

Comments and Response Table:

PROPOSED MIXED-USE DEVELOPMENT ON PORTION 9 OF THE FARM KRANSHOEK NO. 432, KNYSNA ROAD, PLETTENBERG BAY.

Comments Received during the first round (30-Days) Public Participation on the Draft Scoping Report					
Nr	Comment Received	Date Received	I&AP	Company / Representing	Response
GENERAL AND TECHNICAL					
1	The matter above has reference. Heritage Western Cape is in receipt of your application for the above matter received on 4 August 2017. This matter was discussed at the Heritage Officers meeting held on 14 August 2017. You are hereby notified that, since there is no reason to believe that the proposed installation of HF Radar on the Remainder of farm Kranshoek 432, Plettenberg Bay will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.	15 August 2017.	Waseefa Dhansay	Heritage Western Cape	Note that, while the development is proposed on the same portion of Farm Kranshoek (432), the development proposed is for mixed-use and affordable housing and not the installation of HF Radar.
2	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.				Noted This condition will be included into the Environmental Management Programme.
3	This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority. HWC reserves the right to request additional information as required.				Noted
4	Notice is hereby given that the Bitou Municipality has received the following application in terms of Section 15(2)(a) & (d) of the Municipal Land Use Planning Bylaw (2015) for the following:	October 2018	Mr T Ndlovu	Municipal Manager: Bitou Municipality	Noted

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	a) Rezoning of Portion 9 of the farm Kranshoek No. 432 Knysna Road, from “Agricultural Zone 1” to “Subdivisional Area” in terms of Section 15(2)(a) of the Bitou Municipality: Land Use Planning By-Law, 2015.				
5	b) Subdivision Subdivision and Rezoning of the “Subdivisional Area” in terms of Section 15(2)(d)(a) of the Bitou Municipality: Land Use Planning By Law, 2015. To accommodate the following zonings: <ul style="list-style-type: none"> - 559 Residential Zone 1 erven, for FLISP and non-FLISP (Fully Bonded) housing. - 1 Residential Zone II erf of 2.8681ha for low rise walk up apartments and grouped housing, with a maximum residential density of 110 units per hectare, rendering a maximum potential of 316 units. - 2 Business Zone I erven - 2 Institutional Zone II erven (School and Creche) - 2 Institutional Zone III erf (Places of Worship) - 1 Institutional Zone III erf (Health Clinic). - 3 Open Space Zone I erven (Public Parks). - Public roads 				Noted, however, these zonings have been revised based on Alternative B: Option 3.
6	c) Departure Departure in terms of Section 15 (2)(6) of the Bitou Municipality: Land Use Planning By-Law, 2015, to allow for a 0 meter (zero) side building line for all Residential Zone 1 erven to allow for semi-detached houses to be built.				Noted

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	<p>The application is available for inspection at the Municipal Town Planning Office (Monks View, Church Street, Plettenberg Bay) during normal office hours, Telephonic enquiries in this regard may be directed to the town planner, Ms Adel Stander, Bitou Municipality (Tel: 044 501 3321). Any objections to the proposal should be lodged in writing to reach the undersigned (Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay) by no later than 30 days from the publication of this Notice. Comments or objections received after the aforementioned closing date may be disregarded.</p> <p>A person who cannot read or write but wishes to comment on the proposals may visit the Department, Strategic Services (Town Planning Section) where a member of staff will assist them to formalize their comment.</p>				
7	<p>This was on a bill board at the corner of the farm. Is this farm already sold???</p>	15 May- 2019	Marietta Prins	Private person	<p>Good Morning Marietta, I am uncertain as to what you are referring? Is there perhaps an attachment missing from your email? SES has been appointed to conduct an Environmental Authorisation process for a Proposed Affordable Housing Development on Portion 9 of Farm 432. The Pre-Application Draft Scoping Report (DSR) is now being made available for comment.</p>

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					<p>A hard copy of the DSR has been made available at the Kranshoek Library. The document is also available for download from our website (www.sescc.net) under the “public documents” section.</p> <p>The DSR is available for comment until 13 June 2019. Comment on the document and proposed activity must therefore be submitted in writing on or before 13 June 2019 by means of the following: Fax: 086-575 2869, email: betsy@sescc.net or postal address: PO Box 443, Milnerton, 7435..</p>
8	No communication from the owner S E Olivier. I am staying on the farm and My Mom and her Brother Married since 1974 and that's why I want to know because I will be then prepare myself for a place to stay..Is the farm sold or not and how long its still going to take...Time is precious and I have to be on the lookout.	16 May-2019	Marietta Prins	Private person	<p>The farm has not been sold, however the owner is aware of the proposed development.</p> <p>The Environmental Authorisation process will take approximately 12 months to complete and construction of the proposed development would only be able to commence after this period.</p> <p>I have included you onto the Interested & Affected Parties Register so you will be kept informed throughout the process. If you would like to submit a comment on the proposal, please feel free to do so.</p>
9	Thankyou.. I will be thankfully if you kept me up to date.	16 May-2019	Marietta Prins	Private person	Noted
10	This was sent out last year September 2018 Is yours another 12 months waiting period. That means only be settle 2020?	16 May-2019	Marietta Prins	Private person	

