

# COMMENTS AND RESPONSE REPORT

## THE PROPOSED RESIDENTIAL DEVELOPMENT ON REMAINDER OF PORTION 21 OF FARM 195 KRAAIBOSCH (PIETER KOEN TRUST), GEORGE, WESTERN CAPE.

COMMENT	NAME/ORGANISATION	RESPONSE
<p style="text-align: center;"><b>PPP</b> <b>17 October 2024 – 20 November 2024</b></p>		
<p>Dear Mr. Bennett,</p> <p>I write on behalf of the Groenkloof George Association regarding the planned development opposite the Groenkloof Hub. In reviewing the responses received, it appears that there are discrepancies or potential misunderstandings regarding the building heights referenced.</p> <p>The Groenkloof Hub's current maximum height is 8.1 meters on the west side and 9 meters on the east side. The proposed building height of 12 meters would stand approximately 3 meters taller, which represents a 330% increase over the Hub. This is a significant difference that would impact the area's aesthetic and potentially diminish the quality of views for nearby residents.</p> <p>The response received indicates compliance with municipal height restrictions but notes that the new building's roof level would align with neighbouring structures due to its lower ground positioning. However, a 12-meter height still represents a notable departure</p>	<p><b>Jan Fourie</b> <b>Chairman, Groenkloof George Association</b> <b>29 October 2024</b></p>	<p>Please refer to the Planning Options Report (Appendix Q) compiled by Janiel de Kock and the Visual Impact Assessment (Appendix G7) compiled by Eco-Thunder.</p> <p>As highlighted in Section 7 of the Planning Options Report:</p> <p>The comments received from registered interested and affected parties during the public participation processes, were mainly aimed at the impact of the 3-storey apartment buildings planned for the south-eastern corner of the site. Concerns were raised about the height of the buildings, the obstruction of mountain views and the visual impact of 3-storey buildings being introduced in an area where 2-storey buildings are the dominant feature.</p> <p>The Department of Environmental Affairs and Development Planning, in response to these concerns raised, has requested that the applicant address these comments by presenting alternative design options for the apartment buildings.</p> <p>The applicant responds to the comments as follows:</p> <p>7.1 The zoning of the subdivided portion in question will allow for apartments with a reduced height of 12m from natural ground level to the top of the building. The standard height for this zoning is 15m.</p> <p>7.2 The zoning is in line with the outcomes envisioned by the MSDF, to encourage higher density development along main feeder routes like Glenwood Road. This principle was discussed during pre-planning meetings with the municipal planners.</p> <p>7.3 The 3-storey buildings cannot be reduced to 2-storeys as proposed, as this will reduce the number of apartment opportunities to a point where the development is no longer</p>

<p>from the current building heights in Groenkloof.</p> <p>Our request remains that the design be reconsidered to align more closely with the existing landscape, reducing the visual impact on our community and protecting both the character and the property values of Groenkloof.</p> <p>We look forward to engaging constructively on this matter and hope for a resolution that respects the interests of all stakeholders.</p> <p>Thank you for your attention to this matter</p>		<p>financially viable. The impact of reducing densities was addressed in some detail in the way the different layout options were developed.</p> <p>7.4 Pieterkoen Gardens offers a selection of affordable housing options and the apartments were specifically introduced to cater for the first-time middle income buyers and retirees.</p> <p>7.5 The layout illustrated on the SDP should not be considered as the final design option, as it came about as part of the process of developing site-specific models for costing purposes. This will be rectified in the final BAR application where no building footprints will be shown.</p> <p>7.6 The placement of the apartments on the south-eastern corner of the site was considered carefully. The natural ground level at the boundary is lower than the road level and the site slopes downwards from the boundary to the north-east. The ground floor levels of the 3-storey buildings closest to the road will be reduced to below natural ground level which will reduce the comparative ridge heights to be the same or even lower than the double storey buildings opposite the road in the Groenkloof development. This principle was illustrated schematically and included in the first- round response of the BAR. (See photographs and sketch below).</p> <p>7.7 The visual impact of the apartment complex is not deemed to be excessive as it is placed directly opposite the double storey Groenkloof “hub” which has already set a precedent with the placement of buildings close to the road which are clearly not of a standard 2-storey residential typology.</p> <p>7.8 The placing of the apartment buildings on the street frontage, should not be seen in isolation. This portion of the proposed development impacts less than a third of the total street frontage. The remainder is earmarked for the double storey commercial development and creche with small footprints and a large portion of street frontage that will be landscaped around the “wetland”. The gatehouse is also well set back from the road. From an urban planning perspective and the overall visual impact experienced by</p>
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passers-by, the Pieterkoen Gardens' street frontage will provide welcome relief from the mostly repetitive and uninviting walled and fenced-off estates in the immediate vicinity.

7.9 In conclusion, the introduction of the apartments should be seen as a new addition to the already varied housing configurations fronting on to Glenwood Road and be assessed in the response to the urban context in which it will be developed.



The Groenvlei "Hub" directly opposite the Pieterkoen apartments



The level difference between the new finished road and the Pieterkoen boundary

Additionally, as highlighted in Section 8 of the Planning Options Report:

#### ALTERNATIVES CONSIDERED

The following two options were considered as alternatives in response to the comments received about the visual impact of the proposed 3-storey apartment complex in the south-east corner of the property.

#### OPTION A

This option was tabled as one of a number of discussion points during a pre-application meeting with DEADP in November 2024.

The object of the exercise was to investigate the possibility of reconfiguring the apartment buildings as a more compact set of 3-storey buildings and to reduce the overall visual impact by excavating the site to a level well below the road level.

Refer to the Site Plan and 3D views below.





