

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 Second Round (30-Days) Public Participation on the Revised Draft Scoping Report					
Nr	Comment Received	Date Received	I&AP	Company / Representing	Response
GENERAL AND TECHNICAL					
1	1. The following refer: 1.1. This Branch's letter 16/9/6/1-14/09 (Job 22322) dated 8 January 2019 to Bitou Municipality. 1.2. Your email of 31 October 2019.	26 November 2019	Lyle Martin	Western Cape Government: Transport and Public Works	
2	2. Although this Branch in its letter of 8 January 2019 objected, due to a lack of information, to the land use application, remains this Branch unopposed to issuing of an Environmental Authorisation, provided that:				Noted
3	2.1 This Branch will be offered the opportunity to withdraw its objection to the land use application and deliver its positive comments.				This Branch will be afforded the opportunity to withdraw its objection to the land use application as further public participation is required.
4	2.2 Bitou Municipality applies to close (deproclaim) Minor Road 7207 (or at least the portion adjacent to Farm 432/9) to allow that Provincial Road to continue to exist as a Municipal Street under the Authority of Bitou Municipality and not this Branch.				It is not believed that the closure and/or deproclamation of MR 7207 will affect the entrance and exit from the proposed development on Portion 9 of the Farm Kranshoek No. 432.
5	2.3 The upgrades that are proposed along Minor Road 7207 are implemented by Bitou Municipality with no cost towards this Branch.				The upgrades that are proposed along Minor Road 7207, and the question as to who would carry the cost thereof will, are to be discussed between the Department of Transport and Public Works and the Bitou Municipality.
6	1. The draft Scoping Report dated October 2019	29 November	Shireen	Department of	

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	and received by this Department on 31 October 2019, refers.	2019	Pullen	Environmental Affairs and Development Planning	
7	2. It is noted that your cover letter states that your submission of the draft Scoping Report includes one hard copy and one cd. Kindly note that there is no record of any submission of a cd to this Department. Your attention is draw to section 5.9 of this Department's letter dated 4 November 2019, which states that "two printed copies, as well as two electronic copies (saved on CD/DVD) of the Scoping Report must be submitted to the Department. Please ensure that this requirement is met with the submission of the final SR.				The EAP confirmed telephonically with the case officer that this requirement was for the final submission and not the draft submission for comment. As such, two printed copies, as well as two electronic copies (saved on CD/DVD) of the FINAL Scoping Report will be submitted to the Department for consideration.
8	3. Public Participation 3.1. Please ensure that the reckoning of days allow for sufficient time for delivery of documentation on which Interested and Affected Parties (I&APs) should comment, before the courting of the 30-day period for public participation and not from the date of notification. Please take this into account in your all future project planning.				Noted. This will be taken into consideration going forward.
9	3.2. It is also noted that you have attached t a Town Planning Motivation Report to the draft SR. Please ensure that the Planning				The Directorate of the Planning Department will be included on the I&AP database and input requested in the EIA Phase.

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	<p>Directorate of this Department is also provided with a copy of the said report in order to obtain their inputs in terms of the following:</p> <p>3.2.1. The need and desirability of the development proposal with regard to the relevant planning documents for the area;</p> <p>3.2.2. The consistency of the development proposal with regard to the relevant planning documents for the area;</p> <p>3.2.3. If there is any other current or historic planning applications that may have a potential bearing on this application;</p> <p>3.2.4. The overall acceptability of the development proposal from a planning perspective.</p>				
10	<p>4. Content of the Scoping Report</p> <p>4.1. It is noted that a number of specialist reports have already been included in the scoping report as part of the scoping process. As such, the EAP is advised not to collapse the scoping and environmental impact assessment processes by including specialist's studies as part of the scoping report, prior to the</p>				<p>Specialist input was acquired in order to identify the impacts of the development on the surrounding environment. While their input has remained in the Final Scoping Report, copies of the reports have been removed from the Final SR appendices in order to not collapse the scoping and environmental impact assessment processes, as confirmed telephonically by Shireen Pullen on 04 December 2019.</p>

