing Notice 3.</p> <p>6.3.9.2. Furthermore, the site is currently zoned Undetermined, and the proposed land use does not align with the existing land use on the property. The apparent inconsistency in the EAP’s reasoning, alternately presenting the site as being inside or outside the urban edge depending on the regulatory requirement, requires clarification to ensure that the correct listed activities and associated specialist assessments have been identified</p>	<p>statement is required due to the low sensitivity and attached as under Appendix G.</p> <p>Noted. Please refer to screen tool report which map erf 184 as low and portion of erf 182 as medium. The high sensitive areas are mapped outside the development footprint. The site is on the edge of town. Was not used for agricultural purposes, other than community livestock occasionally utilize the area. It is bordered on the one edge with residential development and on the other boundary with sports facility. The site zoning is also undetermined and is not used for residential purposes or was serviced. Therefore it is located outside an urban areas as indicated in the application form and the listed activity trigger.</p> <p>Noted. It is bordered on the one edge with residential development and on the other boundary with sports facility. The site zoning is also undetermined and is not used for residential purposes or was serviced. Therefore it is located outside an urban area as indicated in the application form and the listed activity trigger.</p> <p>Noted. Please refer to responses above for more explanation.</p>
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		<p>6.3.10. The Screening Tool Report identifies the need for a Socio-economic Assessment as part of the required specialist studies. However, the EAP indicates that such an assessment will not be undertaken, and instead refers to the use of a “rezoning motivation report” to describe the socio-economic impacts and development needs.</p> <p>6.3.10.1. It is unclear whether this motivation report was prepared with the intention of addressing the socio-economic impacts in the context of the Environmental Impact Assessment process, or whether it adequately assesses the associated impacts as required. Further clarity is therefore required in this regard.</p> <p>6.3.10.2. While the intention to develop residential erven is noted, the socio-economic implications of the proposed development, particularly the need and desirability, must be assessed in consultation with the surrounding communities, as part of a participatory process consistent with the principles of the EIA Regulations</p> <p>6.3.11. The requirement to undertake an Archaeological and Cultural Heritage Impact Assessment, as well as a Paleontological Impact Assessment, will be determined by Heritage Western Cape (HWC). A Notice of Intent to Develop (NID) will be submitted to HWC in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). This Directorate awaits HWC’s response to confirm</p>	<p>Noted. The screen tool report was amended to state that the socio-economic impacts associated with the developed was assessed directly in the BAR.</p> <p>Noted. It does describe the need and desirability of the development. However, the socio-economic impacts were directly assessed in draft BAR.</p> <p>Noted. The need and desirability were expanded. The development is to provide housing to the identified people on the municipal waiting list. The development was discussed and assessed and the site development plan developed in consultation with the community, especially the people on the edge of the development. As also visible in the site notice photographs, consultations were held with locals when site notices were placed. Those present informed the EAP that housing is in need and that the beneficiaries currently stays in backyards or with parents and that they support the application.</p> <p>Noted. Please refer to Appendix E.1. HWC NID who confirm that <i>“You are hereby notified that, since there is no reason to believe that the proposed housing project on Erven 182 and 184, Off existing Olyf Street and Arcarcia Street, Nuwerus, Vanrhynsdorp, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required”</i>.</p>
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	<p>whether any heritage-related specialist studies will be required.</p> <p>6.3.12. The SSV Report dated July 2025 must be revised to meet these requirements and include the information requested in the paragraphs above.</p> <p>6.4. The Protocols</p> <p>6.4.1. The “Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation” (“the Protocols”) were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and the Protocols are applicable to your proposed development.</p> <p>6.4.2. Be advised that the Protocols must be complied with for every new application that is submitted after 9 May 2020.</p> <p>6.4.3. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking SSV. The outcome of the SSV has been recorded in the format of a report.</p> <p>7. Guidelines</p> <p>7.1. You are advised that when undertaking the Basic Assessment process, you must take into account the applicable guidelines including the guidelines developed by the Department. The Department’s guidelines can be downloaded from the Department’s website (<a href="http://westerncape.gov.za/eadp">http://westerncape.gov.za/eadp</a>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:</p>	<p>Noted. Please refer to revised SSVR.</p> <p>Noted. Please refer to the relevant specialist studies for proof that the terms of reference and scope as per the protocols were followed.</p> <p>Noted.</p> <p>Noted. Please refer to updated SSVR.</p> <p>Noted. Please refer to draft BAR for list of guidelines undertaken during the Basic Assessment Process.</p>
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	<p>7.1.1. Guideline for the Review of Specialist Input in the EIA process (June 2005);</p> <p>7.1.2. Guideline for Environmental Management Plans (June 2005);</p> <p>7.1.3. Guideline on Public Participation (March 2013);</p> <p>7.1.4. Guideline on Alternatives (March 2013); and</p> <p>7.1.5. Guideline on Need and Desirability (March 2013)</p> <p>8. BAR Requirements</p> <p>8.1. The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations 2014 (as amended) and must include the information requested in this letter. Failure to submit any information prescribed in Appendix 1 of the EIA Regulations 2014 (as amended) may result in Environmental Authorisation being refused.</p> <p>8.2. This Department awaits the submission of the final BAR for decision-making, as prescribed by Regulation 19 of the EIA Regulations, 2014 (as amended). In accordance with Regulation 19 of GN No. R.982 (as amended), this Department hereby stipulates that the final BAR for decision-making must be submitted to this Department within ninety (90) days from the date of receipt of the Application Form for Environmental Authorisation by this Department, calculated from 14 July 2025.</p> <p>8.3. If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/ Environmental Assessment Practitioner (“EAP”) must notify this Department 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 30 days to allow registered Interested and Affected</p>	<p>Noted. Please refer to draft BAR for proof that the BAR must contain all the information outlined in Appendix 1 of the EIA Regulations 2014 (as amended) and must include the information requested in this letter.</p> <p>Noted.</p> <p>Noted.</p>
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	<p>Parties (“I&amp;APs”) to comment on the revised report/additional information.</p> <p>8.4. If the final BAR for decision-making is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 (as amended) and your case file will be closed for administrative purposes, unless an extension has been granted in terms of Regulation 3(7). Should you wish to pursue the application again, a new EIA application process would have to be initiated. A new Application Form for Environmental Authorisation would have to be submitted to the Competent Authority.</p> <p>9. Public Participation Process (“PPP”)</p> <p>9.1. The BAR must be subjected to a PPP that complies with 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 NEMA, 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 guidelines developed by this Department.</p> <p>9.2. It is noted that the draft BAR has been made available to the relevant Organs of State and interested and affected parties (“I&amp;APs”) for a commenting period of 30 days and a copy of the draft BAR has been submitted to this Directorate for commenting in accordance with the requirements of Regulation 40(3) of the EIA Regulations, 2014 (as amended).</p> <p>9.3. The Department herewith provides the following comments:</p> <p>9.3.1. Your attention is drawn to Circular 0027 of 2021 regarding the electronic administration of EIA applications. The Directorate: Development Management (Region 1 and 2) will continue with the electronic submission of</p>	<p>Noted.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to this report for proof.</p>
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		<p>correspondence and has for this reason established a dedicated e-mail address for the submission of all correspondence to the Directorates. For the Cape Town office, the e-mail address is DEADPEIAAdmin@westerncape.gov.za.</p> <p>9.3.2. Please ensure that where electronic copies cannot be accessed by I&amp;APs, alternative access to copies of the draft BAR are made available.</p> <p>9.3.3. E-mail notification to I&amp;APs is strongly supported. However, other means of notification for those I&amp;APS will be required, where no e-mail addresses are available, or where the likelihood of success of this electronic correspondence is expected to be low.</p> <p>9.3.4. Where I&amp;APs are unable to access electronic copies of the draft BAR, a hard copy of the report must be made available. Alternatively, the EAP will be required to engage with I&amp;APs, with respect to alternative methods of accessing electronic copies of the draft BAR.</p> <p>9.4. It is imperative that State Departments and/or Organs of State be in possession of the Reports when the EAP issues them with the notice in terms of Section 24O of the NEMA. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments and/or Organs of State in terms of Section 24O(2) and (3) of the NEMA in the BAR, where appropriate.</p> <p>9.5. The following State Departments and/or Organs of State must be consulted during the EIA process as part of the PPP:</p> <p>9.5.1. CapeNature;</p> <p>9.5.2. Heritage Western Cape;</p> <p>9.5.3. Department of Water and Sanitation;</p> <p>9.5.4. DEA&amp;DP: Directorate: Waste Management;</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Please refer to this report for proof.</p>
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		<p>9.5.5. DEA&amp;DP: Directorate: Pollution and Chemicals Management; and</p> <p>9.5.6. Matzikama Municipality.</p> <p>9.6. A register of I&amp;APs must be opened and maintained. The said register must be submitted to this Department. The EAP must record and respond to all comments received. The comments and responses must be captured in a 'Comments and Responses Report' and must include a description of the PPP followed. This report must be included in the public participation information attached to the final BAR to be submitted for a decision.</p> <p>10. Confirmation of availability of services:</p> <p>10.1. Since water supply, solid waste removal, electricity supply and effluent discharge services forms a component of the proposed development, you are requested to provide this office with written proof that the Local Authority/Eskom has sufficient capacity to provide the necessary services to the proposed development. Confirmation of the availability of services from the service providers must be provided together with the BAR.</p> <p>11. Environmental Management Programme ("EMPr")</p> <p>11.1. In accordance with Section 24N of the NEMA and Regulation 19 of the EIA Regulations 2014 (as amended), this Department hereby requires the submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of the EIA Regulations 2014 (as amended).</p> <p>11.2. The EMPr must address the potential environmental impacts of the proposed expansion throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after</p>	<p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to E.16 for confirmation of service capacity.</p> <p>Noted. Please refer to Appendix H for draft EMPr for comment.</p> <p>Noted. Please refer to Appendix H for draft EMPr for comment.</p>
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		<p>implementation (auditing). The EMPr must be submitted together with the BAR. When compiling the EMPr, this Department's Guideline for Environmental Management Plans (June 2005), available on this Department's website: <a href="http://www.westerncape.gov.za/eadp">http://www.westerncape.gov.za/eadp</a>, must be taken into account as well as Appendix 4 of the EIA Regulations, 2014 (as amended).</p> <p>12. Alternatives</p> <p>12.1. Be advised that in terms of the 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 this 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 EIA Regulations, 2014 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, activity, operational and technology alternatives.</p> <p>12.2. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.e., the "no-go" option) in addition to other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. 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 option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof that the investigation was undertaken and motivation</p>	<p>Noted. Please refer to draft BAR alternative section for more detail on alternatives.</p> <p>Noted. Please refer to Appendix J for assessment of no-go option.</p>
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		<p>indicating that no reasonable or feasible alternatives other than the preferred option and the 'no-go' option exist.</p> <p>13. Exemptions</p> <p>13.1. This Department notes that you do not intend to apply for exemption in terms of the National Exemption Regulations, 2014 from any of the requirements of the PPP, as stipulated in Regulation 41 of the EIA Regulations, 2014 (as amended) and that you do not intend to apply for exemption from any other provisions contained in the EIA Regulations, 2014 (as amended), the NEMA or any notice issued under the NEMA.</p> <p>13.2. Please note that should you fail to meet a requirement of the EIA Regulations, 2014 (as amended) or the NEMA and if no exemption from that provision was applied for and granted, your EIA application may be refused by this Department.</p> <p>14. Need and Desirability</p> <p>14.1. In terms of the EIA Regulations, 2014 (as amended), when considering an application, this Department 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</p> <p>15. NEMA Principles</p> <p>15.1. In addition to the above, 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.</p>	<p>Noted. Correct.</p> <p>Noted.</p> <p>Noted. Please refer to section directly in the BAR for description on need and desirability of the development.</p> <p>Noted. Please refer to draft BAR that describe section 2 principles.</p>
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		<p>16. Social and Gender Considerations</p> <p>16.1. 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</p> <p>17. Climate Change</p> <p>17.1. The BAR must report on the potential impacts on climate change. One of the objectives of the Western Cape Provincial Spatial Development Framework published by this Department is to minimise the consumption of scarce environmental resources such as water, fuel, building materials, mineral resources, electricity, and land. To this effect and as part of the efforts to reduce the effects of climate change, you must, as part of the EIA process, identify energy efficient technologies that could be implemented for the proposed development.</p> <p>18. General</p> <p>18.1. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>18.2. It is prohibited in terms of Section 24F 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. Non-compliance in terms of the prohibition must be referred to this Department’s Directorate: Environmental Law Enforcement for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p>	<p>Noted. Please refer to draft BAR that describe 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</p> <p>Noted. Please refer to draft BAR that describe under technology alternatives infrastructure or technologies to reduce electricity and water consumption.</p> <p>Noted.</p> <p>Noted.</p>
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		19. This Directorate reserves the right to revise or withdraw its comments and request further information based on any information received. Your interest in the future of the environment is greatly appreciated.	Noted.  Noted.
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**REFERENCE:** 16/3/3/1/F3/13/3035/25  
**DATE OF ISSUE:** 28 JULY 2025

