



Comments and Response Report

The Proposed Residential Dwelling on Erf 2924, Welbedacht, Knysna, Western Cape.



PREPARED BY:

Eco Route Environmental Practitioners
Joclyn Marshall (EAPASA 2022/5006); assisted by Justin
Brittton (Can. EAPASA 2023/6648)

DOCUMENT REFERENCE:

Comments Response – Erf 2924

**DEPARTMENT OF FORESTRY,
FISHERIES, AND THE
ENVIRONMENT REF:**

14/12/16/3/3/1/3096

DATE:

2025/02/06

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STATEMENT OF INDEPENDENCE

I, **Joclyn Marshall**, of Eco Route Environmental Consultancy, in terms of section 33 of the NEMA, 1998 (Act No. 107 of 1998), as amended, hereby declare that I provide services as an independent Environmental Assessment Practitioner (**EAPASA Reg: 2022/5006**) and receive remuneration for services rendered for undertaking tasks required in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended). I have no financial or other vested interest in the project.

EAP SIGNATURE: _____



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1. INTRODUCTION

Eco Route Environmental Consultancy has been appointed by the applicant, Mr. Charl van Niekerk 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 activities on Erf 2924, Knysna, Western Cape.

This report serves as the Public Participation Process (PPP) document, accompanying the Draft Basic Assessment Report (DBAR) to be submitted to the competent authority as part of the formal application process.

It outlines the public participation conducted during the Pre-Application BAR phase and will be updated to reflect any revisions made following the DBAR public participation phase.

Take note:

- The BAR and associated appendices were available for a 30-day commenting period (Pre-application PPP: 08 August 2024 – 09 September 2024).
- All comments received during this time is included in this report.

2. REQUIREMENTS OF THE PUBLIC PARTICIPATION PROCESS (PPP) IN ACCORDANCE WITH THE ACT

Section 41 of the Environmental Impact Assessment Regulations, 2014 (as amended) specifies that a person conducting a public participation process must comply with the following minimum requirements (Table 1):

Table 1: Specification of Public Participation that must be adhered to (Environmental Impact Assessment Regulations, 2014 (as amended))

Regulation Specifications	Description to adherence
1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for environmental authorisation in respect of such an activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land	The proponent (applicant) is the landowner and therefore consent is not required.
2) <i>The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties on an application or proposed application which is subjected to public participation by -</i>	

<p>(a) Fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of –</p> <ul style="list-style-type: none"> (i) The site where the activity to which the application or proposed application relates or is to be undertaken; (ii) Any alternative site 	<ul style="list-style-type: none"> (i) A site notice was placed on site. (ii) There is no alternative site.
<p>(b) Giving written notice, in any of the manners provided for in section 47D of the Act, to –</p> <ul style="list-style-type: none"> (i) The occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site where the activity is to be undertaken and to any alternative site where the activity is to be undertaken. (ii) Owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken and any alternative site where the activity is to be undertaken. (iii) The municipal councillors of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community. (iv) The Municipality which has jurisdiction in the area (v) Any organ of state having jurisdiction in respect of any activity; and (vi) Any other party as required by the competent authority 	<ul style="list-style-type: none"> (i) The applicant is the owner of the site and is in control of the site. The site is vacant and there is only one site. (ii) The owners of the land adjacent to the site have been notified. (iii) The ward counsellor was notified. (iv) Knysna Municipality has been notified. (v) Please refer to Table 2 showing a list of organs of state notified. (vi) Please refer to Table 2 showing a list of all organisations, NGO's and public notified.
<p>(c) Placing an advertisement in –</p> <ul style="list-style-type: none"> (i) One Local Newspaper; or (ii) Any official Gazette that is published specifically for the purpose of providing public notices of applications or other submissions made in terms of these Regulations; 	<ul style="list-style-type: none"> (i) Knysna Plett Herald Newspaper a local free newspaper was advertised in on 25/05/2023.
<p>(d) Placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond its</p>	<p>(d) This is not applicable to this proposed activity as there is no impact (i.e air emissions) that extends beyond the boundaries of the district municipality.</p>

