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Head of Department
Western Cape Government: Department of Infrastructure
(Transport Infrastructure Branch)
11 Leeuwen Street
CAPE TOWN
8000

Attention: Ms. Louise Buys

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Dear Madam,

COMMENT ON REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED REMOVAL AND REPLACEMENT OF EXISTING ROAD AND CULVERT INFRASTRUCTURE LOCATED ALONG DIVISIONAL ROAD (DR) 1602 KM 8.48, KLEINPLAAS ROAD, CROSSING FARM 338 AND PORTION 6 OF FARM 220 IN MOSSEL BAY LOCAL MUNICIPALITY, GARDEN ROUTE DISTRICT.

1. The Revised Draft Basic Assessment Report ('DBAR'), dated August 2026, compiled and submitted by your appointed registered Environmental Assessment Practitioner ('EAP'), Ms. Betsy Ditchm (EAPASA REG: 2020/1480) and assisted by candidate EAP, Ms. Jessica Gossman (EAPASA REG: 2022/6154) of *Sharples Environmental Services CC ("SES")*, as received by this Directorate: Development Management (Region 3) ('this Directorate'), on 11 August 2026, refers.
2. This Directorate has reviewed the DBAR and provides the following comments:

2.1 Revised Proposed Development

The proposed development entails the removal and replacement of the existing flood-damaged causeway and associated road infrastructure along Divisional Road (DR) 1602 (Kleinplaas Road) at km 8.48, where the route crosses the Varings Rivier on Farm 338 and Portion 6 of Farm 220, within the Mossel Bay Local Municipality, Western Cape. The proposed project forms part of a larger scope of work that is not included in the DBAR. The proposed project forms part of the overarching project of flood damage repairs on Main Road 355 (Seven Passes). This DBAR is only concerned with proposed removal and replacement of existing road and culvert infrastructure located along DR 1602 KM 8.48, Kleinplaas Road.

According to the engineering design submitted (Hatch, 2022), the project involves the construction of a new, realigned bridge and approach road section positioned immediately south of the existing crossing. The new road section will form part of the provincial road network and constitute a linear activity under the EIA Regulations. The total length of the realigned section, including the causeway and its approach roads, will be approximately 100 – 150 meters.

The roadway width will be approximately 6.2 meters and the bridge structure 4.0 meters between guide blocks, overall development footprint width of the bridge will be approximately 15 meters. The current road reserve is 20 meters wide, with the construction working corridor extending 3 meters beyond the road footprint on either side for machinery access and material handling.

To maintain traffic during construction, a temporary deviation road will be established north of the new alignment. The proposed temporary deviation road will be approximately 42 meters in length and 4 meters in width. The footprint of the temporary deviation road within the watercourse is estimated at approximately 180m² and 3 meter working buffer will be applied around the working area. Total working area for the proposed project will be approximately 1 646m², which will extend approximately 233m² out of the existing road reserve.

In the revised DBAR, the EAP stated that the current design has been based on the worse-case geotechnical scenario requiring a raft foundation slab, apron slabs and cut-off beams. Should competent bedrock be confirmed during construction, the detailed engineering design may be refined to utilise smaller pad footings beneath the piers and abutments. This would reduce the permanent foundation footprint and would not increase the environmental footprint assessed in this BAR. Any design modification that would increase the approved disturbance footprint or affect sensitive environmental features would be referred to the EAP, Aquatic Specialist and Competent Authority for review prior to implementation.

The total working area for the proposed works will be approximately 1 646 m², and the working area outside of the new road reserve 45m² and the existing road reserve will be extended 233m², outside of the road reserve. The deviation will be removed, and the area will be rehabilitated once the new causeway is operational.

2.2 *Carrying out listed activities without obtaining an Environmental Authorisation*

The Revised DBAR has not satisfactorily responded to the aspects highlighted in section 2.2 of the Directorates previous correspondence issued on 26 June 2026 regarding the Verbal S30A Directive which was issued for DR01602 9 June 2026.

As this application (DEADP Ref. 16/3/3/1/D6/29/0022/26) has yet to be decided and the written confirmation of the request for the oral request for a Verbal S30A Directive was not specific about the exact works at km 8.48 on DR01602, you are required to provide the following information in this regard:

(a) Whether any physical works have been commenced with at km 8.48.

This must include recent photographic evidence of the site prior to any works which may have been undertaken after the recent May 2026 flood events and comparative photo material of the works that have been undertaken since 9 June 2026 (if any). If no physical activities have been undertaken at km 8.48 on DR01602, this must be clearly communicated to this Department.