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	Sorry I had to know because am a pensioner and not leaving my house unless I am been paidout. Sorry but its very important to me Staying alone on the same farm distance from them is not safe.				
11	You can in future sent progress information to my lawyer Mr F Du Plessis at HDRS Attorneys Email. fdp@fdrs.law.co.za And cc me on prinsnarietta@gmail.com Really appreciate your prompt communication and really a asset to any company with your skills.	16 May-2019	Marietta Prins	Private person	I have added both yourself and Mr Du Plessis to the Interested and Affected Partied database and you will be kept informed of the progress of the Environmental Authorisation process.
12	Good day Betsy Received with thanks.	16 May-2019	Ashaylin Sebastian	Plettenberg Bay Community Environment Forum	Noted
13	Good morning Betsy excellent work well done. Really a pleasure for outstanding communication	16 May-2019	Marietta Prins	Private person	Noted
14	1. Receipt is herewith acknowledged of your letter/email F432P9PR-1 dated 16 May 2019. 2. Kindly note that the matter is receiving attention and that a further communication will be addressed to you as soon as circumstances permit.	21 May-2019	Lyle Martin	Western Cape Government - Transport and Public Works	Noted
15	Thanks for the reminder. Please bear in mind am very pleased with the way things come nearer the time it will be conclude. I just want to informed you that I got no complaints as long as am going to be paid out for	07 June-2019	Marietta Prins	Private person	Please note that compensation to existing residents is being handled by the attorneys of both parties and does not fall within the scope of this environmental authorisation process.

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	<p>the place where my house is standing. They send someone for valuation but up to know I don't know what they going to pay out. Therefore only if I agree on the amount and reconcile then the deal must go through please.</p> <p>Do informed me of any in near future...</p> <p>Thankyou...</p> <p>You are really a professional by the way you handle my case.</p>				
16	<p>Bitou Local Municipality would like to thank you for the opportunity to review and comment on the Draft Scoping Report (DSR) and Plan of Study for Environmental Impact Assessment (POSEIA) accessed on the 20th of May 2019.</p> <p>Please note that these comments have been drafted by the Land Use Management division within the Economic Development and Planning directorate. Additional comments may be required from other relevant departments within the municipality.</p> <p>The following information was taken from the supplied report and summarise the proposed activities.</p> <p>DESCRIPTION OF ACTIVITY</p> <p>The development proposal is for the construction of a mixed-use development, consisting of a mix of affordable housing, business and commercial</p>	11 June-2019	Anjé Taljaard	Environmental Management Officer Economic Development and Planning: Town Planning Bitou Municipality	Your summary of the proposed development is noted.

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	<p>properties as well as schooling facilities, places of worship, a health clinic and Public Open Spaces. The amount of housing units proposed varies between 885 and 912. The total development footprint is approximately 25.58 hectares excluding Public Open Spaces.</p> <p>LOCATION The activities are proposed to occur on the Portion 9 of the Farm No. 432, Kranshoek, within the Bitou Municipal area.</p> <p>Following a review of the documentation and appendices the following comments are made:</p>				
17	<p>1. The composition and position of the proposed land uses are predominantly consistent with what the Bitou Municipal Spatial Development Framework (SDF) 2017 and the Draft Municipal Spatial Development Framework 2019 details. A worthy effort is made to provide a mix of affordable housing and development potential including business zones and schooling facilities.</p>				Noted
18	<p>2. There is a discrepancy in the number of proposed residential units that are proposed within the Scoping Report and in the appended specialist reports and motivations. The preferred alternative (Option 2 SDP, Appendix C1) indicates that a total of 912 residential units are to be developed, however mention is made to 885</p>				<p>The number of proposed residential units is approximate at this stage and would only be finalised in the detailed design phase.</p>

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	residential units within the Scoping report.				
19	<p>3. The planning motivation included as Appendix G1 to the Draft Scoping Report mentions that the Residential Zone 1 erven will be an average of 184m² with the minimum erf size being 160m² (calculated from a total of 885 proposed residential units - it is unsure how this erven size will be further decreased based on the newest preferred layout plan).</p> <p>It is recommended that the development incorporate a greater variety of erven sizes within the development proposal to offer a larger diversity to the general public. A recommended 10 to 20% of the provided residential erven should be increased in size to allow for non-FLISP home owners with properties sized between 400 and 500m². These erven should be considered to be placed along the western boundary of the property (adjacent to the existing Kranshoek settlement) to ensure an incremental change in density.</p>				<p>Larger erven sizes have been included into the revised layout now being proposed.</p>
20	<p>4. Additional vehicular linkages are recommended to increase the connectivity of the new development proposal with the existing Kranshoek settlement at Long and Van Rooyen Streets. Pedestrian access should also be provided from the residences to the existing crèche and existing and future taxi ranks.</p> <p>(See figure in original comment)</p>				<p>Vehicular linkages have been updated in the revised layout.</p>

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21	6. The applicant is to consider and investigate the location of the proposed clinic on the north eastern portion of the property and whether this is the appropriate positioning to service the established Kranshoek settlement as well as the new development proposal area.				The health clinic has been positioned along the main access road into the development in order to service both the established Kranshoek settlement as well as the proposed new residents.
22	7. The visual statement is to investigate the potential visual impact from the multi-floored social housing proposal (a maximum of 4 floors would be allowable in terms of the Section 8 Zoning Scheme) situated on the northern portion of the property and recommendations as to the appropriate design are to be given for example breaking up of the bulk of the appearance of the structures by staggering the buildings. The visual statement should also address the impact on the sense of place that will arise should the erven sizes remain on average 184m ² and the resulting residential component be seemingly densely spaced "boxes".				A visual statement will be included in the Environmental Impact Assessment Phase.
23	8. A GEF Fynbosfire Project report undertaken by CSIR in April 2015 has identified the risk to communities from fire at the Municipal areas wildland-urban interface. Figure 2 below (<i>included in original comment</i>) shows the risks to life as a threat from fires in the Kranshoek area. The areas to the east of the proposed development were identified as medium to high risk areas. These areas were severely burnt and form part of the				The proposed 20m access road running along the border of the development will act as a fire break from the area to the east.

