



HillLand Environmental

Environmental Assessment Practitioners

PUBLIC PARTICIPATION PROCESS (PPP) REPORT

In terms the National Environmental Management Act (NEMA Act No 107 of 1998, as amended)
and Environmental Impact Regulations, 2014 (as amended)

FOR

THE PROPOSED UPGRADE OF THE KWANOKUTHULA SEWER INFRASTRUCTURE, PLETTENBERG BAY

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ISSUED BY:

HillLand Environmental

P.O. Box 590 George, 6530

Tel: 044 889 0229

Fax: 086 542 5248

E-mail: admin@hilland.co.za

Web site: www.hilland.co.za

PUBLIC PARTICIPATION REPORT

For

THE PROPOSED UPGRADE OF THE KWANOKUTHILA SEWER INFRASTRUCTURE, PLETTENBERG BAY

Submitted for:

Public review and comment – submission with Draft BAR

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INTRODUCTION

Hilland Environmental, independent Environmental Assessment Practitioners (EAP), have been appointed by **the Lyners Consulting Engineers on behalf of Bitou Municipality**, to ensure compliance with the regulations contained in the National Environmental Management Act (NEMA, No. 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2014 (as amended) for the proposed upgrade of the Kwanokuthula sewer network, Plettenberg Bay.

The Notice of Intent (NOI) and Water Use Licence Application (WULA) were available for a 30-day commenting period:

- o NEMA - NOI PPP Period- 23 October – 24 November 2025
- o WULA PPP Period – 23 October 2025 – 12 January 2026

The draft Basic Assessment Report (BAR) is now available for a 30-day commenting period – 7 April – 11 May 2026.

This report serves as the draft Public Participation Process (PPP) report that accompanies the draft BAR.

It highlights all public participation undertaken as part of the process and guides I&AP's through the PPP process and its requirements. It further incorporates all comments received and associated responses to the comments.

LEGAL FRAMEWORK AND COMPLIANCE

The PPP was conducted in line with the following regulatory requirements:

- **Section 41 of the EIA Regulations:** Minimum requirements for public participation
- **Section 42–44 of the EIA Regulations:** Rights and responsibilities of I&APs
- **Section 56 of NEMA:** Submission of public participation reports

A summary of compliance actions is provided below.

SUMMARY OF PPP ACTIVITIES

Table 1: Public participation actions undertaken for the proposal

Requirement and reference in terms of NEMA and NEMA EIA Regulations	Action taken	Date	Reference
Notification of CA, State Departments, Organ of States, Municipality, Municipal Ward Councillor potential registered I&APs and any party requested by the CA Reg. 40 (2) and (3) and 41 (2) (b) (iii) (iv) (v) (vi),	I&APs were notified on the availability of the NOI and WULA – 23 October 2025 Registered I&APs have now been notified on the availability of the Draft BAR and MMP – 7 April 2026	NOI and WULA: 23 October 2025 Draft BAR and MMP: 7 April 2026	Annexure A
Notification of occupiers of the site if the applicant is not the owner or person in control of the land Reg 41 (b) (i)	The working areas are all on Municipal land/servitude areas.	N/A	N/A
Notification of neighbouring landowners Reg 41 (b) (ii)	Based on the location, occupants in the vicinity of the pipeline will be notified via the Municipality in conjunction with the Ward Councillor.	Notification of Ward Councillors – 23 October 2025 and 7 April 2026	Annexure A
Site Notice Reg 41 (2) (a) and Regulation 41 (3)	For the advertisement of NOI and WULA and need to register, three (3) site notices (English, Afrikaans and Xhosa) were placed up at a public place For the advertisement of the Draft BAR and MMP and need to register, one (1) English site notice was placed up at a public place	NOI and WULA: 31 October 2025 Draft BAR and MMP: 31 March 2026	Annexure C
Legal advert Reg 41 (2) (c)	A legal advert advertising the NOI and WULA and need to register was placed in the Knysna Plett Herald	NOI and WULA: 23 October 2025 Draft BAR and MMP: 26 March 2026	Annexure B

	Another legal advert advertising the Draft BAR and MMP and need to register was placed in the Knysna Plett Herald		
Using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to- (i) illiteracy; (ii) disability; or (iii) any other disadvantage. Reg 41 (2) (e)	Notification letters, site notices and legal adverts do provide this.	N/A	Annexure A - C
I&AP register Reg. 41(1)(a)–(b) and 42	A register has been opened since submission of NOI and maintained through the process	N/A	Annexure D
Availability of reports and commenting period Reg. 23(1)(d), Reg. 40(1)–(2) Reg. 40(2)(a) Reg. 40(2)(a)–(b)	NOI and WULA – were accessible through HillLand Environmentals website and Google Drive Link was also provided Draft BAR and MMP – accessible through HillLand Environmentals website and Google Drive Link	N/A	Annexure A

- **The content of notifications, site notice and legal advert complies with** Regulation 41(3), refer to Annexure A – C.
- Only registered Interested and Affected Parties and NGO's will be notified further in the process.

