



# HilLand 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

## MOSSEL BAY HOUSING PROJECT: DEVELOPMENT ON ERVEN 2667, 2686 AND 2687, GROOT BRAKRIVIER (TOEKOMS)

|                          |                        |
|--------------------------|------------------------|
| <b>Compiled by</b>       | HilLand Environmental  |
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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](mailto:admin@hilland.co.za)  
Web site: [www.hilland.co.za](http://www.hilland.co.za)

**PUBLIC PARTICIPATION REPORT**

**For**

**MOSSEL BAY HOUSING: TOEKOMS SITE**

**Submitted for:**

DEADP DECISION MAKING PROCESS – SUBMISSION WITH FINAL BAR

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# 1 INTRODUCTION

**Hilland Environmental**, independent Environmental Assessment Practitioners (EAP), have been appointed by the applicant, **Mossel Bay 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 development of 25x freehold residential properties, 1 clinic site, 1 private open space and 1 public open space on Erven 2667, 2686 & 2687, Dagbreek Lane, Toekoms area, Groot Brakrivier.

The Draft BAR was available a 30-day commenting period (4 May – 3 June 2026). This report serves as the final Public Participation Process (PPP) report that accompanies the final Basic Assessment Report (BAR) submitted to DEADP for their decision-making process.

It highlights all public participation undertaken as part of the process and guides I&AP's through the PPP process and its requirements. **It incorporates all comments received in response to the Draft BAR and responses to each of the comments.**

## 2 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.

### 3 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  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------|------------|
| <b>Notification</b> of CA, State Departments, Organ of States, Municipality, Municipal Ward Councillor potential registered I&APs and any party requested by the CA<br><br>Reg. 40 (2) and (3) and 41 (2) (b) (iii) (iv) (v) (vi),                          | Email notification provided                                                       | 4 May 2026<br>Reminder sent on 2 June 2026 | Annexure A |
| <b>Notification</b> of occupiers of the site if the applicant is not the owner or person in control of the land<br><br>Reg 41 (b) (i)                                                                                                                       | The applicant – Mossel Bay Municipality is the landowner – there are no occupiers | N/A                                        | N/A        |
| <b>Notification</b> of <b>neighbouring</b> landowners<br><br>Reg 41 (b) (ii)                                                                                                                                                                                | Email notification provided<br>Letter drop performed to the Toekoms community     | 4 May 2026                                 | Annexure A |
| <b>Site Notice</b><br><br>Reg 41 (2) (a) and Regulation 41 (3)                                                                                                                                                                                              | Site notices were placed – 1x English and 1x Afrikaans                            | 30 April 2026                              | Annexure C |
| <b>Legal advert</b><br><br>Reg 41 (2) (c)                                                                                                                                                                                                                   | A legal advert was placed in the Mossel Bay Advertiser                            | 1 May 2026                                 | Annexure B |
| 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-<br>(i) illiteracy;<br>(ii) disability; or<br>(iii) any other disadvantage. | Provided in notification letters                                                  |                                            |            |

|                                                                                                                       |                                                                    |                     |            |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------|------------|
| Reg 41 (2) (e)                                                                                                        |                                                                    |                     |            |
| <b>I&amp;AP register</b><br>Reg. 41(1)(a)–(b) and 42                                                                  | A register has been opened and will be kept throughout the process | N/A                 | Annexure D |
| <b>Availability of reports and commenting period</b><br>Reg. 23(1)(d), Reg. 40(1)–(2) Reg. 40(2)(a) Reg. 40(2)(a)–(b) | The draft BAR was available on HilLand Environmental's website     | 4 May – 3 June 2026 | N/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.

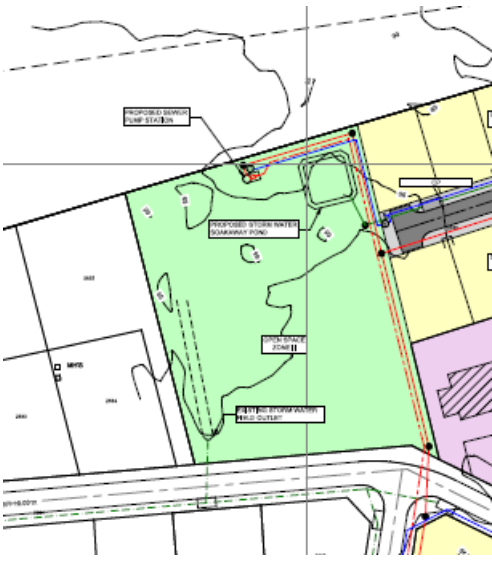
## 4 COMMENT AND RESPONSES

### Pre-application comments

| Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Response                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Corner Nortje, HWC final comment in response to the NID submission, 27 May 2025</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                       |
| <p>Heritage Western Cape is in receipt of your application for the above matter received. This matter was discussed at the Heritage Officers Meeting held on 26 May 2025.</p> <p>You are hereby notified that, since there is no reason to believe that the proposed social housing and social facilities on Erven 2667, 2686 &amp; 2687, 1-3 Dagbreek Lane, Grootbrak Rivier, will impact on heritage resources. No further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.</p> <p>HWC Chance Finds Procedure to be included in the EMPr and Environmental Authorisation.</p> <p>However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.</p> | <p>Noted and Chance Finds Procedure is included in the EMPr.</p> <p>Specified as such in the EMPr – section 7.1.8</p> |