<p>boundaries of the metropolitan or district municipality in which it is or will be undertaken: Provided that this paragraph need not to be complied with if an advertisement has been placed in an official gazette referred to in paragraph (c)(ii); and</p>	
<p>(e) 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 –</p> <ul style="list-style-type: none"> (i) Illiteracy (ii) Disability; or (iii) Any other disadvantages 	<p>N/A at this stage. But if required will comply.</p>
<p>3) A notice, notice board or advertisement referred to in sub regulation (2) must –</p> <p>(a) Give details of the application or proposed application which is subjected to public participation ; and</p> <p>(b) State –</p> <ul style="list-style-type: none"> (i) Whether basic assessment or S&EIR procedures are being applied to the application; (ii) The nature and location of the activity to which the application relates; (iii) Where further information on the application or proposed application can be obtained; and (iv) The manner in which and the person to whom representations in respect of the application or proposed application may be made. 	<p>The notice board was compliant with this requirement.</p>
<p>4) A notice board referred to in sub regulation (2) must –</p> <ul style="list-style-type: none"> (a) Be of a size of at least 60cm by 42cm; and (b) Display the required information in lettering and in a format as may be determined by the competent authority 	<p>The notice board was compliant with this requirement.</p>
<p>5) Where public participation is conducted in terms of this regulation for an application or proposed application, sub regulation (2)(a), (b), (c) and (d) need not be complied with again during the additional public participation process contemplated in regulations 19(1)(b) or 23(1)(b) or the public participation process contemplated in regulations 21(2)(d), on condition that –</p>	<p>This is the pre-application phase, an additional 30-day PPP will be undertaken to include all revisions for the Draft BAR.</p>

<p>(a) Such a process has been preceded by a public participation process which included compliance with sub regulation (2)(a), (b), (c) and (d); and</p> <p>(b) Written notices is given to registered I&AP's regarding where the –</p> <ul style="list-style-type: none"> (i) Revised basic assessment report or , EMPr or closure plan, as contemplated in regulation 19(1)(b); (ii) Revised environmental impact assessment report or EMPr as contemplated in regulation 23(1)(b); or (iii) Environmental impact assessment report and EMPr as contemplated in regulation 21(2)(d); (iv) <p>May be obtained, the manner in which and the person to whom representations on these reports or plans may be made and the date on which such representations are due.</p>	
<p>6) When complying with this regulation, the person conducting the public participation process must ensure that –</p> <ul style="list-style-type: none"> (a) Information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties; and (b) Participation by potential or registered interested and affected parties is facilitated in such a manner that all registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application. 	<p>These requirements have been complied with.</p>
<p>7) Where an environmental authorisation is required in terms of these Regulations and an authorisation, permit or licence is required in terms of a specific environmental management Act, the public participation processes contemplated in this Chapter may be combined with any public participation processes prescribed in terms of a specific environmental management Act, on condition that all relevant authorities agree to such a combination of processes.</p>	<p>No other permit or licenses are required at this stage.</p>

3. PUBLIC PARTICIPATION PROCESS (PPP)

This report earmarks the Public Participation Process with comments received and response thereto regarding the first round of the Public Participation Process (PPP) according to the National Environmental Management Act (Act 107 of 1998) (NEMA).

The 30-day Pre-Application Public Participation Process commenced on 08/08/2024 and ended 09/09/2024

- Two site signs were erected in proximity to the proposed development area (Erf 2924).



- According to the Regulations, the following written Notices have been provided.
 - The landowner is the applicant and as such does not need to be notified.
 - Authorities are automatically entered as Registered I&APs (unless they indicate otherwise).
 - The local authority and ward councillor have been notified.

Good day,

Kindly find below link to the Pre-Application Draft EIA and relevant appendices.

<https://www.ecoroute.co.za>

A 30-day public participation will be held from **08/08/2024 – 09/09/2024**. Please submit your comments to the EAP undersigned in this time.

