

**REFERENCE:** 16/3/3/1/D6/35/0029/24  
**DATE OF ISSUE:** 07 October 2024

The Managing Director  
Seebou Wonings (Pty) Ltd  
4 Leiden Avenue, Menkenkop  
**HARTENBOS**  
6520

**Attention:** Ms. Zanthé Seegers

E-mail: [zseegers48@gmail.com](mailto:zseegers48@gmail.com)

Dear Madam

**COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED  
RESIDENTIAL DEVELOPMENT ON THE REMAINDER OF ERF 2841 AND ASSOCIATED  
INFRASTRUCTURE ON ERF 5574, TERGNIET**

1. The Draft Basic Assessment Report (Ref: MOS766/06) dated 6 September 2024 ("DBAR"), compiled on your behalf by your appointed registered Environmental Assessment Practitioner ("EAP"), Ms. Louise-Mari van Zyl (EAPASA No: 2019/1444) and assisted by Candidate EAP, Mr. Francois Byleveld (EAPASA No: 2023/6770) of *Cape Environmental Assessment Practitioners* ("Cape EAPrac"), and received by the Directorate: Development Management (Region 3) ("this Directorate") on 6 September 2024, refers.
2. This Directorate has reviewed the Draft Basic Assessment Report ("DBAR") and provides the following comment:

*2.1. History of the development proposal*

This Directorate previously received a development proposal for the development of a retirement estate on Portion 51 of the Farm Rensburg Estate No. 137 and Erf 2841 (Ref: 16/3/3/6/7/1/D6/35/0001/20) on 14 January 2020. However, due to unforeseen circumstances the matter did not proceed to the application phase, but specialist studies were undertaken as part of that phase (attached to the DBAR) – Appendix M). The review of the abovementioned assessments suggests that the appointed specialists at the time identified areas which is considered sensitive and worthy of conservation. The findings of the previous specialists have since been corroborated by the specialist appointed for the application for environmental authorisation. Figure 10 of the Terrestrial Biodiversity and Plant Species Impact Assessment refers in this regard.

On 21 October 2022 this Directorate received a land use application (Municipal Ref: 15/4/34/2; 15/4/34/2 C8903192(in) 60-90/2022) for the subdivision and consolidation of Portion 51 of the Farm Rensburg Estate No. 137 and Erf 2841, the purpose of which was to

split and consolidate the properties into two sections where one consists of indigenous vegetation and the other where no issues with the development proposal are foreseen. This Directorate issued a letter (Ref: 16/3/3/6/1/D6/17/0238/22) to the Mossel Bay Municipality on 13 December 2022 stating that the land use application is not supported as said application is directly linked to the development for which environmental authorisation is being sought. Based on the information provided in the application for environmental authorisation and the DBAR, it is understood that the application to the Mossel Bay Municipality was successful and resulted in the establishment of the Remainder of Erf 2841 ("Re/2841") (the proposed development site) and Erf 5574 on which the vegetation has been considered as sensitive and conservation worthy. The development proposal fails to demonstrate how the land, which was previously part of the proposed development, and has conservation worthy vegetation thereon, will be linked to the development (i.e., notarial tie with a conservation servitude thereon). Without such a link, the proposed development is deemed to be a form of 'leap-frog' development. In general, the latter is not supported.

The development proposal will be restricted to the more transformed area, apart from the portion of the property east of the Souwesia Avenue which has also been determined to be conservation-worthy but has been identified for development (two dwelling units).

In light of the above, this Directorate needs to understand what the intention is for Erf 5574 which has been determined to contain very sensitive and conservation worthy vegetation. This is also an aspect which relates to the need and desirability of the proposed development. These issues must be clarified in the BAR.

## 2.2. *Consideration of alternatives*

It is noted that the specialists appointed for the application phase have assessed both the Re/2841 and Erf 5574. However, according to the information in the DBAR the proposed development is restricted to only Re/2841 due to the sensitivity of the vegetation on Erf 5574. This Directorate understands that Seegenot Estate, which borders on the west of Erf 5574 is also owned by Seebou Wonings (Pty) Ltd. In this regard, the Directorate is of the considered opinion that the development of Re/2841 will result in staggered (leapfrogging) development.