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	<p>burn scar from the 2017 Knysna/Bitou fires.</p> <p>Although these areas have recently burnt, unchecked and aggressive alien invasive regrowth and poor management thereof will result in a high risk from fires to the proposed development. The onus is on each property owner to ensure the management and clearance of alien invasive plant species. Firebreaks are to be included along the eastern property boundary in compliance with the National Veld and Forests Fire Act (Act 101 of 1998). The firebreaks are to be of a suitable width and should be determined in consultation with the Southern Cape Fire Protection Agency. <i>(See figure in original comment)</i></p>				
24	<p>10. As threats from Climate Change become more frequent it is suggested that various renewable energy and climate change adaptation strategies be incorporated within the design of the development. Consideration should be given to the installation of rain-water harvesting tanks, solar water heaters, low energy lightbulbs (LED technology), planting of fruit trees, vegetable gardens to promote food security and indigenous landscaping to reduce alien infestation and reduce water requirements.</p>				<p>Lance – can you comment on the inclusion of water and power saving devices, landscaping and the potential use of the open space for urban agriculture / food gardens.</p>
25	<p>11. The design of the storm water outlet structures are to be submitted for approval prior to construction. As the entrance of pollution and</p>				<p>Noted – Designs of the storm water infrastructure will be submitted prior to construction.</p>

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	litter into our watercourses is a major issue and an identified impact it is considered important that litter traps be implemented at storm water outlets as recommended by the Water specialist. All discharge points are to make use of SUDS design principles in order to minimise the potential for erosion.				
26	13. The public/ green open spaces should be provided with sufficient public amenities, such as ablutions, play parks/ outdoor gyms, picnic tables, walking trails etc., so as to be usable/functional (active) spaces, and not unused spaces conducive to crime and other unwanted activities.				A hierarchy of Public Open Spaces is envisaged to make provision for play fields and play parks situated in strategic positions to serve the residential community with three smaller housing clusters served by small parks.
27	14. The storm water detention ponds proposed within the Public Open Space areas may pose a safety risk to the community when they are full and may lead to drownings. This is to be adequately addressed in the management plan to ensure the safety of the residents and their children (adequate signage etc.).				Water safety related to the detention ponds will be addressed in the EIA phase and mitigation measures included into the EMPr.
28	15. The development proposal should be circulated to Technical services within the Bitou Municipality to confirm the availability of services as well as how this proposal will tie in with planned future upgrades of infrastructure.				Noted – Confirmation of services will be sought from the Bitou Municipality Technical Services.
29	16. A guideline specifying the use of indigenous and endemic vegetation in all landscaping should be drafted and be made available to all future property owners.				Noted – this will be explored when the landscape plan is developed in the detailed design phase.

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30	<p>17. Please note that the Department of Health deem the adjacent Egg Laying Facility on Portion 10 of Farm No. 432 as an offensive trade, recommending a 500m buffer from the facility. The Department of Health have been included in the list of registered interested and affected parties and their comments should be sought in regards to how this is to be incorporated into the development proposal.</p> <p>The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received.</p> <p>Should you require any additional information please do not hesitate to contact this office.</p>				Noted – The Department of Health has provided comment and is recommending a buffer of 300m. The development is outside of this buffer zone.
31	<p>Good day Ms. Ditcham</p> <p>Your email message received with thanks at this stage the following comments:</p> <ul style="list-style-type: none"> - Water supply - Sewer connection - Sewer and water capacity - Proximity of the egg production plant close to the development (preferably more than 300m) <p>formal comments will follow soon</p>	12 June-2019	Manie P Abrahams	WCG Health (Garden Route/Central Karoo District)	Confirmation of services will be sought from the Bitou Municipality. The proposed development is further than 300m from the egg production plant to the north of the development.
32	<p>The forum would like clarification as to whether rainwater catchment tanks will be used throughout the planned development. The forum feels that the current water demand in Bitou</p>	13 June-2019	Ashaylin Sebastian	Plettenberg Bay Community Environment	Lance – rainwater harvesting

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	would not be able to efficiently accommodate the new proposed development. The use of rainwater catchment tanks will decrease the additional pressure on the towns water supply.			Forum	
33	The forum would like clarification as to whether the municipality has adequate space in terms of sewerage removal and electrical supply to accommodate this proposed development.				Confirmation of services will be sought from the Bitou Municipality.
34	The forum is in favor of the recommendations made by the Ecological and Freshwater Impact Assessment specialists.				Noted – these recommendations have been taken into consideration with the development of the revised layout.
35	Your application of May 2019 has reference. The Western Cape Department of Agriculture has no objection against the proposed application. Please note: -Kindly quote the above-mentioned reference number in any future correspondence in respect of the application. -The Department reserves the right to revise initial comments and request further information based on the information received.	13 June-2019	Cor van der Walt	Western Cape Department of Agriculture	Your response is noted.
36	Further to this office's email message dated 16 June 2019, the following provisional comments. Bitou municipality must be able to render the necessary services. The proximity of the chicken/egg farm to the development is also a concern, since the chicken/egg farm is considered an offensive trade.	20 June-2019	Manie P Abrahams	WCG Health (Garden Route/Central Karoo District)	Noted Confirmation of services will be sought from the Bitou Municipality. The proposed development is further than 300m from the egg production plant to the north of the development.