Should you have an issue accessing the link above, please visit our website to view all documents: www.ecoroute.co.za

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

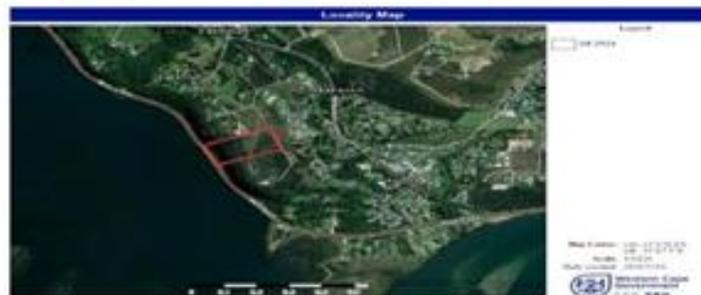
PROPOSED RESIDENTIAL DWELLING ON ERF 2924, WELBEDACHT, KNYSNA, WESTERN CAPE.

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Forestry, Fisheries, and the Environment (DFFE). The Public Participation Process will run from **08/08/2024 – 09/09/2024**.

DFFE Reference Number: TBC

Project Proposal: Development of a primary dwelling and associated infrastructure. Where the property is approximately 25 093 m², and 3 924 m² will be disturbed. Amounting to a percentage of 16 % total disturbance.

Location: Erf 2924 Knysna, falls under jurisdiction of the Knysna Municipality of the Western Cape. The GPS coordinates to the property is 34° 02'05.64"S / 23° 00'47.44"E



The following EIA Listed Activities are applicable:

Government Notice No. R327 (Listing Notice 1): Listed Activity 19A

Government Notice No. R324 (Listing Notice 3): Listed Activity 12

A Pre-Application Basic Assessment Report and relevant appendices will be made available to all registered interested and Affected Parties (I&APs) for public review and comment. All relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development. Please note that information submitted by I&AP's becomes public information. In terms of the Protection of Personal Information Act 4 of 2013 (POPIA), no personal information will be made available to the public.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

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EAPASA 2022/5006

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Eco Route
Environmental Consultancy

- Other persons and organizations were informed of the need to register as I&APs in order to be entered onto the I&AP database and to continue to receive information pertaining to this application, via an advert in the Knysna-Plett Herald

Old Oaks ladies trounce Plett



KNYSNA - The Old Oaks ladies' team trounced the Plettenberg Bay hockey club this past weekend, with 3-0 victory in the play-offs for third and fourth place at the Oakhill Sports Campus.

Oaks had previously beaten Plett in a league match by 5 goals to zero.

Ruby Zimmerman, Shannon Nicol and Kerrin Klaaste, this time around, scored the home sides' goals, to secure the third spot in this year's Eden Hockey League. Coach Nigel Leverton said he was satisfied with his team's performance, taking into account that they finished only in 5th place last year.

The Summer Hockey League will now start in February 2025.

The Oaks men's hockey team were also in action over the weekend, when they took on Crusaders from George in the final. The match was played under lights at York High School. Oaks eventually went down 11-1 against a dominant Crusaders side.

The Old Oaks ladies finished in third place overall in the Eden Hockey League. Photo: Supplied

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:
PROPOSED RESIDENTIAL DWELLING ON Erf 2924, WELBEDA CHT, KNYSNA, WESTERN CAPE

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Forestry, Fisheries, and the Environment (DFFE). The Public Participation Process will run from 08/08/2024 – 09/09/2024.

DFFE Reference Number: T8C

Project Proposal: Development of a primary dwelling and associated infrastructure. Where the property is approximately 26 093 m², and 3 924 m² will be disturbed. Amounting to a percentage of 16 % total disturbance.

Location: Erf 2924 Knysna, falls under jurisdiction of the Knysna Municipality of the Western Cape. The GPS coordinates to the property is 34° 02'05.64" S / 23° 00' 47.44" E.

The following EIA Listed Activities are applicable:



Government Notice No. R327 (Listing Notice 1): Listed Activity 19A
 Government Notice No. R324 (Listing Notice 3): Listed Activity 12

A Pre-Application Basic Assessment Report and relevant appendices will be made available to all registered Interested and Affected Parties (I&APs) for public review and comment. All relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development. Please note that information submitted by I&APs becomes public information. In terms of the Protection of Personal Information Act 4 of 2013 (POPIA), no personal information will be made available to the public.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

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Voor, van links: Zeldi van Staden (sekretaresse), Ebrahim America (ondervoorsitter), Desmond Speelman (voorsitter), Christal Johannes (kassier) en Dave van der Walt (reël). Agter: Dirk van der Westhuizen (departement van kultuursake en sport), Barrie Barnard (federasie verteenwoordiger), Stephanie McKay (federasie verteenwoordiger), Vivian Langewald (Sport vir gestremdes), Donovan Claassen (munisipale sportrade), Jean Noeding (departement kultuursake en sport).