(b) What the specific extent of the works are that have been/will be undertaken in terms of the Section 30A Directive issued on 9 June 2026

(c) Please demonstrate how this application should be integrated in this Basic Assessment process.

2.3 *Revised Specialist Studies and EMP*

(a) Revised Avi-faunal Compliance Statement

The revised Avifauna Compliance Statement, reference GRAV/MORA_002, dated 8 August 2026, expands the original November 2023 report from 24 to 84 pages. It includes updated specialist declarations, a protocol compliance checklist, additional mapping, and more

detailed discussions of habitat, conservation areas, species occurrence, impacts and mitigation. Mokgatla Molepo is identified as the author and reviewer, with Prince Molokomme responsible for the revisions. Although the overall conclusion remains favourable, with low verified avifaunal sensitivity, several substantive changes and inconsistencies require attention.

The biodiversity conservation context has changed. The original report states that the site falls outside Critical Biodiversity Areas, whereas the revised report identifies aquatic CBA 1 and ESA 2 overlap and places both sites within a Key Biodiversity Area (see section 12: Conservation Status and Section 13: Key Biodiversity Areas (2024) in Revised DBAR). These findings should be reconciled with the revised assessment, explaining their implications for the proposed works and adjacent riparian habitat. The species assessment has also expanded, with the Knysna Warbler's likelihood of occurrence changing from Medium to Low and Denham's Bustard's from Very Low to Low. The Knysna Warbler's conservation status changes from Vulnerable to Near Threatened; the source, date and geographical basis of this change should be specified.

The revised report introduces more detailed mitigation measures, including pre-clearing nest inspections, buffers around active nests, noise and dust controls, wildlife protection, waste management, alien plant control and rehabilitation monitoring. These measures should be incorporated into the EMP. However, the original prohibition on fires is now qualified by allowing open fires where "specifically authorised". The reason for this qualification and the intended authorising party should be clarified.

The fieldwork record contains discrepancies. The original report records a one (1) hour survey on 29 October 2023, whereas the revised report refers to 29 and 30 October 2023 and four (4) to five (5) hours on site, while also describing a "one-day" survey. The dates and survey effort at each site should be confirmed against the original field records. Although a specialist confirmation dated 5 August 2026 has been appended, no new 2026 avifaunal inspection is documented. The compliance statement's reliance on the inference that subsequent flooding and erosion would have reduced habitat suitability should be supported by recent, site-specific evidence.

The mapped sensitivity also requires clarification. The text limits the low sensitivity finding to disturbed road reserves and culvert footprints, but Figure 6 assigns Low sensitivity to the entire 500m buffer around each site. The specialist should justify this wider classification or revise the map to match the verified assessment area. The assessed footprint should also be checked against the complete project layout, including any temporary bypass, access, storage and working areas.

Further reporting corrections are necessary. The Protocol Compliance Checklist Table marks GPS tracks and more than four representative sampling locations as compliant, but the referenced sections do not clearly present this evidence. The approval and applicability confirmation predate the stated final revision and should be confirmed as endorsing that version. Prince Molokomme's declaration contains the invalid date "04/84/2026", Megan Smith's approval entry is incomplete, and no signature is visible on the applicability confirmation. Inconsistent pagination, unresolved table references and the incomplete site-symbol legend should also be corrected. These issues do not themselves establish that the low-sensitivity conclusion is incorrect, but the substantive discrepancies require resolution before the FBAR is submitted.

(b) Revised Plant, Animal and Terrestrial Biodiversity Compliance Statement

The revised Plant Species, Animal Species and Terrestrial Biodiversity Theme Compliance Statement, dated 5 August 2026, incorporates amendments in response to DEA&DP comments received during the first public participation process. The report includes an addendum documenting a verification site inspection undertaken by the EAP from SES on 1 July 2026. The addendum, conducted by the specialist, Ms Megan Smith, confirms that no material changes to the terrestrial habitat were identified that would alter the original assessment's findings and recommendations. Additional photographs from the July 2026 inspection have been included to support this conclusion.

The revisions include clarified and expanded discussions of the applicable assessment protocols and updated minimum report content checklists. Section 6.5 has been expanded into separate subsections providing more detailed justification for the low sensitivity ratings assigned to the terrestrial biodiversity, plant species and animal species themes. The revised report also clarifies that avifauna was assessed separately by Ms. Mokgatla Molepo of MORA Ecological Services.