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37	With reference to the above mentioned report received by this office on 15/05/2019. This BGCMA has reviewed the application and the following must be adhered to:	29 May-2019	Jan Van Staden	BGCMA	
38	According to the NWA (Act 36 of 1998), any development within 500m of a wetland requires authorization, as this is regarded as a regulated area.				Noted
39	The applicant must submit a Risk Matrix, which will guide the type of authorization that will be undertaken. The Risk Matrix must be undertaken by a SACNASP Registered Aquatic Specialist.				Noted
40	All relevant sections and regulations of the National Water Act (Act 36 of 1998) regarding water use must be adhered to.				Noted
41	Erosion control measures must be implemented to prevent soil erosion during the construction phase.				Noted – Erosion control measures will be included into the EMPr.
42	No pollution of groundwater or surface water may occur due to any activity.				Noted – mitigation measures will be included into the EMPr.
43	Polluted stormwater should be contained and/or managed in such a way that it does not pose any negative impacts on the environment. Furthermore, polluted stormwater should not be allowed to enter the municipal sewage system.				Noted
44	Please be advised that no activities may commence without the appropriate approvals/authorizations (where needed) from the				Noted

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	responsible authority. The onus remains with the registered property owner to confirm adherence to any relevant legislation that such activities might trigger and/or need authorization.				
45	This office reserves the right to amend and revise its comments as well as to request any further information.				Noted
46	Please do not hesitate to contact this office if you have any further queries and quote the above reference in doing so.				Noted
47	12. It is noted that the recommendation from the wetland specialist is to exclude the identified wetland from all development areas, with a 42m buffer zone imposed but that certain portions of the road and an additional crossing of the wetland is required and proposed. The freshwater specialist report will be amended to include the additional information and the impact on this system will be assessed. Should the remaining portions of wetland be able to be maintained and rehabilitated in a functional manner it is recommended that these portions be zoned as Public Open Space to ensure its future protection. If the development will result in the loss of the wetland system and offsets should be investigated the proposed offset should ensure that the same wetland services (flood attenuation, filtration, toxicant removal, food security etc.) be delivered to the local Kranshoek community as the existing	11 June-2019	Anjé Taljaard	Environmental Management Officer Economic Development and Planning: Town Planning Bitou Municipality	The revised layout excludes development within the wetland and has the surrounding area zoned as Public Open Space.

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	wetland system currently does.				
48	<p>According to surveyor general data, there is a non-perennial stream present and according to Freshwater Ecosystem Priority Areas (FEPAs) data, there is no known wetlands detected on the site. In addition to which, the property and the WCBSP (2017) layers delineated on site are known as Ecological Support Area and Other Natural Area (ONA)(Figure 3).</p> <p>See figure in original comment</p>	12 June-2019	Cape Nature	Colin Fordham	Noted
49	<p>6. The following comments were compiled by the CapeNature Wetland Ecologist, to remove any conflicts of interest that may arise as a result of the findings of the review6:</p> <p>6.1. It is understood that the freshwater and botanical specialist studies were conducted prior to the proposal of an alternative option (Option 02, pg. 43, draft Scoping Report) to the preferred and no-go options. The freshwater specialist report should be revised and amended, taking into consideration the second alternative. It is suggested that the alternative option take in account the wetland demarcations and proposed buffer area and that these remain no-go areas during all phases of development and thereafter. The preferred option does not seem to take cognizance of the freshwater ecosystems at all and they clearly were not considered in the current plans.</p>				<p>The revised layout has taken into consideration the recommendations of the freshwater specialist. The specialist reports will be revised to take this new layout into consideration.</p>

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50	6.2. All mitigation measures proposed within the freshwater specialist report should be strictly considered and implemented, with the proposed buffer areas (42m) surrounding the wetland(s). These measures should also take into account the proposed alignment of the access road, as the current alternatives (excluding the no-go option) would mean a complete destruction of the top end of a wetland on site (WET/4 in the reports). Alternative access options or mitigation measures must be considered in order for no net loss of wetlands on this particular site. This should further be investigated before wetland off-sets can be considered at all.				The revised layout has taken into consideration the recommendations of the freshwater specialist, including a buffer area surrounding the wetland.
51	6.3. The hydrological function of the wetlands on site should be improved and maintained. All invasive alien (IAS) plant species (including pines and black wattle) should be removed and follow up clearing should be conducted and maintained on site. Keep in mind that the removal of these IA species could lead to an increase of water on site in the area where the wetlands occur, and this hydrological function should not be impeded.				Alien invasive clearing has been included into the EMPr for the project.
52	The forum is pleased to hear that the development falls within the Urban Edge. The forum would like clarification on whether the proposed road down Du Plessis Street could be planned around the existing wetland as preservation of the wetland will maintain	13 June-2019	Ashaylin Sebastian	Plettenberg Bay Community Environment Forum	A revised layout has been developed which excludes development within the wetland and has the surrounding area zoned as Public Open Space.