Eden-sportraad AJV vier

Die Eden-sportraad se jaarvergadering op Donderdag 25 Julie in George, was nie net 'n geleentheid om terug te kyk op die prestasies van die afgelope jaar nie, maar ook 'n geleentheid om die toekoms van sport in die streek te bespreek en te versterk.

Die sportraad beheer 47 sportfederasies en vier munisipale sportrade.

Met dié geleentheid het die voorsitter, Desmond Speelman, die sakegemeenskap en munisipale rade bedank vir hul voortdurende ondersteuning van sport in die streek. Hy het hulle aangemoedig om voort te gaan met hul bydraes tot die bevordering van sport en die ondersteuning van hul sportliefde.

Ebrahim America, ondervoorsitter, het ook die federasies gepraes vir die oorspronklike rol in die ontwikkeling van

sportambassadeurs. Hy het beklemtoon dat harde werk vrugte afwerf, soos gesien kan word in Suid-Afrikaanse atlete se deelname aan die Olimpiese Spele.

Christal Johannes het die lede verder herinner aan die belangrikheid van goeie regering en die toepas daarvan binne hul organisasies. Sy het onderstreep dat sterk en etiese leierskap noodsaaklik is vir die sukses en volhoubaarheid van sportorganisasies.

Op die vergadering is daar ook afskeid geneem van Dirk van der Westhuizen van die departement van kultuursake en sport, wat na 35 jaar diens die tuig neerle.

Malcolm Pojie van Q-Sport het die bestuur bedank vir hul uitstekende leierskap en het geneem dat die Edén-sportraad weereens erken is as die beste in die Wes-Kaap.

Three-day mountain bike race returns

PLETTENBERG BAY - The Dr Evil Classic 3 Day Stage Race showcases the best MTB trails that the beautiful Plettenberg Bay has to offer.

The event caters for experienced riders and beginners and has sold out for the past decade.

It will be held from 19 to 21 September, and the starting time is 08:00 and the end time 15:00.

The trails offer a world-class single track as well as majestic views of the Indian Ocean. The rider return rate is high as the entry fee is very reasonable and the generosity of the goody bags, rider meals and waterpoints keep happy riders returning.

Event partners include Food Lover's Market, Safari Braai Products, South African Breweries,

Plettenberg Bay Tourism and Scott Bicycles Africa.

The event works with local NPOs that include the Kwano Cycling Academy, Plett Animal Welfare and CANSA - who marshal and manage water points in exchange for donations.

Ticket price (adults): R5,500.00
 Ticket sales: www.drevelclassic.com - Supplied by Plett Tourism

4. COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION DRAFT BAR: 08 August 2024 – 09 August 2024

The following table contains all comments received during the Pre-Application Public Participation Process.

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION DRAFT BAR: 08 August 2024 – 09 August 2024	
STATE DEPARTMENTS	
Forestry, Fisheries & The Environment (DFFE) – Ms Tabisile Mhlana – 10 September 2024	
Based on the submitted Pre-Application Draft BAR and associated documents, the Branch O&C presents the comments stipulated below for consideration. Please note the recommendations for your consideration:	
<p>1. The draft BAR stipulates that the property is buffered by the N2 highway and a steep cliff, providing a significant barrier against direct flooding and tidal surges from the Knysna Estuary. The elevation of the property further reduces its vulnerability to the effects of sea level rise and storm surges. Consequently, while the Knysna Estuary may experience changes in its ecological dynamics due to climate change, the elevated position and natural buffers of the property ensure it remains minimally impacted by these environmental changes, making it a viable option for development with minimal risk. This Branch notes that the proposed development will not be in Knysna Estuary. However, the applicant should consider the Development Control Area as designated by SANParks the Management Authority, the construction materials storage site should be on the northern side of the property and the Development Control Area must be demarcated as no-go areas to avoid any significant impacts caused by the proposed development.</p>	<p>This recommendation will be incorporated into the Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) to ensure its enforcement when the proposed development progresses to the Pre-Construction phase. At that point, the appointed Environmental Control Officer (ECO) will be responsible for monitoring compliance with this recommendation.</p>
<p>2. The EAP should be consistent and reference the report as a pre-application BAR report to avoid confusion as the report</p>	<p>Noted - The BAR that were submitted for the first round of public participation will from here on be referred to as the Pre-Application BAR. The updated BAR will then be referred to as the Draft BAR.</p>