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: 021 201 3300  
E-mail: [munman@matzikama.gov.za](mailto:munman@matzikama.gov.za)

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM 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) FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The application form and associated documents dated 8 July 2025 as received by this Department via electronic mail correspondence on 14 July 2025, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned documents by this Department.
3. Based on the information provided, the following is noted:
  - 3.1. The proposal entails the development of a housing development and associated infrastructure on Erven 182 and 184, Nuwerus.
  - 3.2. The proposed housing development is comprised of Areas A and B with a combined total of 91 residential units.
  - 3.3. The proposal includes the development of internal roads which will connect from existing Olyf Street and Arcarcia Street.
  - 3.4. Historically, the site is comprised of Namaqualand Heuweltjieveld and Southern Namaqualand Quartzite Klipkoppe Shrubland, which are categorised as Least Concern in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) List of Threatened Ecosystems in Need of Protection (dated 2022). The status of the indigenous vegetation on site will be confirmed by a botanical specialist.
  - 3.5. The total development footprint of the proposal is approximately 3.45ha.
4. Applicable Listed Activities:
  - 4.1. Having considered the information contained in the Application Form, the Department concurs that the proposed development constitutes the following listed activities as defined in terms of the EIA Regulations, 2014, as amended, namely:
    - 4.1.1. Activities 27 and 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended); and
    - 4.1.2. Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).
  - 4.2. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. You are hereby advised that only the Listed Activities applied for in terms of the EIA Regulations, 2014 (as amended) will be considered for authorisation. 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. Failure to include any applicable Listed Activity may invalidate the application.

- 4.3. Please revise the activity and project description to adequately describe the proposed development in relation to the applicable listed activities.
5. Water Use License Application ("WULA")
  - 5.1. On page 9 of the Application Form, it is indicated that a Water Use Licence ("WUL") is required in terms of the National Water Act, 1998 (Act No. 36 of 1998). However, section 2.3 of the form, which requires a detailed explanation justifying the need for the WUL, is inadequately completed. This section must be revised to clearly outline the specific water uses that trigger the requirement for a licence. Furthermore, the application particulars and proof of submission of the WUL application to the Department of Water and Sanitation must be included in the Draft Basic Assessment Report ("BAR").
  - 5.2. Please ensure that comment from the Department of Water and Sanitation is included in the Draft BAR.
6. Screening Tool, The Protocols, Site Sensitivity Verification Report ("SSVR") and Specialist Assessments
  - 6.1. Screening Tool Report
    - 6.1.1. This Directorate notes that the application form refers to the submission of the Screening Tool Report (dated 10 July 2025). The aforementioned Screening Tool Report has identified a number of specialist studies to be conducted. A motivation as to why certain specialist studies highlighted in the Screening Report will/will not be conducted has been provided in the Site Sensitivity Verification Report dated July 2025, submitted with the Application Form.
    - 6.1.2. The following specialist assessments were identified in the Screening Tool Report (10 July 2025):
      - 6.1.2.1. A Landscape/Visual Assessment;
      - 6.1.2.2. An Archaeological and Cultural Heritage Impact Assessment;
      - 6.1.2.3. A Palaeontology Impact Assessment;
      - 6.1.2.4. A Terrestrial Biodiversity Impact Assessment;
      - 6.1.2.5. An Aquatic Biodiversity Impact Assessment;
      - 6.1.2.6. Socio-economic Impact Assessment;
      - 6.1.2.7. A Plant Species Assessment; and
      - 6.1.2.8. An Animal Species Assessment.
  - 6.2. The motivation for not conducting certain identified specialist studies as identified in the aforementioned SSVR is noted.
  - 6.3. The following comments related to the SSVR must be noted and addressed accordingly:
    - 6.3.1. Based on the "Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation" ("the Protocols") were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and the Protocols are applicable to your development proposal. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking site sensitivity verification.
    - 6.3.2. The **Site Sensitivity Verification and Minimum Report Content Requirements** as described in the Procedures for Assessment and Minimum Reporting Requirements for Reporting on Identified Environmental Themes in Terms of Sections 24(5)(a) And (h) and 44 of the NEMA, when applying for Environmental Authorisation ("the Protocols") published on 20 March

2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020), states that:

"1.2. The site sensitivity verification must be undertaken through the use of: (a) a desk top analysis, using satellite imagery; (b) a preliminary on-site inspection; and (c) any other available and relevant information."

"1.3. The outcome of the site sensitivity verification must be recorded in the form of a report that- (a) confirms or disputes the current use of the land and the environmental sensitivity as identified by the screening tool, such as new developments or infrastructure, the change in vegetation cover or status etc.; (b) contains a motivation and evidence (e.g. photographs) of either the verified or different use of the land and environmental sensitivity; and (c) is submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations] (EIA Regulations)."

- 6.3.3. Where an assessment protocol is prescribed for one of the environmental themes included in the Protocol (for example, aquatic biodiversity and terrestrial biodiversity), the specialist assessment must comply with the Protocol.
- 6.3.4. 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 verification and must comply with Appendix 6 of the EIA Regulations, 2014 (as amended).
- 6.3.5. Please note that should relevant commenting authorities require any additional specialist assessments, the relevant specialist assessment must be undertaken.
- 6.3.6. The SSVR dated July 2025, makes reference to a site visit undertaken on 23 July 2023 (two years ago) to confirm or dispute the current status of the environmental features on site. The SSVR does not include any site photographs taken to confirm or dispute the current status of the environmental features on site, to further justify the requirement of these specialist assessments and compliance statements. As such, the SSV Report dated July 2025 is fatally flawed and does not meet these requirements.
- 6.3.7. Based on the findings of the SSVR dated July 2025, the Environmental Assessment Practitioner ("EAP") disputes the "Very High" sensitivity rating to "Low" and motivates that an Aquatic Biodiversity Compliance Statement will be undertaken. The EAP claims that the non-perennial river on site was *incorrectly identified in the northern corner of the erf 182 and is non-existent as a result of historic land uses, including the existing cemetery and farming activities*. The status of the aquatic features on site is therefore uncertain. Comment confirming the status of the wetland features on the property must be obtained from a suitably qualified freshwater specialist. The outcome of this specialist opinion should determine the requirement of an Aquatic Biodiversity Compliance Statement.
- 6.3.8. The Screening Tool Report dated 10 July 2025 identifies the Terrestrial Biodiversity Theme as having a "Low" sensitivity rating. However, the Application Form indicates that the proposed development will result in the clearance of more than 1 hectare of indigenous vegetation, thereby triggering Activity 27 of Listing Notice 1. The EAP has indicated that a Terrestrial Biodiversity Compliance Statement will be submitted, but the motivation provided for this requirement is inadequate. A review of historical and recent Google Earth Pro imagery (from June 2011 to January 2023) shows ongoing clearance of the site, suggesting that the land is already transformed and that little to no indigenous vegetation remains. To verify the current vegetation status and determine whether Activity 27 is indeed applicable, input must be obtained from a suitably qualified botanical specialist. The outcome of this specialist assessment will confirm whether a Terrestrial Biodiversity Compliance Statement is still required.
- 6.3.9. The Screening Tool Report identifies the Agricultural Theme as having a "High" environmental sensitivity rating. In the Site Sensitivity Verification (SSV) Report, the EAP justifies the exclusion of a Landscape/Visual Impact Assessment on the grounds that the

proposed development is located within an urban area, specifically, on the edge of town with direct access from an existing road (as stated on page 5 of the SSVR).

6.3.9.1. However, in the Application Form (pages 6 and 13), the EAP motivates the applicability of Activity 28 of Listing Notice 1 by asserting that the proposed development is located outside an urban area. This same rationale, i.e., whether the site is within or outside the urban area, directly affects the applicability of Activity 28 of Listing Notice 1 and Activity 4 of Listing Notice 3.

6.3.9.2. Furthermore, the site is currently zoned Undetermined, and the proposed land use does not align with the existing land use on the property. The apparent inconsistency in the EAP's reasoning, alternately presenting the site as being inside or outside the urban edge depending on the regulatory requirement, requires clarification to ensure that the correct listed activities and associated specialist assessments have been identified

6.3.10. The Screening Tool Report identifies the need for a Socio-economic Assessment as part of the required specialist studies. However, the EAP indicates that such an assessment will not be undertaken, and instead refers to the use of a "rezoning motivation report" to describe the socio-economic impacts and development needs.

6.3.10.1. It is unclear whether this motivation report was prepared with the intention of addressing the socio-economic impacts in the context of the Environmental Impact Assessment process, or whether it adequately assesses the associated impacts as required. Further clarity is therefore required in this regard.

6.3.10.2. While the intention to develop residential erven is noted, the socio-economic implications of the proposed development, particularly the need and desirability, must be assessed in consultation with the surrounding communities, as part of a participatory process consistent with the principles of the EIA Regulations

6.3.11. The requirement to undertake an Archaeological and Cultural Heritage Impact Assessment, as well as a Paleontological Impact Assessment, will be determined by Heritage Western Cape (HWC). A Notice of Intent to Develop (NID) will be submitted to HWC in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). This Directorate awaits HWC's response to confirm whether any heritage-related specialist studies will be required.

6.3.12. The SSV Report dated July 2025 must be revised to meet these requirements and include the information requested in the paragraphs above.

#### 6.4. The Protocols

6.4.1. The "Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation" ("the Protocols") were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and the Protocols are applicable to your proposed development.

6.4.2. Be advised that the Protocols must be complied with for every new application that is submitted after 9 May 2020.

6.4.3. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking SSV. The outcome of the SSV has been recorded in the format of a report.

## 7. Guidelines

7.1. You are advised that when undertaking the Basic Assessment process, you must take into account the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<http://westerncape.gov.za/eadp>). In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:

- 7.1.1. Guideline for the Review of Specialist Input in the EIA process (June 2005);
- 7.1.2. Guideline for Environmental Management Plans (June 2005);
- 7.1.3. Guideline on Public Participation (March 2013);
- 7.1.4. Guideline on Alternatives (March 2013); and
- 7.1.5. Guideline on Need and Desirability (March 2013)

## 8. BAR Requirements

- 8.1. The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations 2014 (as amended) and must include the information requested in this letter. Failure to submit any information prescribed in Appendix 1 of the EIA Regulations 2014 (as amended) may result in Environmental Authorisation being refused.
- 8.2. This Department awaits the submission of the final BAR for decision-making, as prescribed by Regulation 19 of the EIA Regulations, 2014 (as amended). In accordance with Regulation 19 of GN No. R.982 (as amended), this Department hereby stipulates that the final BAR for decision-making must be submitted to this Department within ninety (90) days from the date of receipt of the Application Form for Environmental Authorisation by this Department, **calculated from 14 July 2025**.
- 8.3. If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/ Environmental Assessment Practitioner ("EAP") must notify this Department 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 30 days to allow registered Interested and Affected Parties ("I&APs") to comment on the revised report/additional information.
- 8.4. If the final BAR for decision-making is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 (as amended) and your case file will be closed for administrative purposes, unless an extension has been granted in terms of Regulation 3(7). Should you wish to pursue the application again, a new EIA application process would have to be initiated. A new Application Form for Environmental Authorisation would have to be submitted to the Competent Authority.