### Comments received in response to the Draft BAR

| Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Response (EAP/Applicant (Municipality)/Town planner/Engineer/Specialist)                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case officer – Shireen Pullen, DEADP, 2 June 2026</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                 |
| <p>2. The Directorate: Development Management (Region 3) ('this Directorate') has reviewed the DBAR and provides the following comments:</p> <p>2.1. Site Development Plan</p> <p>The preferred Site Development Plan attached to the DBAR is noted. Albeit at an appropriate scale which superimposes the proposed activity, associated structures and infrastructure, environmental sensitivities, no SDP in a digital format and the Shape Files (.shp) in the Hartebeesthoek94 WGS84 co-ordinate system in an electronic copy of the report was submitted to the competent authority to date. Kindly ensure that the final BAR contains such required shape files.</p> | <p>Shape files included – see Appendix B1.</p>                                                                                                                                                                                                                                                                                  |
| <p>2.2. Municipal services confirmation</p> <p>2.2.1. Refuse removal</p> <p>It is noted that the Municipality has confirmed available capacity for water, sewer and electricity. However, the draft BAR states that 'refuse collection is assumed to be managed by the municipality through kerbside collection'. In this regard, you are also required to obtain confirmation from the Directorate: Infrastructure Services of availability of adequate capacity for solid waste removal and disposal. Such confirmation must be included in the BAR to be submitted to the Department for consideration.</p>                                                             |  <p>Extract from Mossel Bay Municipal public viewer showing that the site is included in the Municipal Refuse Routes (yellow colouring).</p> <p><b>Confirmation from the municipality requested and included as App E16 of the BAR:</b></p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p style="text-align: right;">13 July 2026</p> <p>Hilland Environmental (Pty) Ltd<br/>166 Mountview Farm, Victoria Heights<br/>George<br/>6530</p> <p>Dear Sir/Madam,</p> <p><b>CONFIRMATION OF CAPACITY TO DELIVER KERBSIDE REFUSE REMOVAL SERVICE: PROPOSED DEVELOPMENT OF SOCIAL HOUSING IN TOEKOMS</b></p> <p>Mossel Bay Municipality hereby confirms that there exists sufficient capacity to deliver a weekly refuse removal service to the above mentioned development.</p> <p>For any enquiries feel free to communicate with Mr. Warren Manuel on <a href="mailto:warren.manuel@mosselbay.gov.za">warren.manuel@mosselbay.gov.za</a> or telephone 044 606 5143.</p> <p>Yours faithfully<br/><i>Warren Manuel</i><br/><b>ppDIRECTOR: COMMUNITY SERVICES</b><br/>/sm</p>                                                                     |
| <p><b>2.2.2. Stormwater Management Plan</b></p> <p>Stormwater management in the Great Brak area consists of an extensive network of pipes, catch basins, and open earth channels that direct runoff safely into the Great Brak River. For the proposed development, specifically the twelve proposed erven in the north, stormwater management will be in the form of directing stormwater into the Public Open Space, where it will soak into the natural permeable soil. The site development also makes provision for a stormwater detention pond on the Open Space Zone I erf. However, it is noted that a parking lot and sports field is proposed on the said property. Therefore, it is unclear whether the proposed stormwater management measure can be implemented or how effective it will be.</p> <p>In light of the above you are required to obtain the written comment / approval in respect of the proposed stormwater management plan from the Directorate: Infrastructure Services.</p> | <p>The BAR and EMPr indicated that the pond will have to take the recreational facility into account. The engineer has relocated the stormwater pond to the northeastern corner of recreational facility erf, next to the pump station. The recreational area design will have to take the pond and services into account.</p>  <p>The Municipality was requested to comment on the stormwater plan, it is included as app L with the engineering report.</p>                                                                                                                                                                                                                                                                                                    |
| <p><b>2.3. Vegetation along the Main Road 344</b></p> <p>According to the to Traffic Impact Assessment the shoulder sight distance for a stop-controlled access with an operating speed of 100km/h on the through road is approximately 300m. However, the sight lines (both directions) do not meet the requirement, which is attributed to overgrown vegetation rather the road geometry. It is reported that sufficient sight distance can be achieved by maintaining the vegetation,</p> <p>According to the Visual Statement there is a potential risk from skyline intrusion as seen from Main Road 344 (R102 Provincial Road). To mitigate the impact, it is recommended that (1) building heights be restricted to 8m for erven adjacent to the R102 Provincial Road and (2) introduce screening vegetation along the road edge and the entrance into Toekoms.</p> <p>Considering the above, the proposed measures appear to be conflicting and cannot be implemented. As such,</p>               | <p>Visual specialist recommendation:<br/><i>Planting of medium sized/ wind hardy indigenous shrubs and trees in the POS along the R102. The entrance to Toekoms should also include some feature trees to soften the entrance into the residential area.</i></p> <p>As recommended in the TIA:</p> <p><i>That maintenance of the landscape elements along the R102 (MR00344) be undertaken to ensure that sufficient sight distance is achieved at the R102/Helderkrui Avenue intersection.</i></p> <p>The EMPr therefore recommends planting vegetation that can be maintained at an appropriate height and form to preserve adequate sight distance, while at the same time providing the visual softening required. This will include pruning trees up so that they do not obstruct the view when seated in a vehicle near the intersection.</p> |