This Directorate is aware that the layout considered in 2019/20 by Andrew West Environmental Consultancy included the area which is now Erf 5574. Notwithstanding the findings that Erf 5574 contains sensitive information and with due consideration that aforementioned property is owned by Seebou Wonings (Pty) Ltd, you are advised to consider an alternative which includes Erf 5574. Furthermore, you are required to assess the cumulative impacts of all identified alternatives on the surrounding environment.

## 2.3. *Biodiversity related aspects*

### ● *Conservation of the sensitive vegetation*

According to the Botanical Sensitivity Analysis undertaken by Regalis Environmental Services cc ("RES") during March 2019 an area with a minimum size of 5.5ha must be retained as open space and managed for conservation due to the sensitivity of the vegetation. Notwithstanding the fact that the Terrestrial Biodiversity and Plant Species Impact Assessment compiled by Confluent found that the conservation identified by RES has a HIGH Site Ecological Importance Sensitivity, the specialist indicates this area no longer forms part of the scope of the assessment due to the fact that the area was

subdivided (now Erf 5574) from the previously considered site. However, it is unclear what the intention is for Erf 5574 as it is understood that the property is still owned by Seebou Wonings (Pty) Ltd. Furthermore, according to the Mossel Bay Municipality's GIS Viewer Erf 5574 has not been assigned a zoning, which compounds the uncertainty.

In light of the above and the findings of the specialists, consideration must be given to Erf 5574 being used as open space for the residential development of Re/2841. Furthermore, this Directorate is of the opinion that Erf 5574 and the conservation thereof must be considered in this application for environmental authorisation. In this regard, it is recommended that an Open Space Zone III zoning in terms of the Furthermore, consideration must be given to the management of the open space on Re/2841 for a conservation purpose. It is recommended that CapeNature be approached regarding the possibility of some form of stewardship agreement to conserve the sensitive vegetation on Erf 5574.

According to Figure 10 of the Terrestrial Biodiversity and Plant Species Impact Assessment compiled by Confluent the piece of Re/2841 east of Souwesia Avenue has also been mapped as having a High Site Ecological Importance. According to the proposed Site Development Plan (Drawing No: 2841 GBR 1.7; Date: 22 August 2024) drafted by Formaplan Town and Regional Planners it is proposed to develop two dwelling units, a utility erf and associated infrastructure on the piece of land. With due consideration of the findings of the specialist assessment, an alternative which excludes this area should be considered in the BAR.

#### ● *Fire Management*

This Directorate notes the recommendations of RES in respect of the management of vegetation on Erf 5574. In this regard, it must be demonstrated how the status of the conservation worthy areas can be promoted, *inter alia* the entire conservation area must be burnt prior to any development taking place. Furthermore, the RES report indicates that the sensitive dune slope area will have to be burnt periodically to retain the biodiversity of the local fynbos vegetation. However, it is unclear whether the recommendations will be implemented and what the impact on the vegetation will be in the event where the fire is excluded from the vegetation as this has not been addressed by the current biodiversity specialist. Furthermore, it must be determined whether fire will and / or can be used as a management measure during the operational phase of the development. This must be informed by input from the Southern Cape Fire Protection Agency and the local Fire Chief.

#### ● *Ecological corridors and fencing*

This Directorate notes the ecological corridors envisaged as per Figure 15 of the DBAR. In this regard it is understood that fencing will be designed in accordance with the CapeNature Policy document on Fencing and Enclosures of Game, Predators and Dangerous Animals in the Western Cape (installations methods, maintenance methods, etc.). However, the DBAR recommends that fencing should be black Thru-View without electrical security on top and a maximum height of 2m. Notwithstanding the fact that the proposed fencing design may impede faunal movement, it has not been clarified whether the proposed fencing will be placed along the development boundary (i.e. boundary of current Re/2841) or whether the fence will be located tight around the development footprint (i.e. outer boundaries of the proposed erven within the development).