<p>content mentions Draft BAR regularly instead of pre-application.</p>	
<p>3. The report indicates that a septic tank will be installed to prevent sewage connection to the municipal system, why is the applicant opting for a septic tank and how will it be managed?</p>	<p>Discussions between the applicant and Mr. Nozipho Ntazani from Knysna Municipality confirmed that the properties do not have sewer connections and that a conservancy tank would be the most suitable solution. As a result, the applicant was advised to contact Kim Sampson from the Municipality to obtain the necessary specifications for the conservancy tanks. The designs have been incorporated into the current Site Development Plan (SDP) in accordance with these specifications, as detailed in the Basic Assessment Report (BAR).</p>
<p>4. The stormwater design of the development and measures to ensure that a strict fire management strategy is prepared and always implemented, especially during the frequent fire months, should be incorporated in the subsequent reports.</p> <p>The applicant's concerted efforts need to go into maintaining a safe defence space between the house and the vegetation on site to curb the movement of fire during such events. Efforts such as clearing flammable vegetation and debris around the structure, trimming trees and bushes, and removing dead vegetation and leaves should be prioritized and where possible the construction material should be fireproof.</p>	<p>Noted – The applicant will be requested to join the South Cape Fire Protection Association, additionally it is addressed in the EMPr that alien invasive and moribund vegetation be removed to reduce the fire fuel load.</p>
<p>5. The layout includes an access road that stems from Erf 7594 and continues toward Erf 2925; however, the report does not mention whether the existing roads will be graded gravel or tarred roads.</p>	<p>The Draft BAR will elaborate on this.</p>
<p>6. The Draft BAR details that more than 300 m² of endangered Garden Route Shale Fynbos will be cleared when constructing the proposed development, such that this will completely transform the site development footprint. The clearance of vegetation could potentially contribute to habitat fragmentation and edge effects. Fragmentation has a range of negative impacts on vegetation such as resulting in loss of total habitat area and quality, increased extinction risk and vulnerability to predation, reduction in overall biodiversity and</p>	<p>Noted and agreed.</p>

<p>potential mates, or inbreeding depression and genetic erosion. While it is stated that the impacts of fragmentation for this site will be of low significance given the project location, due diligence needs to be taken throughout phases of construction to ensure that adverse impacts are minimized, mitigated, and/or avoided.</p>	
<p>7. The Branch O&C would like to remind the applicant of Section 15 NEM: ICM Act 2008 (Act No. 24 of 2008)" <i>No person, owner or occupier of land adjacent to the seashore or other coastal public property capable of erosion or accretion may require any organ of state or any other person to take measures to prevent the erosion or accretion of the seashore or such other coastal public property, or of land adjacent to coastal public property unless the erosion is caused by an intentional act or omission of that organ of state or other people.</i>" Therefore, the applicant should ensure that during and postconstruction the proposed project considers the dynamic coastal processes, climate change, and geotechnical features of the site.</p>	<p>Noted and agreed.</p>
<p>8. The applicant is reminded of the Duty of Care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "...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 authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment..." together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.</p>	<p>Noted and agreed.</p>
<p>9. Section 63 of the ICM Act states that when environmental authorization for coastal activities is applied for in terms of Chapter 5 of the National Environmental Management Act, the competent authority must take into account all relevant factors, including whether coastal public property, the coastal</p>	<p>Noted and agreed.</p>