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| <p>you are required to address this and indicate how the identified impacts will be mitigated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Please note that the open space area is set back from the Road Reserve where the Roads Authority will keep sight lines open.</p>                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>2.4. Comment from the relevant road authority</p> <p>The proposed development, and specifically the erven 1 to 10, will be located along the R102 Provincial Road. The Western Cape Government: Department of Infrastructure – Road Planning ('Dol'), as the managing authority of the roads, is considered as the 'landowner' / 'person in control' of the roads.</p> <p>Considering the matter highlighted in 2.3 above, you are required to obtain the comment of the Dol in respect proposed development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>This Department was requested to comment on the BAR. No comments were received during the specified commenting period nor prior to submission of the final report to the Department.</p> <p>Following a final reminder the department administration confirmed (10 July 2026) that the officials are on leave and will only be able to comment once back at the office (13 July 2026).</p> <p>Should late comments be received they will be forwarded to the department, failing which, in terms of Regulations 3(4) &amp; 40 of the NEMA EIA Regulations (2014, as amended) it will be recorded that they have no comment.</p> |
| <p>2.5. Requirements of the protocols</p> <p>The specialist who undertook the Terrestrial Biodiversity Assessments for terrestrial biodiversity inclusive of plant and animal species, is SACNASP registered with the South African Council for Natural Scientific Professions ('SACNASP') in the fields of Ecology and Botany. According to the animal species protocol for an animal species sensitivity of medium, the protocols require a specialist assessment done by a SACNASP registered specialist with a field of practice relevant to the taxonomic groups ('taxa') for which the assessment is being undertaken. As previously indicated, should the specialist input be combined, it must be ensured that all relevant protocols are complied with. Please provide clarity whether the animal species protocol is complied with.</p>                                                                                                          | <p>The specialist appointed is SACNASP registered in the field of Ecology and is qualified accordingly (majoring in Botany and Zoology). The specialist has been undertaking general animal assessments for many years.</p> <p>The specialist is experienced in undertaking general faunal surveys on the basis of his qualifications, experience and professional registration – as indicated in his CV.</p>                                                                                                                                                                                                                      |
| <p><b>Dr NS Viljoen, Garden Route District Municipality, 22 May 2026</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>After review of the draft BAR, we wish to provide the following comments and recommendations on the proposed activities:</p> <p>1. Biodiversity</p> <p>The BAR records an important sensitivity conflict. It states that, under the 2017 WCBSP, the northern portion was mapped as ESA 1 and parts of the southern portion as ONA. It further notes that the 2023 WCBSP maps small portions as CBA 1 and CBA 2, but the BAR appears to dismiss part of this mapping as possibly an error. This is not sufficient on its own. A mapping conflict involving CBA/ESA areas should be confirmed by CapeNature or the relevant biodiversity authority before the Final BAR relies on that interpretation.</p> <p>Recommendation:</p> <p>The Final BAR must include CapeNature's formal comment and must clearly confirm whether the 2023 WCBSP CBA 1/CBA 2 mapping is accepted, disputed, or corrected. If the mapping is disputed, the Final BAR should</p> | <p>CapeNature has commented on the BAR – see below.</p> <p>As already included in the BAR, the site-specific specialist assessment indicated that although the property has been mapped as ESA 1 based on 2017 data that was Gazetted at the time of the assessment, the properties no longer support natural habitat. The vegetation is in a poor condition, and the proposal is therefore supported.</p>                                                                                                                                                                                                                         |

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| <p>provide a clear specialist motivation and preferably written confirmation from CapeNature.</p> <p>The southern open space area must be treated as a formal no-go/conservation buffer, except for approved service installation, and must be demarcated before construction.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The southern open space area is retained to achieve some conservation outcome but also serve as a visual mitigation measure as recommended by the visual specialist.</p> <p>Work in this area will be guided by the EMPr.</p>                      |
| <p>2. Protected Trees and Indigenous Vegetation</p> <p>The BAR confirms that protected Milkwood and Cheesewood trees occur on site and that a Section 15 National Forests Act licence will be required for disturbance, pruning, removal or transplanting of protected trees. The EMPr-linked management measures also require the applicant to first try to avoid and incorporate protected trees into the design.</p> <p>This is a critical condition because the development footprint, house erven and services may place pressure on individual protected trees. The BAR should not merely state that a licence will be applied for "later"; the Final BAR should show which protected trees are affected, which will be retained, which may be transplanted, and which may require removal.</p> <p>Recommendation:<br/>Before construction or site clearing, the applicant must submit a tree protection plan showing all protected trees, tree protection zones, trees to be retained, and any trees requiring licence approval. No protected tree may be pruned, damaged, removed or transplanted before the relevant National Forests Act approval has been issued. The ECO must verify tree protection fencing before site works commence.</p> | <p>Correct.</p> <p>The EMPr indicates that a licence will be applied for at the time of construction as Forestry will <u>require the EA, and approved building plans to be in place before issuing a licence.</u></p> <p>As included in the EMPr.</p> |
| <p>3. Aquatic Environment / Water Resources</p> <p>The BAR records that the site falls within 500 m of a mapped wetland according to NFEPA mapping, but the aquatic specialist found that the feature is not a wetland and should rather be classified as a non-perennial watercourse. The BAR further states that the development does not fall within the buffer area and that no General Authorisation or Water Use Licence is required.</p> <p>The conclusion may be acceptable if confirmed by the water authority, but BOCMA/DWS comment is still pending in the Draft BAR. This is a material gap, because water-use authorisation requirements cannot be dismissed only on the basis of the applicant's report where the water authority has not yet confirmed the position.</p> <p>Recommendation:<br/>The Final BAR must include BOCMA/DWS written comment confirming whether any NWA authorisation is required. If BOCMA/DWS confirms that no GA or WUL is required, that confirmation should be included as an appendix. If any authorisation is required, no construction affecting services, stormwater or watercourse-related areas may commence before such authorisation is obtained.</p>                                               | <p>BOCMA – were requested to comment, see comments further in this table.</p> <p>BOCMA provided comments on the BAR and confirmed the findings of the specialist, and that no approval in terms of the NWA will be required.</p>                      |
| <p>4. Stormwater Management</p> <p>The BAR states that stormwater will be directed north and discharged into the Public Open Space, where it will soak into natural permeable soil, with provision made for a stormwater detention pond. The BAR also notes that the detention pond position must still be finalised with the proposed recreational facility layout.</p> <p>This is a weakness in the Draft BAR. Stormwater is one of the key operational risks because the proposal will increase hardened surfaces, roads, roofs and runoff concentration. The stormwater detention pond cannot remain</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The recreational space and stormwater design will be integrated. This will take place during detailed design.</p>                                                                                                                                  |