## 9. Public Participation Process ("PPP")

- 9.1. The BAR must be subjected to a PPP that complies with 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 NEMA, 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 guidelines developed by this Department.
- 9.2. It is noted that the draft BAR has been made available to the relevant Organs of State and interested and affected parties ("I&APs") for a commenting period of 30 days and a copy of the draft BAR has been submitted to this Directorate for commenting in accordance with the requirements of Regulation 40(3) of the EIA Regulations, 2014 (as amended).
- 9.3. The Department herewith provides the following comments:
  - 9.3.1. Your attention is drawn to Circular 0027 of 2021 regarding the electronic administration of EIA applications. The Directorate: Development Management (Region 1 and 2) will continue with the electronic submission of correspondence and has for this reason established a dedicated e-mail address for the submission of all

correspondence to the Directorates. For the Cape Town office, the e-mail address is [DEADPEIAAdmin@westerncape.gov.za](mailto:DEADPEIAAdmin@westerncape.gov.za).

- 9.3.2. Please ensure that where electronic copies cannot be accessed by I&APs, alternative access to copies of the draft BAR are made available.
  - 9.3.3. E-mail notification to I&APs is strongly supported. However, other means of notification for those I&APs will be required, where no e-mail addresses are available, or where the likelihood of success of this electronic correspondence is expected to be low.
  - 9.3.4. Where I&APs are unable to access electronic copies of the draft BAR, a hard copy of the report must be made available. Alternatively, the EAP will be required to engage with I&APs, with respect to alternative methods of accessing electronic copies of the draft BAR.
- 9.4. It is imperative that State Departments and/or Organs of State be in possession of the Reports when the EAP issues them with the notice in terms of Section 24O of the NEMA. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments and/or Organs of State in terms of Section 24O(2) and (3) of the NEMA in the BAR, where appropriate.
  - 9.5. The following State Departments and/or Organs of State must be consulted during the EIA process as part of the PPP:
    - 9.5.1. CapeNature;
    - 9.5.2. Heritage Western Cape;
    - 9.5.3. Department of Water and Sanitation;
    - 9.5.4. DEA&DP: Directorate: Waste Management;
    - 9.5.5. DEA&DP: Directorate: Pollution and Chemicals Management; and
    - 9.5.6. Matzikama Municipality.
  - 9.6. A register of I&APs must be opened and maintained. The said register must be submitted to this Department. The EAP must record and respond to all comments received. The comments and responses must be captured in a 'Comments and Responses Report' and must include a description of the PPP followed. This report must be included in the public participation information attached to the final BAR to be submitted for a decision.
10. Confirmation of availability of services:
    - 10.1. Since water supply, solid waste removal, electricity supply and effluent discharge services forms a component of the proposed development, you are requested to provide this office with written proof that the Local Authority/Eskom has sufficient capacity to provide the necessary services to the proposed development. Confirmation of the availability of services from the service providers must be provided together with the BAR.
11. Environmental Management Programme ("EMPr")
    - 11.1. In accordance with Section 24N of the NEMA and Regulation 19 of the EIA Regulations 2014 (as amended), this Department hereby requires the submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of the EIA Regulations 2014 (as amended).
    - 11.2. The EMPr must address the potential environmental impacts of the proposed expansion 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. When compiling the EMPr, this Department's Guideline for Environmental Management Plans (June 2005), available on this Department's website: <http://www.westerncape.gov.za/eadp>, must be taken into account as well as Appendix 4 of the EIA Regulations, 2014 (as amended).

## 12. Alternatives

- 12.1. Be advised that in terms of the 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 this 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 EIA Regulations, 2014 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, activity, operational and technology alternatives.
- 12.2. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.e., the "no-go" option) in addition to other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. 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 option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof that the investigation was undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the 'no-go' option exist.

## 13. Exemptions

- 13.1. This Department notes that you do not intend to apply for exemption in terms of the National Exemption Regulations, 2014 from any of the requirements of the PPP, as stipulated in Regulation 41 of the EIA Regulations, 2014 (as amended) and that you do not intend to apply for exemption from any other provisions contained in the EIA Regulations, 2014 (as amended), the NEMA or any notice issued under the NEMA.
- 13.2. Please note that should you fail to meet a requirement of the EIA Regulations, 2014 (as amended) or the NEMA and if no exemption from that provision was applied for and granted, your EIA application may be refused by this Department.

## 14. Need and Desirability

- 14.1. In terms of the EIA Regulations, 2014 (as amended), when considering an application, this Department 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

## 15. NEMA Principles

- 15.1. In addition to the above, 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.

## 16. Social and Gender Considerations

- 16.1. 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

## 17. Climate Change

- 17.1. The BAR must report on the potential impacts on climate change. One of the objectives of the Western Cape Provincial Spatial Development Framework published by this Department is to minimise the consumption of scarce environmental resources such as water, fuel, building materials, mineral resources, electricity, and land. To this effect and as part of the efforts to

reduce the effects of climate change, you must, as part of the EIA process, identify energy efficient technologies that could be implemented for the proposed development.

18. General

- 18.1. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
- 18.2. It is prohibited in terms of Section 24F 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. Non-compliance in terms of the prohibition must be referred to this Department's Directorate: Environmental Law Enforcement for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

19. This Directorate reserves the right to revise or withdraw its comments and request further information based on any information received.

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

Yours faithfully

**Eldon van Boom**

Digitally signed by Eldon van Boom  
Date: 2025.07.26 02:57:17 +02'00'

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

Copied to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd)
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

E-mail: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

E-mail: [annalvdw@matzikamamun.co.za](mailto:annalvdw@matzikamamun.co.za)

E-mail: [andre.oosthuizen@westerncape.gov.za](mailto:andre.oosthuizen@westerncape.gov.za)

## PROOF OF SENDING DRAFT BAR

**Nicolaas Hanekom**

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**From:** Nicolaas Hanekom  
**Sent:** Monday, August 25, 2025 10:47 AM  
**To:** DEADP EIA Admin; Marius Wheeler; Ismat Adams; Saliem Haider; Lance Mcbain-Charles; 'Landuse.Elsenburg@elsenburg.com'; Brandon Layman; Ndobeni Nelisa (BVL); Dreyer Warren <DreyerW@dws.gov.za> (DreyerW@dws.gov.za); Ceoheritage; munman@matzikama.gov.za; 'westcoastdm@wcdm.co.za'; WCDM Correspondence; 'HOD Transport and Public Works'; Gunther Frantz; RABIA REYNOLDS; Saa-rah Adams; Johmandie Pienaar; Nicolaas Hanekom  
**Cc:** Admin; Belinda Swartland  
**Subject:** AVAILABILITY OF DRAFT BAR FOR 30 DAYS COMMENT. DEA&DP REFERENCE NUMBER: 16/3/3/1/F3/13/3035/25. Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha.

### AVAILABILITY OF DRAFT BAR FOR COMMENT.

**Nieuwe Rust Housing project on erf 182 and 184 on ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha. Proposed Layout = 91 units (10m x 15m = ±150m<sup>2</sup>) A = 31 units and B = 60 units.**

**DEA&DP REFERENCE NUMBER: 16/3/3/1/F3/13/3035/25**

**DATED AUGUST 2025**

Dear Key departments

This email serves as a notification of the availability of the Draft BAR and appendices for **30-day** commenting period. Please take note of the details below which set out: - (1) How you can access the Draft BAR and appendices, (2) the commenting period and deadline for the submission of comments, and (3) how to submit of comments.

The Draft BAR and appendices are accessible via: -

- (i) electronic download on our website at: <https://enviro-eap.co.za/public-participation/>. When landing on the Public Participation Page on the website please scroll down until you locate the project title as indicated above. (**valid for full duration of 30 day or during the full commenting period**).
- (ii) The report and appendixes can be downloaded using the following share link [☐ Nieuwe-Rust-Housing-Draft-BAR](#)

### (2) COMMENTING PERIOD ON THE DRAFT BAR AND APPENDICES AND DEADLINE FOR COMMENTS SUBMISSION

The commenting period of the draft BAR and appendices is **30 days EXCLUDING PUBLIC HOLIDAYS**, starting from the **26 August 2025** ending on the **25 September 2025**. Your comments on the Draft BAR and appendices must be provided within the regulatory 30-day commenting period or by no later than the **25/09/2025**.

### CONSULTATION WITH ORGANS OF STATE / KEY DEPARTMENTS [NEMA S240]

To facilitate adequate consultation with State Departments that administers laws relating to a matter affecting the environment in accordance with the requirements of Section 240 of NEMA, please be advised that all registered interested and affected parties, organs of state, key departments, and/or stakeholders were [in receipt of this email] notified electronically of the availability of the Draft BAR and appendices on this date **25 August 2025, commenting period commence on 26 August 2025**. As such all RI&APs and Stakeholders are considered to be "in possession" of the Draft BAR and appendices from the date of electronic notification.

### (3) SUBMISSION OF COMMENTS

Please direct your comments in writing for the attention of the responsible EAP as per the contact information provided below:

**Responsible EAP:** Nicolaas Hanekom

Email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

I trust the above is in order, kindly acknowledge receipt.

Vriendelike Groete / Kind regards

Nicolaas Hanekom  
Director. Enviro-EAP  
Pri Sci Nat (Ecology) 400274/11  
Registered Environmental Assessment Practitioner: 2020/1146

**Contact number:** 076 963 6450

School str 2  
Agulhas  
South Africa  
7287



**TABLE 4: COMMENTS AND RESPONSES TABLE –DRAFT BAR**

STAKEHOLDER/IAP	DATE	COMMENT	RESPONSE
Department of Environmental Affairs and Development Planning Saa-rah Adams Directorate: Development Management, Region 1	4 September 2025	<p>ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT BASIC ASSESSMENT REPORT (“BAR”) FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The draft BAR and associated documents dated and received by this Department via electronic mail correspondence on 25 August 2025, refers.</p> <p>2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.</p> <p>3. Please note that this Department will consider the draft BAR and provide comment within the prescribed 30-day period.</p> <p>4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>5. Please note that it is an offence in terms of Section 49A(1)(a) 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. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. 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.</p> <p>6. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
Department of Environmental Affairs and	25/9/2025	<p>COMMENT ON THE AVAILABILITY OF DRAFT BAR FOR 30 DAYS COMMENT. NIEUWE RUST HOUSING PROJECT ON ERF 182 AND 184 ON ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha.</p>	<p>Noted.</p>