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	the areas ecological integrity. The forum feels that during heavy precipitation events the floodplain areas around the wetland will become inundated with water which could lead to flood issues if drainage is not adequately planned.				
53	The forum feels that the water pollution risks associated with the proposed developments are rather excessive, especially with regard to extinction of local species and the entering of pollutants and sewerage into the water course. Toxins which will enter the water course via runoff from the construction materials will flow downstream and affect farms which use water originating from the identified drainage line.				Water pollution risks and associated mitigation measures are included in the EMP for the project.
TERRESTRIAL BIODIVERSITY					
54	9. In terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), Alien and Invasive Species Regulations, 2014, specific alien plant species are prohibited and should be removed, without the use of heavy machinery and without disturbing the topsoil. It is recommended that the property owner undertake an Alien Invasive Monitoring, Control and Eradication Plan in alignment with the NEM:BA guidelines for monitoring, control and eradication plans (September 2015) and that it be submitted for approval to the Department of Environmental Affairs: Biodiversity Unit. A Directive in terms of Section 74(1) of the NEM:	11 June-2019	Anjé Taljaard	Environmental Management Officer Economic Development and Planning: Town Planning Bitou Municipality	Alien invasive clearing has been included into the EMP for the project. An Alien Invasive Monitoring, Control and Eradication Plan in alignment with the NEM:BA guidelines for monitoring, control and eradication plans (September 2015), will be developed in the detailed design phase of the project and submitted to the relevant authority for approval.

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PROPOSED MIXED-USE DEVELOPMENT ON PORTION 9 OF THE FARM KRANSHOEK NO. 432, KNYSNA ROAD, PLETTENBERG BAY.

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	<p>BA can be issued by the Department of Environmental Affairs for listed invasive species on properties. Upon non-compliance and conviction the penalties referred to in Section 102 of the Act would be:</p> <p>9.1. A fine of up to five million rand, and in the case of a second or subsequent conviction, a fine up to R10 million; or</p> <p>9.2. Imprisonment for a period of up to 5 years, and in the case of a second or subsequent conviction, to imprisonment of up to 10 years; or,</p> <p>9.3. Both such fine and imprisonment.</p>				
55	<p>CapeNature, as custodian of biodiversity in the Western Cape¹, would like to thank you for the opportunity to review the proposed Pre-application scoping report as well as it's associated appendices and wishes to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. The following information was extracted from the supplied documentation details the proposed scope of works which is planned and illustrated in Figure 1: See figures in original comment</p>	12 June-2019	Cape Nature	Colin Fordham	Noted
56	<p>According to Mucina and Rutherford and the Western Cape Biodiversity Spatial Plan (WCBSP 2017) the vegetation unit present on the property is the Vulnerable South Outeniqua Sandstone</p>				Noted

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	Fynbos (Moderately Protected) (Figure 2). The South Outeniqua Sandstone Fynbos is not listed as threatened ecosystems in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEM: BA). The conservation target for this specific vegetation unit is listed as 23% of its original extent. See figures in original comment				
57	ESA are defined as: “Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.” ESA objectives are to: “Restore and/or manage to minimize impact on ecological processes and ecological infrastructure functioning, especially soil and water-related services, and to allow for faunal movement.” Other Natural Area (ONAs): “Areas that have not been identified as a priority in the current biodiversity spatial plan but retain most of their natural character and perform a range of biodiversity and ecological infrastructure functions. Although they have not been prioritised for meeting biodiversity targets, they are still an important part of the natural ecosystem.”				Noted
58	ONAs should be managed or utilised in a manner that minimises habitat and species loss and ensures ecosystem functionality through strategic landscape planning. These ‘other natural areas’				Noted

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	offer considerable flexibility in terms of management objectives and permissible land uses, but some authorisation may still be required for high impact land uses.				
59	<p>Following a review of the application and appendices, and given the above mentioned sensitivity of the site, CapeNature would like to make the following comments/recommendations:</p> <p>1. CapeNature would like to reiterate 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. This is also to ensure that rescue\harvested plant material is accounted for and used in the rehabilitation or relocation process. To obtain such permits please contact the relevant Conservation Services Officials at the George CapeNature Regional Office or use the following website address http://www.capenature.co.za/permits-information/.</p>				All required permits will be applied for prior to the commencement of construction. This condition has been included into the EMPr.
60	2. CapeNature would like to also remind the landowner that in terms of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) ("CARA"), landowners must prevent the spread of alien invasive plants on the property.				Alien invasive clearing has been included into the EMPr for the project. An Alien Invasive Monitoring, Control and Eradication Plan in alignment with the NEM:BA guidelines for monitoring, control and eradication plans (September 2015), will be

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	The level of alien infestation is therefore not be seen as reducing the sensitivity of a site, nor is the subsequent removal of alien vegetation from a property regarded as a mitigation measure due to this is being a legal requirement. Infestation by alien plants does not necessarily mean that an area is not important for biodiversity as some vegetation types are particularly prone to invasive alien infestation, but may recover when cleared of alien vegetation.				developed in the detailed design phase of the project and submitted to the relevant authority for approval.	
62	3. In addition to CARA, in terms of the Alien and Invasive Species Regulations, NEM: BA, 2014, specific alien plant species (e.g. <i>Acacia mearnsii</i>) are either prohibited or listed as requiring a permit; aside from restricted activities concerning, inter alia, their spread, and should be removed. All alien trees such as present at the property should be removed as they are a propagule source for further spread of invasive alien plants and the submitted Alien Invasive Species Control plan should be enforced accordingly to ensure compliance in this regard.					
63	4. There are reasons for WCBSP (2017) layer delineation. Please can the EAP discuss these in context of the development.					WCBSP delineation will be further discussed in the Environmental Impact Assessment Report.
64	5. It appears as if this development forms part of a larger development given the location of and distribution of access roads throughout the property. CapeNature recommends that the					The cumulative impact of the development will be further explored in the Environmental Impact Assessment Report.