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| <p>conceptually located if the same area is also needed for recreational facilities. The Final BAR should avoid creating conflict between recreation space, detention storage, public safety, maintenance access and ecological rehabilitation.</p> <p>Recommendation</p> <p>The Final BAR must include a final stormwater layout with design calculations, overflow routes, erosion protection, maintenance responsibilities, and confirmation that the detention pond is compatible with the recreational facility. The stormwater system must be designed to prevent erosion, sedimentation, flooding of neighbouring properties, pollution of open space areas, and nuisance water accumulation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>The stormwater soakaway has been shifted next to the pump station, the recreational facility design will take the pond and services into account.</p> <p>The stormwater design is now final and the recreational space design will take this into account.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>5. Sewerage and Pump Station Risk</p> <p>The BAR states that sewage will be removed by a gravity sewer network, draining to a low point on the Public Open Space, from where it will be pumped by means of a small underground sewerage pump station to the nearest gravity main sewer approximately 235 m east of the development. The proposed pump station introduces operational risk that is not sufficiently discussed in the main BAR text. Pump stations can fail due to power outages, mechanical failure, blockage, vandalism or poor maintenance. If the low point is located in or near public open space, failure could result in sewage overflow, odour, public health risk and environmental contamination.</p> <p>Recommendation</p> <p>The Final BAR should include confirmation of pump station design capacity, emergency storage, alarm/telemetry, backup power or standby response arrangements, maintenance access, servitude registration and overflow contingency measures. The Environmental Authorisation should require that no occupation occurs until the sewer system and pump station are commissioned and accepted by the municipal engineering department.</p> | <p>The proposed pump station will be part on the municipal sewage network and maintenance, and operation of all municipal pump stations is required as <b>ongoing operational maintenance</b>.</p> <p>Engineering design of the pump station requires these measures as standard design practices.</p> <p>Transfer of erven for home construction cannot take place until the services have been installed and are all signed off by the municipality.</p> <p>The sewage infrastructure will connect to the Municipal services – the Municipality will therefore be responsible for maintenance of their infrastructure (as they are with all municipal pump stations). Confirmation of service availability has been provided by the Municipality:</p> <div data-bbox="794 1355 1417 1731" style="border: 1px solid black; padding: 5px;"> <p style="text-align: right;">8 April 2025</p> <p><b>V3 Consulting Engineers</b><br/> Unit 1B, 4 Mascador Street<br/> Voorbaai<br/> 6500<br/> PO Box 730<br/> Mossel Bay<br/> 6500<br/> Cell +27 (0)82 784 7260<br/> Tell +27 (0)44 691 2305<br/> dean.jacobs@v3consulting.co.za</p> <p><b>To Mr Dean Jacobs</b></p> <p><b>CONFIRMATION OF MUNICIPAL SEWER AND WATER INFRASTRUCTURE TO SERVICE ERVEN 2667, 2686 &amp; 2687</b></p> <p>The developer of Erven 2667, 2686 &amp; 2687 in Mossel Bay may be liable for the payment of a Development Contribution (as calculated by Mossel Bay Municipality) for bulk water and sewer infrastructure as per Council Policy.<br/> There is sufficient capacity in the water and sewer reticulation systems to accommodate the proposed development on of Erven 2667, 2686 &amp; 2687.</p> </div> |
| <p>6. Visual Impact and R102 Sense of Place</p> <p>The visual specialist concluded that the development is unlikely to result in loss of significant landscape or visual resources, but identified possible skyline intrusion from the R102 and changes to the existing vegetated verge sense of place. The recommended mitigation is to restrict building heights adjacent to the R102 to 8 m and introduce screening vegetation along the road edge and Toekoms entrance.</p> <p>The R102 edge is a sensitive visual interface because it is one of the main public viewpoints into the Toekoms area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| <p>The mitigation must therefore be enforceable, not merely aspirational.</p> <p>Recommendation<br/>The Environmental Authorisation should require the 8 m height restriction for erven adjacent to the R102, retention of existing buffer vegetation where possible, and implementation of a landscaping plan using wind-hardy indigenous trees and shrubs. The BAR already refers to a 2-year maintenance plan for landscaping; this should be made a formal condition, including replacement of dead plants.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Noted and agreed. These mitigation measures are also included in the EMPr for implementation.</p>                                                                                                                                                        |
| <p>7. Concluding Remarks</p> <p>Based on the information provided, the GRDM is not opposed to the principle of the development, provided that the weaknesses mentioned above are addressed in the Final BAR. Failure to adequately address the above concerns may result in long-term environmental degradation.</p> <p>The comments provided above aims to complement the specialist inputs by ensuring practical accountability, policy alignment, and transparent decision-making.</p> <p>We appreciate the efforts made by HillLand Environmental and the applicant to ensure responsible and legally compliant development activities.</p> <p>The Garden Route District Municipality reserves the right to provide comment/s or to amend initial comment/s.</p>                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Concluding comments have all been addressed above.</p>                                                                                                                                                                                                   |
| <p><b>N. Britz, Garden Route District Municipality (Health dept), 3 June 2026</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                             |
| <p>The transformation of undeveloped land to residential/commercial may include the following construction activities: Site preparation (vegetation clearing, scraping road surfaces), excavations, tarring, building, and construction of bulk services (sewage and water, piping installations).</p> <p>The abovementioned activities may create a negative impact on human health such as stress, respiratory infections (asthma, coughing, wheezing, and lung irritations) and vector borne illnesses from increased waste.</p> <p>Recommendations:</p> <p>Management of all above mentioned activities to present and/or limit the negative health effects to humans through:</p> <ul style="list-style-type: none"> <li>• Proper storage and disposal of waste generated (general waste and construction waste) on site.</li> <li>• Managing dust emanating from site by means of the most practical option available.</li> <li>• Ensure proper toilet facilities for employees on site.</li> </ul> <p>The Environmental Health Practitioner responsible for the area in which the construction will take place will be responsible for monitoring effect on human health.</p> | <p>Noted, general mitigation measures have been provided in the EMPr for implementation.</p> <p>As with all construction sites, the appointment of a Health and Safety officer is required in terms of the OHSA - to monitor health and safety aspects.</p> |
| <p><b>Tshembhani Ngobeni, BOCMA, 3 June 2026</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                             |
| <p>1. Breede-Olifants Catchment Management Agency (BOCMA) hereby acknowledges receipt of your application dated 4 May 2026 for the aforementioned activity, which was received by this office on 4 May 2026. Based on an evaluation of the intended activity and the information provided, it has been determined that the proposed Mossel Bay Housing project, development on Erven 2667, 2686 and 2687, Groot Brak Rivier, Mossel Bay, will not have an impact on water resources. This office therefore supports the proposed housing project or development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Correct and support noted.</p>                                                                                                                                                                                                                           |