<p>Development Planning  Directorate: Waste Management  Zeta Smith  Component: Waste Policy and Minimisation</p>		<p>The Directorate: Waste Management (D: WM) acknowledges receipt of the Draft BAR and EMPr on the 25 August 2025 for the proposed development.</p> <p>It is recommended that the following aspects are taken into consideration in terms of the outlined waste management procedures listed in Objective C14: Appropriate Handling and Storage of Chemicals, Hazardous Substance and Waste (Waste Management Plan):</p> <ol style="list-style-type: none"> <li>1. In line with the Western Cape’s 100% Organic Waste Diversion target by 2027, all vegetation that is cleared must be diverted to an organic waste facility for processing. No cleared vegetation or any other organic waste may be taken to a landfill facility.</li> <li>2. It is noted that the BAR includes the implementation of a site-specific Waste Management Plan (WMP) during the construction phase although it is recommended that waste receptacles are provided throughout all phases of the development, and waste generated is appropriately managed to encourage separation at source into appropriate waste streams and diversion, to avoid impact to the surrounding environment.</li> <li>3. It is recommended that the development encourage the design of communal areas that promotes waste diversion i.e. shared storage spaces to encourage separation at source within the residential area.</li> <li>4. The waste receptables i.e. bins and skips must be appropriately labelled to be easily identified by residents or users, recycling facilities and waste collectors.</li> <li>5. Within the EMPr, pages 39 and 40 strongly focus on the implementation of the Waste Hierarchy, it is recommended that all waste management actions to be aligned with this.</li> </ol>	<p>Noted.</p> <p>Noted. EMP will be audited to ensure compliance.</p> <p>Noted. Due to transformed nature, limited vegetation will be cleared and what will be cleared will be used to stabilize the erosion gully. If not used on site, it must be sent to compost facility and not disposed into landfill site as included in EMP already.</p> <p>Noted. Thanks for confirmation that it is included in EMPr and waste management actions are included for all phases in the EMP.</p> <p>Noted. Please take note that was handling and collection will be done in terms of the municipal waste management and handling procedures already in place on border of the development.</p> <p>Noted. Please take note that was handling and collection will be done in terms of the municipal waste management and handling procedures already in place on border of the development.</p> <p>Noted. Thanks for confirmation that waste management is included in EMP.</p>
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		<p>6. Within the EMPr, on page 47 to 53, it is noted that environmental awareness induction course material is included in compliance with Section 24N (3)(c) of the National Environmental Management Act 10 of 1998, however, on page 49, it indicates that rubbish or vegetation should not be burned without permission. It is recommended that waste and organic waste should not be burnt at all.</p> <p>(a) It is recommended that a timeline should be included when the environmental awareness induction will take place.</p> <p>Please contact Zeta Smith (Zeta.Smith@westerncape.gov.za ) should you have further enquiries.</p>	<p>Noted. Please refer to wording in EMPr which is as follows: Waste disposal must be in accordance with all relevant legislation and under no circumstances may waste be burnt on site.</p> <p>Noted. A timeline is included in EMPr. Training must be done before and during construction.</p>
<p>Department of Environmental Affairs and Development Planning Asemahle Jacob Directorate: Pollution and Chemicals Management</p>	25/9/25	<p>COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERF 182 AND 184, NIEUWE RUST, VREDENDAL, MATZIKAMA</p> <p>The Directorate: Pollution and Chemicals Management (D: PCM) acknowledges receipt of the Draft Basic Assessment Report (DBAR) on 25 August 2025. Please find comment from the D: PCM as follows:</p> <p>1. It is recommended that the proposed 91 units are fitted with water efficient fixtures/plumbing, to encourage the conservation and efficient use of water resources.</p> <p>2. The following general recommendations are provided to prevent and manage the potential contamination emanating from the site during the construction phase and should be incorporated into the Environmental Management Programme (EMPr):</p> <p>2.1 The responsible management of hazardous chemicals should be practiced at all times and storage or handling of chemicals must not take place within close proximity of any watercourses.</p> <p>2.2 The refuelling and/or repair of heavy earth moving vehicles should not take place within any watercourses and</p>	<p>Noted.</p> <p>Noted. It is included under technology alternatives in BAR.</p> <p>Noted.</p> <p>Noted. Already included in EMP.</p> <p>Noted. Already included in EMP.</p>

		<p>should be conducted within a dedicated impervious area on site.</p> <p>2.3 All heavy earth-moving and transport vehicles must be in good working condition with no leaking hydrocarbon fuel, fluids or lubricant emanating from these vehicles.</p> <p>2.4 The storage of hazardous substances (i.e. petrol, diesel, and lubricants etc.) should be located on impervious bases with bunds (to accommodate 110% of the volume) around them to contain any fugitive spillages and/or leakages.</p> <p>Please direct any enquiries to Asemahle Jacob should you require clarity on the comments provided.</p> <p>The Department reserves the right to revise or withdraw comments or request further information based on any information received.</p>	<p>Noted. Already included in EMP.</p> <p>Noted. Already included in EMP.</p> <p>Noted.</p> <p>Noted.</p>
<p>Department of Environmental Affairs and Development Planning Saa-rah Adams Directorate: Development Management, Region 1</p>	<p>26/9/25</p>	<p>COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT (“BAR”) FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The draft BAR and associated documents dated and received by this Department via electronic mail correspondence on 25 August 2025, and this Directorate’s correspondence dated 4 September 2025, refer.</p> <p>2. Having considered the information contained in the Draft BAR, this Directorate hereby provides the following comments</p> <p>2.1. Project description</p> <p>2.1.1. The proposal entails the establishment of a housing development and associated infrastructure on Erven 182 and 184, Nuwerus. The proposed housing development is comprised of Areas A and B with a combined total of approximately 91 residential units.</p> <p>2.1.2. The proposal is comprised of the following:</p> <p>2.1.2.1. approximately 91 residential units;</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Correct.</p> <p>Correct.</p>

