

REFERENCE: 16/3/3/1/D6/29/0028/26
DATE OF ISSUE: 13 July 2026

The Managing Director
HARTLAND LIFESTYLE ESTATE (PTY) LTD
Unit 1, K109 Business Park
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BRAKPAN
1541

Attention: Mr. André le Roux

E-mail: andre@dalmar.co.za

Dear Sir

COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF A SCHOOL AND HOSPITAL ON A PORTION OF THE REMAINDER OF THE FARM VAALE VALLEY NO. 219, HARTENBOS, MOSSEL BAY

1. The Draft Basic Assessment Report (Ref: CT04/HBD/Post-DBAR/06/25) dated 12 June 2026 compiled on your behalf by your appointed Environmental Assessment Practitioner ('EAP'), Ms. Madeleine Knoetze (EAPASA No: 2021/3230) of *Sharples Environmental Services cc* ('SES'), and received by this Department on 12 June 2026 refers.
2. The Directorate: Development Management (Region 3) ('this Directorate') has reviewed the DBAR and provides the following comments:

2.1 Agricultural aspects

According to the BAR the single, direct agricultural impact of this development is the total loss of agricultural production potential due to the permanent exclusion of agriculture from the development site.

According to the Agricultural Agro-Ecosystem Specialist Assessment Report the site does not form part of a Protected Agricultural Area ('PAA') but that the entire development footprint is above the threshold of being worthy for conservation as agricultural production land because its agricultural potential makes it suitable as viable cropland. The assessment indicates that the overall negative agricultural impact of the proposed development is assessed as MEDIUM.

In light of the above, you are required to consult the National Department of Agriculture and the Western Cape Government: Department of Agriculture in terms of the Standard Operating Procedure ('SOP') as communicated on 25 March 2026 (Ref: 14/7/6) and obtain their written comment in respect of the proposed development.

2.2 Mossel Bay Municipality: Environmental Management Framework 2023

Please be informed that the Western Cape Minister for Local Government, Environmental Affairs and Development Planning adopted the Mossel Bay Municipality Environmental Management

Framework and Urban Areas (2023) ('EMF') on 30 May 2024 in terms of the requirements of Section 24(3) of NEMA.

According to the EMF the proposed development site is located within the Agriculture Management Zone. The EMF has specific guidelines on the land use and activities that may be allowed within the zone.

In light of the above, you are required to demonstrate and motivate how the proposal aligns with the objectives of this zone.

2.3 *Terrestrial Faunal and Avifaunal Compliance Statement*

According to the Faunal and Avifaunal Specialist input, the field survey undertaken represent an incomplete reflection of faunal species richness and abundance of the site due to seasonal, or cryptic species behaviours. This represents a gap in knowledge. Kindly consider including specific mitigation to address this limitation.

2.4 *Terrestrial Biodiversity and Terrestrial Plant Species Assessment*

According to the Terrestrial Biodiversity and Terrestrial Plant Species assessment a few *Sideroxylon inerme* (milkwood) trees are present on site and some of these can possibly be accommodated in the development layout. Considering the aforementioned you are required to include coordinates of these milkwood trees and apply the mitigation hierarchy to the planning of the development, especially pertaining to these protected trees.

2.5 *Palaeontological and Cultural Heritage*

The specialist input provided on the Palaeontological and Cultural Heritage aspects foresees no reason why the proposal cannot be approved. Kindly ensure that comment is obtained by Heritage Western Cape and included in the final BAR to be submitted to this Directorate for decision-making.

2.6 *Relevant listed activities*

The information provided, does not allow this Department to determine with certainty that Environmental Impact Assessment Regulations Listing Notice 2 of 2014 (Government Notice No. R. 984 of 4 December 2014, as amended) Activity No. 15 is not applicable to the proposal. The DBAR indicates that the proposal will only require the clearance of 3.5ha of indigenous vegetation while the development footprint is anticipated to be 28.5ha in size.

Kindly provide a motivation for not including this activity in the list applied for. This motivation may include, but is not limited to, written proof that the proposed site has been legally cleared / cultivated within the preceding 10 years. Kindly be reminded that only the listed activities applied for can be considered for authorisation. Kindly note that the onus remains on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

2.7 *Need and desirability of the proposed development*

The proposal entails the development of a school and hospital which are institutions which operate under the framework of national legislation and provincial oversight. In light of the above you are strongly advised to obtain the written comment from the relevant directorates within the Western Cape Government: Department of Education and the Western Cape Government: Department of Health regarding the need for such institutions at this location at this time.