Specialist responsibilities have been clarified by identifying Ms Megan Smith as the primary author and Ms. Edmari Lewis as the assistant, with updated declarations dated 5 August 2026. Other amendments include corrected section numbering, updated cross-references and paging, and revised wording distinguishing the original 2023 photographs from the additional 2026 photographic record.

Several matters in the revised DBAR nevertheless warrant further clarification. Pages 15, 18 and 21 imply that the specialist undertook the site sensitivity verification in both October 2023 and July 2026, whereas the addendum states that the July 2026 inspection was undertaken by the EAP and subsequently reviewed by Ms Megan Smith. These statements must be reconciled to accurately distinguish the EAP's inspection from the specialist's review. If the specialist has not undertaken a second site inspection, this must be clearly stated and the specialist must demonstrate how the updated specialist input complies with the regulatory requirements.

Furthermore, Ms. Edmari Lewis is identified as a Professional Natural Scientist on Page 6, while her details on Page 56 retain the designation of Candidate Natural Scientist. Her correct registration status should therefore be confirmed and consistently reflected throughout the report.

It is noted that further editorial corrections are required. Page 46 incorrectly refers to Appendix B for the potential animal species list, which is contained in Appendix C. Page 12 states that the low terrestrial sensitivity finding "validates" the Screening Tool sensitivity rating, although the Screening Tool assigns a very high rating; the wording should accurately reflect that the specialist's finding differs from that rating. The cover also retains the date November 2023 without clearly identifying the August 2026 revision. In addition, the revised caption to Table 7 refers to plants recorded within the proposed development footprints, while the introductory sentence retains reference to the sites and their immediate surroundings; the actual extent of the recorded observations should be clarified. These matters require correction or clarification to ensure that the Final Basic Assessment Report ("FBAR") accurately presents its supporting evidence, authorship and assessment scope.

(c) Revised Site-Specific Verification Report

The revised SSVR, dated August 2026, reference CT6/SSVR/08/2026, expands the original April 2026 report from 27 to 28 pages and updates the departmental reference to

16/3/3/1/D6/29/0022/26. It incorporates the Screening Tool update of 30 July 2026, clarifies specialist responsibilities and adds recent confirmations supporting the original findings. The animal and terrestrial biodiversity conclusions remain *Low* sensitivity, while the plant specialist findings are amended from *Medium* to *Low*. The overall list of proposed specialist assessments remains unchanged. Page references below refer to the revised PDF.

The faunal section now distinguishes Mokgatla Molepo's avifaunal assessment from Megan Smith's terrestrial animal assessment. It records the SES inspection of 1 July 2026 and subsequent specialist confirmation that the terrestrial findings remain applicable (pp. 12–13). The aquatic section adds confirmation dated 3 August 2026 supporting the updated engineering design in principle, subject to incorporation of the aquatic mitigation measures (p. 16). These additions strengthen the explanation for continued reliance on the earlier assessments.

Screening maps and feature lists have also changed. The terrestrial screening features no longer include "CBA: Terrestrial" and "CBA2: Terrestrial", although the overall screening rating remains Very High because of the critically endangered vegetation type (pp. 8 and 23). Agricultural features have been revised and additional civil aviation features included. The report also adds names against previously coded sensitive species and changes one plant's recorded conservation status from Least Concern to Endangered (p. 22). The basis for that correction should be documented, and the suitability of disclosing coded species identities in the public report checked.

Several inconsistencies remain. The avifaunal summary retains the original Medium likelihood for Knysna Warbler and Very Low likelihood for Denham's Bustard, despite both being Low in the revised avifaunal report (p. 12). The plant section incorrectly describes the Screening Tool rating as Very High rather than Medium (pp. 21–22). The terrestrial section retains references to "medium concern" and Low Site Ecological Importance, whereas the specialist report records Very Low Site Ecological Importance (p. 25). These distinct ratings should be accurately reported and reconciled.

The revised SSVR also omits the Hydrology Assessment identified by the July 2026 Screening Tool report from its study list (pp. 9 and 27). Its property table still omits Portion 6 of Farm 220, despite this property appearing in the project title (p. 5). Statements that the footprint is confined to the road reserve should be reconciled with the bypass extending outside it. Other outstanding matters include conflicting Water Use Licence and General Authorisation wording (p. 16), outdated heritage and Search and Rescue Programme statements (pp. 17–18 and 22), and future-tense references to assessments already completed. The original author's name has also been removed without identifying a replacement author, and the review date on page 9 contains an error. The revision therefore improves the supporting explanation, but the EAP should align changes made with the revised specialist reports, screening results and EMPr.

