

# COMMENTS AND RESPONSE REPORT

## PROPOSED MIXED-USE DEVELOPMENT ON ERF 998 AND THE REMAINDER OF THE FARM ZANDHOOGTE NO. 139, TERGNIET, WESTERN CAPE

COMMENT	NAME/ORGANISATION	RESPONSE	#
<b>Draft BAR PPP</b>			
<p>1. The Draft Basic Assessment Report dated 14 November 2024 compiled on your behalf by your appointed Environmental Assessment Practitioner ("EAP"), Mr. Michael Bennett (EAPASA No: 2021/3163) of <i>Sharpley Environmental Services cc</i> ("SES"), and received by the Department on 25 November 2024, refers.</p> <p>This Directorate: Development Management (Region 3) ("this Directorate") has reviewed the Draft Basic Assessment Report ("DBAR") and provides the following comment: <i>Need and Desirability of the proposed development</i></p> <p>This Directorate has reviewed the Socio-Economic Assessment submitted as part of the DBAR. According to the information the property has been earmarked as a large business node within the Mossel Bay Municipality Spatial Development Framework (2022) ("SDF"). Furthermore, it is noted that the assessment indicates that the proposed development is feasible from a demand perspective with due consideration of the existing and authorised retail centres within a 5km radius of the proposed site. Notwithstanding the 5km radius please be informed that the Department recently authorised the development of the 20 000m<sup>2</sup> Gross Leasable Area ("GLA") Garden Walk retail centre which is located less than 10km from the proposed mixed-use development.</p> <p>In light of the above, you are advised to include the proposed Garden Walk retail centre in the current retail supply calculations and in the determination of the net Effective demand ("NED") for retail.</p>	<p><b>Steve Kleinhans</b></p> <p><b>Department of Environmental Affairs and Development Planning</b> <b>Directorate: Development Management, Region 3</b></p> <p><b>24 January 2024</b></p>	<p>Please refer to the revised Socio-Economic Impact Assessment (Appendix G9)</p>	
<p>2.2. Confirmation of Municipal Services and Municipal Service Agreement:</p>		<p>Please note the confirmation of bulk services letter from the municipality will be included with the final BAR.</p>	

