



**REFERENCE:** 16/3/1/2/D6/18/0007/13  
**ENQUIRIES:** Ms. Francini van Staden  
**DATE OF ISSUE:** 2016 -01- 19

Afrikaanse Taal en Kultuurvereniging  
PO Box 4586  
**RANDBURG**  
2125

**Attention: Mr. S. Cilliers**

Tel: (011) 789 3639  
Fax: (011) 789 4193

Dear Sir

**REQUEST FOR EXTENSION TO SUBMIT THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT ON ERF 3122, HARTENBOS HEUWELS, MOSSEL BAY**

1. The abovementioned correspondence received from your appointed environmental assessment practitioner ("EAP") dated 13 August 2015 and received by this Department on 24 August 2015, and the additional information requested by this Department to inform the extension request, submitted by your EAP on 10 December 2015, refer.
2. In review of the application progress and Environmental Impact Assessment ("EIA") regulatory compliance, the following was noted:
  - 2.1. The Application for Environmental Authorisation was submitted to this Department on 26 November 2013; and accepted by this Department on 09 December 2013;
  - 2.2. The Draft Scoping Report ("DSR") dated January 2014 was submitted to this Department on 20 January 2014;
  - 2.3. The Final Scoping Report ("FSR") dated January 2014 was submitted and received by this Department on 18 July 2014;
  - 2.4. The FSR and Plan of Study for EIR was accepted by this Department on 14 August 2014;

- 2.5. An Extension Request was for the submission of the Draft Environmental Impact Assessment Report ("EIR") was received on 03 March 2015;
  - 2.6. An extension was granted for the above, on 06 March 2015;
  - 2.7. The Draft EIR was received by this Department on 09 March 2015;
  - 2.8. This Department's comment on the Draft EIR was issued on 02 June 2015 (note that comment by this Department on draft reports are not mandatory in terms of the EIA Regulations);
  - 2.9. An incomplete extension request was received by this Department on 24 August 2015;
  - 2.10. The EAP only provided this Department with the outstanding information on 12 December 2015; and
  - 2.11. Upon request for clarification of extension requirements, your EAP confirmed in writing to this Department on 14 January 2016, that due to current delays, it is likely that the Final EIR will only be submitted to this Department by end June 2016.
3. Please note that Regulation 67(1) of the EIA Regulations 2010 (GN No. R.543 of 18 June 2010) states that an application in terms of the EIA Regulations 2010 lapses if the applicant, after having submitted the application fails, for a period of six months, to comply with a requirement in terms of the EIA Regulations 2010. Furthermore, Regulation 34 of the EIA Regulations (GN No. R. 543 of 18 June 2010) states that the EAP must submit the environmental impact assessment report within the timeframes stipulated by the competent authority.
  4. In considering the above, the reasons which were communicated to the competent authority in writing for failing to comply with the requirement(s) in terms of the EIA Regulations 2010 have been **accepted**.
  5. This Department noted from the Project Programme dated 12 December 2015, that the EAP intends to prepare and submit an amended Draft EIR for both public and Departmental comment. **Please be advised that the EAP should prepare and submit a Final EIR report**, in compliance with Regulation 31(1) and (2) of the EIA Regulations, GN No. R. 543 of 18 June 2010, and not an amended Draft EIR.
  6. The Department therefore awaits the submission of the Final Environmental Impact Assessment Report as prescribed by the EIA Regulations (GN No. R. 543 of 18 June 2010). The aforementioned report must be submitted to this Department by no later than **30 June 2016**.
  7. You are advised that based on (i) the time that has passed since the inception of the Application, (ii) the failure to comply with the timeframes stipulated by the Regulations resulting in process extensions in 2015 and 2016, as well as (iii) the promulgation of the 2014 EIA Regulations which came into effect on 08 December 2014 which replaced the

2010 EIA Regulations, a potential further request for extension for the completion of this EIA process may not necessarily be considered favourably.

8. The Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.

Yours faithfully

  
PP **HEAD OF DEPARTMENT.**

Copied to: Mrs. N. Ritsch (EAP)

Fax: (021) 424 5571