COMMENT AND RESPONSES

Table 2: Comment and response table (pre-application phase – comments on NOI and WULA) – Regulation 44. A copy of the comments is attached to Annexure E.

COMMENT	RESPONSE (EAP/Specialist/Applicant/Engineer)
Shireen Pullen, DEADP comments on NOI, 04 March 2026	
4. The following advice or instructions of the nature and extent of any of the processes that may or must be followed or decision support tools that must be used, in order to comply with the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment Regulations, 2014 (GN R. 982 of 4 December 2014, as amended) ("EIA Regulations, 2014"), is provided below. 4.1. Process to obtain environmental authorisation The information submitted to this Directorate indicates that a Basic Assessment process should be followed in order to apply for Environmental Authorisation.	Correct
4.2. Applicable listed activities 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.	Listed activities that are being applied for has been included in the Application and BAR.
4.3. Pre-Application Consultation Your request for a pre-application meeting is noted. Please be reminded that it is the applicant or appointed Registered EAPs responsibility to contact this Department with proposed date and time to confirm such engagement. However, this Department will avail itself for such engagement to provide further guidance and advice in terms of Regulation 8 on the process requirements and the administration of your application. 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:	Pre-Application meeting was held on 9 March 2026 with DEADP on via TEAMS

where SCC are found on site or have been confirmed to be likely present, a Terrestrial Animal 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 site inspection or the presence is confirmed to be unlikely, a Terrestrial Animal Species Compliance Statement must be submitted as part of the Basic Assessment Report. In addition to the above, the specialist and EAP must consult CapeNature in the public participation process and specifically obtain written confirmation from said organ of state regarding the delineation of the theme, and necessity for any further studies regarding the Terrestrial Animal Species Theme.	CapeNature requested to comment and provided comments on NOI CapeNature again notified on availability of Draft BAR
c) Terrestrial Plant Species Sensitivity Theme The screening tool report rates the sensitivity as "medium sensitivity" due to the potential occurrence of numerous plant species of conservation concern (SCC) that may occur on the site. The EAP disputes the sensitivity based on the transformed nature of the pipeline route. Nonetheless, the Competent Authority stipulates that the appointed specialist must consult the South African National Biodiversity Institute (SANBI) as indicted in the STR; and the procedure set out in the Protocol regarding the Medium Sensitivity Species of Conservation Concern Confirmation must be followed, and this must be demonstrated in the report. Please note that— where SCC are found on 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. In addition to the above, the specialist and EAP must consult CapeNature in the public participation process and specifically obtain written confirmation from said organ of state regarding the delineation of the theme, and necessity for any further studies regarding the Terrestrial Plant Species Theme.	Report forms part of Draft BAR No SCC noted by specialist CapeNature requested to comment and provided comments on NOI CapeNature again notified on availability of Draft BAR
d) Terrestrial Biodiversity Sensitivity Theme	

The screening tool report rates the sensitivity as "very High" based on the site being mapped to contain Critically Endangered Great Brak Dune Strandveld. The EAP disputes the sensitivity and states that the Impact will be low on the terrestrial biodiversity as the proposal is within transformed areas within the urban area. The EAP is of the opinion that the sensitivity rating should be "low", which according to the SSVR was confirmed by the specialist which indicated that the terrestrial biodiversity sensitivity is likely to be low based on initial inspection/assessment. The SSVR further states that a Compliance Statement will form part of the Basic Assessment Process. Kindly ensure that the specialist confirms the SSVR and the report complies with the minimum information if the protocol. In addition to the above, the specialist and EAP must consult CapeNature in the public participation process and specifically obtain written confirmation from said organ of state regarding the delineation of the theme, and necessity for any further studies regarding the Terrestrial Biodiversity Theme.	Report forms part of Draft BAR CapeNature requested to comment and provided comments on NOI CapeNature again notified on availability of Draft BAR
e) Archaeological Heritage and Paleontological Heritage Sensitivity Theme The screening tool rates the respective sensitivity themes as "Very High" and "High" respectively. The EAP disputes this sensitivity ratings based on the fact that Heritage Western Cape already confirmed in their comment dated 11 April 2025 that no further studies are required.	Correct
f) Civil Aviation Theme The STR specifies a "high" sensitivity rating in terms of the Civil Aviation Theme because the site is situated within 8-km of an aerodrome. This sensitivity is disputed by the EAP as the proposed works underground and the pump stations will have not impact the civil aerodrome. Notwithstanding the above motivation, the South African Civil Aviation Authority (must be consulted (E-mail: environment@caa.co.za) and the EAP must specifically obtain written confirmation from said organ of state regarding the delineation of the theme, and necessity for any further studies regarding the Civil Aviation Theme.	SACAA notified on availability of NOI and again on availability of the Draft BAR – no comments received to date. Not anticipated that any studies will be required as it has no influence on this theme.
g) Aquatic Biodiversity Sensitivity Theme The STR specifies a "very high" sensitivity rating for the Aquatic Biodiversity Theme due to the	