*Aerial view of Alternative A with Glenwood Road and the Groenkloof "Hub" in the background.*



*Street view facing eastwards illustrating the comparative building heights on either side of the road.*

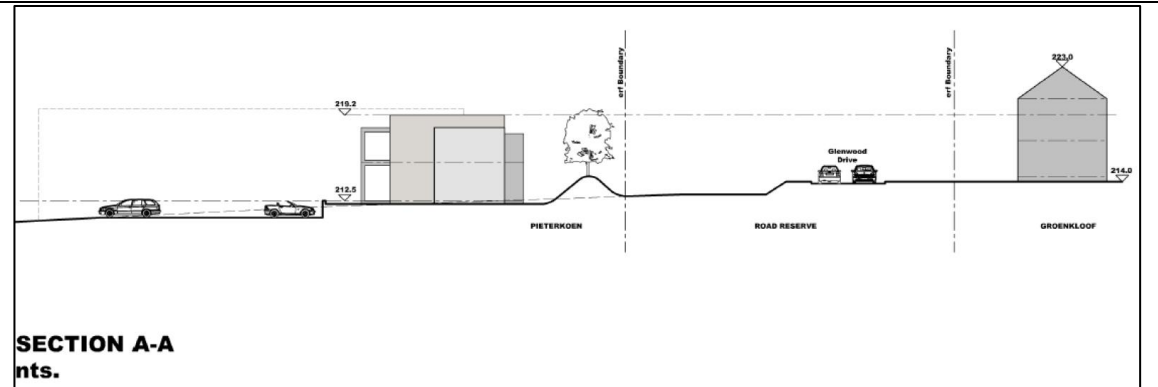
		<p>Option A addresses the issue of building heights but is not considered to be a viable option as the associated costs of excessive site excavations and having to complete a large number of sectional apartments in a consolidated block before the titles can be registered, impact very negatively on the cash flow and viability of the development. Practical problems such as insufficient space for the required parking, apartments not optimally orientated for views and sunlight and lack of private open space around the buildings, will all be factors that will affect the marketability of the apartments negatively. Option A is therefore not a viable alternative.</p> <p><b>OPTION B</b></p> <p>This option considers the reduction of the total number of apartments, reducing the building heights of apartment blocks facing Glenwood Road to 2-storeys, introducing screening elements between the buildings and the street boundary as proposed in the specialist VIA and maintaining a ridge height of all the apartment blocks to a level well below the highest 2-storey building in the Groenkloof “Hub”.</p> <p>The result of this alternative proposal is that the apartment units are reduced from 84 to 66. However, for the development to remain financially viable, the layout and number of town houses must be increased from 44 erven to 50 erven. This means that the total number of housing opportunities in the development is reduced from 312 to 300 – a loss of 12 opportunities.</p> <p>An application for an amendment of the town house (Portion A1) subdivision will have to be lodged with the municipal town planning department.</p> <p>The Option B site layout is shown below. Portion A1 illustrates the amended site layout for a 50-erf subdivision as opposed to the 44 erven currently being applied for.</p> <p>Portion A2 shows the sectional title erf with 3 centrally spaced 2-storey apartment blocks housing 4 units per block parallel to the road boundary. The blocks have been placed well outside the street boundary to allow for an earth berm planted with trees and shrubs as a screening tool to soften the visual impact of the buildings from the road.</p>
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The two rows of four 3-storey blocks orientated along the two side boundaries are placed on reduced ground levels to ensure that no building height in this portion exceeds the maximum ridge height of the buildings in the Groenkloof “Hub”. Similar screening tools will be used on the road boundary.

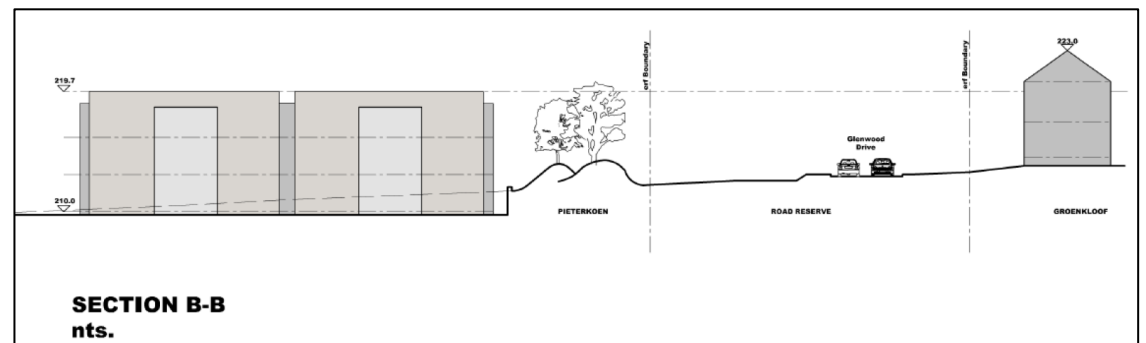


Site layout showing Option B Portion A1 (town houses) and Portion A2 (apartments).

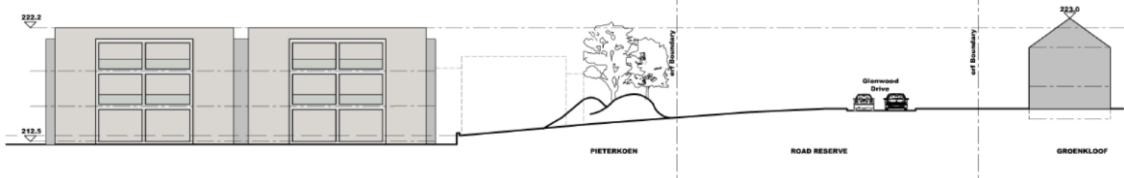
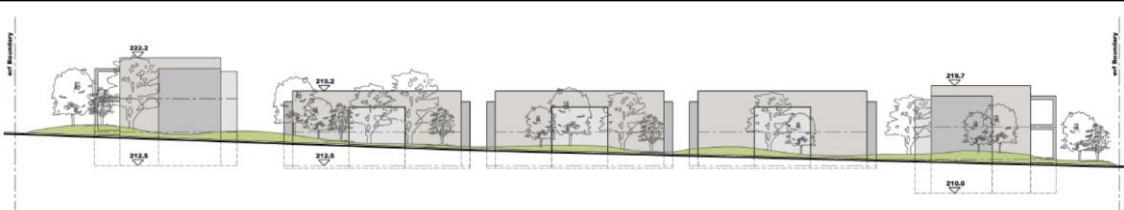
The section lines A,B,C and D are reference points for the section drawings.



2-Storey apartment blocks along the street boundary showing the planted berm and relative roof heights. (Glenwood Road before recent upgrades and widening).



3 - Storey apartments orientated south to north along the eastern erf boundary showing the reduced ground level, planted berm and relative roof heights. (Partial elevation, Glenwood Road before recent upgrades and widening).