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| 2. A signed letter from the Mossel Bay Municipality must be provided to inform the office if the Municipality have capacity to accommodate a new development in terms of Bulk Services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | This letter was attached as appendix E16.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 3. Please note no abstraction of surface or groundwater may take place or storage of water be created without prior authorisation from this office, unless it is a Schedule 1 or Existing Lawful Use as described in Section 32 of the National Water Act, 1998 (Act No. 36 of 1998) as amended.                                                                                                                                                                                                                                                                                                                                                                                         | None planned for this project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 4. Please ensure that no waste or water containing waste is disposed in a manner which may detrimentally impact on a water resource without authorisation from the National Water Act, 1998 (Act 36 of 1998) and other related legislations.                                                                                                                                                                                                                                                                                                                                                                                                                                             | Mitigation measures are included in the EMPr for implementation during the construction phase.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5. The applicant should be aware that according to Section 19 (1) of the National Water Act, 1998 (Act No.36 of 1998), "an owner of land, a person in control of land or a person who occupies or uses the land on which (a) any activity or process is or was performed or undertaken; or (b) any other situation exists, which causes, has caused or is likely to cause pollution of a water resource, must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring". Any pollution incident(s) resulting from the discharge of treated effluent or any activity from the plant must be reported within 24 hours to the relevant authority. | Noted and the EMPr provides guidance and mitigation measures to ensure that this does not take place. Monitoring will also be required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 6. No stormwater runoff from the application premises containing waste, or water containing waste emanating from any activity may be discharged into a water resource without prior treatment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Noted and agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 7. All requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) regarding water use must be adhered to.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Noted and the proposal adheres to the requirements – no approval is required in terms of the NWA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8. These comments do not exempt you from complying with other relevant legislations and requirements of other governmental Departments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Noted and agreed – the relevant processes are ongoing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Megan Simons, CapeNature, 10 June 2026</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>CapeNature has reviewed the application and provide the following comments:</p> <p>1. The Hartenbos Dune Thicket is part of the Albany Thicket Bioregion and is endemic to South Africa. This is a poorly protected ecosystem with 79% of its natural extent remaining. The Hartenbos Dune Thicket has not been critically assessed to determine the risks and pressures for this vegetation unit and data on the ecosystems condition (including biotic disturbances, overutilization, and altered fire regimes) is limited (SANBI 2022).</p>                                                                                                                                        | <p>This was specifically assessed by the specialist, as per the conclusion drawn by the specialist (report attached to App G):</p> <p>1. <i>The site is partially in a natural state and partially transformed / degraded. It is mapped as Hartenbos Dune Thicket, listed as Endangered.</i></p> <p>2. <i>The southern portion of the site does not fall within any conservation zone, according to the Western Cape Biodiversity Conservation Plan, but most of the northern portion is within an ESA 1. <b>Most of this area included in the ESA 1 is currently a lawn that no longer has any natural vegetation.</b> There are therefore fragments of the site that have Very High sensitivity for the Terrestrial Biodiversity Theme.</i></p> <p>3. <i>The vegetation on site was found to be <b>disturbed thicket and areas that no longer have natural vegetation.</b> The Site Ecological Index for the thicket was calculated as being Medium.</i></p> <p>4. <i>An <b>impact assessment determined that loss of the Hartenbos Dune Thicket vegetation on site is of LOW significance.</b></i></p> <p>5. <i>There are <b>no threatened plant species</b> that are confirmed to occur on site. Four threatened plant species were evaluated as having a high likelihood of occurring in the type of habitats as those found on site and have been recorded from nearby areas. The site therefore has Medium sensitivity with respect to the Terrestrial Plant Species theme. However, in all four cases, the species would have been easily seen if they occurred on site and <b>none were found during the field survey. It is therefore concluded that they do not occur there are will not be affected by the proposed project.</b></i></p> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>6. Two protected tree species, <i>Sideroxylon inerme</i> and <i>Pittosporum viridiforme</i>, were found on site. A permit would be required for their removal.</p> <p>7. There are two animal species that were flagged as of concern for the site. Neither were likely to occur on site. The site was therefore determined to have Low sensitivity with respect to the Terrestrial Animal Species Theme.</p> <p>8. No aquatic sensitivities were seen on site.</p> <p><b>9. Based on the small footprint area, the poor condition of the vegetation remnants that occur within the ESA1 area, the relatively insignificant amount of Hartenbos Dune Thicket affected, and the lack of any plant or animal species on site that are likely to be affected, the project will not have significant negative impacts on biodiversity. It is therefore supported from a biodiversity perspective."</b></p> |
| 2. Satellite imagery and the Department of Forestry, Fisheries and the Environment (DFFE) National Land Cover dataset indicate that the surrounding area has largely been built-up by residential development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Correct                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3. CapeNature notes that the properties have indigenous protected trees. Should any protected trees require removal or disturbance, the necessary permits in terms of section 15(1) of the National Forests Act <sup>7</sup> must be obtained from the Department of Forestry, Fisheries and the Environment. CapeNature will defer to the comments provided by DFFE, as the Department is the competent authority and custodian of forestry resources in South Africa.                                                                                                                                                                                                                                                                                                                   | <p>Correct and as indicated throughout the BAR and EMPr.</p> <p>Noted, Department of Forestry was requested to comment on the BAR and reminded accordingly. No comments were provided by the Department.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 4. CapeNature would like to remind the applicant that all endangered species or protected species listed in Schedules 3 and 4 respectively, in terms of the Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000) may not be picked or removed without the relevant permit, which must be obtained from CapeNature.                                                                                                                                                                                                                                                                                                                                                                                                                                               | Noted and agreed. This is included in the EMPr.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5. The eradication of invasive alien vegetation must be continuous and comply with the National Environmental Management: Biodiversity Act (Act 10 of 2004) <sup>8</sup> and its associated Alien and Invasive Species Regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Noted and agreed. This is included in the EMPr.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>6. CapeNature reminds the applicant of Section 28 of National Environmental Management Act (NEMA) (Act 104 of 1998 as amended) (Duty of Care) that states the following:</p> <p><i>"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."</i></p> <p>Any action that causes wilful degradation of the environment may therefore constitute a breach of this Duty of Care and the penal provisions of NEMA will apply.</p> | Noted and agreed – Municipality to comply.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Ronwan Agent, Lionel Kennedy, Toekoms Community Property Association, 2 June 2026                                                                                                                                                                                                                                                                                                                                            |                                                                                         |
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| <p><b>INTRODUCTION</b></p> <p>The Toekoms Communal Property Association (CPA) respectfully submits these comments in response to the ongoing Basic Assessment process relating to the proposed housing development, rezoning and subdivision associated with erven 2667, 2686, 2687 and related properties.</p> <p><b>This submission is made in the interests of ensuring that implementation remains aligned with:</b></p> | <p>Introduction noted, clarification provided at points further down in this table.</p> |