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	plan of study being accepted by the competent authority.				
11	4.2.4.2 The specialist reports contained in the draft scoping report does not fully comply with Appendix 6 of the NEMA EIA Regulations ;2014 (as amended) as none of the specialist reports contains a signed declaration of independence. Please ensure that all report requirements stipulated in Appendix 6 is adhered to in the Environmental Impact Assessment phase.				Noted. Specialist reports included in the EIA phase will include Declarations of Independence.
12	5. Alternatives 5.1. This Department is aware that the site is situated within close proximity of a primary school. It is also noted in the new preferred alternative that provision is made for two places of worship, a health clinic and a crèche, but no high school. Consideration should be given to make provision for at least one (1) high school within the proposed lay-out.				Comment regarding the requirement for a high school in the area will be sought from Western Cape Education Department and included in the EIA phase. Should a high school be required, this could potentially be incorporated into future phases of the development.
13	5.2. In order to give effect to the development of sustainable settlements, it is important to investigate alternatives, which avoid or minimize the impacts on the receiving environment. As such, the mitigation				In the development of the preferred Alternative Layout, the principles of the mitigation hierarchy were applied.

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	<p>hierarchy must be applied to avoid, protect, minimize or compensate for any potential impacts on any site specific bio-physical attributes or which may cause pollution to any natural water resources. As such, you are therefore advised to consider the following development layout or technology alternatives:</p> <p>5.2.1.The development lay-out should be designed in such a way to avoid slopes that are steeper than 1:4 where possible;</p> <p>5.2.2.The proposed development should avoid or minimise the impacts on wetlands or watercourses traverses the property by establishing appropriate buffers or development setbacks (Mitigation measure in the Environmental Management Programme (EMPr));</p> <p>5.2.3.The proposed development should include Resource Conservation Measures (“RCM”) for rainwater harvesting; and</p> <p>5.2.4.The RCM include aspects such as power saving lighting; dual flush toilets, use of low-flow</p>				<p>The development has avoided slopes that are steeper than 1:4 and avoided the wetland on site through the establishment of a buffer area.</p> <p>The inclusion of Resource Conservation Measures such as power saving lighting, dual flush toilets, use of low-flow showerheads, the collection of rainwater from the roofs and storage thereof in tanks, throughout the proposed development will be investigated during the EIA phase.</p>

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	showerheads; the collection of rainwater from the roofs and storage thereof in tanks.				
14	<p>6. Availability of bulk infrastructure services</p> <p>6.1. It is noted that a preliminary services statement has been included in the draft Scoping Report to investigate the location of existing civil engineering services in and around the site and to also establish the services requirements to support the proposed development. However, the final Environmental Impact Assessment report (EIAR) should contain written confirmation from the Bitou Municipality whether there is sufficient unallocated services (e.g. water, sewage, electricity, stormwater management, solid waste etc.) available to sustainably support the proposed development.</p>				Noted. Confirmation of unallocated capacity will be included in the Final EIA Report.
15	<p>6.2. Solid waste management and disposal</p> <p>6.2.1. This Department is concerned about the current availability of the existing landfill site as it is assumed that the solid waste is still being transported to the existing PetroSA landfill site. Furthermore, the Environmental Authorisation/ Waste</p>				Noted. The Services Report will be revised and confirmation of available capacity will be included in the Final EIA Report.

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	<p>Management License for the new regional landfill site has not been implemented and as such the aforementioned landfill is currently not functional.</p> <p>6.2.2. The Services Report that has been submitted as part of the draft SR also fails to demonstrate how solid waste generated by the proposed development will be managed or disposed of. Written confirmation must therefore be obtained from the Bitou Municipality regarding the available capacity to sustainably support the proposed development.</p>				
16	<p>7. It is further noted that the proposal also requires a Water Use Licence in terms of the National Water Act (Act No36 of 1998). In light of the One Environmental System, it is now required to synchronise the EIA and WULA processes in order to ensure that both processes are duly informed by one another. It is therefore the duty of the Environmental Assessment Practitioner ("EAP") to take note of the timeframes and synchronise the two processes. Failure to give effect to the one environmental system may prejudice the</p>				<p>The One Environmental System is noted. Phase 1 of the WULA for the development of Portion 9 of Kranshoek was submitted on 18 November 2019. This initiated the 300 day application process. We have been issued an acknowledgement of receipt letter on 3 December 2019 confirming that the application was received by the BGCMA. Phase 2 (Site Visit) was conducted during the pre-application phase and therefore is not required as the next step. Mr Rudzani</p>