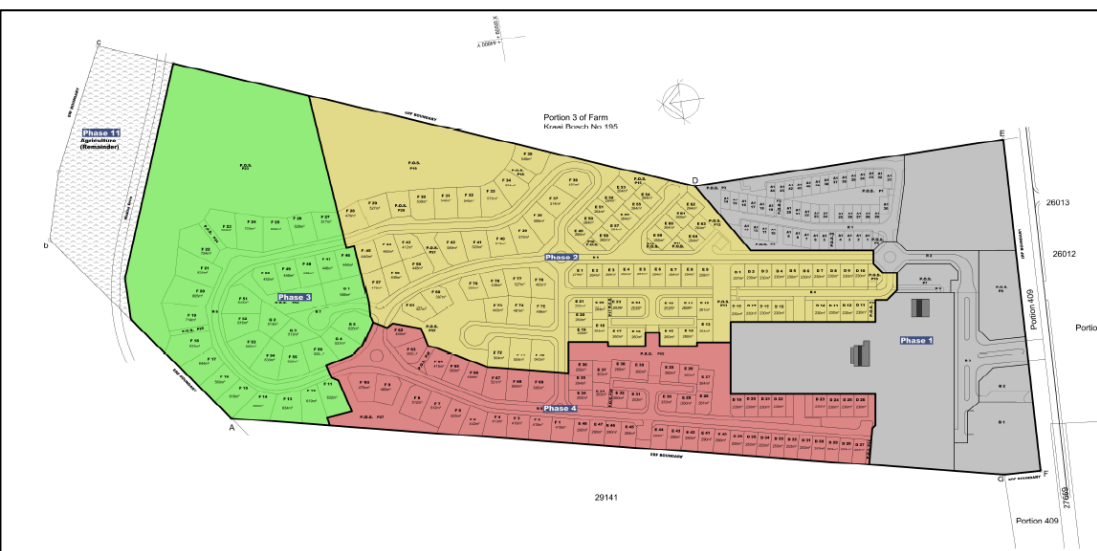
		 <p><b>SECTION C-C</b> nts.</p> <p>3 - Storey apartments orientated south to north along the western erf boundary showing the reduced ground level, planted berm and relative roof heights. (Partial elevation, Glenwood Road before recent upgrades and widening).</p>  <p><b>SECTION D-D</b> nts.</p> <p>Street view of the southern aspect of the apartment complex as seen from Glenwood Road showing the ground floor levels of each block and the extent of the planted berm from west to east. (Full elevation).</p>
<ol style="list-style-type: none"> <li>1. The BOCMA has reviewed the draft BAR and has no objections to the proposed development.</li> <li>2. Please note that the comments dated 8</li> </ol>	<p><b>S Ndlovu</b> <b>BOCMA</b> <b>12 November 2024</b></p>	<p>The water use license application is underway, please refer to Appendix G2.2 for the confirmation of the WULA application.</p>

<p>march 2024 provided by BOCMA are still applicable to the proposed development and must be adhered to.</p> <p>3. 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 period not exceeding five years or both such a fine and imprisonment.</p> <p>4. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior</p>		
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to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.		
1. The abovementioned document Referenced: 19/RD/PK/10/24 dated 15 October 2024 and submitted by your appointed registered Environmental Assessment Practitioner (EAP) Mr. Michael Bennett (EAPASA Registration Number: 2021/3163) to the Directorate: Development Management (Region 3) hereinafter referred to as "this Directorate" on 17 October 2024, refer. 2. This Directorate has reviewed the document and comments as follows: 2.1. Specialist input and comment from CapeNature From the specialist input provided, it is noted that the site is highly transformed and therefore, the impact on terrestrial biodiversity, aquatic biodiversity, fauna plant species is expected to be of low significance. The BAR further states that, despite the site's	<b>Shireen Pullen</b>  <b>Department of Environmental Affairs and Development Planning</b>  <b>Directorate: Development Management, Region 3</b>  <b>18 November 2024</b>	Please refer to the comments provided by CapeNature

<p>position inside the biodiversity network, it is highly compromised by past agricultural activities and invasive vegetation. Based on this, it is concluded that "the chance of successful rehabilitation is slim". As custodian of Biodiversity, please ensure that comment from CapeNature is submitted along with the final BAR.</p>		
<p>2.2. Alternatives Concerns regarding the visual impact/ impact on the sense of place that may result from the proposed development and the EAP/ Architects subsequent response thereto are noted. The Interested and affected Party (I&amp;AP) suggested that the placement of the proposed flats be reconsidered in a manner that minimizes the impact on the surrounding landscape and views. The motivation provided in the statement that the Single Residential II zoning makes provision for flats with a maximum height of 15m to the top of the roof, is not acceptable and it does not adequately address the impacts or the impact mitigation hierarchy, nor the concern that has been raised by the IA&amp;P. This aspect must be addressed, and a layout or design alternative must be considered based on the concern raised by</p>		<p>Please refer to the response above to the Groenkloof George Association is extracted from the Planning Options Report and the report should be read in full to get a greater understanding of the options explored and the progression to the preferred alternative layout. Please refer to the full Planning Options Report (Appendix Q) compiled by Janiel de Kock and the Visual Impact Assessment (Appendix G7) compiled by Eco-Thunder.</p>

<p>the public, that should at least be considered. Furthermore, you are required to elaborate on the aspect and how the input was considered and why the alternative proposed has not been considered based on the expected impacts.</p>		
<p>2.3. Need and Desirability Need and desirability of a proposed development depends a lot on the benefit to the broader society. The BAR and Planning Reports indicate that the proposed development include various housing aspects of the proposal will accommodate the mixture of income housing opportunities for which there is a demand. As is commonly known, there is a huge demand for middle-income housing opportunities in South Africa and undoubtedly in George as well. Kindly indicate whether this has been considered in any stage of planning for the proposed development. In this regard it must be clearly demonstrated how the relevant guidelines have been considered, inter alia: DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs.</p>		<p>Please refer to Appendix M1 – Socio-Economic Perspective, Appendix M2 – Socio-Economic Impact Assessment and Appendix N – Planning Report Additionally, please also refer to Appendix K1 – Need and desirability 2013 (as per the BAR template requirements) and Appendix K2 - Need and desirability 2017 (as requested by the DEADP comment 2.3)</p> <p>The flats component of the proposal aims to provide opportunities in the middle-income housing sector. the developer has recognized the need and provides 84 flats in different blocks as part of the project, priced between R 1 600 000 to R 1 900 000. It should be noted that a project of this nature is cost-sensitive in terms of its cash flow and timing to get on the market with its product, especially with units at these prices. Any number less than the proposed 84 will have a severe impact on the viability of the project and so would an increase in the number as well.</p> <p>DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs: This guideline forms the backbone of the required content of a BAR and is therefore addressed in the BAR. Additionally, please refer to Appendix M which touches on the Socio and economic aspects of the proposal, Section 11 shows how the proposal's need and desirability is aligned with the George SDF (2023), together with a Housing Market Study (2022) conducted by the WC DEA&amp;DP, as well as how the proposal will contribute economically.</p> <p>The indicators for involving both social assessment specialists and economists are not applicable to this proposal due to the private nature of the property in addition to other factors. Even so both social and economic aspects (income, jobs, housing provision) are addressed in detail in both the BAR and supporting documents.</p> <p>Notwithstanding the above, due to population growth and people moving to the Garden Route from other provinces, there will always be a demand for housing across all income sectors. Additionally South Africa has one of the largest unemployment rates globally and</p>