Comments and Response Table:

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	cumulative impact of this development be seriously considered, especially considering the condition of the surrounding habitat. This is of particular importance in terms of the wetland cumulative impact.				
65	7. The following comments are regarding the ecological impact assessment report: 7.1. The vegetation map of Southern Africa has recently been updated (2018 beta version available), is freely available (downloadable from: http://bgis.sanbi.org/SpatialDataset/Detail/670) and should be used by all specialists as the best available science. It is therefore recommended that the specialist be allowed to update the report and potential impacts accordingly.				The Ecological Impact Assessment will be revised for the Environmental Impact Assessment Phase.
66	7.2. As mentioned in points 2 and 3 of this comment clearing of alien vegetation will not be considered as a mitigation measure that offsets the environmental impact of a development, as this is a legal requirement. Therefore it can also not be used as an indication of habitat sensitivity. The presence of alien plant species actually may increase the habitat sensitivity rating as it is an indication of the vulnerability of the vegetation communities to alien plant infestation.				Noted
67	7.3. CBA/ESA regions are areas delineated that are in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.				Recommendations of the Ecological Assessment have been taken into account and the layout revised to reflect this.

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	As stipulated in the Land Use Advice (LUA) Handbook (Pool-Stanvliet et al. 2017) although the area impacted was heavily infested with alien tree species, this cannot be used as motivation for establishing of a development within ESA or actually ONA. It should be noted that it is the landowners responsibility to ensure his property is suitably maintained at a level consistent with LUA guidelines. It does not appear as though the EAP or applicant took cognisance of the botanists recommendations regarding the ESA or ONA regions as outlined in the Ecological Impact Assessment report.				
68	7.4. The specialist also does not appear to have been given access to the preferred alternative layout for assessment?				Specialists assessed the original layout, after which changes were made to take their recommendations into consideration. All specialist reports will be revised for the Environmental Impact Assessment Report.
69	7.5. Please note the WCBSP (2017) is known as the Western Cape Biodiversity Spatial Plan, not the Western Cape Biodiversity Sector Plan, as referred to in Table 1.				Noted
70	7.6. It is unclear how much time the botanist spent on site or what season sampling was conducted or how much of the site was investigated?				The site visit was conducted in January 2019, with the entire affected site investigated.
71	7.7. In line with the Freshwater Impact Assessment Report: "Retention of a buffer around the drainage lines as well as the north-eastern portion (Ecological Support Area) as Open Space				The revised layout has taken into consideration the recommendations of the freshwater specialist, including a buffer area surrounding the wetland.

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	as well as the overall development of a 'compact urban settlements, whilst maintaining an open space system' thus means that the proposed development is possible whilst meeting the regional planning guideline recommendations." This does not appear to have been considered by the EAP or applicant when compiling the preferred alternative design.				
72	7.8. The Fynbos Forum Ecosystems Guidelines for Environmental Assessment in the Western Cape provides guidelines for the compilation of botanical specialist assessments. This report will need to be updated accordingly to comply with all requirements of de Villiers et al. (2016).				Noted. The Ecological Report will be updated as part of the Environmental Impact Assessment Phase.
73	7.9. The site burnt in 2017, can the specialist provide the applicant guidance regarding suitable burning regime for the property, should the applicant comply with all recommendations outlined in the report?				Recommendations regarding burning regimes will be included in the Environmental Management Programme (EMPr).
74	7.10. CapeNature recommends that all mitigation measures and recommendations outlined in this report be adhered to accordingly when designing the preferred alternative layout.				Noted - The revised layout has taken into consideration the recommendations and mitigation measures outlined.
75	8. The Cape Floristic Region is largely a fire-dependent system and natural fire regimes must be maintained and managed in the landscape (in particular for the remaining underdeveloped portions of the farm areas). The exclusion of fire from certain habitats will be considered				Mitigation measures relating to fire will be addressed in the EMPr.

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	<p>unacceptable as this may ultimately cause the loss of species. Where appropriate, the location of fire-breaks should be indicated and these fire-breaks may be considered part of the proposed footprint. Fire-breaks must be brush-cut and vegetation must not be completely removed. Brush-cutting under power lines must occur as infrequently as possible as brush-cutting will lead to loss of species diversity over time.</p> <p>The ecological specialist along with the Southern Cape Fire Protection Agency should also guide the landowner in terms of how often in future the remainder for the property should be burnt for ecological purposes and this timeframe stipulated in the EMPr.</p>				
76	<p>9. Using specialist findings, a detailed No-Go Areas map should be compiled and appended to the Environmental Management Programme (EMPr). The aim of this map is to sensitise the applicant to the location of sensitive habitat relative to construction footprints. This will also empower the Environmental Control Officer (ECO) to ensure the strictest level of compliance regarding the protection of sensitive habitat.</p>				<p>Noted – a Detailed No-Go Areas Map will be included into the EMPr.</p>
77	<p>10. CapeNature supports densification of developments and urban sprawl should be avoided at all costs. Can the EAP or applicant comment why densification of the settlement to avoid all ecologically sensitive regions was not</p>				<p>The revised layout has taken the sensitive areas into consideration. The proposed single residential housing units are based on market need, however an area for more dense housing units is provided to the north of the wetland adjacent to the business</p>

