



REFERENCE: 16/3/3/6/7/1/A3/53/2194/19

ENQUIRIES: Natasha Bieding

DATE: 21/09/2020

The Manager
Dax Con Construction CC
P O Box 3639
SOMERSET WEST
7129

Attention: Mr. Dax Hunt

Tel.: (021) 855 1525
Email: dax@daxcon.co.za

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT AND COMMENTS ON THE PUBLIC PARTICIPATION PLAN RELATING TO YOUR NOTICE OF INTENT TO SUBMIT AN APPLICATION FOR BASIC ASSESSMENT FOR THE PROPOSED MIXED-USE DEVELOPMENT ON THE REMAINDER OF THE FARM NO. 845, SIR LOWRY'S PASS VILLAGE.

1. The Public Participation Plan dated 15 September 2020, as received electronically by this Department on 8 September 2020, refers.
2. This Department has reviewed the abovementioned Public Participation Plan and notes the following:
 - 2.1. A 1st round of Public Participation has taken place and a follow-up 2nd round of a 30-day Public Participation Process is proposed to take place comprising the following –
 - 2.1.1. Notices will be sent to all relevant Interested and Affected Parties ("I&APs") including commenting authorities via email or registered letter (when the postal service is available again) regarding the start of the 2nd round of Public Participation as well as information of where the full document can be accessed and the manner in which comments can be submitted.
 - 2.1.2. An Executive Summary will be compiled and made available as a separate document to I&APs, including commenting authorities who

indicate that they will not be able to access full copies of the Basic Assessment Report ("BAR").

- 2.1.3. A hard copy of the BAR will be made available at the local Police Station if I&APs indicate that they cannot access the electronic versions.
 - 2.1.4. Alternative means and safety protocols will be adhered to, which includes *inter alia*, sending information via electronic mail, availing information including reports on the Environmental Assessment Practitioner's website and hosting virtual meetings etc.
 - 2.1.5. Additional notices will possibly be placed at a local superette and church.
3. Based on the information contained in the Public Participation Plan, this Department herewith provides the following comments:
 - 3.1. Please ensure an electronic copy of the pre-application draft BAR is submitted to this Directorate for commenting purposes or, if too large to attach to an email, to be made available via an electronic link provided in the email that is accessible by the Directorate. A hard copy submission may be required at a later stage. The Department will advise you when a hard copy submission will be required.
 - 3.2. In instances where internet is not an available option for the I&APs, an electronic copy of the report on a CD should be provided.
 - 3.3. A hard copy of the pre-application draft BAR should be made available upon reasonable request.
 - 3.4. Where there is a need for an alternative method of communication, it must be identified in consultation with the relevant party and relayed to the Department for approval.
 - 3.5. Please be reminded that the Public Participation Process must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended), and must take into account any applicable guidelines published in terms of Section 24J of the National Environmental Management Act, 1998 (Act No. 107 of 1998), this Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended), as well as any other guidance provided by this Department.
 - 3.6. Please ensure that all proof of having conducted the Public Participation Process in accordance with Chapter 6 of the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) be supplied to this Department.
 - 3.7. You are referred 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 fulfill these requirements prior to the circulation of any BARs for comments.
 - 3.8. Your attention is drawn to Appendix 4 of the EIA Regulations, 2014 (as amended), for the requirements with respect to the '*Content of Environmental Management Programme*'. Please ensure that you fulfill these requirements.
 4. You are hereby informed that this Department agrees to your methods of conducting the Public Participation Process as outlined in the abovementioned Public Participation Plan, provided that you also meet the requirements, as outlined above in paragraphs 3.1. to 3.8.

5. Furthermore to the above, the 'Gantt' chart which indicates that the formal application will be lodged during the first week of February 2021 appears to be in order.
6. Kindly quote the abovementioned reference number in any future correspondence in respect of the development proposal.
7. Please be reminded that 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. Failure to comply in terms of this prohibition will result in the matter being referred to the Environmental Law Enforcement Directorate of this Department for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R5 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
8. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully


AP.

HEAD OF DEPARTMENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: (1) Mr Guillaume Nel / Ms Heloise Groenewald (GNEC)
(2) Ms A Van Wyk (City of Cape Town)

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