<p>Guideline for involving social assessment specialists in the EIA process, February 2007.</p> <p>Guideline for involving economists in the EIA process, June 2005.</p>		<p>this proposal will see an injection of capital to businesses that provide materials and services to undertake the development as well as provide many temporary job opportunities during the construction phase and permanent jobs during the operational phase (please refer to Appendix M for the actual figures related to the cost of development and job opportunities which will be created).</p>
<p>2.4.</p> <p>Phasing of Services</p> <p>Your confirmation of services from the George Municipality: Directorate: Civil Engineering Services (File Ref: Erf 21/195, George) dated 25 July 2023 is noted. However, the letter refers to upgrades (to water and sewage) that is required to support the proposed development in its entirety and indicates that a phased implementation will be applied to the proposed development. The BAR also states that the services will be provided in four phases from south to north. Please provide this Directorate with clarity regarding the phases (how many units will each phase consist of and which upgrades will be required for each phase). The information on the upgrades must clearly demonstrate whether any of the upgrades require Environmental Authorisation (EA).</p> <p>IMPORTANT: It is reiterated that the final BAR to be submitted to</p>		<p>Please refer to Appendix E16 for the updated confirmation of services letters from the George Municipality.</p> <p>In terms of the upgrades underway by the municipality, no additional upgrades are required that require Environmental Authorisation which have not already been undertaken by the municipality as the upgrades are not directly related to this proposal but instead at increasing the overall capacity of the municipal bulk services infrastructure.</p> <p>Please also refer to Appendix B1.2 for the phasing approach for the proposal.</p>  <p><b>BUILDING AND CIVIL WORKS PHASING PLAN PHASE 1</b></p>

<p>this Directorate must contain a letter from the George Municipality (Civil Engineering Services; Electrotechnical Services &amp; Community Services) clearly stipulating that sufficient unallocated capacity exists in all the respective Municipal services to provide the proposal with all the required services without compromising existing services delivery. Please be sure to address the bulk engineering services and reticulation infrastructure.</p>		<ul style="list-style-type: none"> <li>• A1 Town houses (2- and 3-bedroom units) 44</li> <li>• Apartments/flats (1-,2- and 3-bedroom units) 84</li> </ul> <p>Total number of dwelling units <b>128</b> (Note: 10 x 1-bedroom suites in the historic precinct and the 9 x 2-bedroom flats in the commercial zone are not included in this total).</p> <p><b>PHASE 2</b></p> <ul style="list-style-type: none"> <li>• D and E Group housing (2- and 3-bedroom units) 58</li> <li>• F Single residential stands 33</li> </ul> <p>Total number of dwelling units <b>91</b></p> <p><b>PHASE 3</b></p> <ul style="list-style-type: none"> <li>• F Single residential stands 28</li> <li>• G Group housing (2- and 3-bedroom units) 5</li> </ul> <p>Total number of dwelling units <b>33</b></p> <p><b>PHASE 4</b></p> <ul style="list-style-type: none"> <li>• F Single residential stands 18</li> <li>• D and E Group housing (2- and 3-bedroom units) 42</li> </ul> <p>Total number of dwelling units <b>60</b> TOTAL NUMBER OF UNITS INCLUDED IN ALL 4 PHASES <b>312</b></p>
<p>2.5. Stormwater management The draft BAR indicates that stormwater management will be according to recommendations contained in the Red Book i.e., Guidelines for Human Settlement Planning and Design as compiled by the CSIR. It further indicates that the principals of Sustainable Urban Drainage Systems (SuDS) will be considered to minimise the amount and impact of stormwater leaving the site. In addition to the above, the</p>		<p>Please refer to Appendix P for the requested preliminary stormwater management plan and the George Municipality's response to the proposed designs of the plan.</p> <p>In terms of preventing contaminated stormwater entering the river, please refer to the Stormwater Management Plan compiled by the Freshwater Specialists in accordance with the Engineer's designs, while the focus is on energy dissipation, the measures to achieve this will also greatly reduce the likelihood of contaminated runoff leaving the site as sediment and other contaminants will be caught in the dissipation and stilling structures.</p> <p>All recommended mitigation measures from the specialists have been incorporated into the EMPr.</p>

services report also indicate that during the detail design phase, storm runoff from catchment areas will be calculated and catchpit inlets will be positioned and sized to match runoff volumes. The capacity of road kerbs will also be checked against major runoff volumes. Stormwater servitudes will be provided between erven where necessary to accommodate overland open channels with sufficient capacity to carry major storm runoff from the edge of the road to the nearest natural watercourse.

Although it is understood that the final detailed information regarding the stormwater management will not be available at this stage, it is required that at least a preliminary stormwater management plan be included in the final BAR in order for this Directorate to make an informed decision. Further to this, the George Municipality: Civil Engineering Services must provide written input on this aspect and confirm that the proposed designs conform to their standards.