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	considered as an alternative?				area.
78	11. Can the EAP illustrate how the principals of mitigation hierarchy were followed, when specialist report findings appear to simply have been ignored according to all alternative layouts. Offsets cannot/will not be considered without this process being followed in depth.				The principles of the mitigation hierarchy will be further elaborated on in the Environmental Impact Assessment Report.
79	12. It is seriously concerning that the after mitigation freshwater impacts, outlined in the scoping report, do not consider the fact that freshwater mitigation measures were forcing a design change to exclude the buffer areas from development. Therefore, the preferred alternative impact after mitigation is not low but remains high. Please can the EAP ensure that all impacts placed in the after mitigation table (located the scoping report), are implementing the mitigation measures outlined in each specialist study report accordingly. This is an issue of high importance as it still appears as if the specialists were not actually provided with the preferred alternative layout to access?				The revised layout has taken into consideration the recommendations of the specialists and initial comment has been received from them regarding the changes. Their reports will be revised to fully assess the new layout for the EIA Phase.
70	To conclude, it appears as if the ecological and freshwater recommendations/constraints have been ignored by the EAP and/or applicant when compiling the any of the alternative layouts. It concerns CapeNature greatly that independently both the ecological and freshwater specialists identified sensitive sections of the property (which				CapeNature's objection to the Pre-Application Scoping preferred layout is noted. A site meeting was held with the EAP, Town Planner, CapeNature, DEADP, BGCMA and Bitou Municipality on 27 June 2019 to discuss the proposal. The outcomes of this site meeting led to

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	<p>coincidentally are the same sections of the property) and these portions rated high in terms of biodiversity importance\ sensitivity, yet the applicant wishes to simply develop those section of the property anyway? CapeNature therefore currently strongly objects to this pre-application scoping report as the ecological and freshwater sensitivity of the property has simply not been considered in any layouts. It may be that the after mitigation table is not completely accurate (as was identified in the case with the after mitigation wetland assessment specialist report impacts), which could have led to this situation? CapeNature would also like to enquire if the specialists were given access to the preferred alternative to assess accordingly? It might be of interest to all parties concerned if CapeNature can meet with the applicant and EAP, to discuss alternatives layouts accordingly, before submission of the Draft Scoping Report. CapeNature does however seriously recommends that the EAP and/or applicant first consider changing design layouts, to line up with the wetland and ecological specialist's findings accordingly. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received. Yours sincerely</p>				the revision of the layout.

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71	The forum supports the idea of maintaining the identified Ecological Support Areas (ESA) along the north-eastern boundary by incorporating them as open space areas. The forum would also like clarification on whether the buildings in the residential zone and institutional zones can incorporate the identified wetland shown in Figure 3 of the draft scoping report.	13 June-2019	Ashaylin Sebastian	Plettenberg Bay Community Environment Forum	The revised layout has taken into consideration the wetland.
72	The forum is pleased to hear that majority of alien invasive species occurring on the site will be remove due to the proposed developments.				Noted
73	The forum would like clarification on whether tree species will be left in the Public Open Space areas to support the avifaunal populations currently residing within the area.				Final landscaping of the public open spaces will only be determined in the detailed design phase, however, where possible, existing trees will be kept to support existing avifauna in the area.
74	The forum would like clarification on whether there are measures in place to protect areas cleared of vegetation from soil erosion.				Soil erosion measures will be included into the EMPr.
75	The forum would like clarification as to whether there is a large faunal removal and relocation strategy in place to avoid unnecessary mortalities of larger faunal species.				Faunal relocation strategies will be included into the EMPr and will be conducted in consultation with CapeNature.
76	The forum would like clarification on whether there is an alien invasive species monitoring and control plan to combat the predicted encroachment and sprouting of the presently occurring invasive species.				Alien Invasive species control will be further elaborated on in the EMPr.
77	The forum is in favor of Alternative B: "No-Go"				The forum's recommendation is noted.

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	purely due to the ecological implications that the proposed developments have on the area. However, the forum understands that the development will positively affect the socio-economic climate of Plettenberg Bay and thus the forum recommends Alternative A: Option 2.				
SOCIAL					
78	5. It is to be noted that there are persons living on the specified property, some of whom have resided there for a period longer than 30 years. The onus is on the property owner and applicant to ensure that the correct legal processes are followed to ensure adequate relocation and compensation of the affected individuals.	11 June-2019	Anjé Taljaard	Environmental Management Officer Economic Development and Planning: Town Planning Bitou Municipality	The applicant is in the process of following all of the appropriate legal channels in order to address the concerns of the occupiers of the property and reach an amicable settlement. This process is being conducted through legal representation of both parties.
79	1. We refer to the above matter and wish to advise that we have been appointed as the attorneys of record of : 1.1. Robert and Shirna Cunningham, 1.2. Alvie and Anthony Olivier, 1.3. Quinton and Daphne Olivier, and 1.4. Celeste and Adriaan Olivier.	13 June-2019	Cindy Allan	Mosdell Pama & Cox	Noted
80	2. It is our instructions to hereby assist our clients in submitting their request to be registered as an interest and/or effected party and to comment on the draft scoping report.				Your clients have been registered as Interested and Affected Parties on the project database.
81	3. Our clients have already submitted an objection to the Bitou Municipality against the developer's				The applicant is in the process of following all of the appropriate legal channels in order to address