<p>protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas, the socio-economic impact of the proposed activities and the likely effects of coastal processes on the developmental proposal.</p>	
<p>10. You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no other additional activities outside the scope of this application may commence before an Environmental Authorization is granted by the Competent Authority.</p>	<p>Noted and agreed.</p>
<p>Department of Environmental Affairs and Development Planning (DEA&DP) – Biodiversity & Coastal Management – Mercia Liddle – 06 September 2024</p>	
<p>2. COMMENT</p>	
<p>2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:</p>	
<p>2.1.1. The proposed development will entail a primary dwelling and associated infrastructure, and the applicant is only proposing a 16% disturbance of Erf 2924, Welbedacht. The subject property is located adjacent to the Knysna Estuary but elevated and the applicant is of the opinion that due to Erf 2924's elevation and natural buffers, it will remain minimally impacted by environmental changes and making it a viable option for development with minimal risk.</p>	<p>This observation remains true.</p>
<p>2.1.2. The applicant has considered all critical biodiversity, ecological support as well as protected areas in relation to Erf 2924, and in accordance with the to the Western Cape Biodiversity Spatial Plan (2017) and proposed mitigation measures as stipulated in the draft EMPr to address environmental concerns are both appropriate and practical and should be strictly adhered to.</p>	<p>Noted and agreed. Monitoring of the EMPr will form as part of the responsibility of the appointed ECO.</p>
<p>2.1.3. Be advised that Erf 2924 in its entirety falls within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the</p>	<p>Noted and agreed.</p>

<p>NEM: ICMA and the purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the NEM: ICMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ. As such, Section 63 of the NEM: ICMA must be considered by local authorities for land use decision making.</p>	
<p>2.1.4. Be advised that Erf 2924 is located seaward of the (gazetted) Garden Route National Park Coastal Management Line ("CML"). The technical delineation of the CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, <i>inter alia</i> and was delineated in conjunction with and supported by organs of state. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and pro-active planning for future development. As such, the SD: CM notes the subject properties is unlikely to be impacted by coastal processes, however, as Erf 2924 is located along the Knysna Estuary and seaward of the CML, it is essential that the applicant obtains comments from SANParks on the proposed development.</p>	<p>Comments from SANParks remains a priority.</p>

<p>2.1.5. The SD: CM notes the applicant has considered the influence of risk on Erf 2924 due to the proximity of the Knysna Estuary and also indicated that the property is well protected from the impacts of climate change due to its strategic location and elevation. It is further noted that the subject property is buffered by the N2 highway and a steep cliff which provides a significant barrier against direct flooding and tidal surges from the estuary. The SD: CM can also confirm that due to Erf 2924's elevation, the property's vulnerability to the effects of sea level rise and storm surges, is reduced.</p>	<p>Noted and agreed.</p>
<p>2.1.6. Based on the information provided, the SD: CM is satisfied that environmental sensitivities applicable to the proposed development and associated infrastructure on Erf 2924 Welbedacht have been adequately addressed and that adherence to the EMPr will also mitigate any adverse impact. However, considering that the location is seaward of the established Garden Route National Park CML, the suitability of the proposed development in its proposed location is at the discretion of the Garden Route National Park.</p>	<p>Comments from SANParks remains a priority.</p>
<p>3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: <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> together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.</p>	<p>The applicant will be reminded.</p>

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South African Civil Aviation Authority (SACAA) – Pamela Madondo – 12 August 2024

We acknowledge receipt of email dated 08 August 2024. The South African Civil Aviation Authority (CAA) is an agency of the Department of Transport (DoT). The Civil Aviation Act 13 of 2009 provides for the establishment of the CAA as a stand-alone authority mandated with