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<p>Please be reminded that this Department will require official written confirmation from the Mossel Bay Municipality regarding availability of unallocated bulk services (i.e. potable water supply; wastewater treatment capacity; disposal of solid waste; etc.) to service total demand for the proposal, or sufficient approved unallocated capacity able to accommodate the abovementioned application in future. This includes capacity of the existing network infrastructure to accommodate the proposed development on the municipal network. Any additional expansion of the services already approved of by the environmental authority, but not yet effected must be highlighted.</p> <ul style="list-style-type: none"> <li>Stormwater management</li> </ul> <p>According to the Civil Engineering Services Report (Ref: 22-160_R2 (Rev2)) dated 3 May 2024 and compiled by Urban Engineering Consulting Civil and Structural Engineers, due to topography of the site, the lack of existing stormwater infrastructure in the area and the environmental benefits, it is proposed that the stormwater generated by the proposed development be managed by a Sustainable Urban Drainage System ("SUDS") rather than a conventional stormwater system. This will be done by means of "Source Controls" (e.g. rainwater harvesting tanks, permeable pavements), "Local Controls" (e.g. grassed swales, infiltration trenches) and "Regional Controls" (e.g. constructed wetlands, detention and retention ponds).</p> <p>Considering the above, you are required to provide this Department with a site layout plan depicting the proposed SUDS systems. The proposed conservation corridor must be free of such stormwater control measures/structures to ensure that the conservation management outcomes are feasible and achievable within the proposed corridor. If this is not the intention of the corridor, then the space must be reevaluated and described for the utility use.</p>		<p>The requested SUDS layout cannot be compiled at this stage as the application is for a zoning map, as such there is not enough detail for such a plan to be developed.</p> <p>The recommendations of the Engineering are incorporated into the BAR and the buyers of each erf will therefor be bound to adopt the SUDS system. Additionally, the municipality will not approve the zoning and infrastructure if it does not conform to their standards. The system will therefore be governed by the municipal standards, and we believe does not need to be provided for the purpose of this application.</p>	
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<p>Please be advised that the civil engineering services aspect is crucial in the consideration of the application for environmental authorisation. Failure to provide the information may prejudice the success of the application for environmental authorisation.</p>			
<p>2.3. Upgrades to the existing road network: From the information it is understood that a traffic circle on Divisional Road 1578 ("DR1578") will be required in order to have an acceptable Level of Service ("LOS"). Furthermore, the existing Main Road 344 ("MR344") / DR1578 intersection is also proposed to be upgraded to a turning circle. In this regard, the comment from the Mossel Bay Municipality: Spatial Planning indicates that turning circles must be included in the layout if deemed necessary by the appointed traffic engineer. Please be advised that the management authority for DR1578 is the Western Cape Government: Department of Infrastructure – Road Planning. As such, you are required to obtain the written comment / approval from the said authority regarding the upgrades of the road network. Furthermore, according to the drawing Existing and Proposed new Sewer Reticulation (Drawing No: 22-160-02; Rev. 1) dated May 2024 and drafted by Urban Engineering Consulting Civil and Structural Engineers the sewage from the proposed development will be pumped to an existing pumpstation on Erf 1402 (Zandhoogte Estate) located south of the MR344. It is presumed that the MR344 will be crossed by means of Horizontal Directional Drilling ("HDD"). As such, the road authority must also provide comment on the proposed crossing of the MR344.</p>		<p>Please refer to the comment from Jaco Roux from the Mossel Bay municipality which endorses the TIA and the proposal.</p> <p>Western Cape Government: Department of Infrastructure – Road Planning has been added to the I&amp;AP register and will be requested to provide comment on the proposal.</p>	
<p>2.4. Development along boundary with the N2 National Road: Notwithstanding that a corridor is proposed in the north of the proposed site, the development site borders on the N2 National Road. In this regard, you are required to consult with the South African National Roads Agency Limited ("SANRAL") regarding</p>		<p>SANRAL has been included in all Notice of PPP and requested to comment.</p> <p>According to the Town Planner SANRAL has not been directly consulted regarding the fencing along the N2 road reserve. This</p>	

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<p>any requirements / restrictions in terms of fencing, visual screening and / or advertising along the N2 National Road.</p>		<p>matter will be dealt with after approval of the proposal. It does not make sense to talk at this stage with SANRAL about fencing if we do not have an approval. Once EA has been obtained and the applicant decides to continue with the development the town planner and team will consult SANRAL regarding their fencing requirements.</p> <p>It must also be noted that there is an existing fence that runs along the N2 road reserve in Tergniet and it is not likely that the exact placement of a new fence line (if required) will influence the implementation of the EA.</p>	
<p>2.5. Development within proximity to the Great Brak Wastewater Treatment Works: An analysis of the site and surrounding areas indicates that the entirety of the proposed mixed-use development is located within 700m from the Great Brak Wastewater Treatment Works ("WWTW") on Portion 40 of the farm Wolwedans No. 129. As such, you are required to consult with the Western Cape Government: Department of Health regarding the appropriateness of the proposed development in proximity to the WWTW.</p>		<p>The contact email address has been obtained for the Western Cape Government: Department of Health and will be requested to comment on the proposal.</p>	
<p>2.6. Visual Impact Assessment: This Directorate notes the findings of the Visual Impact Assessment ("VIA"). According to the findings the site has a moderate capacity to absorb the visual changes due to the existing semi-urban and agricultural landscape. Furthermore, the VIA indicates that the operational phase will introduce new structures and activities that will alter the landscape and potentially affect the sense of place for nearby residents. According to the VIA the visual impact is not anticipated to result in significant or irreversible</p>		<p>As discussed in the meeting held after the draft BAR PPP, it is impossible to draw up a Landscape plan at this stage and as such the visual specialist has incorporated some additional recommendations regarding appropriate vegetation screening guidelines that can be applied to the development at a later stage. The guidelines have been incorporated into the mitigation measures of the BAR and EMPr</p>	