Please be advised that due to the watercourse located in proximity of the site, it important that the stormwater design is

done in such a way as to ensure that the runoff from the development is not contaminated before entering the surrounding area. Very clear mitigation measures should be included in the report and Environmental Management Programme to ensure that this cumulative impact can be adequately mitigated.		
<p>2.6. Access</p> <p>According to the Traffic Impact Assessment (TIA), the intersection at Glenwood Avenue will be insufficient to provide access to the proposed development. Instead, the TIA indicates that the developments obtain access from Road 5 instead of Road 2 and a secondary access will be provided to the Kraaibosch Development Area, ( i.e. Road 5.1). Kindly elaborate on whether this would be in line with the overarching Kraaibosch Roads Masterplan for the Kraaibosch area and ensure the George Municipality: Civil Engineering Services provide written input on this aspect and confirm that the proposed designs conform to the standards that have been set.</p>		Please refer to the letter from the George Municipality attached to the front of the TIA (Appendix O)
<p>2.7. Solid Waste Management</p> <p>The draft BAR states that the collection of the waste will be by</p>		Please refer to Appendix E16. The letter dated 5 December 2024, from the George Municipality confirms Refuse Collection has the capacity and will render services for the proposal.

<p>mutual agreement between the Developer and the Local Authority. You are required to consult the George Municipality: Community Services (Refuse Removal &amp; Waste Management) and obtain written input on this aspect. Kindly include the availability of solid waste capacity from the Municipality in the confirmation of Services.</p>		
<p>2.8. Synchronising applications in terms of other applicable legislation with the EIA process National Water Act, 1998 (Act No 36 of 1998) ("NWA") Upstream Consulting was appointed to compile the Freshwater Assessment and address any requirements in terms of the NWA. You are hereby reminded that sub-section 24C(11) to the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") which requires that "a person who requires an environmental authorisation which also involves an activity that requires a licence or permit in terms of any of the specific environmental management Acts (i.e., NWA), must simultaneously submit those applications to the relevant competent authority or licensing authority, as the case may be,</p>		<p>The water use license application is underway, the processes are therefore synchronised. Please refer to Appendix G2.2 for the confirmation of the WULA application.</p>

<p>indicating in each application all other licences, authorisations and permits applied for".</p> <p>The required synchronisation has not been demonstrated on the DBAR and supporting documents.</p> <p>You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation. Kindly ensure that the final BAR contains a final recommendation from the Breede-Olifants Catchment Management Agency (BOCMA) indicating whether there are any reasons why a water use license cannot be issued for the proposed development</p> <p>National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA")</p> <p>The comment from Heritage Western Cape ("HWC") is noted and requests the submission of a consolidated plan showing the proposed development within the context of approved developments adjacent to the site (to illustrate the proposal in context). Advise whether this was done and whether there were</p>		
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any further inputs received from HWC.		
<p>3. BAR Requirements</p> <p>The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 and must also include the information requested in this letter. Failure to submit any information prescribed in Appendix 1 of GN No. R. 982 may result in Environmental Authorisation being refused.</p> <p>The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, GN No. R. 982 of 4 December 2014. In accordance with Regulation 19 of GN No. R. 982 of 4 December 2014, the Department hereby stipulates that the BAR must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department, calculated from 2 October 2024.</p> <p>However, if significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days</p>		<p>This is understood</p>

<p>must include a minimum 30-day commenting period to allow registered I&amp;APs to comment on the revised report/additional information.</p> <p>If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted, and the prescribed application fee would have to be paid again.</p> <p>4.</p> <p>Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.</p> <p>5.</p> <p>Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>6.</p> <p>The Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.</p>		
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<p><i>CapeNature has the following comments:</i></p> <p>1. Most of the surrounding area has been transformed by residential development. The rehabilitation of degraded CBAs will most likely be low. However, considering the hydrological network, it may be worth rehabilitating the degraded ESA that falls outside the proposed development plan (Pool-Stanvliet et al. 2017).</p>	<p><b>Megan Simons</b></p> <p><b>CapeNature</b></p> <p><b>20 November 2024</b></p>	<p>These areas will be rehabilitated by keeping clear of alien vegetation and allowing the indigenous vegetation to re-establish.</p>
<p>2. It is understood that the high sensitive areas which included the watercourse and steep slopes will not be developed and treated as no-go areas. Thus, the proposed development must not have any negative impacts on these areas.</p>		<p>This is correct, these areas are No-Go areas for the development of houses however open space appropriate activities such as walking paths may be in use at a latter stage. The implementation of the specialist recommendations will mitigate the potential negative impacts.</p>
<p>3. The SWSA for the Outeniqua region is of national importance and their ecological functioning must be protected and maintained (Le Maitre et al. 2018)5. The property is within an important hydrological area therefore the smaller stream networks need to be managed especially the quality to ensure downstream ecosystems are not negatively</p>		<p>This is inline with the mitigation measures in the EMPr and the appointed ECO will be responsible for reporting on the compliance with the EMPr.</p>

affected. Furthermore, the Environmental Control Officer should ensure that the proposed development remains outside the 12 m aquatic buffer.		
4. Soil erosion control measures, water and pollution run-off must be strictly implemented. All runoffs must be managed in a manner as to minimise or prevent erosion.		This is in line with the proposed stormwater management plan and the recommendations of the aquatic specialist and forms part of the designs and mitigation measures.
5. Invasive alien species have numerous negative impacts on ecosystem functioning. Removal of invasive alien plant species should be compliant with the National Environmental Management: Biodiversity Act (Act No.10 of 2004)6. Furthermore, we recommend aliens outside of the proposed area, also be removed during the alien clearing phase.		Alien clearing has been undertaken on the property and will continue through all phases of the development.
PPP 23 February 2024 – 25 March 2024		