Furthermore, the hospital is a large component of the development proposal. As part of the motivation in terms of need and desirability you are also requested to provide input on how the proposed development aligns with the Western Cape Healthcare 2030 strategy.

2.8 Traffic Impact Assessment

The findings of the Traffic Impact Assessment are noted. According to the Traffic Impact Assessment access to the proposed development will be gained from Main Road 344 ('MR344' / 'R102 Provincial Road') directly opposite the existing Hartland Lifestyle Estate access. Furthermore, it is understood that changes may be required at certain intersections.

The Western Cape Government: Department of Infrastructure – Road Planning ('Dol'), as the managing authority of the MR344, is considered as the 'landowner' / 'person in control' of the roads. Therefore, the comment / approval of the proposed changes associated with the proposed development from Dol is a critical aspect of the application for environmental authorisation, and this must be addressed.

2.9 Visual Impact Assessment

This Directorate notes the findings of the Visual Impact Assessment ('VIA'). According to the VIA the proposed development will be visible from a range of receptor locations, particularly along the N2/R102 corridor and from elevated parts of the Hartenbos/Bayview settlement. Furthermore, it is indicated that due to the openness of the terrain and a lack of tall indigenous trees the Visual Absorption Capacity of the landscape is low.

In light of the above, it is strongly advised that design features to reduce the visual impact of the proposed development are included in the BAR and Environmental Management Programme ('EMPr'). Furthermore, it is also advised that a landscaping plan be compiled for inclusion in the EMPr.

2.10 Confirmation of Municipal Services

Please be reminded that this Department will require official written confirmation from the Mossel Bay Municipality regarding availability of unallocated bulk services (i.e. potable water supply; wastewater treatment capacity; disposal of solid waste; etc.) to service total demand for the proposal, or sufficient approved unallocated capacity able to accommodate the abovementioned application in future. This includes capacity of the existing network infrastructure to accommodate the proposed development on the municipal network. Any additional expansion of the services already approved of by the environmental authority but not yet effected must be highlighted.

2.11 Requirements in terms of the National Water Act, Act 36 of 1998

According to the Aquatic Biodiversity Compliance Statement, a non-perennial drainage line is mapped to run through the valley but that there is no distinct channel upstream of the dam and the entire area has been transformed for cultivation and an ostrich camp. It is understood that flow paths indicated flow of water along the valley bottom downstream of the dam are only visible in historical aerial imagery taken during wetter periods.

Considering the above, it is unclear whether authorisation in terms of Section 21(c) and (i) of the National Water Act, Act 36 of 1998 ('NWA') is required. Please be advised that the National Environmental Management Laws Amendment Act, Act 2 of 2022 (NEMLAA), came into effect on 30 June 2023. This Act added sub-section 24C(11) to the National Environmental Management Act, Act 107 of 1998, as amended (NEMA) which requires that 'a person who requires an environmental authorisation which also involves an activity that requires a licence or

permit in terms of any of the specific environmental management Acts (i.e., NWA), must simultaneously submit those applications to the relevant competent authority or licensing authority, as the case may be, indicating in each application all other licences, authorisations and permits applied for'.

Considering the above, you are advised to liaise and consult with the relevant authority, the Breede-Olifants Catchment Management Agency ('BOCMA') regarding the requirement for water use authorisation urgently.

Please be advised that the EIA process and the Water Use Application process must be synchronised. You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of the application for environmental authorisation.

2.12 Environmental Management Programme:

In accordance with Section 24N of NEMA and Regulation 19 of the Environmental Impact Assessment Regulations, 2014 ('EIA Regulations, 2014') (Government Notice No. R. 982 of 4 December 2014, as amended), the applicant is required to submit an Environmental Management Programme ('EMPr') with the BAR. The contents of such an EMPr must meet the requirements outlined in Appendix 4 of the EIA Regulations, 2014.

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). It must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005), must be considered.

The EMPr to be submitted must include the coordinates of the milkwood trees which will be retained in the SDP as well as the buffer zones and no-go areas.

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 the information requested in the correspondence issued by the Department, including any pre-application consultation with the Department. Failure to submit any information prescribed in Appendix 1 of the EIA Regulations, 2014 may prejudice the outcome of the Environmental Authorisation and it may even be refused.

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 the EIA Regulations, 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 a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("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



Digitally signed by Steve
Kleinhans

Date: 2026.07.13 15:31:18 +02'00'

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**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copied to:

Landowner: Vaale Vallei Eiendomme (Pty) Ltd

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Sharples Environmental Services cc:

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