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	success of the application.				Makahane from the BGCMA went to site with members of SES and various other stakeholders on 27 June 2019. We will move into Phase 3 of the process once the Technical information requirements letter is issued.
17	8. It is reiterated that the onus remains on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the environmental impact assessment (EIA) process. Only the activities applied for will be considered.				Noted
18	9. Also ensure that all specialist reports to be submitted along with the final Environmental Impact Assessment Report are current and that the content is still relevant.				Noted. Specialist reports will either be revised or addendums included in the EIA Report, in order to ensure content is relevant to the proposal.
19	10. <i>Plan of Study for EIR</i> The plan of study should be amended to address the aspects which have been raised in the abovementioned comments.				The Plan of Study has been revised as recommended.
20	11. This Department hereby awaits the submission of the final Scoping report for consideration. Please note that two printed copies as well as two electronic copies (saved on CD/DVD) of the final Scoping Report must be submitted to the Department.				Noted. The Final Scoping Report submission will include two printed copies as well as two electronic copies (saved on CD/DVD).
21	12. This Department will provide further comment				Noted. An additional authority meeting will be

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	on subsequent documentation that may be submitted and avails itself for consultation or guidance in terms of Regulation 8. However, please note that such consultation and/or guidance is an advisory process and does not pre-empt the outcome of the application which has been submitted to the Department.				arranged once the Scoping Report has been accepted.
22	13. The proposed development may not commence prior to an environmental authorisation being granted by the Department.				Noted
23	14. This Department reserves the right to revise initial comments and request further information based on any new or revised information received.				Noted
24	2. The response to comments regarding the inclusion of larger sized erven refers. It is still noted that the average Residential Zone 1 erven will be approximately 195m ² (calculated from 457 erven across 8.9ha). The existing erven within Kranshoek, along the western boundary, are on average between 600 to 900m ² in size, with the government subsidised housing further north along the boundary are approximately 250m ² in size. The placement of residential erven sized approximately 195m ² adjacent to large 800m ² erven will be	01 December 2019	Anje Taljaard	Bitou Municipality: Economic Development and Planning: Town Planning Environmental Management Officer	Option 3 of the layout plan shows 4 phases (clusters) of erven with each phase being a self-contained neighbourhood similar to but not equal to a Sectional Title Scheme. The architectural style of the homes will be similar for each phase and will be sold under freehold title but with the formation of a Home Owners Association who will be responsible for the maintenance of the internal Private Road system which gives access to the houses within each cluster and the Public Open

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	disjointed. A recommended increase in size of the properties adjacent to the western boundary of the property (adjacent to the existing Kranshoek settlement) is to be considered to ensure an incremental change in density.				<p>Spaces in each phase.</p> <p>The residential density (erf size) applied here is consistent with the universally accepted principle of increasing residential densities to provide more sustainable and affordable human settlements.</p> <p>The adjacent residential area which is referred to, was designed and developed when the enormous advantages of residential density were not key principles town planning. The onus is now to provide prospective home buyers an affordable solution to the housing crisis. It should be kept in mind that most of the homes would be marketed and sold under the Department of Human Settlements FLISP programme where prospective buyers have limited affordability and residential density plays an enormous role in creating affordability.</p> <p>The income band is limited to those who stably earn between R3501 and R22000 per month and can make sustained repayments on home loans to a Bank for up to 20 years. The quality of the homes are therefore Bank approved and will in all likelihood be superior to the adjacent existing</p>