In light of the above, this Directorate will support fencing which will be restricted to the perimeter of the development footprint in order to minimise the impact on faunal movement as a result of the proposed development. Therefore, you are strongly advised to consider alternatives for the fence location and / or design in the BAR.

#### 2.4. *Visual Impact Assessment*

This Directorate understands that the proposal is supported from a visual impact perspective as it is unlikely to result in a significant loss of landscape or visual resources should the proposed mitigation measures be implemented. Furthermore, the Visual Impact Assessment ("VIA") recommends that the proposed mitigation measures should be a condition of the authorisation. In this regard, one of the measures to minimise the visual impact of the proposed development is the compilation of a detailed landscaping plan prior to construction. However, this has not been addressed in the DBAR and / or the Environmental Management Programme.

In light of the above, you are required to appoint a suitably qualified landscape architect to compile a detailed landscape plan for inclusion in the BAR. The lack of such information may prejudice the success of the application.

#### 2.5. *Confirmation of services*

This Directorate notes the correspondence from the Mossel Bay Municipality to Mr. Cobus Louw dated 19 August 2021 regarding the bulk water and sewage infrastructure. In this regard, you are required to obtain updated correspondence from the Mossel Bay Municipality regarding the services with specific reference that there is adequate potable water availability at the relevant Water Treatment Works and sufficient treatment capacity at the relevant Wastewater Treatment Works.

#### 2.6. *Environmental Management Framework*

Please be informed that the Mossel Bay Municipality has compiled an Environmental Management Framework ("EMF") for the municipal area, which is available on the municipal webpage. According to the EMF the development site including Erf 5574 has been mapped as Controlled Environmental Management Zone ("EMZ") / Spatial Planning Category ("SPC"). As such you are required to demonstrate how the proposed development aligns with the objectives of the EMF for the specific EMZ / SPC.

### 3. *Submission of Basic Assessment Report*

The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014, and must also include and address any information requested in any previous correspondence in respect of this matter.

Please be reminded that in accordance with Regulation 19 of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department. However, if significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

If the BAR is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted.

**NOTE:** Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.

4. Please note that the proposed development may not commence prior to an environmental authorisation being granted by the Department.
5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp **Francois Naudé**

Digitally signed by Francois Naudé  
Date: 2024.10.07 15:25:34 +02'00'

**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Ref.: 16/3/3/1/D6/35/0029/24

Copied to:

**Cape EAPrac:**

EAP: Ms. Louise-Mari van Zyl

Candidate EAP: Mr. Francois Byleveld

E-mail: [louise@cape-eaprac.co.za](mailto:louise@cape-eaprac.co.za)

E-mail: [francois@cape-eaprac.co.za](mailto:francois@cape-eaprac.co.za)

**REFERENCE:** 16/3/3/6/7/1/D6/35/0149/24  
**SPECIFIC FEE REFERENCE:** G-BA-EIA-K11  
**DATE OF ISSUE:** 25 June 2024

The Managing Director  
SEEBOU WONINGS (PTY) LTD  
4 Leiden Avenue, Menkenkop  
**HARTENBOS**  
6520

**Attention:** Ms. Zanthé Seegers

E-mail: [zseegers48@gmail.com](mailto:zseegers48@gmail.com)

Dear Madam

**ACKNOWLEDGMENT AND COMMENT ON THE NOTICE OF INTENT TO SUBMIT AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE PROPOSED RESIDENTIAL DEVELOPMENT ON THE REMAINDER OF ERF 2841, TERGNIET**

1. The abovementioned undated Notice of Intent ("NOI") dated 10 May 2024, compiled on your behalf by your appointed registered Environmental Assessment Practitioner ("EAP"), Ms. Louise-Mari van Zyl (EAPASA No: 2019/1444) of *Cape Environmental Assessment Practitioners* ("Cape EAPrac"), and received by this Department on 10 May 2024, refers.
2. This letter serves as acknowledgement of receipt of the abovementioned report on 10 May 2024.
3. The Directorate: Development Management (Region 3) ("this Directorate") has reviewed the information in the NOI and provides the following comment:

3.1. *The proposal:*

According to the information in the NOI the proposed development entails the subdivision and rezoning of Erf 2841, Tergniet into the following:

- 68 x General Residential Zone II Erven;
- 2 x Utility Zone Erven;
- 11 x Open Space Zone II Erven;
- 5 x Transport Zone III Erven; and
- 1 x Transport Zone I Erf.