		<p>2.1.2.2. internal roads comprised of a combination of premix and paved surfaces and will be 10m and 8 m wide, but not longer than 1km;</p> <p>2.1.2.3. internal bulk water reticulation network, which will be 90mm diameter uPVC Class 12 pipes and will connect to the existing water mains in Olyf Street (Area A) and Arcarcia Street (Area B);</p> <p>2.1.2.4. internal sewer reticulation network comprised of 160 mm diameter class 34 uPVC pipes with 110 mm diameter erf connections; and</p> <p>2.1.2.5. stormwater infrastructure comprised of a new piped system.</p> <p>2.1.3. The correspondence from Matzikama Municipality's Directorate: Infrastructure Services dated 9 March 2023, confirming that "sufficient bulk services exist to accommodate the proposed development", is noted.</p> <p>2.1.4. The correspondence refers to an approved layout of "87 residential units" illustrated on a drawing Proposed Layout Plan dated 14 June 2021 drafted by Urban Dynamics Western Cape, Town and Regional Planners. The Proposed Layout Plan illustrates 87 residential units, a church, a creche, a business erf and a parking area. This drawing does not correspond with the Proposed Layout Plan dated 5 May 2025 drafted by Urban Dynamics Western Cape, Town and Regional Planners included as Appendix B of the Draft BAR.</p> <p>2.1.5. Furthermore, the details of the proposed internal road network only describes the width of the roads and does not include the design specifications of the proposed reticulation network required to accommodate the proposed development.</p>	<p>Correct.</p> <p>Correct.</p> <p>Correct.</p> <p>Take note that description on stormwater was updated to be in line with attached stormwater management plan.</p> <p>Noted.</p> <p>Noted. Confirmation of services was updated to be in line with latest layout.</p> <p>Noted. Was updated to include that services will be installed next to roads in sidewalks.</p>
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	<p>2.1.6. As such, you are required to provide the design specifications of the proposed internal road and reticulation networks with supplementary confirmation thereof from the Municipality or Civil Engineering Report commissioned for this proposed development. In addition to this, you are advised to obtain an updated confirmation from the relevant municipal department at Matzikama Municipality confirming sufficient services is available for the proposed development, which references the correct Proposed Site Layout.</p> <p>2.1.7. The details of the proposed development illustrated in the abovementioned Proposed Layout Plans does not correspond with the Project Description described in page 12 of the Draft BAR. It is therefore uncertain whether the description of the proposed development described in paragraphs 2.1.1. and 2.1.2 is correct. You are required to obtain conformation from the municipality confirm whether the description is an accurate reflection of the proposed development. The information in the draft BAR, the correspondences from the municipality and the Proposed Layout Plans must correspond. Upon receipt of the confirmation from the municipality, you are required to amend/ revise the project description, accordingly.</p> <p>2.1.8. You are reminded that should the project description require an amendment, a revised Application Form must be submitted with the Final BAR.</p> <p>2.2. Need and Desirability and Planning Context</p> <p>2.2.1. In this Directorate’s previous comment on the pre-application Draft BAR dated 24 June 2025, concerns regarding the proximity of the proposed housing development to an</p>	<p>Noted. The road designs are described as “internal roads will consist of a combination of premix and paved surfaces and will be 10m and 8 m wide”</p> <p>Noted. The description was updated and was confirm by the municipality as a correct reflection.</p> <p>Noted. A revised Application form will be submitted with final BAR. Take note that Listing notice 12 of activity 1 was also included as a listed activity and will also be included in the revised application when the final BAR is submitted.</p> <p>Noted. Please take note that the proposed development layout, including the buffer from the cemetery was submitted to the Matzikama</p>
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	<p>existing cemetery were highlighted. In the Comments and Response Report submitted with the Draft BAR, the Environmental Assessment Practitioner (“EAP”) confirms that the proposed housing development is located within 20m and 70m of the cemetery. As such, you are required to obtain comment from the relevant department within the municipality confirming whether there is any stipulated setback distances required from a cemetery boundary and whether special consent use is required in consideration of the proposed development. This information must be obtained prior to the submission of the Final BAR.</p> <p>2.2.2. The Need and Desirability aspect of the Draft BAR must address the proximity of the proposed housing development to an existing cemetery.</p> <p>2.3. Water Use License (“WUL”)</p> <p>2.3.1. In this Directorate’s previous correspondence on the pre-application draft BAR dated 24 June 2025, a request for comment from the Department of Water and Sanitation (“DWS”) confirming whether an application for a WUL in terms of Section 21(c) &amp; (i) of the National Water Act (Act 36 of 1998), is required. The correspondence from the DWS dated 12 June 2025 serves as confirmation that a WUL is required if the development is within 500m of a wetland or within the 1:100 year flood line.</p> <p>2.3.2. However, in the Comments and Response Report, the EAP disputes DWS’s requirement for a WUL and indicates the development is not located within the 1:100 year flood line. Without an updated comment from the DWS confirming that a WUL is not required, you are hereby advised to comply with</p>	<p>Municipality and internally discussed, amended and the approved SDP after this process was followed was provided and included in the draft BAR as preferred layout.</p> <p>Noted. The need and desirability will be updated to include the following: The buffer between the development and cemetery was discussed and the need for housing discussed with the community and the site development plan and layout was accepted by the municipality and community.</p> <p>Noted. I was established that a non-perennial river is approximately 7m north of the site, but outside the development impact area. The risk to this non-perennial river is low and therefore according the Water Use Authorization requirements requires a General Authorization, but this will be confirm by DWS. The application process however already stated. You have requested to be linked to the client : WSP : MATZIKAMA LOCAL MUNICIPALITY</p> <p>Your reference number for the request is : CT33561</p> <p>Application Description : MATZIKAMA MUNICIPALITY NIEUWE RUST HOUSING PROJECT</p>
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	<p>this requirement. The WUL application must be submitted to the DWS and proof of submission thereof, including all the relevant documentation required for the application process, must be included in the final BAR.</p> <p>2.3.3. In the correspondence from the DWS dated 12 June 2025, the DWS requests confirmation of the capacity and adequacy of the available wastewater infrastructure to ensure that the system can handle the additional load arising from the new Nieuwe Rust Housing Development. In response to this comment, the EAP notes, the “Capacity of available services proof by the municipality will be included in final BAR”. However, this comment must be addressed and confirmation from the DWS that the comment has been adequately addressed must be obtained prior to the submission of the final BAR.</p> <p>2.3.4. The DWS highlighted concerns related to the management of “increased runoff” as a result of vegetation clearance and requested that impact management actions must be addressed to ensure that stormwater does not lead to erosion and excessive levels of silt entering the water resource. In this Directorate’s comments on the pre-application Draft BAR dated 24 June 2025, we requested details regarding the layout and design details of the proposed stormwater management infrastructure and the relevant mitigation measures.</p> <p>2.3.5. A specific request for a Stormwater Management Plan was highlighted in this Directorate’s previous on the pre-application Draft BAR. In response to this request in the Comments and Response Report submitted with the Draft BAR, the EAP references the stormwater infrastructure as described in services report (Civil Services Report dated 13 June 2024 compiled by UDS Africa). This does not serve as a</p>	<p>Your request has been <b>Approved</b>, you can proceed to apply for the Water Use on behalf of the client.</p> <p>Noted. The services confirmation letter was included in draft BAR for DWS comment and DWS comment will be included in final BAR.</p> <p>Noted. The Aquatic Biodiversity Compliance statement was peer reviewed by Nick Steytler. Stormwater management plan was included. Nick also identified stormwater runoff and erosion as a risk and recommended mitigation measures that was included in the EMPr and BAR.</p> <p>Noted. Please refer to update activity description on stormwater infrastructure which described the stormwater management plan also attached as an appendix in draft BAR.</p>
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	<p>Stormwater Management Plan and does adequately address this requirement as proposed layout thereof was not provided, and as such, the proposed mitigation measures do not adequately address the associated impacts. A Stormwater Management Plan must be compiled by a suitably qualified engineer. The Stormwater Management Plan must include a proposed layout and must be appended to the Environmental Management Programme (“EMPr”), accordingly.</p> <p>2.3.6. Comments on the Stormwater Management Plan must be obtained from DWS and submitted with the Final BAR.</p> <p>2.3.7. With regard to the abovementioned requirements, please note that if the BAR undergoes several updates and substantive changes, due to the comments to be obtained from the DWS and/or any other registered Interested and Affected Party (“I&amp;AP”) and commenting authority(ies), then a revised Draft BAR and supporting information, which incorporates all of the changes must be circulated to all registered I&amp;APs as well as commenting authorities for an additional minimum commenting period of thirty (30) days. Your attention is therefore drawn to Regulation 19(1)(b) of the EIA Regulations, 2014 (as amended) that is applicable in this regard.</p> <p>2.4. Freshwater Impacts</p> <p>2.4.1. According to the Aquatic Biodiversity Protocol an Aquatic Biodiversity Specialist Assessment must be prepared by a specialist registered with the South African Council for Natural Scientific Professionals (“SACNASP”) with expertise in the field of aquatic sciences and an Aquatic Biodiversity Compliance Statement must be prepared by a suitably qualified specialist registered with the SACNASP, with expertise in the field of aquatic sciences. According to the information in the Compliance Statement, Mr. Hanekom is</p>	<p>Noted. Stormwater management Plan included in draft BAR and EMP for comment.</p> <p>Noted. The BAR was amended and the second revised draft BAR will be sent for 30 days comment.</p> <p>Noted. Please take note that a peer review was conducted by Nick Steytler and his peer review report and update=s to accommodate his review requirements were included in the revised Aquatic Biodiversity Compliance statement and attached for comment to the revised draft BAR.</p>
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		<p>registered (Registration No: 004415) as a Professional Natural Scientist in the field of Ecological Sciences. Furthermore, according to the SACNASP database of registered scientists (URL: <a href="https://www.sacnasp.org.za/scientists">https://www.sacnasp.org.za/scientists</a>), Mr. Hanekom is registered as a Candidate Natural Scientist in the field of aquatic science. According to the South African Qualifications Authority (“SAQA”), only a Professional Natural Scientist can sign off on scientific reports.</p> <p>2.4.2. In light of the above, Mr. Hanekom does not have the requisite professional registration to perform the duties required by the Aquatic Biodiversity protocol and the Aquatic Biodiversity Compliance Statement he has undertaken for this proposal is not accepted. Therefore, the Compliance Statement must be undertaken by a Professional Natural Scientist in the field of aquatic science, and the report must be included in the Final BAR.</p> <p>2.5. Botanical Impacts</p> <p>2.5.1. The findings of the Terrestrial Biodiversity Compliance Statement and Plant Species Compliance Statement dated April 2025 and August 2025, respectively, are noted. In CapeNature’s correspondence dated 20 June 2025, concerns regarding the inclusion of an indication of the floral composition of vegetation on site and its representation in terms of mapped vegetation type, was not provided. This Directorate, notes the reference photographs in the Plant Species Compliance Statement, which depicts a broad perspective of the landscape on Erven 182 and 184, Nuwerus. There is no photographic evidence in both Compliance Statements that depicts the ideal habitat representative of the Species of Conservation Concern and indigenous vegetation highlighted in the Screening Tool Report, which</p>	<p>Noted. Refer to response above.</p> <p>Noted. Please refer to updated Plant and Terrestrial compliance statements to address comments.</p>
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		<p>would serve as references in support of the claim that the on-site conditions do not represent this.</p> <p>2.5.2. In the Comments and Responses report, the EAP/specialist states, “The flora and vegetation structure on site is disturbed and does not represent the vegetation structure of Namaqualand Heuweltjieveld or Southern Namaqualand Quartzite Klipkoppe Shrubland. However, some parts top soil was not legally disturbed the last 10 years and therefore it contains indigenous vegetation in terms of the definitions of the NEMA EIA regulations 2014, as amended.” In the draft BAR, the EAP/specialist claims that there are areas of more than 1 ha containing indigenous vegetation on site. However, neither Compliance Statement provides photographs of the areas comprised of this indigenous vegetation describing the species types identified within these areas. As such, the species type of the indigenous vegetation identified on site remains unconfirmed.</p> <p>2.5.3. An updated comment on the findings of the Terrestrial and Plant Species Compliance Statements must be obtained from CapeNature. Confirmation that the comments have been adequately addressed must be obtained prior the submission of the Final BAR.</p> <p>2.6. Faunal Impacts</p> <p>2.6.1. The responses to this Directorate’s comment on the pre-application Draft BAR dated 24 June 2025, are noted. In CapeNature’s comment dated 20 June 2025, it is understood that the Faunal Assessment did not indicate which faunal species are being referred to, their habitat requirements and likelihood of occurrence. It is understood that the Animal Species Compliance Statement has been revised to address these concerns.</p>	<p>Noted. Correct and the wording of outcome of the compliance statement did not change.</p> <p>Noted. Both Terrestrial and Plant Species compliance statements was updated and photographs included.</p> <p>Noted. Revised draft BAR with updated reports will be sent for 30 days comment, including CapeNature and proof and comments included in final when submitted.</p> <p>Noted. Correct. Please refer to revised and peer review Animal Species compliance statement which will be included in the revised draft BAR and sent for 30 days comment.</p>
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	<p>2.6.2. However, the Animal Species Compliance Statement dated February 2025 and August 2025, compiled by Enviro-EAP (Pty) Ltd, does not meet the requirements of the Protocols (viz. 3(c) The Protocol for the Assessment and Reporting of Environmental Impacts on terrestrial Animal Species). According to the Terrestrial Animal Species protocol a Terrestrial Animal Species Compliance Statement must be prepared by a suitably qualified specialist registered with the South African Council for Natural Scientific Professionals (“SACNASP”) under one of the two fields of practice (Zoological Science or Ecological Science).</p> <p>2.6.3. This Directorate acknowledges that Mr. Hanekom is registered as a Professional Natural Scientist in the Ecological Science field, however, for the purpose of meeting the requirements of the Terrestrial Animal Species Protocol, he holds only Candidate Natural Scientist status in the Zoological Science field according to the SACNASP database of registered scientists. According to SACNASP’s Code of Conduct Section 2.2.1, only a Professional Natural Scientist (Pr. Sci. Nat.) is authorised to practise independently and render professional opinions in their specific field of registration without supervision. Candidate and Certificated Natural Scientists must work under the supervision of a Pr. Sci. Nat., who assumes professional accountability.</p> <p>2.6.4. This Directorate notes the EAP’s motivation regarding his competency and experience in respect of the Animal Species Compliance Statement. Specialists must demonstrate theme-relevant expertise, this includes subject-specific academic qualifications and relevant field experience. This</p>	<p>Please take note that the compliance statement does meet the requirements of the Protocols (viz. 3(c) The Protocol for the Assessment and Reporting of Environmental Impacts on terrestrial Animal Species). According to the Terrestrial Animal Species protocol a Terrestrial Animal Species Compliance Statement must be prepared by a suitably qualified specialist registered with the South African Council for Natural Scientific Professionals (“SACNASP”) under one of the two fields of practice (Zoological Science or Ecological Science). It was clearly indicated, included in the CV and SACNASP registration that Nicolaas Hanekom who compiled the compliance statement is registered as a Professionals under the Ecological Science.</p> <p>As per response above it is noted that the department acknowledges this registration.</p> <p>Please take note that as confirm by the departments comments and the responses above that Mr. Hanekom meet the requirements. The registration as a Candidate under other fields is of no relevance. The report was done and signed of by the provisional under the Ecological Science Field. No where under SACNASP registration requirements is any professional scientist not allow to register under other fields as candidates.</p> <p>Correct. Was included in report and CV. Further Mr. Hanekom did animal and fauna species impact assessment and compliance statements since 2006 and never was his knowledge, experience and qualifications queried.</p>
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	<p>Directorate is of the view that the specialist has not adequately demonstrated that he has the requisite qualifications, expertise or experience to compile and/ or sign off the Animal Species Compliance Statement. The Directorate hereby advises that the relevant study must be undertaken by a Registered Professional Natural Scientist with the relevant expertise and experience.</p> <p>2.6.5. According to the Animal Species Compliance Statements compiled by Mr. Nicolaas Hanekom of Enviro-EAP states that, "Particular attention was paid to potential fauna and flora Species of Conservation Concern that could have been present. Various photographs were taken. The site visit was conducted 15 August 2024, which is an optimal time." However, this statement is supported by the same photographs referenced in the Plant Species Compliance Statement. In the draft BAR, the EAP/specialist claims that areas of more than 1 ha containing indigenous vegetation (because the topsoil was not legally disturbed the last 10 years.</p> <p>The EAP/specialist does not confirm the species type of the indigenous vegetation on site, it merely claims that it is not representative of the vegetation structure of Namaqualand Heuweltjieveld or Southern Namaqualand Quartzite Klipkoppe Shrubland. Without identifying and describing the habitat of the potential species, the Compliance Statement</p>	<p>It is therefore not clear why the directorate is of the view that the specialist has not adequately demonstrated that he has the requisite qualifications, expertise or experience to compile and/ or sign off the Animal Species Compliance Statement</p> <p>Correct.</p> <p>Correct. This is because animal species presence and likelihood of being present on site is impacted by the habitat and ecological condition of the site. The photographs included was to reference the habitat on site. Furthermore, the protocols requires from the specialist to take photographs and upload them on iNaturalist of Species of Conservation Concern recorded. None were recorded and observed during the survey and site visits and the likelihood of them being present on site is also unlikely and therefore was there no other photographs included in the report other that the photographs to reference the habitat and its poor ecological state being transformed.</p> <p>Noted. The peer reviewed Animal Species report was updated to include more information to report on the vegetation type and habitat quality on site. However, the conclusion in the original animal species compliance statement on site ecological conditions is</p>
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		<p>fails to illustrate that the on-site conditions do not support the species habitat.</p> <p>2.7. Content Requirements of the EMPr</p> <p>2.7.1. Please ensure that all relevant mitigation measures proposed throughout the Basic Assessment process, the specialist studies and other inputs obtained, are included in the EMPr.</p> <p>2.7.2. You are reminded that it is the responsibility of the EAP to integrate the specialist's recommendations into the EMPr. The specialist's recommendations must be translated into impact management actions and outcomes that specify how the mitigation measures will be implemented, monitored and complied with. Please revise the EMPr to comply with the requirements of an EMPr as stipulated in Appendix 4 of the NEMA EIA Regulations, 2014 (as amended).</p> <p>2.8. Public Participation Process</p> <p>2.8.1. Be advised that revised comments from CapeNature and the DWS is required and must be included in the BAR.</p> <p>2.8.2. The Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended). Proof of having complied with the said requirements must be included in future reports that will be submitted to this Department.</p> <p>2.8.3. All comments obtained during the Public Participation Process must be adequately responded to, and proof hereof included in the Comments and Response Report to be submitted together with the final BAR.</p> <p>2.9. Content Requirements of the BAR</p> <p>2.9.1. Your attention is drawn to Appendix 1 of the EIA Regulations, 2014 (as amended), for the requirements with</p>	<p>still the same, only more information was included as proof.</p> <p>Noted. The aquatic biodiversity and animal species peer review reports mitigation measures was added in the updated draft EMPr</p> <p>Noted.</p> <p>Noted. Revised draft BAR will be sent for 30 days comment and comments received and responses included in final BAR.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted. Please refer to revised draft BAR for detail and proof.</p>
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		<p>respect to the 'Content of basic assessment reports'. Please ensure that you fulfil these requirements.</p> <p>3. The advisory notes detailed in paragraphs 2.1 to 2.9. above, must be addressed prior to the submission of the Final BAR.</p> <p>4. In accordance with Regulation 19(1) of the EIA Regulations, 2014 (as amended), the final BAR must be submitted within 90 days of receipt of the application by the Department, i.e., the final BAR must be submitted on or before 14 October 2025.</p> <p>4.1 Since significant new information must be 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&amp;APs to comment on the revised report/additional information. If this timeframe is insufficient, you are hereby advised to submit an extension request in terms of Regulation 3(7) of the EIA Regulations, 2014 (as amended).</p> <p>4.2 Further note, 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, unless extension has been granted in terms of Regulation 3(7).</p> <p>5. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>6. It is prohibited in terms 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. A person convicted of an offence</p>	<p>Noted. Please refer to revised draft BAR for detail and proof.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Regulation 3(7) was requested and granted until 31 March 2026.</p> <p>Noted.</p> <p>Noted.</p>
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		<p>in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p> <p>7. This Directorate reserves the right to revise or withdraw its comments and request further information from you based on any information received.</p> <p>Your interest in the future of the environment is greatly appreciated.</p>	<p>Noted.</p> <p>Noted.</p>
CapeNature	Letter dated 03/10/2026	<p>Dear Nicolaas</p> <p>RE: Nieuwe Rust Housing project on erf 182 and 184 DEA&amp;DP Ref: 16/3/3/1/F3/13/3035/25</p> <p>Herewith comment on this application.</p> <p>1. The habitat found on site is not indicated in terms of floristic composition and structure in relation to the mapped vegetation type characteristics. This is for both terrestrial biodiversity and botanical compliance statements. The specialist has indicated does not possess structure of mapped vegetation type but does not relate this statement to what the required structure is (or other aspects of the ecosystem type) and how what is found on site is different.</p> <p>The terrestrial biodiversity compliance statement does not address the impact on WCBS categories mapped on the entire development site. The terrestrial assessment also indicates freshwater constraints but the freshwater compliance statement has been conducted by a candidate freshwater specialist. The freshwater compliance statement is done by a candidate freshwater specialist and signed by the</p>	<p>Noted. Please refer to updated Plant Species and Terrestrial Biodiversity compliance statements. The following text was added</p> <p>Only pioneer species with a sparsely vegetation cover were recorded on site as a result of the historical cultivation of the area as well as Community impacts and small farm animal grazing of the site. The following species could be recorded during the survey: <i>Cyanella hyacinthoides</i>, <i>Lapeirousia silenoides</i>, <i>Ruschia muelleri</i>, <i>Tribolium utriculosum</i>, <i>Augea capensis</i>, <i>Tetraena simplex</i>, <i>Galenia africana</i> and <i>Galenia fruticosa</i>.</p> <p>Please take note that no Terrestrial CBA or ESA was mapped on the site. Please refer to updated Plant Species and Terrestrial Biodiversity compliance statements. Please also refer to peer reviewed and updated aquatic compliance statement.</p>