controlling, promoting, regulating, supporting, developing, enforcing and continuously improving levels of safety and security throughout the civil aviation industry. The CAA exercises this mandate through the Civil Aviation Regulations (CARs).	
Please see our comments below:	
<p>The screening tools indicates that the proposed development has medium sensitivity toward civil aviation Please note that a formal obstacle assessment may be required to determine if the development will have any significant or adverse effects on nearby civil aviation activities.</p> <p>Kindly lodge a formal obstacle assessment with Air Traffic and Navigation Services (ATNS) for an approval as published on the SACAA website:</p> <p>www.caa.co.za/industryinformation/obstacles/.</p> <p>The list and contact details of the approved obstacles assessment services providers can be obtained from the CAA website: www.caa.co.za.</p>	<p>It is the opinion of the Environmental Assessment Practitioner that an obstacle assessment is not required. This will be elaborated in the updated Site Sensitivity Verification Report (2024.02.02 – Site sensitivity verification report).</p>
Cape Nature – Megan Simons – 12 September 2024	
CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:	
<p>According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet <i>et.al.</i> 2017)¹ the proposed development footprint is within Critical Biodiversity Areas (CBA 1: Aquatic & Terrestrial) and the Knysna Lakes Area. The property does not have any aquatic features but is within the National Strategic Water Source Area for surface water for the Outeniqua region and serves as a water source protection for the Knysna Estuary and Watercourse protection for the South Eastern Coastal Belt. To the south part of the property is mapped within the Knysna Estuarine Functional Zone (Van Deventer <i>et al.</i> 2019)</p>	
<p>The Vlok and de Villiers (2007)³ fine scale vegetation maps the area is described as Groenvlei Coastal Forest and according to the National Biodiversity Assessment (Skowno <i>et al.</i> 2018)⁴ the vegetation is Garden Route Shale Fynbos which is Endangered (NEM:BA, 2022)⁵.</p>	

<p>Following a review of the specialist studies, CapeNature wishes to make the following comments:</p>	
<p>1. The Terrestrial Specialist mentioned the biodiversity priority categories as mapped within the Western Cape Biodiversity Spatial Plan may be incorrect. If the reasons behind CBA delineation is not present on site, we kindly ask the specialist to complete a WC BSP verification form which will be attached.</p>	<p>The relevant specialist will be informed, and the verification form will be submitted.</p>
<p>2. According to Figure 24 from the Terrestrial Biodiversity Assessment part of the proposed development will be within the Medium-High Sensitive areas. Thus, in terms of the mitigation hierarchy avoidance and minimization within the Medium-High Sensitive area must be considered.</p>	<p>Noted and agreed.</p>
<p>3. The Semi-Intact Forest habitat should be a No-Go area not only from a Terrestrial perspective but also due to the presence of the faunal Species of Conservation Concern (SCC).</p>	<p>This area will be demarcated as a NO-GO area and monitored by the appointed ECO.</p>
<p>4. Suitable locations must be determined before search-and-rescue is undertaken. The season should also be considered to give the plants an adequate chance to re-establish. A CapeNature permit would be required for plant search-and-rescue.</p>	<p>This will be addressed in the EMPr and reinstated under the responsibilities of the applicant.</p>
<p>5. The rehabilitation report must be included in the next EIA phase for review.</p>	<p>Due to the comprehensive mitigation measures recommended by specialists in their studies and the specific rehabilitation requirements outlined in the Environmental Management Programme (EMPr), the EAP disputes the need for a rehabilitation report.</p>
<p>6. The faunal specialist found the site had a High sensitivity. Furthermore, the site visit was done outside of the peak activity periods for certain SCCs which are Near Threatened and Vulnerable. Another assessment should have been undertaken during the correct season to confirm whether <i>Amblysomus corriae</i> (Fynbos golden mole) or <i>Chlorotalpa duthieae</i> (Duthie's golden mole) are present or not. This proposed</p>	<p>The high sensitivity assigned to the site necessitated a specialist assessment which, when conducted, revealed further detail such as a medium site ecological importance for the habitats found across the erven. This information renders the development (as proposed) compliant, should the mitigation measures outlined in the report be followed.</p>