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| <ul style="list-style-type: none"> <li>• Original CPA resolutions;</li> <li>• Original intended beneficiaries;</li> <li>• Democratic decision-making;</li> <li>• Historical community arrangements;</li> <li>• Transparency obligations;</li> <li>• And the interest of CPA members.</li> </ul> <p><b>The CPA wishes to state unequivocally that it supports:</b></p> <ul style="list-style-type: none"> <li>• Housing development;</li> <li>• Title restoration;</li> <li>• Formalisation of Toekoms;</li> <li>• Improved services;</li> <li>• And sustainable development.</li> </ul> <p>The CPA therefore does not oppose development.</p> <p>Rather, the CPA seeks clarification and amendment where implementation appears to diverge from the understanding upon which CPA land was originally made available.</p>                                                                                                                  |                                                                                                                                                                                     |
| <p><b>STANDING OF THE CPA TO SUBMIT COMMENTS</b></p> <p>The CPA is a juristic person established under the Communal Property Associations Act 28 of 1996.</p> <p>The Association administers communal property for the benefit of members.</p> <p><b>The Act and governance framework place responsibilities on the CPA to:</b></p> <ul style="list-style-type: none"> <li>• Protect communal property;</li> <li>• Promote member interests;</li> <li>• Ensure democratic governance;</li> <li>• Facilitate transparency;</li> <li>• Present prejudice to members.</li> </ul> <p>The present submission is therefore not merely a political objection.</p> <p>It arises from statutory and governance obligations requiring the CPA to protect and manage communal property in a manner benefitting members.</p> <p>The CPA therefore considers it both appropriate and necessary to submit comments where unresolved concerns arise.</p> | <p>CPA mandate acknowledged.</p>                                                                                                                                                    |
| <p><b>HISTORICAL CONTEXT</b></p> <p>Historical documentation demonstrates that the Toekoms process evolved over time.</p> <p>The CPA understands the process to consist of two broad phases.</p> <p><b>Phase 1: Existing township and title restoration</b></p> <p><b>Council documentation recorded:</b></p> <p>"The erven in the existing township that have not yet been transferred to owners will be transferred as part of the Title Restoration Project."</p> <p>The CPA interpretation is that this referred to erven already associated with historical beneficiary households and existing settlement structures.</p> <p>These properties remained under CPA ownership despite allocation structures already existing.</p>                                                                                                                                                                                                      | <p>Correct – however – this application does not deal with existing erven and existing township. The application deals with the new erven as proposed and the beneficiary list.</p> |

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| Title restoration therefore appears intended to regularise historical arrangements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>Phase 2: Expansion and future opportunities</b></p> <p>Remaining land was later made available through CPA resolutions.</p> <p>The CPA understanding was that expansion land would create additional opportunities for households not yet benefiting and address future community growth.</p> <p>The CPA respectfully submits that these two phases should not be conflated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Correct – beneficiaries will benefit and receive full title.                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>INTENDED BENEFICIARIES</b></p> <p><b>The original resolution referred specifically to:</b></p> <p>“voornemende begunstigde individuele huishoudings”</p> <p>The CPA places significant weight on this wording.</p> <p>The phrase appears to contemplate identifiable households rather than an unrestricted public housing process.</p> <p>The CPA therefore understood that the process concerned:</p> <ul style="list-style-type: none"> <li>• Toekoms households;</li> <li>• Identified beneficiaries;</li> <li>• Descendants and future household structures;</li> <li>• And benefit to the Toekoms community.</li> </ul> <p>Council documentation further referred to transfer to beneficiaries.</p> <p>However, the term beneficiaries remain undefined.</p> <p>Clarification is therefore requested.</p> <p>Specifically.</p> <p>Who constitutes beneficiaries?<br/>How are beneficiaries determined?</p> <p><b>What relationship exists between:</b></p> <ul style="list-style-type: none"> <li>• Original members;</li> <li>• Descendants;</li> <li>• Subsidy applicants;</li> <li>• new applicants;</li> <li>• and current households?</li> </ul> | <p>This application deals with the contemplated identified households only.</p> <p>Municipal input providing the requested clarity further down in this table.</p>                                                                                                                                                                                                                                              |
| <p><b>MUNICIPAL BENEFICIARY/APPLICANT LIST</b></p> <p>The Municipality supplied a list described as a beneficiary/new applicant list.</p> <p><b>Members indicated substantial uncertainty regarding:</b></p> <ul style="list-style-type: none"> <li>• how list was compiled;</li> <li>• who compiled list;</li> <li>• whether applications were invited</li> <li>• what criteria were used;</li> <li>• whether all households were informed.</li> </ul> <p>Members further indicated that broader community structures reportedly had not yet discussed the list.</p> <p>Only the Interim Committee initially reviewed the information.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>As confirmed by Mossel Bay Municipality:</p> <p><i>“The beneficiary list was compiled from the waiting list registration. Those names were filtered from the waiting list, it is not the final list as it should still workshopped with the CPA Committee.</i></p> <p><i>We can only invite the applications once the beneficiary list is accepted as the true reflection of the Toekoms Community.”</i></p> |
| <p><b>The CPA therefore respectfully requests clarification regarding:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>As confirmed by Mossel Bay Municipality:</p>                                                                                                                                                                                                                                                                                                                                                                 |