		<p>same specialist under “Ecology” SACNASP registration which the specialist possesses as professional registration. The freshwater statement should be conducted by a freshwater specialist with professional registration. The EAP is advised to query the legality of the use of registrations as indicated in the abovementioned, as this matter impedes the review of freshwater assessments by the specialist as there is uncertainty as to the level of experience of the freshwater specialist, that has not been reviewed and verified by SACNASP in the specialist’s capacity as a candidate.</p> <p>2. The faunal compliance statement has only considered the screening tool fauna and has not addressed the potential faunal component on site and mitigation measures that would be required for the faunal component. Furthermore, the faunal statement indicates that habitat for the screening tool species not appropriate on site, but the botanical statement has not demonstrated what is present on the site. Photos were provided, but no specialist input, the photos are left to the reader to interpret. Note also that in terms of the harrier species, the species does not follow/is not dependent on Rhabdomys, as indicated in the species ecological information provided by the specialist . The development site is an inland site and the harrier species thus switches its prey base.</p> <p>3. All specialist assessments/statements need to be revised. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	<p>Noted. Please refer to updated animal species and peer review report which addressed the potential faunal component on site and mitigation measures.</p> <p>Noted. Animal species compliance statement amended. Please refer to peer review report for more detail. However, because of the transformed nature of the impact area the habitat is not present on site.</p> <p>Noted. Please refer to revised compliance statements. Noted.</p>
Department of Environmental Affairs and Development Planning	Letter dated 30/10/2025	REQUEST FOR AN EXTENSION OF THE TIMEFRAME TO SUBMIT THE FINAL BASIC ASSESSMENT REPORT (“BAR”) IN ACCORDANCE WITH REGULATION 3 (7) OF THE NATIONAL ENVIRO	Noted.

<p>Saa-rah Adams Directorate: Development Management, Region 1</p>		<p>NMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998), ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.</p> <p>1. The draft BAR and associated documents dated and received by this Department via electronic mail correspondence on 25 August 2025, this Directorate’s acknowledgement thereof and comments on the draft BAR dated 4 September 2025 and 26 September 2025, respectively, and the notification letter from the Environmental Assessment Practitioner (“EAP”), Mr. Nicolaas Hanekom of Enviro-EAP Environmental Consultants dated and received by this Department via electronic mail correspondence on 9 October 2025, refers.</p> <p>2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.</p> <p>3. The Department notes your request for an extension of the prescribed timeframe contemplated in Regulation 3(7) of the Environmental Impact Assessment Regulations, 2014 (as amended).</p> <p>4. This Department has reviewed the correspondence and notes the following:</p> <p>4.1. A request for an extension to submit the final BAR in terms of Regulation 3(7) of the Environmental Impact Assessment Regulations, 2014 (as amended) has been provided, and it is noted the reasons for the six (6) month extension request is to accommodate the “peer review of the Aquatic Biodiversity and Animal Species Compliance Statement Reports”. However, this Directorate’s comment on the draft BAR dated 26 September 2025 specifically indicated that the abovementioned Compliance Statements must be</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Correct.</p> <p>Noted. However, at other applications a peer review was requested and after consultation with the department, it was agreed that peer review of reports can be conducted, which was done and attached in second revised draft BAR for comment. Please take</p>
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	<p>undertaken by Professional Natural Scientists in the relevant field of science with relevant expertise and experience. It must be noted that this Directorate did not request a peer review of these Compliance Statements.</p> <p>4.2. Furthermore, the Directorate’s comment explicitly required that a Stormwater Management Plan be developed and submitted to the Department of Water and Sanitation (“DWS”) for review and comment, including confirmation from DWS that a Water Use License is not required for the proposed development. However, these requirements appear to have been omitted from the reasons for the six (6) month extension request. You are hereby advised that all comments provided on the draft BAR, must be adequately addressed prior to submission of the final BAR. Failure to do so, may prejudice the outcome of this application.</p> <p>4.3. The revised draft BAR, which includes the new information will be made available for an additional 30-day commenting period as part of the public participation process, in compliance with the requirements of the EIA Regulations, 2014 (as amended).</p> <p>5. You are reminded that the initial date for submission of the final BAR was within 90 days of receipt of the Application Form calculated from 14 July 2025 (i.e. 14 October 2025). However, after considering your motivation, this Department hereby grants your request in accordance with Regulation 3(7) and extends the prescribed timeframe as set out below:</p> <p>5.1. The final BAR must be submitted to the Department by no later than 31 March 2026.</p> <p>6. In the event that the final BAR is not received within the specified timeframe, the application will lapse in terms of the EIA Regulations, 2014 (as amended), and the file will be</p>	<p>note that Nicolaas Hanekom does meet the protocol requirements for animal species compliance statement with his professional SACNASP ecological field registration. However a peer review as conducted.</p> <p>Noted. A stormwater management plan was attached as appendix to revised draft BAR and will be sent for 30 days comment.</p> <p>Noted. Please refer to this report for proof.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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		<p>closed. Should you wish to pursue the application again, a new application process would have to be initiated with this Department. A new Application Form for Environmental Authorisation would have to be submitted, and the prescribed application fee would have to be paid.</p> <p>7. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>8. Please note that it is an offence in terms of Section 49A(1)(a) 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. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. 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.</p> <p>9. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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**REFERENCE:** 16/3/3/1/F3/13/3035/25  
**DATE OF ISSUE:** 04 SEPTEMBER 2025

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: 021 201 3300  
E-mail: [munman@matzikama.gov.za](mailto:munman@matzikama.gov.za)

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The draft BAR and associated documents dated and received by this Department via electronic mail correspondence on 25 August 2025, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. Please note that this Department will consider the draft BAR and provide comment within the prescribed 30-day period.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
5. Please note that it is an offence in terms of Section 49A(1)(a) 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. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. 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.
6. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully

**Taryn  
Dreyer**   
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by Taryn Dreyer  
Date: 2025.09.04  
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*pp* **MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copied to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd)
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

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**D: WM Reference:** 19/2/5/3/F3/13WL0076/25

**DEA&DP Reference:** 16/3/3/1/F3/13/3035/25

**Enviro-EAP**

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[admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

**Attention:** Mr Nicolaas Hanekom

**COMMENT ON THE AVAILABILITY OF DRAFT BAR FOR 30 DAYS COMMENT. NIEUWE RUST HOUSING PROJECT ON ERF 182 AND 184 ON ±3.45ha. Area A = ±0.92ha and Area B ±2.52ha.**

The Directorate: Waste Management (D: WM) acknowledges receipt of the Draft BAR and EMPr on the 25 August 2025 for the proposed development.

It is recommended that the following aspects are taken into consideration in terms of the outlined waste management procedures listed in Objective C14: Appropriate Handling and Storage of Chemicals, Hazardous Substance and Waste (Waste Management Plan):

1. In line with the Western Cape's 100% Organic Waste Diversion target by 2027, all vegetation that is cleared must be diverted to an organic waste facility for processing. No cleared vegetation or any other organic waste may be taken to a landfill facility.
2. It is noted that the BAR includes the implementation of a site-specific Waste Management Plan (WMP) during the construction phase although it is recommended that waste receptacles are provided throughout all phases of the development, and waste generated is appropriately managed to encourage separation at source into appropriate waste streams and diversion, to avoid impact to the surrounding environment.
3. It is recommended that the development encourage the design of communal areas that promotes waste diversion i.e. shared storage spaces to encourage separation at source within the residential area.
4. The waste receptacles i.e. bins and skips must be appropriately labelled to be easily identified by residents or users, recycling facilities and waste collectors.
5. Within the EMPr, pages 39 and 40 strongly focus on the implementation of the Waste Hierarchy, it is recommended that all waste management actions to be aligned with this.

6. Within the EMPr, on page 47 to 53, it is noted that environmental awareness induction course material is included in compliance with Section 24N (3)(c) of the National Environmental Management Act 10 of 1998, however, on page 49, it indicates that rubbish or vegetation should not be burned without permission. It is recommended that waste and organic waste should not be burnt at all.
  - (a) It is recommended that a timeline should be included when the environmental awareness induction will take place.