(d) Revised Environmental Management Programme

The revised draft EMPr, dated August 2026, expands the original May 2026 document from 149 to 163 pages. The project description remains substantially unchanged, while aquatic protection, biodiversity management and monitoring requirements have been strengthened. Key additions include aquatic specialist approval of the final design, construction methods and disturbance footprint, expanded stormwater controls, a site-specific Erosion and Sediment Control Method Statement and restrictions on potentially polluting activities near the riparian zone. General Authorisation terminology replaces several

Water Use Licence references, and additional provisions address water-use controls, protected trees and heritage discoveries.

Biodiversity measures now include daily excavation inspections, pre-clearing bird-nest inspections and exclusion areas around active nests. However, the formal Search and Rescue Plan and specialist sign-off requirements have been replaced by an ECO sweep. The specialist justification for this change should be confirmed, and the remaining search-and-rescue wording reconciled. The avifaunal summary also retains the original likelihood-of-occurrence ratings for Knysna Warbler and Denham's Bustard, despite their revision in the specialist report.

ECO inspections during instream works have increased from weekly to every second day, followed by "bi-weekly" post-construction monitoring. However, the appended ECO duties still prescribe weekly inspections and additional quarterly monitoring for 24 months. These provisions should be consolidated into one schedule, with "bi-weekly" clearly defined and rehabilitation completion criteria specified.

The appended Screening Tool report, dated 30 July 2026, changes the application category to activities within or close to a watercourse and revises the identified specialist studies. The EAP should explain how these changes have been addressed. The revised cadastral list omits Farm 220 and Portion 6 and states that no development footprints were specified, confirmation is therefore needed that screening covers the complete development and temporary working areas.

Remaining inconsistencies include a Water Use Licence reference in the environmental-file checklist, fossil extraction and palaeontological workplan requirements that require reconciliation with the revised heritage findings and broken or outdated cross-references. The revised EMPr provides stronger controls, but these matters should be resolved to ensure consistent implementation.

2.4 Aquatic Assessment Report conducted by Debbie Fordham

The likely presence of Palmiet (*Prionium serratum*) has been noted from earlier satellite imagery of the site. Palmiet is known to be associated with the formation of peat and peat soils. It is reasonable to expect the presence of peat or peat soil at or adjacent to the site where the proposed development will occur. It is noted from relevant satellite imagery that quite an extensive area within the watercourse was cleared of vegetation between April 2021 and January 2022, presumably as a result of flood damage, the latter must be confirmed. Nonetheless, it is unclear whether any Palmiet plants, peat or peat soils may still present within the proposed development footprint or in proximity to the site. This must be confirmed.

Note: The clearing, extraction or removal of peat soil through anthropogenic activity, including the disturbance of vegetation or soils in anticipation of the extraction or removal of peat or peat soils, will trigger Listed Activity 24 of Listing Notice 2 (GN R984 of 4 December 2014).

The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the environmental impact assessment (EIA) process.

It is noted that the Aquatic Impact Assessment Report, was conducted in 2023, and also does not address the natural occurrence and clearing/loss of peat soil observed prior to April 2021.

Furthermore, various floods between 2023 and 2024 as well as during 2026 have occurred and may have further contributed to the loss. Some of the floods occurred after the specialist report

was conducted which could alter the outcome of the report and/or allow for revised mitigation measures that should be included due to recent flooding events.

The EAP should therefore address the observed loss/clearance of the peat soil whether it was caused by the floods or flood damages and/or whether it was caused by anthropogenic activity, as well as potential reinstatement and/or rehabilitation of said peat soil, which will also aid in not only erosion control but also help prevent future food damages to the new proposed causeway through flood attenuation and/or flow energy dissipation.

In addition, it is observed in the revised SSVR that the specialist confirmed that an amendment of the 2023 Aquatic Biodiversity Impact Assessment is not considered necessary, subject to the aquatic mitigation recommendations being incorporated into the final engineering and environmental documentation. The EAP must therefore clearly justify why an additional site inspection was conducted for the above-mentioned compliance statement and not for the specialist report and why it is not necessary to amend or revise the 2023 Aquatic biodiversity Impact Assessment.

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 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 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. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully

pp _____

HEAD OF COMPONENT:

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES (REGION 3)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

(reference: 16/3/3/1/D6/29/0022/26)

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