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<p>disruption, with the implementation of key mitigation measures such as vegetative screening, landscape integration and lighting management.</p> <p>In light of the above, it is strongly advised that an Architectural and Landscaping Plan be compiled and included in the BAR to give effect to the mitigation measures identified in the VIA.</p>			
<p>2.7.</p> <p>Consideration of alternatives:</p> <p>With reference to Point 2.5 of this Directorate's letter (Ref: 16/3/3/6/7/1/D6/35/0113/21) of 25 June 2024 it is noted that the DBAR aims to address the comment provided by this Directorate. In this regard, please be advised that consideration must be given to socio-economic aspects of the proposed development as well as the impact of the proposed development on the biophysical environment.</p>		<p>Please refer to the Impact tables in the BAR as the Biophysical and Socio-economic aspects have been assessed</p>	
<p>2.8.</p> <p>Management of the proposed buffer area / corridor:</p> <p>Notwithstanding the differing opinions regarding the width of the proposed buffer area along the N2 National Road, the Botanical Comment dated 6 February 2024 by MB Botanical Surveys indicates that an important management measure for the buffer area / corridor would be to keep it clear from alien invasive species. Furthermore, it is recommended that alien invasive species must be cleared on an annual basis.</p> <p>The specialist recommends that the sides of the corridor facing away from the proposed development should not be fenced or alternatively a permeable fence should be erected to allow for the movement of small mammals. Furthermore, it is recommended that pedestrian traffic within the corridor should be minimised; however, if access is to be provided, a path network should be established.</p> <p>With due consideration of the recommendations provided in the specialist reports, a management plan for the buffer area / corridor must be compiled and included as part of the BAR.</p>		<p>The open space will be periodically cleared of alien vegetation, the frequency thereof will be undertaken in accordance with the recommendations of the botanical statement (yearly). Please refer to the Alien and Ecological Corridor Management Plan attached as Appendix D to the EMP.</p> <p>No pedestrian access will be encouraged at this stage.</p>	

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<p>3. Submission of Basic Assessment Report:</p> <p>The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014, and must also include and address any information requested in any previous correspondence in respect of this matter.</p> <p>Please be reminded that in accordance with Regulation 19 of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department. 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 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 90 days or 140 days, where an extension is applicable, 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.</p> <p>NOTE: Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.</p> <p>4.</p> <p>Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department.</p>			
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5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.			
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.			
<p>CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:</p> <p>According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet <i>et.al.</i> 2017)<sup>1</sup> a large section of the property is mapped as Ecological Support Areas (ESA 1: Terrestrial) and the remainder as Other Natural Areas (ONA). The property does not have any freshwater features mapped. According to the Vlok and de Villiers (2007)<sup>2</sup> fine scale maps the vegetation on the erf can be described as Hartenbos Strandveld. According to the National Biodiversity Assessment (Skowno <i>et al.</i> 2018)<sup>3</sup> the vegetation unit is Hartenbos Dune Thicket which is <b>Endangered</b> (NEM:BA, 2022)<sup>4</sup>. Following a review of the dBAR and specialists' reports, CapeNature wishes to make the following comments:</p> <p>1. The property is within a coastal corridor, which is an important ecological infrastructure. The proposed ecological corridor will lose its effectiveness if the properties to the west Furthermore, this would fragment the corridor and disrupt its connectivity, undermining its ecological value.</p>	<p><b>Cape Nature</b></p> <p><b>CONSERVATION INTELLIGENCE: LANDSCAPE EAST</b></p> <p><b>Megan Simons</b></p> <p><b>28 January 2025</b></p>		
2. The property lies south of the N2 and R102 and is surrounded by residential development. Thus, the ecological corridors in the area		We agree that the ecological corridors have been compromised by the development in the area. The	