Please contact Zeta Smith ([Zeta.Smith@westerncape.gov.za](mailto:Zeta.Smith@westerncape.gov.za)) should you have further enquiries.

Yours faithfully,

Evodia  
Boonzaier  
(54165954)

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**Ms Evodia Boonzaier**  
**Control Environmental Officer: Waste Policy**

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**D: PCM REFERENCE NUMBER:** 19/3/2/4/F3/12/PMIM037/25  
**ENQUIRIES:** Gunther Frantz

**DATE: 25 September 2025**

The Director  
Enviro - EAP  
2 School Street  
AGULHAS  
7287

**For Attention: Mr Nicolaas Hanekom**

Cell: 076 963 6450  
Email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

**PER EMAIL**

Dear Sir

**COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERF 182 AND 184, NIEUWE RUST, VREDENDAL, MATZIKAMA**

The Directorate: Pollution and Chemicals Management (D: PCM) acknowledges receipt of the Draft Basic Assessment Report (DBAR) on 25 August 2025. Please find comment from the D: PCM as follows:

1. It is recommended that the proposed 91 units are fitted with water efficient fixtures/plumbing, to encourage the conservation and efficient use of water resources.
2. The following general recommendations are provided to prevent and manage the potential contamination emanating from the site during the construction phase and should be incorporated into the Environmental Management Programme (EMPr):
  - 2.1 The responsible management of hazardous chemicals should be practiced at all times and storage or handling of chemicals must not take place within close proximity of any watercourses.
  - 2.2 The refuelling and/or repair of heavy earth moving vehicles should not take place within any watercourses and should be conducted within a dedicated impervious area on site.
  - 2.3 All heavy earth-moving and transport vehicles must be in good working condition with no leaking hydrocarbon fuel, fluids or lubricant emanating from these vehicles.

2.4 The storage of hazardous substances (i.e. petrol, diesel, and lubricants etc.) should be located on impervious bases with bunds (to accommodate 110% of the volume) around them to contain any fugitive spillages and/or leakages.

Please direct any enquiries to Asemahle Jacob should you require clarity on the comments provided.

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

Yours faithfully,

**Gunther  
Frantz**

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Gunther Frantz  
Date: 2025.09.25  
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**MS NATASHA DAVIS-WOLMARANS  
DIRECTOR: POLLUTION AND CHEMICALS MANAGEMENT**

CC: Saa-rah Adams (DEA&DP – Directorate: Development Management (Region 1))

Email: [Saa-rah.Adams@westerncape.gov.za](mailto:Saa-rah.Adams@westerncape.gov.za)



**REFERENCE:** 16/3/3/1/F3/13/3035/25  
**DATE:** 26 SEPTEMBER 2025

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: 021 201 3300

E-mail: [munman@matzikama.gov.za](mailto:munman@matzikama.gov.za)

Dear Sir

**COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT ("BAR") FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The draft BAR and associated documents dated and received by this Department via electronic mail correspondence on 25 August 2025, and this Directorate's correspondence dated 4 September 2025, refer.
2. Having considered the information contained in the Draft BAR, this Directorate hereby provides the following comments –
  - 2.1. Project description
    - 2.1.1. The proposal entails the establishment of a housing development and associated infrastructure on Erven 182 and 184, Nuwerus. The proposed housing development is comprised of Areas A and B with a combined total of approximately 91 residential units.
    - 2.1.2. The proposal is comprised of the following:
      - 2.1.2.1. approximately 91 residential units;
      - 2.1.2.2. internal roads comprised of a combination of premix and paved surfaces and will be 10m and 8 m wide, but not longer than 1km;
      - 2.1.2.3. internal bulk water reticulation network, which will be 90mm diameter uPVC Class 12 pipes and will connect to the existing water mains in Olyf Street (Area A) and Arcarcia Street (Area B);
      - 2.1.2.4. internal sewer reticulation network comprised of 160 mm diameter class 34 uPVC pipes with 110 mm diameter erf connections; and
      - 2.1.2.5. stormwater infrastructure comprised of a new piped system.
    - 2.1.3. The correspondence from Matzikama Municipality's Directorate: Infrastructure Services dated 9 March 2023, confirming that "sufficient bulk services exist to accommodate the proposed development", is noted.
    - 2.1.4. The correspondence refers to an approved layout of "87 residential units" illustrated on a drawing Proposed Layout Plan dated 14 June 2021 drafted by Urban Dynamics Western Cape, Town and Regional Planners. The Proposed Layout Plan illustrates 87 residential units, a church, a creche, a business erf and a parking area. This drawing does not correspond with the Proposed Layout Plan dated 5 May 2025 drafted by Urban Dynamics Western Cape, Town and Regional Planners included as Appendix B of the Draft BAR.

- 2.1.5. Furthermore, the details of the proposed internal road network only describes the width of the roads and does not include the design specifications of the proposed reticulation network required to accommodate the proposed development.
- 2.1.6. As such, you are required to provide the design specifications of the proposed internal road and reticulation networks with supplementary confirmation thereof from the Municipality or Civil Engineering Report commissioned for this proposed development. In addition to this, you are advised to obtain an updated confirmation from the relevant municipal department at Matzikama Municipality confirming sufficient services is available for the proposed development, which references the correct Proposed Site Layout.
- 2.1.7. The details of the proposed development illustrated in the abovementioned Proposed Layout Plans does not correspond with the Project Description described in page 12 of the Draft BAR. It is therefore uncertain whether the description of the proposed development described in paragraphs 2.1.1. and 2.1.2 is correct. You are required to obtain confirmation from the municipality confirm whether the description is an accurate reflection of the proposed development. The information in the draft BAR, the correspondences from the municipality and the Proposed Layout Plans **must** correspond. Upon receipt of the confirmation from the municipality, you are required to amend/ revise the project description, accordingly.
- 2.1.8. You are reminded that should the project description require an amendment, a revised Application Form must be submitted with the Final BAR.
- 2.2. Need and Desirability and Planning Context
- 2.2.1. In this Directorate's previous comment on the pre-application Draft BAR dated 24 June 2025, concerns regarding the proximity of the proposed housing development to an existing cemetery were highlighted. In the Comments and Response Report submitted with the Draft BAR, the Environmental Assessment Practitioner ("EAP") confirms that the proposed housing development is located within 20m and 70m of the cemetery. As such, you are required to obtain comment from the relevant department within the municipality confirming whether there is any stipulated setback distances required from a cemetery boundary and whether special consent use is required in consideration of the proposed development. This information must be obtained prior to the submission of the Final BAR.
- 2.2.2. The Need and Desirability aspect of the Draft BAR must address the proximity of the proposed housing development to an existing cemetery.
- 2.3. Water Use License ("WUL")
- 2.3.1. In this Directorate's previous correspondence on the pre-application draft BAR dated 24 June 2025, a request for comment from the Department of Water and Sanitation ("DWS") confirming whether an application for a WUL in terms of Section 21(c) & (i) of the National Water Act (Act 36 of 1998), is required. The correspondence from the DWS dated 12 June 2025 serves as confirmation that a WUL is required if the development is within 500m of a wetland or within the 1:100 year flood line.
- 2.3.2. However, in the Comments and Response Report, the EAP disputes DWS's requirement for a WUL and indicates the development is not located within the 1:100 year flood line. Without an updated comment from the DWS confirming that a WUL is not required, you are hereby advised to comply with this requirement. The WUL application must be submitted to the DWS and proof of submission thereof, including all the relevant documentation required for the application process, must be included in the final BAR.

- 2.3.3. In the correspondence from the DWS dated 12 June 2025, the DWS requests confirmation of the *capacity and adequacy of the available wastewater infrastructure to ensure that the system can handle the additional load arising from the new Nieuwe Rust Housing Development*. In response to this comment, the EAP notes, the *“Capacity of available services proof by the municipality will be included in final BAR”*. However, this comment must be addressed and confirmation from the DWS that the comment has been adequately addressed must be obtained prior to the submission of the final BAR.
- 2.3.4. The DWS highlighted concerns related to the management of “increased runoff” as a result of vegetation clearance and requested that impact management actions must be addressed to *ensure that stormwater does not lead to erosion and excessive levels of silt entering the water resource*. In this Directorate’s comments on the pre-application Draft BAR dated 24 June 2025, we requested details regarding the *layout and design details of the proposed stormwater management infrastructure and the relevant mitigation measures*.
- 2.3.5. A specific request for a Stormwater Management Plan was highlighted in this Directorate’s previous on the pre-application Draft BAR. In response to this request in the Comments and Response Report submitted with the Draft BAR, the EAP references the stormwater infrastructure as described in services report (Civil Services Report dated 13 June 2024 compiled by UDS Africa). This does not serve as a Stormwater Management Plan and does not adequately address this requirement as proposed layout thereof was not provided, and as such, the proposed mitigation measures do not adequately address the associated impacts. A Stormwater Management Plan must be compiled by a suitably qualified engineer. The Stormwater Management Plan must include a proposed layout and must be appended to the Environmental Management Programme (“EMPr”), accordingly.
- 2.3.6. Comments on the Stormwater Management Plan must be obtained from DWS and submitted with the Final BAR.
- 2.3.7. With regard to the abovementioned requirements, please note that if the BAR undergoes several updates and substantive changes, due to the comments to be obtained from the DWS and/or any other registered Interested and Affected Party (“I&AP”) and commenting authority(ies), then a revised Draft BAR and supporting information, which incorporates all of the changes must be circulated to all registered I&APs as well as commenting authorities for an additional minimum commenting period of thirty (30) days. Your attention is therefore drawn to Regulation 19(1)(b) of the EIA Regulations, 2014 (as amended) that is applicable in this regard.
- 2.4. Freshwater Impacts
- 2.4.1. According to the Aquatic Biodiversity Protocol an Aquatic Biodiversity Specialist Assessment must be prepared by a specialist registered with the South African Council for Natural Scientific Professionals (“SACNASP”) with expertise in the field of aquatic sciences and an Aquatic Biodiversity Compliance Statement must be prepared by a suitably qualified specialist registered with the SACNASP, with expertise in the field of aquatic sciences. According to the information in the Compliance Statement, Mr. Hanekom is registered (Registration No: 004415) as a Professional Natural Scientist in the field of Ecological Sciences. Furthermore, according to the SACNASP database of registered scientists (URL: <https://www.sacnasp.org.za/scientists>), Mr. Hanekom is registered as a Candidate Natural Scientist in the field of aquatic science. According to the South African Qualifications Authority (“SAQA”), only a Professional Natural Scientist can sign off on scientific reports.
- 2.4.2. In light of the above, Mr. Hanekom does not have the requisite professional registration to perform the duties required by the Aquatic Biodiversity protocol and the Aquatic Biodiversity Compliance Statement he has undertaken for this proposal

is not accepted. **Therefore, the Compliance Statement must be undertaken by a Professional Natural Scientist in the field of aquatic science, and the report must be included in the Final BAR.**

2.5. Botanical Impacts

2.5.1. The findings of the Terrestrial Biodiversity Compliance Statement and Plant Species Compliance Statement dated April 2025 and August 2025, respectively, are noted. In CapeNature's correspondence dated 20 June 2025, concerns regarding the inclusion of an indication of *the floral composition of vegetation on site and its representation in terms of mapped vegetation type*, was not provided. This Directorate, notes the reference photographs in the Plant Species Compliance Statement, which depicts a broad perspective of the landscape on Erven 182 and 184, Nuwerus. There is no photographic evidence in both Compliance Statements that depicts the ideal habitat representative of the Species of Conservation Concern and indigenous vegetation highlighted in the Screening Tool Report, which would serve as references in support of the claim that the on-site conditions do not represent this.