<p>1. Firstly, it has come to our attention that part of the proposed development includes a three-story building. Our reference is displayed above from information obtained from your website. we must emphasize that our estate, Groenkloof, has historically maintained a certain architectural aesthetic characterized by predominantly stand alone residential units and maximum, two-story residential buildings. introducing a three-story structure into our neighbourhood would disrupt this harmony and detract</p>	<p>Jan Fourie  Groenkloof George Association   18 March 2024</p>	<p>According to the Architect: Single Residential Zone II (estate housing) allows for flats with a maximum height of 15m to the top of the roof. Business Zone III allows for a neighbourhood shop with flats on the first floor with a maximum height of 8.5m. However, in discussions with the municipality the municipal planners indicated that they would limit the height of the flats to 12m. The design complies with this height restriction and it should also be noted that the ground floor of the apartments will be about one storey below the road level resulting in the apartments roof level being similar to that of the neighbouring 2-storey buildings across the road. The neighbourhood shop building of two storeys will have a fragmented plan form and will not be one long structure as recommended by the municipal planners. These requirements were imposed by taking into account the surrounding buildings and sound urban design within the objectives of applicable spatial planning.</p> <p>The height of two storey commercial building will be restricted to 8.5 m, which is the height of a normal two storey dwelling with a pitched roof which is already part of the urban fabric in the area. The height of the 3-storey apartment building will be at a lower ground level than the neighbouring buildings (see explanation above) and was deliberately placed opposite the non-residential two-storey buildings in an effort not to obstruct the views of the single residential properties in Groenkloof.</p> <p>The proposal is a good use of open space, it allows for economic growth and opportunities and eventually all the surrounding areas will become developed to maximise density. All this will be taken into consideration when town-planning makes their decision on approving the new tall structures.</p>
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<p>from the overall visual appeal of our surroundings.</p> <p>2. Moreover, the construction of a three-story building directly opposite the Groenkloof Eden development raises significant concerns regarding the impact on the residents' views and property values. The residents of Groenkloof Eden will enjoy a view of the Outeniqua mountain, which contributes greatly to the desirability and value of their properties. introducing a tall structure that obstructs or diminishes this view would undoubtedly have adverse effects on their quality of life and property investments.</p> <p>3. We understand that progress and development are inevitable, but we firmly believe that any new constructions must be sensitive to the existing environment and respectful of the concerns of the local community. With this in mind, we kindly request that you reconsider the design of the proposed three-story building and explore alternatives that would better integrate with the surrounding landscape.</p> <p>4. Specifically, we propose that the three-story building be</p>		
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<p>redesigned as a two-story structure. This adjustment would not only preserve the architectural integrity of our neighbourhood but also alleviate the concerns regarding the impact on views and property values.</p> <p>5. In conclusion, we urge you to take our concerns into serious consideration during the planning stages of this development. We are open to constructive dialogue and collaboration to find a mutually beneficial solution that respects the interests of all stakeholders involved.</p>		
COMMENT	NAME/ORGANISATION	RESPONSE
<p>1. It is noticed that the stormwater along Pieterkoen Crescent on the western side of the development have an underground stormwater system on the western side of the road. Our concern is that the larger stormwater events will not be intercepted by this</p>	<p>Gerrie Earl</p> <p>EARP Construction</p> <p>11 March 2024</p>	<p>According to the Civil Engineer: The agreement is that the underground system will discharge water to the spreader outlet. Water will then flow from erf 21 to erf 88 through erf 88's wire fence. The outlet was situated north enough to not influence erf 88 erven or walls. With a slope change to PieterKoen Crescent the large stormwater events will be directed further north.</p>

<p>system and stormwater will enter the erven on the western perimeter of the Erf 21/195 development via driveways and over kerbs. This will result in large quantities of stormwater collecting along the newly built eastern perimeter wall of Erf 88/195 and could cause damage to the wall and flood the eastern erven of Erf 88/195 along this wall.</p>		
<p>2. It is requested that the developer of Erf 21/195 rather install the stormwater system along Pieterkoen Crescent, on the eastern side of the road, by creating a cross fall in the road from west to east. The larger stormwater events will hence be directed to flow along the eastern side of the road to the low points (north &amp; south) in Pieterkoen Crescent where the stormwater will be discharged away from the eastern perimeter of Erf 88/195.</p>		<p>According to the Civil Engineer: Changing the road slope to against the contours will direct the stormwater North.</p>
<p>3. It is further noticed that a sewer pipe is proposed along the western perimeter of Erf 21/195. This sewer pipe is to be a minimum 1,5m away from the perimeter wall of Erf 88/195 to prevent undermining of perimeter wall foundation during construction of sewer pipe.</p>		<p>According to the Civil Engineer: Correct, the sewer pipe is 1,5 meters away from boundary.</p> <p>The agreement is that the underground system will discharge water to the spreader outlet. Water will then flow from erf 21 to erf 88 through erf 88's wire fence. The outlet was situated north enough to not influence erf 88 erven or walls. With a slope change to PieterKoen Crescent the large stormwater events will be directed further north.</p>

4. No backfilling will be allowed against the perimeter wall of Erf 88/195 as the wall was not designed nor constructed as a retaining wall.		
5. Pieter Koen Crescent cross slope to be against the contour in order to direct the large stormwater events that do not enter the underground stormwater system along the road.		According to the Civil Engineer: The road slope change could be done.
6. If part of the parking area stormwater is directed to perimeter wall of Erf 88/195 a stormwater system needs to be provided here.		According to the Civil Engineer: This is detail engineering which is not considered at present, but a system as proposed will in all likelihood be required/provided.
7. Glenwood Road will be widened by Erf 88/195 developer and stormwater culvert extended. Erf 21/195 developer to connect to extended road stormwater culvert and not to discharge stormwater in wetland as groundwater will infiltrate Erf 88/195.		According to the Civil Engineer: The natural fall at this point is away from Erf 88/195 and should therefore, not result in infiltration towards Erf 88/195. If the culvert is available at the time of construction of Erf 21/195 connection to it can be considered. This will depend on available falls etc.
8. Stormwater system and especially larger stormwater events not entering the system shall not be directed towards Erf 88/195 but rather to the northern low point of Erf 21/195 and is then recommended to be directed to the valley on the east side of Erf 21/195 in order to cross the Saasveld Road via an existing culvert		According to the Civil Engineer: The agreement is that the underground system will discharge water to the spreader outlet. Water will then flow from Erf 21/195 to Erf 88/195 through Erf 88/195's wire fence. The outlet was situated North enough to not influence any of Erf 88/195's erven or walls. With a slope change to Pieter Koen Crescent the large stormwater events will be directed further north.

