



REFERENCE: 16/3/3/6/7/1/B3/28/1037/18

ENQUIRIES: Ms. Arabel McClelland

DATE: 2018 -03- 0 6

Municipal Manager
Drakenstein Municipality
P.O. Box 1
PAARL
7620

Attention: Mr. C. Jacobs

Tel: (021) 807 4500

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Dear Sir

NOTICE OF INTENT FOR THE PROPOSED MIXED USE DEVELOPMENT ON ERVEN 13480 AND 21128, PAARL

1. The abovementioned correspondence, dated 22 February 2018, received by the Department on 23 February 2018, refers.
2. This letter serves to acknowledge that the Department has received the aforementioned correspondence.
3. Further to review of the information submitted to this Department, the following is noted:
 - 3.1. The proposal entails the establishment of a mixed use development on erven 13480 and 21128, in Paarl East.
 - 3.2. The properties are currently zoned Open Space and are approximately 13ha in extent.
 - 3.3. The proposal entails low income housing, market housing and a business and retail component.
 - 3.4. The site is located within an urban area and although largely disturbed, would constitute indigenous vegetation. A watercourse/wetland type feature has been identified on the south western corner of the property, as well as a dam.

Process

4. After considering the information provided in the Notice of Intent, the Department concurs that the proposed development constitutes listed activities as defined in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"),

EIA Regulations, 2014, as amended (Government Notice ("GN") No. 324, 325 and 327 of 7 April 2017).

5. 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 applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.
6. You are advised that when undertaking the Basic Assessment process, you must take into account applicable guidelines, including the guidelines developed by the Department. These can be downloaded from the Department's website (<http://eadp-westerncape.kznshf.gov.za/your-resource-library/policies-guidelines>). In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:
 - Circular EADP 0028/2014: One Environmental Management System;
 - Guideline for Involving Biodiversity Specialists in the EIA Process (2005);
 - Guideline for Involving a Heritage Specialist in an EIA Process (2005);
 - Guideline for Involving Hydrogeologists in the EIA Process (2005);
 - Guideline for Involving Visual and Aesthetic Specialists in the EIA Process (2005);
 - Guideline for the Review of Specialist Input in the EIA process (June 2005);
 - Guideline for Environmental Management Plans (June 2005);
 - Guideline on Alternatives (March 2013); and
 - Guideline on Need and Desirability (March 2013).
7. Please ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendices 1 and 4 respectively of GN No. 326.

Public Participation

8. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR and EMPr.
9. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR may also be submitted to the Department for commenting purposes. Please ensure a minimum of two printed copies of the pre-application BAR are submitted to the Department for commenting purposes.

10. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014 (as amended), any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. Please note that the Environmental Assessment Practitioner ("EAP") is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.
11. The Department awaits the submission of the Application Form prescribed by the EIA Regulations, 2014 (as amended). Please note that one printed copy and one electronic copy (saved on CD/DVD) of the Application Form must be submitted.
12. 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 undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall 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.
13. 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.
14. 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
15. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully



HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. E. Visagie (Guillaume Nel Environmental Consultants)
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