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| <ol style="list-style-type: none"> <li>1. date of compilation</li> <li>2. methodology;</li> <li>3. authority;</li> <li>4. approval process;</li> <li>5. verification process;</li> <li>6. consultation undertaken.</li> </ol> <p>The CPA further requests that the list not be treated as final before broader community verification.</p>                                                                                                                                                                                                                                                                                                                                                   | <p><i>"The list is not final as indicated above, but the potential beneficiaries must be registered on the Waiting List, this is a standard criterion for everyone who is to benefit from a government subsidised housing.</i></p> <p><i>Verification will be done in consultation with CPA"</i></p>                                                                                                                                                                                                                                                                                                                             |
| <p><b>PROCEDURAL FAIRNESS CONCERNS</b></p> <p>Members further indicated concerns that a former CPA Chairperson who also serves as Municipal Councilor may have been involved in development of the list.</p> <p>No allegation of wrongdoing is made.</p> <p>The CPA does not seek findings against any individual.</p> <p>However, uncertainty regarding process legitimacy creates concern.</p> <p>The issue raises is therefore procedural fairness rather than misconduct.</p> <p>The CPA respectfully requests transparency regarding:</p> <ul style="list-style-type: none"> <li>• process followed;</li> <li>• individual involved;</li> <li>• and consultation undertaken.</li> </ul> | <p>Content noted, see Municipal comments on how the list is compiled</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>SUBSIDY QUALIFICATION CONCERNS</b></p> <p>Municipality reportedly indicated that only individual qualifying under subsidy criteria may ultimately benefit.</p> <p>This raises concerns because a distinction may exist between:</p> <p>Original understanding:<br/>Toekoms intended beneficiaries.</p> <p>Current implementation<br/>Subsidy qualifying applicants.</p>                                                                                                                                                                                                                                                                                                                | <p>As confirmed by Mossel Bay Municipality:</p> <p><i>Like in any other housing development that is undertaken using government grants, then the subsidy qualification criteria must be applied, i.e.</i></p> <ul style="list-style-type: none"> <li>• <i>Must be a South African Citizen</i></li> <li>• <i>Must be above 30 years</i></li> <li>• <i>Must be registered on the Waiting list for more than 3 years</i></li> <li>• <i>Must be earning between R0 – R3500 joint income</i></li> <li>• <i>Must have a legal dependent</i></li> <li>• <i>Must not have benefited previously from any government scheme</i></li> </ul> |
| <p><b>Questions arise:</b></p> <p>Were subsidy implications explained when CPA members adopted resolutions?</p> <p>Can intended beneficiaries be excluded?</p> <p>Were members aware of possible consequences?</p> <p>Would exclusion undermine original expectations?</p> <p>The CPA respectfully requests detailed clarification.</p>                                                                                                                                                                                                                                                                                                                                                      | <p>As explained and confirmed by Mossel Bay Municipality:</p> <p><i>All beneficiaries must meet the qualification criteria to benefit</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>RESIDENTIAL OPPORTUNITIES: PROPOSAL FOR THIRTY ERVEN</b></p> <p>This issue represents one of the central concerns.</p> <p>The CPA does not request additional opportunities simply as a preference.</p> <p>Rather the proposal arises from:</p> <ul style="list-style-type: none"> <li>• historical household realities;</li> <li>• fairness considerations;</li> <li>• community growth;</li> <li>• future needs;</li> <li>• and original intentions.</li> </ul>                                                                                                                                                                                                                      | <p>As confirmed by Mossel Bay Municipality:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| <p><b>Current proposal reflects:</b></p> <p>25 residential erven;<br/>1 clinic;<br/>1 public open space;<br/>1 private open space.</p> <p>The original community structure reportedly approximately thirty households.</p> <p>The current municipal list reflects approximately seventeen names.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><i>The project was approved for 25 units, so the funding will be for 25 units and not 30.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Questions therefore arise regarding:</b></p> <ul style="list-style-type: none"> <li>• omitted households;</li> <li>• future generations;</li> <li>• descendants;</li> <li>• household growth;</li> <li>• equitable accommodation.</li> </ul> <p>The CPA therefore proposes investigation of alternative layout configurations permitting approximately thirty residential opportunities.</p> <p>Members specifically propose investigation whether portions of proposed sport field/ open-space areas can be reconfigured to create approximately five additional residential opportunities.</p>                                                                                                                                                                                                  | <p>As confirmed by Mossel Bay Municipality:</p> <p><i>The Community will have to submit their list of 30 names so that it can be compared with the names that were filtered from the waiting list</i></p> <p>The funding and the site plan allow for 25 residential opportunities.</p>                                                                                                                                                                                                                                                                                                                  |
| <p><b>The CPA stresses:</b></p> <p>This proposal does not oppose community facilities.</p> <p><b>Rather the proposal seeks balance between:</b></p> <ul style="list-style-type: none"> <li>• community facilities;</li> <li>• housing opportunities;</li> <li>• and equitable community benefit.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The proposal provides a development plan that includes needed and desired community facilities (recreational, communal and clinic), housing opportunities for beneficiaries and equitable community benefit as explained by the Municipality.</p>                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>CHURCH PROPERTY AND ERF 2687</b></p> <p>The subdivision proposal involving Erf 2687 appears to make provision for future clinic development.</p> <p>Members raised concern that:</p> <ul style="list-style-type: none"> <li>• no explicit authority appears to transfer church facilities;</li> <li>• no indication states church hall remains CPA property;</li> <li>• subdivision documentation remains silent regarding church ownership.</li> </ul> <p><b>The CPA therefore requests:</b></p> <ol style="list-style-type: none"> <li>1. clarification regarding church ownership;</li> <li>2. clarification regarding future use;</li> <li>3. clarification whether church facilities remain CPA assets;</li> <li>4. investigation whether church property should remain excluded.</li> </ol> | <p>As confirmed by the Municipality and the Town Planners, Erf 2687 will be subdivided to allow for:</p> <ul style="list-style-type: none"> <li>• a Clinic Site (erf 14)</li> <li>• and the remainder to continue to be used as currently is (a church).</li> </ul> <p>No changes to the existing church.<br/>Questions relating to the ownership and use of the church fall outside of this application.</p>                                                                                                                                                                                           |
| <p><b>ENVIRONMENTAL AND PUBLIC PARTICIPATION CONCERNS</b></p> <p>The CPA further submits that the present process must be assessed not only from a technical planning perspective, but also from the perspective of meaningful public participation and procedural fairness.</p> <p>The Basic Assessment process forms part of environmental decision-making and should therefore ensure that affected communities are afforded adequate opportunity to understand, evaluate and comment on</p>                                                                                                                                                                                                                                                                                                         | <p>The following was undertaken as part of the public participation process in terms of the Basic Assessment Process:</p> <ul style="list-style-type: none"> <li>• A legal advert was placed in the Mossel bay Advertiser.</li> <li>• One English and One Afrikaans site notice were placed up on site.</li> </ul> <p>Both of these notices provided the commenting period, where documentation can be obtained, including alternative methods. HillLand Environmental's contact details were also provided should the I&amp;AP require provision of documentation in a different format or method.</p> |