Furthermore, the proposed development also includes the development of installation of civil engineering services including water, sewage, stormwater and roads. It is understood that water supply will be provided by means of a connection to a newly installed 200mm diameter water pipeline within the Main Road 344 road reserve.

### 3.2. *Process to obtain environmental authorisation:*

Based on the information submitted to this Directorate 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 onus is on the proponent / EAP to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

### 3.3. *Pre-Application Consultation:*

It is noted that the Environmental Assessment Practitioner ("EAP") requests a pre-application consultation meeting. It is the responsibility of you or your EAP to make the necessary arrangements for the meeting. Kindly note that virtual meetings via Microsoft Teams are preferred.

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
- of the outcome of the application.

### 3.4. *Specific fee reference number:*

The Department notes your "Request for a specific fee reference number". The following specific fee reference number **G-BA-EIA-K11** must be inserted into the Application Form and proof of payment of the application fee attached when the Application Form is submitted to the Department.

### 3.5. *Public Participation Process:*

This Directorate notes the public participation steps as stipulated in the Public Participation Plan ("PP-plan") dated 8 April 2024, compiled by the EAP.

Notwithstanding the fact that an agreement regarding the proposed actions to conduct the public participation process is no longer a requirement, this Directorate has reviewed the PP-plan and notes that your EAP does not intend to conduct a pre-application process given the type of development and the outcome of the site sensitivity verification. This Directorate acknowledges that the pre-application process is a voluntary process, but strongly advises that a pre-application process be conducted.

Notwithstanding the above, the EAP is reminded that it must be ensured that Regulation 41 of the Environmental Impact Assessment, 2014 (Government Notice No. R. 982 of 4 December 2014, as amended) is complied with simultaneously during the pre-application phase (where relevant) or application phase or both.

### 3.6. *Screening Tool Report and Site Sensitivity Verification Reports:*

In accordance with the applicable protocols or minimum information requirements, which have been published in the Government Gazette (i.e. Government Gazette No. 43110 of 20 March 2020 and Government Gazette No. 43855 of 30 October 2020) you are required to submit a site sensitivity verification report(s) which confirms or disputes the site sensitivities for each of the themes identified in the Screening Tool Report. Furthermore, the report(s) must include a



motivation for the exclusion of any of the specialist assessments identified in the Screening Tool Report, which in the opinion of the EAP are not considered relevant or required.

The Department has reviewed the Site Sensitivity Verification Report ("SSVR") (Ref: MOS766/04), dated 10 May 2024, compiled by the EAP. Please be reminded that where a protocol has been published for an identified theme, that the respective specialist reports must adhere to the requirements of the protocol. Where a specific protocol has not been identified for a specialist study, such specialist study must comply with the requirements of Appendix 6 of the Environmental Impact Assessment Regulations, 2014 (as amended).

*(a) Agricultural Theme*

According to the Screening Tool Report ("STR") submitted as Appendix D of the NOI the sensitivity rating for the Agricultural Theme is *HIGH*. However, according to information in the STR the majority of the site is mapped as *MEDIUM* sensitivity. The EAP disputes the finding due to the fact that the site is small in extent, it is located within the urban edge, and does not have water rights for the agricultural use and indicates that no studies in terms of the Agricultural Theme is required. The latter is incorrect.

In light of the sensitivities on the property, this Directorate is of the view that an Agricultural Compliance Statement may be undertaken to inform the assessment report.

Furthermore, you are required to obtain written comment on this aspect from the Western Cape Government: Department of Agriculture – Land Use Management.