<p>development can subsequently lead to the loss of these SCCs habitat and mortality.</p>	<p>Regarding the Golden Mole SCC, there is no historical nor current presence of forest on the site; only remnant fynbos was found. It is therefore more likely that Fynbos Golden Mole (Near Threatened) occurs here. The mitigation measures in the report should be more than sufficient to protect Fynbos Golden Mole since this species has been found in gardens and open space areas and would persist despite some transformation. Additionally, new information has since been obtained by Confluent Environmental in seeking a permit to identify golden mole species: trapping of golden mole to confirm species using morphology is not supported by Cape Nature. Confirmation of the species must be done using eDNA from soil samples in subsurface tunnels. Analysis costs about R90 000 and takes 3 months which is not a reasonable cost expectation for a private landowner (Confluent, 2024)</p>
<p>7. As mentioned in the faunal assessment report the site has <i>Aspalathus</i> spp. which is the host plant genus for <i>Aloeides pallida littoralis</i> (Pale Copper Butterfly) which is Near Threatened. Therefore, we recommend that the EAP consult an entomologist with knowledge and experience of butterflies.</p>	<p>Given that all the requirements for the subspecies to be present are not satisfied (leading to its medium likelihood of occurrence) and that the precautionary principle is already applied should it occur, adherence to the mitigation measures outlined in the original report (to promote connectivity of the landscape and transplant <i>Aspalathus</i> sp.) is deemed sufficient for this SCC (Confluent, 2024).</p>
<p>8. The specialist studies were done when three erven would have been developed. However, only erf 2924 is proposed for development. Have the specialists reviewed their sensitivity ratings?</p>	<p>Three separate developments are proposed, whereby this application only relates to Erf 2924. The rest of the developments on Erf 2925 and 7594 will continue. Therefore, there is no revision required and the sensitivity ratings are deemed accurate.</p>
<p>9. CapeNature does not support development on steep slopes with a gradient that is greater than 1:4. The geology could become unstable during vegetation removal and heavy rainfall events may also exacerbate the soil condition.</p>	<p>Noted and agreed.</p>
<p>Breede-Olifants Catchment Management Agency – SI Ndlovu – 09 September 2024</p>	
<p>Reference is made to the above-mentioned Draft Basic Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.</p>	

The following are BOCMA comments relating to the Draft Basic Assessment Report for proposed residential housing development on Erf 2924, which should be adhered to:

<p>1. The Breede-Olifants Catchment Management Agency notes and confirms that there are no perennial and non-perennial rivers and no wetlands in the property. Therefore, BOCMA confirms that there are no water uses triggered by the proposed development in terms of section 21 (c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998), thus no authorisation required.</p>	<p>Noted and agreed.</p>
<p>2. The applicant is advised to prevent any movement of pollutants that might cause pollution to the Knysna estuary, and no contaminated stormwater shall be discharged to the estuary.</p>	<p>Noted and agreed.</p>
<p>3. For sanitation facilities, it is recommended to dispose domestic wastewater into a conservancy tank(s) serving no more than 50 households, that must be emptied on regular basis. Sceptic tanks are not recommended as they are likely to impact on groundwater resources.</p>	<p>This will be addressed in the Draft Basic Assessment Report.</p>
<p>4. All reasonable measures shall have to be taken to prevent pollution of the groundwater resources due to the proposed onsite sanitation facilities i.e. a service provider must be appointed to remove domestic wastewater from sceptic or conservancy tanks regularly.</p>	<p>Noted and agreed.</p>
<p>5. Please note that according to the General Authorisation Government Gazette No. 36820 Notice 665 of 2013; a person who stores wastewater in terms of this authorisation must submit a registration form for registration of the water use before commencement of storage if more than 1000 cubic metres are stored for disposal or if more than 500 cubic metres are stored for re-use for section 21(g) water uses which refers to disposing of waste in a manner which may detrimentally impact on a water resource</p>	<p>Its is not anticipated that the wastewater storage of this capacity is to occur on site.</p>
<p>6. If the water to be used on the development is supplied by a Water Services Provider (WSP) i.e. Municipality, there must be an agreement between the developer/property owner and</p>	<p>Noted and agreed.</p>

<p>the municipality and water tariffs/charges must be paid to the municipality.</p>	
<p>7. The harvesting of rainwater and storing of rainwater in tanks does not trigger any water use(s) in terms of section 21 of the National Water Act, 1998 (Act No. 36 of 1998) and it requires no authorisation.</p>	<p>Noted and agreed.</p>
<p>8. No water shall be derived from any water resource and used on Erf 2924 without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998), if activities exceed Schedule 1 limits.</p>	<p>Noted and agreed.</p>
<p>9. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151 (2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.</p>	<p>Noted and agreed.</p>
<p>10. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the development.</p>	<p>Noted and agreed.</p>