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| <p>proposal affecting their land, livelihoods, community structures and future development opportunities.</p> <p>The CPA respectfully submits that meaningful participation required more than formal publication of notices.</p> <p><b>Meaningful participation requires:</b></p> <ul style="list-style-type: none"> <li>• adequate disclosure of information;</li> <li>• transparency regarding beneficiaries;</li> <li>• explanation of implications;</li> <li>• reasonable opportunity to engage;</li> <li>• and proper consideration of community concerns.</li> </ul> <p>The CPA submits that concerns presently exist regarding whether all affected members fully understood:</p> <ul style="list-style-type: none"> <li>• beneficiary implications</li> <li>• subsidy qualification limitations;</li> <li>• implication for future generations;</li> <li>• ownership implications;</li> <li>• treatment of church property;</li> <li>• and how the beneficiary list was compiled.</li> </ul> <p>The CPA further submits that community participation formed part of the foundation upon which the Municipality originally proceeded.</p> <p>Council itself recorded those earlier resolutions were linked to consent obtained at a General Meeting of members.</p> <p>The CPA therefore respectfully submits that continued and meaningful consultation remains necessary where:</p> <ul style="list-style-type: none"> <li>• beneficiaries arrangements remain uncertain;</li> <li>• community facilities may be affected;</li> <li>• household opportunities may be limited;</li> <li>• and community concerns remain unresolved.</li> </ul> <p>The CPA further submits that unresolved uncertainty regarding beneficiaries may create future social conflict if not properly clarified during the current process.</p> | <ul style="list-style-type: none"> <li>• A letter drop was done to each house within the community on 4 May 2026. An English and Afrikaans letter was provided to each house. The letter outlined the proposal, where documentation can be obtained and if the I&amp;AP require more information or do not access to the internet, emails etc., they were provided with HillLand Environmental's contact details to contact in order to arrange provision of documentation according to their need.</li> <li>• All notices provided information of where information can be obtained. It was also highlighted that the EAP, HillLand Environmental, can be contacted to provide the information in a different format or via a different format. HillLand Environmental is easily contactable to provide information in accordance with the I&amp;APs needs.</li> <li>• The documents that were available for comment provide a clear description and the associated impacts of the proposal. I&amp;APs were afforded a 30-day commenting period on the BAR as regulated by NEMA.</li> </ul> <p>As part of the Environmental process, no comments or communication were received from community members via email, telephone, and/or WhatsApp. No extension of time was requested.</p> <p>The Ward Councilor was notified in order to engage with the community and with whom the community can consult with regards to any unclarity and concerns. No comments were submitted by the Ward Councilor.</p> <p>As part of the planning process, a public meeting was held, and letters were distributed to community members.</p> <p>I&amp;APs were afforded a 60-day commenting period during the planning phase</p> |
| <p><b>The CPA therefore respectfully requests that:</b></p> <ol style="list-style-type: none"> <li>1. community concerns be meaningfully considered before finalization;</li> <li>2. the Municipality and Environmental Assessment Practitioner provide clear responses to issues raised;</li> <li>3. beneficiary processes be transparently explained;</li> <li>4. alternative layout configurations be properly assessed;</li> <li>5. and additional engagement with CPA member be facilitated where necessary.</li> </ol> <p>The CPA submits that these requests are consistent with principles of transparency, accountability, fairness and participatory governance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <ol style="list-style-type: none"> <li>1. As mentioned above, the environmental process underwent the necessary public participation process as per the law (NEMA). The CPA concerns relating to the project have been addressed by the municipality.</li> <li>2. All comments received during the public participation process in NEMA will be responded to in the public participation process report which will be submitted to DEADP for their decision-making purposes.</li> <li>3. Please refer to municipal explanations provided in this table.</li> <li>4. Various alternatives were considered throughout the process in order to reach the preferred alternative which was assessed and considered for approval.</li> <li>5. Ongoing engagement between the CPA and the municipality will continue.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>REQUESTS AND RECOMMENDATIONS</b></p> <p><b>The CPA respectfully requests:</b></p> <ol style="list-style-type: none"> <li>1. clarification regarding intended beneficiaries.</li> <li>2. Clarification regarding the methodology used for the applicant list.</li> <li>3. Opportunity for community verification of beneficiaries.</li> <li>4. Clarification regarding subsidy implications.</li> <li>5. Investigation of approximately thirty residential opportunities.</li> <li>6. Clarification regarding church property.</li> <li>7. Continued engagement before finalization.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>See responses provided in this table</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 8. Consideration of member concerns as part of environmental and planning processes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                        |
| <b>CONCLUSION</b><br><br>The Toekoms CPA reiterates its support for housing development and formalization.<br><br>The CPA's submission should therefore not be interpreted as resistance to development.<br><br>Rather the Association respectfully submits that implementation should remain aligned with the understanding, expectations and resolutions upon which communal property was made available.<br><br>The CPA therefore submits these comments in the spirit of cooperation, transparency and equitable benefit for present and future community members.<br><br>Prepared on behalf of Toekoms CPA – see attendance and minutes of meeting held on 25 May 2026. | Support noted.<br><br>Confirmed.<br><br>This will continue to remain the focus of the application.<br><br>Submission of comments noted and ongoing engagement with the municipality is part of the beneficiary process.<br><br><i>Note that HillLand Environmental included the attachments in the comments attached to Annexure E</i> |

Copies of all comments received, as reflected in the table above, are included in Annexure E.

## 5 CONCLUSION

The public participation process on the proposal has come to an end. All comments received have been incorporated and responded to in the above table.

DEADP is now in a position to make a final decision on this application.