proposed development footprint, and surrounding area, is classified as aquatic Critical Biodiversity Area (CBA) 1 and a Freshwater Ecosystem Priority Area (FEPA) Sub catchment. An Aquatic Biodiversity Impact Assessment which complies with the protocol for Aquatic Biodiversity must be complied with. In addition to the above, the EAP must consult Breede Olifants Catchment Management Agency (BOCMA) in the public participation process and specifically obtain written confirmation from said organ of state regarding the delineation of the theme, and necessity for any further studies regarding the Aquatic Biodiversity Theme.	Assessment forms part of the report and WULA is in process BOCMA requested to comment on NOI and notified again to comment on Draft BAR. Note that the WULA is in process.
h) Combining specialist studies / reports: It is emphasised that the BAR and supporting specialist studies must comply with the legislated minimum information and reporting requirements. Therefore, all identified specialist studies must be complied with in full. It may be possible for a single person to undertake the entire specialist assessment and reporting for more than one Protocol, for example the Terrestrial Biodiversity and Terrestrial Plant Species themes. Please note that the partial assessment/reporting of a specific theme by two or more different persons in separate reports, will not be accepted, even if there may be a level of overlap in the different specialist disciplines. *The exception may be where two or more different specialists undertake the assessment of the different 'taxa' identified under the animal species theme. Where a single person will be undertaking more than one assessment of the themes identified in the screening tool report (STR), it must be ensured that— the person undertaking such specialist assessments and reporting, must be appropriately registered with SACNASP for each of the respective Protocols, and that he/she provides the necessary proof hereof in the BAR; the assessment and reports address all the minimum information requirements, as specified in the respective protocols for each of the relevant themes the person will be responsible for assessing and reporting on, and where a single report will be submitted (i.e., two themes are combined in a single report), such a document must clearly separate the information on the minimum information	Noted and reports are compliant

requirements of the respective protocols to avoid any ambiguity, and the report must clearly demonstrate how each aspect has been addressed. If the latter is not evident, the report will be rejected. It is recommended that each Protocol be dealt with as a separate 'chapter' in such a combined report. Where the Protocol requires that specialists with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is required, and two or more different specialists (persons) must be appointed to undertake the assessment of that theme (i.e., animal species theme), the respective taxa reports may be combined in a single report; however, the information on the minimum information requirements of the protocol must be addressed by each specialist to avoid any ambiguity, and the report must clearly demonstrate how each taxa has been addressed and the specialist has signed off on the relevant information. If the latter is not evident, the report will be rejected. It is recommended that the report for each taxa rather be submitted as a separate document; however, where a combined document is submitted that each taxa is dealt with as a separate 'chapter' in such a combined report.	
4.5. Other Specialist Input i) Geotechnical Assessment A Geotechnical Assessment will form part of the Basic Assessment Process. j) Hydrological Assessment The EAP motivates that because this is an upgrade of an existing pipeline, no hydrological Assessment is required. The BOCMA and the Aquatic Specialist must confirm in writing that no further studies will be required on the hydrological aspects. k) Socio-Economic Assessment: The EAP states that the proposed development is located within the urban edge and therefore no separate study required other than what is required in the Basic Assessment Report. l) Landscape/visual impact assessment (general protocol) The EAP motivates that, based on the nature of the proposal there is no need for a visual assessment. Nonetheless, it is advised that the Department's Guideline for involving visual and	Included in the Draft BAR Hydrology addressed by the aquatic specialist, no additional studies requested. Correct Visual matters were addressed in the BAR