2.5.2. In the Comments and Responses report, the EAP/specialist states, "*The flora and vegetation structure on site is disturbed and does not represent the vegetation structure of Namaqualand Heuweltjieveld or Southern Namaqualand Quartzite Klipkappe Shrubland. However, some parts top soil was not legally disturbed the last 10 years and therefore it contains indigenous vegetation in terms of the definitions of the NEMA EIA regulations 2014, as amended.*" In the draft BAR, the EAP/specialist claims that there are *areas of more than 1 ha containing indigenous vegetation* on site. However, neither Compliance Statement provides photographs of the areas comprised of this indigenous vegetation describing the species types identified within these areas. As such, the species type of the indigenous vegetation identified on site remains unconfirmed.

2.5.3. An updated comment on the findings of the Terrestrial and Plant Species Compliance Statements must be obtained from CapeNature. Confirmation that the comments have been adequately addressed must be obtained prior the submission of the Final BAR.

2.6. Faunal Impacts

2.6.1. The responses to this Directorate's comment on the pre-application Draft BAR dated 24 June 2025, are noted. In CapeNature's comment dated 20 June 2025, *it is understood that the Faunal Assessment did not indicate which faunal species are being referred to, their habitat requirements and likelihood of occurrence.* It is understood that the Animal Species Compliance Statement has been revised to address these concerns.

2.6.2. However, the Animal Species Compliance Statement dated February 2025 and August 2025, compiled by Enviro-EAP (Pty) Ltd, **does not** meet the requirements of the *Protocols (viz. 3(c) The Protocol for the Assessment and Reporting of Environmental Impacts on terrestrial Animal Species)*. According to the Terrestrial Animal Species protocol a Terrestrial Animal Species Compliance Statement must be prepared by a suitably qualified specialist registered with the South African Council for Natural Scientific Professionals ("SACNASP") under one of the two fields of practice (Zoological Science or Ecological Science).

2.6.3. This Directorate acknowledges that Mr. Hanekom is registered as a Professional Natural Scientist in the Ecological Science field, however, for the purpose of meeting the requirements of the Terrestrial Animal Species Protocol, he holds only Candidate Natural Scientist status in the Zoological Science field according to the SACNASP database of registered scientists. According to SACNASP's Code of Conduct Section 2.2.1, only a Professional Natural Scientist (Pr. Sci. Nat.) is authorised to practise independently and render professional opinions in their specific field of registration without supervision. Candidate and Certificated

Natural Scientists must work under the supervision of a Pr. Sci. Nat., who assumes professional accountability.

- 2.6.4. This Directorate notes the EAP's motivation regarding his competency and experience in respect of the Animal Species Compliance Statement. Specialists must demonstrate theme-relevant expertise, this includes subject-specific academic qualifications and relevant field experience. This Directorate is of the view that the specialist has not adequately demonstrated that he has the requisite qualifications, expertise or experience to compile and/ or sign off the Animal Species Compliance Statement. The Directorate hereby advises that the relevant study **must** be undertaken by a Registered Professional Natural Scientist with the relevant expertise and experience.
- 2.6.5. According to the Animal Species Compliance Statements compiled by Mr. Nicolaas Hanekom of Enviro-EAP states that, "*Particular attention was paid to potential fauna and flora Species of Conservation Concern that could have been present. Various photographs were taken. The site visit was conducted 15 August 2024, which is an optimal time.*" However, this statement is supported by the same photographs referenced in the Plant Species Compliance Statement. In the draft BAR, the EAP/specialist claims that *areas of more than 1 ha containing indigenous vegetation (because the topsoil was not legally disturbed the last 10 years.* The EAP/specialist does not confirm the species type of the indigenous vegetation on site, it merely claims that it is not representative of the *vegetation structure of Namaqualand Heuweltjieveld or Southern Namaqualand Quartzite Klipkoppe Shrublandof.* Without identifying and describing the habitat of the potential species, the Compliance Statement fails to illustrate that the on-site conditions do not support the species habitat.
- 2.7. Content Requirements of the EMPr
- 2.7.1. Please ensure that all relevant mitigation measures proposed throughout the Basic Assessment process, the specialist studies and other inputs obtained, are included in the EMPr.
- 2.7.2. You are reminded that it is the responsibility of the EAP to integrate the specialist's recommendations into the EMPr. The specialist's recommendations must be translated into impact management actions and outcomes that specify how the mitigation measures will be implemented, monitored and complied with. Please revise the EMPr to comply with the requirements of an EMPr as stipulated in Appendix 4 of the NEMA EIA Regulations, 2014 (as amended).
- 2.8. Public Participation Process
- 2.8.1. Be advised that revised comments from CapeNature and the DWS is required and must be included in the BAR.
- 2.8.2. The Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended). Proof of having complied with the said requirements must be included in future reports that will be submitted to this Department.
- 2.8.3. All comments obtained during the Public Participation Process must be adequately responded to, and proof hereof included in the Comments and Response Report to be submitted together with the final BAR.
- 2.9. Content Requirements of the BAR
- 2.9.1. Your attention is 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 you fulfil these requirements.
3. The advisory notes detailed in paragraphs 2.1 to 2.9. above, **must** be addressed prior to the submission of the Final BAR.

4. In accordance with Regulation 19(1) of the EIA Regulations, 2014 (as amended), the final BAR must be submitted within 90 days of receipt of the application by the Department, *i.e.*, the final BAR must be submitted on or before 14 October 2025.
  - 4.1 Since significant new information must be 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 this timeframe is insufficient, you are hereby advised to submit an extension request in terms of Regulation 3(7) of the EIA Regulations, 2014 (as amended).
  - 4.2 Further note, 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, unless extension has been granted in terms of Regulation 3(7).
5. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
6. It is prohibited in terms 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. A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
7. 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

**Taryn  
Dreyer**

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

Copied to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd))
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

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Enquiries	Ismat Adams
Telephone	0870873188
Email	<a href="mailto:jadams@capenature.co.za">jadams@capenature.co.za</a>
Reference	SSD14/2/6/1/8/3/_Erf 182 Nuwerus_
Date	03 October 2025

Enviro-EAP (Pty) Ltd

Via email: [admin@enviro-eap.co.za](mailto:admin@enviro-eap.co.za)

Attention: Nicolaas Hanekom

Dear Nicolaas

**RE: Nieuwe Rust Housing project on erf 182 and 184**

DEA&DP Ref: 16/3/3/1/F3/13/3035/25

Herewith comment on this application.

1. The habitat found on site is not indicated in terms of floristic composition and structure in relation to the mapped vegetation type characteristics. This is for both terrestrial biodiversity and botanical compliance statements. The specialist has indicated does not possess structure of mapped vegetation type but does not relate this statement to what the required structure is (or other aspects of the ecosystem type) and how what is found on site is different. The terrestrial biodiversity compliance statement does not address the impact on WCBSP categories mapped on the entire development site. The terrestrial assessment also indicates freshwater constraints but the freshwater compliance statement has been conducted by a candidate freshwater specialist. The freshwater compliance statement is done by a candidate freshwater specialist and signed by the same specialist under "Ecology" SACNASP registration which the specialist possesses as professional registration. The freshwater statement should be conducted by a freshwater specialist with professional registration. The EAP is advised to query the legality of the use of registrations as indicated in the abovementioned, as this matter impedes the review of freshwater assessments by the specialist as there is uncertainty as to the level of experience of the freshwater specialist, that has not been reviewed and verified by SACNASP in the specialist's capacity as a candidate.
2. The faunal compliance statement has only considered the screening tool fauna and has not addressed the potential faunal component on site and mitigation measures that would be required for the faunal component. Furthermore, the faunal statement indicates that habitat for the screening tool species not appropriate on site, but the botanical statement has not demonstrated what is present on the site. Photos were provided, but no specialist input, the photos are left to the reader to interpret. Note also that in terms of the harrier species, the species does not follow/is not dependent on Rhabdomys, as indicated in the species ecological information provided by the specialist. The development site is an inland site and the harrier species thus switches its prey base.
3. All specialist assessments/statements need to be revised.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Kind regards,

**Ismat Adams**  
Digitally signed by Ismat Adams  
Date: 2025.10.03 17:04:48  
+02'00'

Land-Use Scientist: Landscape West  
Conservation Operations

**REFERENCE:** 16/3/3/1/F3/13/3035/25  
**DATE:** 30 OCTOBER 2025

The Municipal Manager  
Matzikama Municipality  
P. O. Box 98  
**VREDENDAL**  
8160

**Attention: Mr. Ruben Saul**

Tel.: (021) 201 3300  
E-mail: [munman@matzikama.gov.za](mailto:munman@matzikama.gov.za)

Dear Sir

**REQUEST FOR AN EXTENSION OF THE TIMEFRAME TO SUBMIT THE FINAL BASIC ASSESSMENT REPORT ("BAR") IN ACCORDANCE WITH REGULATION 3 (7) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998), ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED NIEUWE RUST HOUSING DEVELOPMENT ON ERVEN 182 AND 184, NUWERUS.**

1. The draft BAR and associated documents dated and received by this Department via electronic mail correspondence on 25 August 2025, this Directorate's acknowledgement thereof and comments on the draft BAR dated 4 September 2025 and 26 September 2025, respectively, and the notification letter from the Environmental Assessment Practitioner ("EAP"), Mr. Nicolaas Hanekom of Enviro-EAP Environmental Consultants dated and received by this Department via electronic mail correspondence on 9 October 2025, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. The Department notes your request for an extension of the prescribed timeframe contemplated in Regulation 3(7) of the Environmental Impact Assessment Regulations, 2014 (as amended).
4. This Department has reviewed the correspondence and notes the following:
  - 4.1. A request for an extension to submit the final BAR in terms of Regulation 3(7) of the Environmental Impact Assessment Regulations, 2014 (as amended) has been provided, and it is noted the reasons for the six (6) month extension request is to accommodate the "peer review of the Aquatic Biodiversity and Animal Species Compliance Statement Reports". However, this Directorate's comment on the draft BAR dated 26 September 2025 specifically indicated that the abovementioned Compliance Statements **must** be undertaken by Professional Natural Scientists in the relevant field of science with relevant expertise and experience. It must be noted that this Directorate **did not request a peer review** of these Compliance Statements.
  - 4.2. Furthermore, the Directorate's comment explicitly required that a Stormwater Management Plan be developed and submitted to the Department of Water and Sanitation ("DWS") for review and comment, including confirmation from DWS that a Water Use License is not required for the proposed development. However, these requirements appear to have been omitted from the reasons for the six (6) month extension request. You are hereby advised that **all** comments provided on the draft BAR, **must** be adequately addressed prior to submission of the final BAR. Failure to do so, may prejudice the outcome of this application.

- 4.3. The revised draft BAR, which includes the new information will be made available for an additional 30-day commenting period as part of the public participation process, in compliance with the requirements of the EIA Regulations, 2014 (as amended).
5. You are reminded that the initial date for submission of the final BAR was within 90 days of receipt of the Application Form calculated from 14 July 2025 (i.e. 14 October 2025). However, after considering your motivation, this Department hereby grants your request in accordance with Regulation 3(7) and extends the prescribed timeframe as set out below:
- 5.1. The final BAR must be submitted to the Department by no later than **31 March 2026**.
6. In the event that the final BAR is not received within the specified timeframe, the application will lapse in terms of the EIA Regulations, 2014 (as amended), and the file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated with this Department. A new Application Form for Environmental Authorisation would have to be submitted, and the prescribed application fee would have to be paid.
7. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
8. Please note that it is an offence in terms of Section 49A(1)(a) 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. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. 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.
9. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully

**Eldon van  
Boom**

Digitally signed by Eldon  
van Boom  
Date: 2025.10.30 09:02:22  
+02'00'

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

Copied to:

1. Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd)
2. Ms. Annali van der Westhuizen (Matzikama Municipality)
3. Mr. Andre Oosthuizen (DEA&DP: DDF)

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