rather than plunging in waterfall style onto the Saasveld Road.		
COMMENT	NAME/ORGANISATION	RESPONSE
<p>I am writing to formally object to the planning proposal for Portion 21 of Farm 195 Kraaibosch (Pieter Koen Trust), George, Western Cape, specifically in relation to the area marked 'B' on the site map, which pertains to the designation of business zone 3 for a neighborhood shop with 9 flats above and a daycare/preschool facility.</p> <p>My objection primarily concerns the proposed height of the building. It has come to my attention that the proposed height of 12 meters would have significant negative impacts on neighboring properties, including ours. The towering structure would not only disrupt the surrounding landscape but also obstruct the picturesque view of the mountain that currently adds to the charm of the area.</p>	<p>Melinda Moretti Registered I&amp;AP 18 April 2024 (late comment)</p>	<ul style="list-style-type: none"> <li>- Please Refer to the town planning and urban design principles in the Planning Report, MSDF and George Integrated Zoning Scheme references and the VIA.</li> <li>- The buildings in the commercial zone have a height restriction of 8,5m (not 12m) and is limited to two storeys.</li> <li>- The combined street frontage of the creche and commercial buildings is 50m and the combined street boundary of these two sites is 100m. The resultant potential obstruction represents 50% interference of the view directly from across the road and will not "totally obliterate the mountain view". Furthermore, the middle 100m wide street frontage between the creche and apartments, has been earmarked for the access road and development of landscaped open space, devoid of any buildings. The visual impact of an individual building should not be considered in isolation, but be assessed in its proposed context and in its relation to the existing developed landscape in the area.</li> <li>- The buildings will not obstruct sunlight from the North to the extent claimed. A technical analysis will prove that that the maximum shadow cast on 30 June will be 13,09m. The shadow will only reach the site boundary, or slightly beyond.</li> <li>- Please also refer to Appendix Q which includes visual representations of the relative heights and profile of the proposed development.</li> </ul>

<p>Furthermore, the proposed development would not be aesthetically pleasing and would deteriorate the pleasant country feeling that the area currently offers. The visual impact of such a large and overpowering structure would be detrimental to the character of the neighborhood.</p> <p>I would like to ask the developers to please reconsider the placement of the additional flats in a manner that minimizes the impact on the surrounding landscape and views. Specifically, I suggest exploring alternative locations within the property where the contours of the land are closer, and the addition of flats would not significantly alter the overall view of the area. The proposed building would totally obliterate the mountain view and will obstruct the sunlight from the North.</p> <p>By considering alternative placement options for the additional flats, the developers can mitigate the negative impacts on neighboring properties and preserve the natural beauty and charm of the area.</p>		
COMMENT	NAME/ORGANISATION	RESPONSE

<p>1. There are several watercourses, wetlands, streams and rivers, that were identified in the development site, thus the proposed residential development occurs within the regulated area of a watercourse, it triggers water uses in terms of section 211 &amp; (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:</p> <p><i>(a) The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;</i></p> <p><i>(b) In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to</i></p>	<p>SI Ndlovu</p> <p>Breede-Olifants Catchment Management Agency</p> <p>8 March 2024</p>	<p>This is understood, Upstream consulting was appointed to compile the Freshwater Assessment and address any requirements in terms of the NWA. The water use licensing process is underway. The reference number for the WULA is: WU35086</p>
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<p><i>compliance to section 144 of the Act); or</i>  <i>1 A 500 m radius from the delineated boundary (extent) of any wetland or pan.</i></p>		
<p>2. Please note that no water shall be derived from any water resource and used on Remainder of Portion 21 of Farm Kraaibosch 195 for any purposes 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).</p> <p>3. The water supply of the proposed residential development that will be provided for by a Water Services Provider (WSP) i.e. municipality, there must be an agreement in place between the user and the municipality and water charges must be paid directly to the municipality.</p>		<p>This is understood, please refer to the Municipal confirmation of services letter which was attached to the BAR as Appendix L3.</p>
<p>4. The Applicant must ensure that no contaminated stormwater from the development is discharged into the wetlands, streams and rivers adjacent to the development site.</p>		<p>Only surface runoff is directed into the stormwater management system which dissipates to the flow energy before it is directed into the watercourse</p>
<p>5. The applicant is advised to take all reasonable control measures to prevent any movement of soils that might</p>		<p>The implementation of the EMPr during the construction phase will mitigate this potential impact.</p>

cause sedimentation of the Swart river and its tributaries during the construction phase of the development.		
6. Please note that if there will be storage of oil, diesel, hydraulic fluids and/or grease onsite used for construction heavy machinery; it is recommended that the storage areas for these fluids be bunded with cement and in such a manner that any spillages can be contained and reclaimed without causing any pollution to the ground and surface water resources.		This is a mitigation measure within the EMP and will be implemented during the construction phase.
7. 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 period not		A WULA has been lodged for the proposal.

<p>exceeding five years or both such a fine and imprisonment.</p> <p>8. 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 proposed development.</p>		
COMMENT	NAME/ORGANISATION	RESPONSE
<p>As Strategic Development Advisor to prospective Developers and Industrialists, I value being informed and up to date on any Development and be informed of the Environmental and other issues which may be identified on planned developments. These enable me to advise Clients and Authorities on aspects affecting planned Development.</p> <p>I am also one of the Core Lead-members of the Southern Cape Property Development Forum (SCPDF). For the latter I am in the process of creating a Development Update document wherein the plan is to reflect all known Developments (of size) which becomes a very handy source/repository of reference</p>	<p>Frans van der Walt 26 February 2024</p>	<p>Thank you for registering as an Interested and Affected party.</p>

for Developers, Authorities and Consultants, etc. Early identification of development and related challenges and obstacles is an important tool for Developers and authorities.		
COMMENT	NAME/ORGANISATION	RESPONSE
<p>1. The abovementioned report received by the Directorate: Development Management (Region 3) hereinafter referred to as "this Directorate" on 24 February 2024, refers.</p> <p>2. Kindly accept this Directorate's sincere apologies for the delay in responding to the above-mentioned report. The case has been re-assigned due to the fact that the previous case officer has resigned.</p> <p>3. This Directorate has reviewed the report and comment as follows:</p> <p>3.1. It is understood from the Notice of Intent (NOI) that was previously submitted that neither the Environmental Assessment Practitioner (EAP) nor the specialist contested the "very high" sensitivity rating of the terrestrial sensitivity theme and therefore a Terrestrial Biodiversity Assessment will be undertaken as part of the assessment process. The pre-application BAR however contains a</p>	<p>Department of Environmental Affairs and Development Planning Directorate: Development Management, Region 3.</p> <p>Shireen Pullen</p> <p>09 July 2024</p>	<p>3.1. Please note that the Section 3.1.3. of the Biodiversity Protocols indicates that: <i>where the information gathered from the site sensitivity verification differs from the designation of "very high" terrestrial biodiversity sensitivity on the screening tool and it is found to be of a "low" sensitivity, then a Terrestrial Biodiversity Compliance Statement must be submitted.</i></p> <p>When referring to the page 10 of the Terrestrial Biodiversity Compliance Statement, compiled by Jonathan Colville (PhD) – Terrestrial Ecologist &amp; Faunal Surveys and Callan Cohen (PhD) – Birding Africa, the specialists indicate that: <i>"The screening tool indicated "Very High" sensitivity for the terrestrial biodiversity theme. Given the highly disturbed and transformed nature of the proposed development area, it is the opinion of the specialists, that the site is of Low sensitivity."</i></p> <p>The specialist input therefore does comply with the protocol.</p>