aesthetic specialists in the EIA process, June 2005 be considered and reported on.	
4.6. Government Policies and Plans, Guidelines, Environmental Management Instruments: Pretoria, South Africa (ISBN: 978-0-9802694-4-4) You are advised that when undertaking the EIA process, it is the responsibility of the EAP and Specialists to take into account all the government policies and plans, guidelines, environmental management instruments and other decision making instruments in respect of the application process or the kind of activity which will be the subject of the application, including the guidelines, information documents or circulars developed by this Department which include inter alia, the following: - Guideline for determining the scope of specialist involvement in EIA processes, June 2005. - Guideline for the review of specialist input in the EIA process, June 2005. - Guideline for Environmental Management Plans (June 2005). - Guideline for involving visual and aesthetic specialists in the EIA process, June 2005. - Guideline for involving heritage specialists in the EIA process, June 2005. - Guideline for involving social assessment specialists in the EIA process, February 2007. - Guideline for involving economists in the EIA process, June 2005. - Western Cape Provincial Spatial Development Framework, November 2014 (as amended) - DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs (DEA)	Guidelines, policies and plans considered and used where applicable in the assessment
4.7. Public Participation A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 must be undertaken. 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 including the EMPr. Please be advised that in accordance with Sub-regulation 40(3) public participation may be undertaken prior to the submission of the application. Should a public participation process, which includes the circulation of the pre-application BAR for comment to potential	Refer to this report that outlined the PP undertaken.

or registered interested and affected parties, be undertaken in terms of Regulation 40 prior to the submission of an Application Form to the Department, then the requirements of Regulation 41 must be complied with simultaneously and the pre-application BAR must also be submitted to the Department for commenting purposes. Your list of state departments is noted and supported. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, 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.	
Relative Considerations applicable to the proposed development: 5. Alternatives In terms of the EIA Regulations, 2014 the investigation of alternatives is mandatory. This includes the option of not proceeding with the proposed activity (the "no-go" option). All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it had been applied for or may grant authorisation in respect of the whole or part of the proposed project in the application. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.	See alternative section in BAR.
6. Need and Desirability In terms of the EIA Regulations, 2014, when considering an application, the Department must take into account a number of specific considerations including inter alia the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability. Refer to the DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs (DEA), Pretoria, South Africa (ISBN: 978-0-9802694-4-4).	See need and desirability section in BAR.

7. NEMA Principles The applicant will be required to clearly demonstrate how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development. The NOI reports that no water use license will be required for the proposed development. Kindly ensure that this is confirmed by the Breede-Olifants Catchment Management Agency. Such confirmation must be submitted at least at the final BAR stage.	Included in the BAR Incorrect statement – NOI clearly indicates that a WULA will be required and is in process. DEADP was requested to comment on the WULA as well.
Vanessa Stoffels/DD Fortuin, Department of Transport Infrastructure, 5 December 2025	
1. Your letter PLE/1362/06 dated 23 October 2025 to Interested and Affected Party (I&AP) / Organ of State / State Department refers. 2. It appears to be unlikely but Minor Road 7212 (OP07212; Saringa Road), for which this Branch is the Road Authority, might become affected by this proposal. 3. This Branch, from an environmental point of view, offers no objection to the issuing of an Environmental Authorisation in favour of this proposal, provided that detail drawings of the crossing of OP07212 are submitted to this Branch for its perusal and confirmation of the need to obtain an approval to cross that road.	No objection noted.
Megan Simons, CapeNature, 01 December 2025	
1. CapeNature acknowledges the need to upgrade the sewer infrastructure in Kwanokuthula. The scope of work aims to improve the ecological benefit by reducing pollution entering freshwater systems. However, biodiversity considerations must be addressed to ensure that construction activities and long-term operations do not result in new environmental risks.	This has been addressed and assessed within the report and associated EMPr/MMP for implementation during the construction phase and long-term maintenance of the infrastructure. Upstream Consulting: <i>Biodiversity and freshwater protection measures are included in the Method Statement and freshwater specialist recommendations and will be implemented during construction and operation.</i>
2. The surrounding area is largely built-up due to residential development and cultivation however the scope of work is also within areas that are mapped as natural. These overlap with the degraded CBA mapping and pockets of natural vegetation may also be found	