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					<p>homes.</p> <p>The concern for the development will be the quality of the adjacent homes and not the erf size as this does not guarantee quality. In addition, the financially unviable of the project would be threatened if erven sizes were increased, residential density reduced and houses prices increased beyond the capacity of the target market mentioned above. In all likelihood most of the homes will be single storey semi-detached homes offering adequate yard facilities. These densities have been successfully used by the Developer, in the Nelson Mandela Bay Metro.</p> <p>It should be noted that 53 erven measuring a total of 12 192m² which abut the existing residential erven to the west of the proposed site were enlarged and have an average erf size of 230m².</p>
25	3. The additional vehicular linkage as recommended is noted and appreciated. However, Figure 57 of the Draft Municipal SDF identifies a future link road (Eureka Street Link) to the road adjacent to the property which will serve to increase the connectivity of future communities (please see extract				The future Eureka Street link will be further investigated in the EIA phase, with the revision of the Engineering Services Report.


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	<p>below).</p>  <p>Figure 1 – Extract from Figure 57 of the Draft Bitou SDF (2018) that indicates the proposed future road link to the Kranshoek community.</p> <p>The proposed road network included in the preferred layout (as indicated in Figure 2 below) is recommended to be strengthened in order to allow for this future link road to be established. This should ideally be a higher order road than the other neighbourhood roads indicated in the layout plan.</p>				

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	 <p>Figure 2 – Extract from Option 3 (Preferred Alternative Layout) West-East vehicular linkages that are to be strengthened.</p>				
26	4. It is noted that the Institutional Zone 1 proposed on the north eastern portion of the property has been removed from the development proposal. It is enquired whether the applicant has consulted with the Department of Education regarding the need for and the required placement and size of a school and whether it will be included in any further phases of development.				Comment from the Department of Education regarding the high school will be sought in the EIA phase. The potential to include it in further phases of the development will also be investigated in the EIA Report.
27	The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received. Should you require any additional				Noted.

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	information please do not hesitate to contact this office.				
AQUATIC					
28	The Breede Gouritz Catchment Management Agency (BGCMA) acknowledges receipt of the post application draft scoping report (hereinafter referred to as “the report”) dated 31 October 2019 submitted with respect to the above mentioned development.	11 November 2019	Rabokale Mphaphlele	Breede-Gouritz Catchment Management Agency	Noted
29	<u>The BGCMA has no objection to the proposed development, subject to adherence to the following conditions:</u> Page Paragraph 5 of your Freshwater Impact Assessment (FIA) dated 12 March 2019 found in Appendix H3 of the report states that “A screening assessment identified seven wetland systems within a 500m radius of the site” and that “... The two wetlands (WET/3 and (WET/4) that traverse the site will be directly impacted upon by the proposed development”. The said paragraph also states that the wetland (WET/7) located near the southern boundary of the site is likely to be indirectly impacted upon.				The non-objection from BGCMA is noted.
30	Since the above activities are proposed within 500 m radius of several wetlands; they are classified as the use of water in terms of section 21 (c) and (i) of the National Water Act 36 of 1998 (hereinafter				Phase 1 of the WULA for the development of Portion 9 of Kranshoek was submitted on 18 November 2019. This initiated the 300 day

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	referred to as NWA) for which a water use authorization is required as contemplated in section 22 of NWA.				application process. We have been issued an acknowledgement of receipt letter on 3 December 2019 confirming that the application was received by the BGCMA. Phase 2 (Site Visit) was conducted during the pre-application phase and therefore is not required as the next step. Mr Rudzani Makahane from the BGCMA went to site with members of SES and various other stakeholders on 27 June 2019. We will move into Phase 3 of the process once the Technical information requirements letter is issued.
31	In light of the above a Water Use Licence will be required as this development is excluded from being authorized in terms of General Authorisation, Government Gazette No. 40229, Notice No, 509, dated 26 August 2016; due to that risk class or impacts of the proposed development on the water resources range mainly between high and Medium according to <i>Table 7: Evaluation of potential impacts of the proposed development on freshwater habitat</i> found in page 32-33 of your FIA.				
32	A Water Use Licence Application may be submitted on the online following online platform: <u>Electronic Water Use License Application and Authorisation System (e-WULAAS)</u> which can be accessed on http://ewulaas.dwa.gov.za/ewulaas .				
33	Further, please note that lodging a water use authorization application does not guarantee that an authorization will be approved.				
34	If you have already lodged a Water Use Licence Application for this development, you must wait until the licence is issued before commencing with the above mentioned water use associated with the development.				Noted