*(b) Animal Species Theme*

The STR specifies a *HIGH* sensitivity rating for the Animal Species Theme. According to the SSVR the sensitivity will be confirmed by a faunal specialist. Therefore, this Directorate cannot provide you with guidance on this aspect prior to the application for environmental authorisation being submitted. Should it be found that the incorrect assessment process, as defined in the protocol, has been followed, the specialist will be required to redo the assessment.

Please be advised the depending on the level of assessment that is required in terms of protocol, that the specialist assessment must comply with the content requirements of the applicable report (i.e. Terrestrial Animal Species Specialist Assessment or a Compliance Statement).

*(c) Aquatic Biodiversity Theme*

The STR specifies a *VERY HIGH* sensitivity rating for the Aquatic Biodiversity Theme. However, according to the SSVR a specialist refuted the sensitivity and confirmed a *LOW* sensitivity in terms of the protocol. It is understood that an Aquatic Biodiversity Compliance Statement will be undertaken to inform the assessment report. In this regard, it must be ensured that the compliance statement must comply with the requirement of the protocol.

*(d) Archaeological and Cultural Heritage; and Palaeontological Themes*

The procedure for site sensitivity verification where no specific assessment protocol has been prescribed, has been gazetted in Government Notice No. 320 of 20 March 2020.

According to the SSVR Heritage Western Cape ("HWC") was consulted as part of a previous application in 2008 and endorsed development on the property at the time. It has been indicated HWC will be consulted as part of the Basic Assessment process. In this regard, it is strongly advised that a Notice of Intend be submitted to HWC. Where HWC requires further



studies, the relevant report must comply with the minimum report requirements specified in Appendices 1 and 6 of the Environmental Impact Assessment Regulations, 2014 (as amended).

*(e) Civil Aviation Theme*

The STR specifies a MEDIUM sensitivity for the Civil Aviation Theme. The EAP disputes the finding and indicates that the proposed development will not exceed any of the Civil Aviation Regulations in terms of height and does not pose a threat to air traffic in terms of any obstruction. According to the EAP no consultation with the South African Civil Aviation Authority ("SACAA") is therefore required.

Notwithstanding this finding, this Directorate advises that the EAP consult the SACAA (% Ms. Lizell Strohl) at E-mail: [Strohl@caa.co.za](mailto:Strohl@caa.co.za) and / or Tel: (011) 545 1232 regarding the delineation and site sensitivity for this theme, as well as the process to obtain comment from the aviation authority.

*(f) Terrestrial Plant Species Theme*

The STR specifies a MEDIUM sensitivity in terms of the Plant Species Theme, which was confirmed in the SSVR. The procedure described in Section 4 of the Plant Species protocol, with regard to **Medium Sensitivity Species of Conservation Concern Confirmation**, must be followed by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with a field of practice relevant to the taxonomic group ("taxa") for which the investigation is being undertaken. Therefore—

- Where species of conservation concern ('SCC') are found on the site or have been confirmed to be likely present, a Terrestrial Plant Species Specialist Assessment must be submitted in accordance with the requirements specified for "very high" and "high" sensitivity in this protocol.
- Similarly, where no SCC are found on site during the investigation or if the presence is confirmed to be unlikely, a Terrestrial Plant Species Compliance Statement must be submitted.

*(g) Terrestrial Biodiversity Theme*

The STR specifies a VERY HIGH for the Terrestrial Biodiversity Theme. According to the SSVR the sensitivity is to be confirmed by the appointed specialist. Therefore, this Directorate cannot provide you with guidance on this aspect prior to the application for environmental authorisation being submitted. Should it be found that the incorrect assessment process, as defined in the protocol, has been followed, the specialist will be required to redo the assessment.

In this regard, please be advised the depending on the level of assessment that is required in terms of protocol, that the specialist assessment must comply with the content requirements of the applicable report i.e. Compliance Statement or Terrestrial Biodiversity Impact Assessment.