terrestrial compliance statement instead of a specialist report, which is in non-compliance with the protocol. Kindly ensure that this protocol is complied with going forward in the process.		
3.2. It is noted from the services report which civil services are available for the proposed development, however, the availability of services must be confirmed in writing by George Municipality: Technical Services that there is sufficient unallocated capacity available to provide the proposed development proposal with all the required services.		Please refer to Appendix E16 and L3, which was attached to the Pre-Application BAR, for the confirmation of services letter from the George Municipality.
3.3. In addition to the above, you are also required to consider resource conservation measures as part of the proposed development. Such measures should be incorporated into the design of the development proposal.		<p>Resources to conserve:</p> <p>Water: This is applicable during the operational phase and has become building regulations to fit low flow water fixtures to the internal of the house. Two flush toilets. Rainwater harvesting to water gardens</p> <p>Energy: Most appliances have to be energy efficient. CFL and LED bulbs will be used which are low consumption. Solar panels?</p> <p>Waste minimisation: Implementation of the Integrated waste management in the EMPr during the construction phase. Operational Phase the municipality requires the separation of waste for collection</p> <p>Pollution prevention: Incorporation of the specialist recommendations into the EMPr and Development designs will mitigation and reduce potential pollution.</p>

<p>3.4. The property contains a watercourse which will be affected during the development and stormwater will be fed into the streams and river system along a wide front allowing dissipated flow and seepage to all areas. It is therefore important that the stormwater design is done in such a manner to ensure that the runoff from the development is not contaminated, before entering the streams or system (Swart River) in the surrounding area. Specific mitigation measures should be included in the Environmental Management Programme to ensure that the cumulative impact of stormwater on the quality of water in the streams and river system be adequately mitigated.</p>		<p>All recommendations contained in the freshwater Impact assessment have been included into the EMPr and designs of the development to mitigate impacts on the river.</p>
<p>3.5. The proposed development encroaches onto Ecological Support Area (ESA) 1 and 2, also mapped as ESA 1 and 2, despite the finding of the Botanical Assessment that the site is severely degraded. The specialist further states that it is not expected that the</p>		<p>CapeNature was given an opportunity to provide comments on the proposal. In terms of Regulation 3.4 of the NEMA EIA regulations, as amended, it will be regarded that CapeNature has no comments.</p>

proposed development will impact on the functionality of the biodiversity network. Cape Nature as custodian of biodiversity in the Western Cape must however confirm the findings of the specialist.		
3.6. The Botanical Assessment also recommends as a mitigation measure that a fire break needs to be established and maintained around the development site. Kindly include the Southern Cape Fire Protection Agency (SCFPA) in the list of interested and affected parties in order to provide comment on the proposed development.		The Southern Cape Fire Protection Agency (SCFPA) has been added to the I&AP list.
3.7. Synchronisation of processes 3.7.1. National Water Act, Act No. 36 of 1998 ("NWA") You are hereby reminded that sub-section 24C(11) to the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") which requires that "a person who requires an environmental authorisation which also involves an activity that requires a licence or permit in terms of any of the specific environmental management Acts (i.e., NWA), must simultaneously submit those applications to the		This is understood and will be included with the Final BAR submission.

<p>relevant competent authority or licensing authority, as the case may be, indicating in each application all other licences, authorisations and permits applied for".</p> <p>In light of the above, please advise the appointed Environmental Assessment Practitioner (EAP) and the consultant responsible for the Water Use License ("WUL") process to liaise; and consult with the relevant authority, the Breede-Olifants Catchment Management Agency ("BOCMA") urgently. It is strongly advised that the EAP also include the BOCMA in the pre-application meeting with this Department.</p> <p>Please be advised of the required synchronisation between the EIA process and the Water Use License Application ("WULA") process (if the latter is required). You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.</p> <p>All specialist reports submitted as part of the BAR (including</p>		
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<p>those submitted for consideration and which also may form part of the WULA) must comply with the requirements of Appendix 6 of the Environmental Impact Assessment Regulations 2014. Also note that the final BAR must have a final recommendation from the BOCMA indicating whether there are any reasons why a WULA cannot be issued for the proposed development.</p>		
<p>3.7.2. National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA") You are reminded that section 38 of the NHRA sets out the requirements regarding the integration of the decision-making process with that of the EIA Regulations 2014, however, under the provision that the necessary information is submitted and any comments and recommendations of the relevant heritage resources authority (HWC) with regard to such development have been provided and taken into account prior to the granting of the authorisation. Kindly be reminded that, if Section 38 of the NHRA is triggered, the Standard Operating Procedure between Heritage Western</p>		<p>A HIA has been undertaken (attached to the pre-application BAR as Appendix G5a and G5b). HWC Rod will be included with the Final BAR. HWC final comment is attached as Appendix E1.</p>

<p>Cape and this Department must be followed. If Section 38 is applicable to the proposed development, then the proponent/applicant is required to submit a Notice of Intent to Develop ("NID") to Heritage Western Cape and attach a copy to thereof to the EIA application form. If Heritage Western Cape requires a Heritage Impact Assessment, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the EIA Regulations, 2014.</p>		
<p>3.8. Section E pertaining to Need and Desirability of the proposal is noted. However, it is clear that this section only partially addresses some of the key questions listed on pages 10 – 18 of the Department's Guideline on Need and Desirability (March 2013). It is of outmost importance that the proponent/EAP specifically and explicitly demonstrates how the need and desirability considerations in the said guideline have been taken into account by comprehensively addressing these key questions in the final BAR that will be submitted.</p>		<p>Please refer to Appendix K</p>