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35	Kindly be informed that commencement with any water use activity listed under section 21 of NWA without an authorization as required in terms of section 22 and 40 of the NWA constitute a criminal offence in terms of Section 151(1). Moreover, section 151(2) of NWA provides that a person who contravenes section 151(1) of NWA is guilty of an offence and is liable on first conviction to a fine or to imprisonment for a period not exceeding 5 (five) years or to both such fine and such imprisonment.				Noted
36	Please provide further details of where the sewage will be taken to. If the sewer will be directed to municipal wastewater treatment works, provide this office with a written agreement of such an agreement from the municipality within thirty days (30) of receipt of this letter.				Confirmation of capacity will be included in the Environmental Impact Assessment Phase.
37	All the previous comments from this office with regard to this development must be adhered to.				Noted
38	This office reserves the right to revise its comments and request additional information that may arise from correspondence and/or upon a site inspection.				Noted
39	Please do not hesitate to contact this office if you have any further queries and quote the above reference in doing				Noted
40	1. A significant change to the proposed site development layout has been made to	01 December 2019	Anje Taljaard	Bitou	The recommendation for the establishment of a

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	<p>exclude the identified wetland area and the associated buffer area as recommended by the Fresh Water Specialist. This is supported. It is recommended that a cooperative Kranshoek Wetland Management Committee be established consisting of representatives from the Business Zone, the Residential Zone IV, the Single Residential component as well as the Municipality and other authority representatives (eg. the Breede Gouritz Catchment Management Agency). This Committee is to jointly manage the proposed Public Open Space to ensure its conservation and enjoyed use by all community members. Community uses of the area which are not in conflict with the conservation of the core wetland area are to be investigated, promoted and implemented. These could include hiking trails, pic-nic spots, birding hides (once the area is rehabilitated) and potentially urban food gardens or the like.</p>			<p>Municipality: Economic Development and Planning: Town Planning Environmental Management Officer</p>	<p>cooperative Kranshoek Wetland Management Committee, as well as the utilisation of the Public Open Space for community use will be further investigated in the EIA Phase.</p>
SOCIAL					
41	<p>Thanks for your info.. I just need to tell you that I met the developer that offer me a house and am</p>	<p>03 November 2019</p>	<p>Marietta Prins</p>	<p>Private (Current occupier of land)</p>	<p>I appreciate you responding to the release of the</p>

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	<p>not happy my current house is 174sq metres and he offer me s 40, Sam house and I have a garage as well. No this is not right and his lawyer says that if I font take it I must empty the place and get nothing. In the mean time they offer 2 x houses for one family and my house was paid out of my Stept fathers and Mothers pocket. Am sorry this must not go through unless I get cash money according to agreement of 2 houses if this I'd the case.</p> <p>What happened to the Olivier family trust????? This must be investigated. As I don't agree my parents and others on the farm contribute to the fsmily trust.</p> <p>Please the lawyer must know we are family members and did not worked on the farm. Othreise the first will must be recall as well as George Olivier's will before he died. Am not happy at all and this must be sorted. We PSID rates and tsxec staying more that 45 years in this house to be taken away like that. No No.....</p>				<p>Draft Scoping Report, however, please note that the negotiations regarding housing with current residents is not a part of our Environmental Authorisation Process. This is being addressed by the Applicant and the appointed lawyers. As such, I cannot comment on the Family Trust or any agreements, however, I will forward on your concerns to the Applicant to take into consideration.</p> <p>Confirmation of consultation and negotiations with the current occupiers of the land has been included in Appendix E.</p>