along drainage lines and road verges. Therefore, intact vegetation must be avoided and if needed demarcated as no-go. although the CBA fragments within the project area are degraded, they are still potential for rehabilitation and remaining indigenous seedbanks. The construction within ESAs must be carefully managed to retain soil structure, prevent erosion, and maintain ecological functionality.	Compliant – intact vegetation highlighted by specialists and therefore a specific working area was allowed for where it avoid any natural areas. Refer to EMPr/MMP. Upstream Consulting: <i>Where possible intact vegetation patches encountered will be clearly demarcated as no-go areas prior to construction and monitored by the ECO.</i>
3. Avoid remaining CBA patches where possible by aligning pipelines within already transformed corridors. Implement post-construction ecological rehabilitation, including removal of alien invasive species, soil stabilisation, and re-establishment of indigenous vegetation.	Work will remain in the transformed areas. Potential impacts and mitigation measures included in EMPr/MMP for implementation. Upstream Consulting: <i>Pipeline alignments prioritise disturbed corridors. Post-construction rehabilitation using indigenous vegetation and alien invasive species control will be undertaken as per the Method Statement and Freshwater Habitat Assessment Report.</i>
4. Eradication of invasive aliens must follow the National Environmental Management: Biodiversity Act (Act No.10 of 2004)4. Control methods for the eradication of alien invasive species must be implemented in such a way that it prevents harm to the surrounding environment. The continual removal of alien invasive vegetation will have a positive impact on the water resources for the area and the Outeniqua SWSA.	Included in the EMPr/MMP. Upstream Consulting: <i>Alien invasive species management will comply with NEM:BA and relevant regulations under ECO supervision.</i>
5. The SWSA is of national importance, and their ecological functioning must be protected and maintained (Le Maitre et al. 2018). The Roodefontein Dam forms part of this hydrological system. Conserving the remaining areas and rehabilitating degraded areas are vital for South Africa's water resources.	Correct, the proposal is essential to protect these areas/systems. Upstream Consulting: <i>The proposed sewer upgrades will reduce ongoing sewage spillages and therefore improve protection of the Roodefontein Dam and associated SWSA.</i>
6. Where new sewer alignments extend beyond previously disturbed areas, there is greater potential for encountering natural habitat. Thus, can a walk-through be undertaken prior to construction to confirm that there are no Species of Conservation Concern?	The proposed alignments will remain in transformed areas, a walk through will be done during the pre-construction phase as indicated in the EMPr/MMP. Upstream Consulting:

	<i>A pre-construction walk-through will be undertaken by a botanical specialist to confirm the presence or absence of Species of Conservation Concern.</i>
7. In terms of soil erosion and sediment management the EMPr should include stabilisation of open trenches, temporary stormwater diversion measures and rehabilitate disturbed areas immediately after pipe installation using indigenous vegetation.	Included in the EMPr/MMP. Upstream Consulting: <i>The method statement includes trench stabilisation, stormwater diversion measures and immediate rehabilitation using indigenous vegetation following installation, as required by the Freshwater specialist and listed in the Freshwater Specialist report.</i>
8. Urban edge environments can still support amphibians using stormwater channels or reptiles sheltering in rubble or vegetation patches. Open trenches must be managed daily and fitted with escape ramps where trenches cannot be closed. An ECO must monitor construction to ensure fauna encountered during trenching is safely relocated.	Mitigation measures included in the EMPr/MMP. Upstream Consulting: <i>Daily trench inspections, faunal escape ramps and fauna rescue protocols will be implemented under ECO supervision.</i>
9. The EMPr must explicitly address freshwater protection measures, faunal safeguarding protocols, rehabilitation measures, and pollution prevention.	Included and addressed in EMPr/MMP. Upstream Consulting: <i>All listed measures are explicitly incorporated into the Method Statement and will enforced on site by the ECO.</i>
10. An Environmental Control Officer (ECO) must be appointed for the duration of construction. The ECO must confirm that no additional disturbance to CBA remnants occur	Included and addressed in EMPr/MMP. Upstream Consulting: <i>A suitably qualified ECO will be appointed for the full construction period.</i>

Comments on the Draft BAR will be added into this section.

CONCLUSION

In light of the above, the following is required from the potential stakeholders:

- Read through the BAR which contains all the relevant information pertaining to the proposal;
- Submit your comments, recommendations, concerns and or issues you would like to bring into the process and make known to HillLand Environmental (admin@hilland.co.za) within the additional 30-day comment (7 April – 11 May 2026) and registration period.
- It is important to bring to the attention of the decision-making authority any issues that the I&AP believes may be of significance of the application, provided that the I&AP discloses

any direct business, financial, personal or other interest which that party may have in the approval or refusal of this application.

All Interested and Affected Parties are required to disclose their interest in the matter.