*(h) Other relevant considerations*

● *Visual Impact Assessment*

It is understood that a Visual Impact Assessment will be undertaken to inform the BAR. In this regard, it must be ensured that the assessment report adhered to the requirements of Appendix 6 of the Environmental Impact Assessment Regulations, 2014 (as amended). Furthermore, this Department's Guideline for involving visual and aesthetic specialists in the EIA process (June 2005) must be consulted.

● *Traffic Impact Statement*

Due to the location and nature of the proposed development you are hereby strongly advised that the assessment must be informed by a Traffic Impact Assessment. The following information as a minimum must be included in the assessment:

- ❖ the number of trips that will be generated by the proposed development;
- ❖ the adequacy of the current intersection at the R102 Provincial Road / Souwesia Avenue to deal with the expected trips;
- ❖ any upgrade requirements of the existing road infrastructure; and
- ❖ any conditions / requirements from the Mossel Bay Municipality and the Western Cape Government: Department of Infrastructure.

■ *Western Cape Nature Conservation Laws Amendment Act, Act 3 of 2000*

According to the STR there are a number of provincially protected species present on the property. In this regard, please be advised all species included in Schedules 3 and 4 of the Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000) requires a permit prior to the removal of such species. Therefore, you are advised that such species may not be picked or removed without the relevant permit from CapeNature.

### 3.7. Confirmation of Municipal Services

Please be advised that the confirmation of municipal services will be a crucial aspect of your application. For ease of reference, the information requirements detailed below should be addressed in a letter of confirmation of municipal services, namely:

(a) Potable water supply:

- (i) the total existing capacity of the Municipal potable water supply;
- (ii) any additional expansion of the potable water supply capacity (e.g. reservoirs) already approved of by the environmental authority, but not yet effected;
- (iii) unallocated potable water supply capacity available to service both the phased and completed (total) potable water demand for the abovementioned application, or sufficient approved unallocated capacity able to accommodate the abovementioned application in future.

(b) Sewer network and wastewater treatment:

- (i) the total existing capacity of the municipal sewer network and wastewater treatment works("WWTW");
- (ii) any additional expansion of the sewer network or WWTW capacity already approved of by the environmental authority, but not yet effected;
- (iii) unallocated sewer network capacity and sewage treatment capacity available to service both the phased and completed (total) expected sewage output load by the abovementioned applications, or sufficient approved unallocated capacity able to accommodate the abovementioned applications in future.

(c) Solid waste and disposal:

- (i) the total existing capacity of the municipal waste site;
- (ii) any additional capacity at the municipal waste site (i.e. expansions) already approved by the environmental authority, but not yet effected;
- (iii) unallocated waste disposal capacity available to service both the phased and completed (total) expected solid waste output load by the abovementioned

applications, or sufficient approved unallocated capacity able to accommodate the abovementioned applications in future.

(d) Electricity and electricity distribution:

- (i) total existing electrical distribution capacity of the municipality;
- (ii) any additional expansion of the electrical distribution capacity already approved of by the environmental authority, but not yet effected;
- (iii) unallocated electrical distribution capacity available to service the abovementioned applications, or sufficient approved unallocated able to accommodate the abovementioned applications in future. With reference to electrical capacity, the notified demand of the municipality must be provided, and whether an increase thereof is required to service a development. If the notified demand will be exceeded, the capacity must be confirmed by ESKOM.

(e) Stormwater infrastructure / structures:

- (i) the total existing stormwater management capacity of the municipality;
- (ii) any additional stormwater management capacity / structures of the municipality (i.e. expansions) already approved by the environmental authority, but not yet effected; and
- (iii) unallocated stormwater management capacity available to service the abovementioned development or sufficient approved unallocated capacity to be able to service the needs of development in future.

4. Please note that it is an offence in terms of Section 24F and 49A of the NEMA for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. 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. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp **Francois Naudé**

Digitally signed by Francois Naudé  
Date: 2024.06.25 15:00:10 +02'00'

**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Ref.: 16/3/3/6/7/1/D6/35/0149/24

Copied to:

**Cape EAPrac:**

EAP: Ms. Louise-Mari van Zyl

E-mail: [louise@cape-eaprac.co.za](mailto:louise@cape-eaprac.co.za)