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	application being PROPOSED REZONING, SUB DIVISION AND DEPARTURE: PORTION 9 OF THE FARM NO 432, KRANSHOEK, filed under MUNICIPAL NOTICE 292/2018.				the concerns of the occupiers of the property and reach an amicable settlement. This process is being conducted through legal representation of both parties.
82	4. Our clients' objection similarly must be taken into consideration in this proposed mixed-use development report.				
83	5. Robert Cunningham & Two Others, and Alvie Olivier and Another, are residing on house no 1 and 2, situated on the property. See attached hereto a list of their details marked Annexure "A", a copy of a valuation of their two homes marked Annexure "B" and "C", together with a map of its location.				
84	6. Quinton Olivier & Five Others are residing on house no 3, situated on the property. See attached hereto a list of their details marked Annexure "D", a copy of a valuation of their home marked Annexure 'E', together with a map of its location.				
85	7. The Olivier family has resided on the property for more than 53 years. This includes the children and grandchildren.				
86	8. The families residing in the three houses on the property object to the proposed development as they have not been consulted as to their continued tenure on the property, which is currently zoned agricultural.				
87	9. These families have no alternative accommodation and the valuations attached				

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	hereto depict the value of their homes.				
88	10. Any attempt to rezone and develop the property, without accommodating these families, will be contrary to the Extension of Security and Tenure Act (hereinafter referred to as "ESTA") and the prescribed securities and protections stipulated therein for farm occupiers.				
89	11. It is especially concerning that the developer has already attempted to curtail its obligations in terms of ESTA, by having its lawyer phone Quinton and demanding that the families vacate the property at the end of January 2019. 12. Needless to say, the families are disgruntled.				
90	13. The property is seen as the Olivier's family heritage and a place for them to settle as they did on the past and for future generations.				
91	14. These families also wish for an Olivier Family Grave Yard to be allowed on the property for the burial of those who may still pass.				
92	15. Attached hereto marked Annexure "F", is a further objection by Edwin Olivier, a representative of the family.				
93	16. Unless this objection receives a suitable reply and in-depth consultation and agreement with the families, our offices will be necessitated to bring an urgent interdict against the developer's rezoning and sub-division application and development plans, in order to protect the long-term tenure rights of the families currently				

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	occupying the agricultural property. (See original comment for valuations)				
94	<p>Good day to you.</p> <p>I act in support of and on behalf of my mother Daphne Cornelia Olivier, married to Ivan James Olivier (youngest son of George and Maud Olivier). I am the eldest of Daphne's family, of which Quinton James Olivier, my younger brother, is locally managing our family affairs in this respect. All our children have been born and bred on the farm since I was born in 1965. As you may note, this is more than 53 years ago! This includes the children and grand children of Edward and Shirley Olivier, who also passed away.</p> <p>I herewith wish to object to the proposed rezoning, sub division and departure of Portion 9 of the Farm number 432, Kranshoek in its strongest terms.</p>	16 June-2019	Edwin Olivier	Private person (land occupant)	The applicant is in the process of following all of the appropriate legal channels in order to address the concerns of the occupiers of the property and reach an amicable settlement. This process is being conducted through legal representation of both parties.
95	<p>We duly respect the wishes of SW Olivier to let go of the land, as it is her right to do so, but strongly object about the fact that the inhabitants of the farm for the past +- 60 years have not been properly taken into account or catered for. Some of these occupants have spent thousands of rands to make decent and proper homes over the years, which is now just simply disregarded. Some of these properties are well valued over one million rand. Now it is understood that all these are to be demolished to make room for some</p>				

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	standardized low cost housing development, with no mentioning of the compensation at all! How can someone in this day and age expect a person after all these years to vacate premises, who is not in the least by means to acquire another residence. No amount of money will make good of what is the cruel intention to be taken away from them				
96	No formal communication was circulated to any of the occupants notifying them to vacate their premises, other than an abrupt phone call of some "lawyer" by quinton to do so on the end of January 2019. In this day and age of scams and bogus operators, it could have been easy the case. No professionalism at all!				
97	The whole selling process lacked transparency. In all the years, since my father and other uncles were alive, did they attempt several times to ascertain as to the future of the farm, but no success. Everytime they were just told the farm would not be sold as it is family heritage and that all would be safe and secured. Now suddenly everybody's lives are being turned around, just to meeting someone's greediness for money.				
98	Needless to say, respect towards family members have flown out the backdoor. When Stella was asked about the situation, she merely laughed it off and said:" Jou seun het mos 'n hophuis, gaan bly by hom"! This is a serious matter, obviously for				

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	<p>some individuals definitely not! Just because she has the mighty power and control at hand!</p> <p>The farm were advertised at R10.5m by a local estate agent, to everybody's dismay allegedly sold at R5m! More than 50% less its original price. This needs to be investigated as this sounds ludicrous and have stench of some underhand dealing! We have taken steps to obtain proper market values of some properties undertaken by independent property valuers, to clearly and explicitly reflect its values. To have it now demolished without compensation, sounds absurd and to simply "raak ontslae van die probleem", to say the least.</p>				
99	<p>There is no mutual trust with the landowner. When confronted about it, she just said: Die prokureer gaan met julle praat, dis uit my hande! Obviously, the lawyer will only speak to the parties concerned, after the date for objection had lapsed! Who has then recourse for objection?</p>				
100	<p>The farm was the only place/ institution that somehow kept the Olivier bond together. This will now be something of history as family members will now scatter themselves all around different towns/suburbs, in order to get a roof over their head and make a living.</p>				
101	<p>Mention was made in the proposal for a placate to be erected, probably to remember those family members that passed on. This is a bit too little too late. Family members' graves are in the communal</p>				

Comments and Response Table:

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	grave yard at the seaside. Provision should have been made years ago to have an Olivier Grave Yard on the farm! I trust everyone will understand and review this objection in the light that it deserves. Thanking you in anticipation. Regards. (See original comment for valuations)				