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have been compromised due to the surrounding residential developments and linear infrastructure. Has an authority been identified for the restoration and maintenance of this corridor?		maintenance of the open space will be the responsibility of the landowner until it is sold off, ownership of the open space must still be determined as it will have to be linked to one of the potential buyers.	
3. The indigenous protected tree species namely, <i>Sideroxylon inerme</i> (milkwood) and <i>Pittosporum viridiflorum</i> (cheesewood) must not be disturbed or harmed without obtaining a permit from the Department of Environment, Forestry and Fisheries (DEFF). Prior to construction carefully mark the trees and have measures to protect these trees.		This is understood, I NFA license application will be undertaken if required.	
4. CapeNature reminds the applicant that all endangered species or protected species listed in Schedules 3 and 4 respectively, in terms of the Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000) may not be picked or removed without the relevant permit, which must be obtained from CapeNature. In conclusion, CapeNature does not object to this application as the site is not deemed sensitive from an ecological perspective due to it being transformed with limited connectivity and few natural remaining vegetation. A responsible authority should be identified to manage the conservation of the ecological corridor.		Thank you for your comments	
Your application dated 25 November 2024 has reference. The Breede-Olifants Catchment Management Agency (BOCMA) has evaluated the submitted documents and has the following comments: 1. Breede-Olifant Catchment Management Agency (BOCMA) acknowledges receipt of your application 25 November 2024 for the aforementioned activity, which was received by this office on November 25 , 2024. Based on an evaluation of the intended	<b>Breede-Olifants Catchment Management Agency</b>  <b>Tshembhani Ngobeni</b>  <b>13 January 2025</b>	Thank you for confirming that no water resources will be impacted by the proposal.	



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activity's has no impact on water resources, this office support the proposed construction of a mixed use development on Erf 998 and Portion 5 of the farm Zandhoogte No 139 (Portion of RE/139) Tergniet, Mossel Bay Local Municipality Western Cape Province.			
2. The proposed construction of a mixed use development on Erf 998 and portion 5 of the farm Zandhoogte No139 (Portion of RE/139) will not trigger Section 21 water uses of National Water Act 36 ( As amended)			
3. Please note no abstraction of surface or groundwater may take place or storage of water be created without prior authorisation from this office, unless it is a Schedule 1 or Existing Lawful Use as described in Section 32 of the National Water Act, 1998 (Act No. 36 of 1998) as amended.		This is understood	
4. A signed letter from the Mossel Bay Municipality must be provided to inform the office if the Municipality have capacity to accommodate a new development in terms of Bulk Services.		Confirmation of bulk services letter is being obtained	
5. Please ensure that no waste or water containing waste is disposed in a manner which may detrimentally impact on a water resource without authorisation from the National Water Act, 1998 (Act 36 of 1998) and other related legislations.		All reasonable measure will be implemented and implementation of the EMPr will mitigate these potential impacts	
6. The applicant should be aware that according to Section 19 (1) of the National Water Act, 1998 (Act No.36 of 1998), "an owner of land, a person in control of land or a person who occupies or uses the land on which (a) any activity or process is or was performed or undertaken; or (b) any other situation exists, which causes, has caused or is likely to cause pollution of a water resource, must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring". Any pollution incident(s) resulting from the discharge of treated effluent or any activity from		This is understood	

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the plant must be reported within 24 hours to the relevant authority.			
<p>7. No stormwater runoff from the application premises containing waste, or water containing waste emanating from any activity may be discharged into a water resource without prior treatment.</p> <p>8. All requirements as stipulated in the National Water Act, 1998 (Act No. 36 of 1998) regarding water use must be adhered to.</p> <p>9. These comments do not exempt you from complying with other relevant legislations and requirements of other governmental Departments. The BOCMA reserves the right to revise initial comments and request further information based on any additional information received.</p>		This is understood	
<p>1 Forestry is responsible for the implementation and the enforcement of the National Forest Act (NFA), Act 84 of 1998 as amended and the National Veld and Forest Fire Act, Act 101 of 1998 as amended (NVFFA). Thank you for giving Forestry this opportunity to comment on above application.</p> <p>2 Forestry studied the supporting documents for the above mentioned application and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable</p> <p>a. According to the report the proposed development entails: "2 Business Zone I (BZI) erven with a total size of 2.6040 hectare (Portions 1 and 9), 1 Business Zone IV (BZIV) erf with a size of 0.2680 hectare (Portion 5), 1 Community Zone III (CZIII) erf with a size of 0.5270 hectare (Portion 2), 1 General Residential Zone II (GRZI) erf with a size of 0.6970 hectare to be developed at a density of 60 dwelling units per hectare (Portion 3), 1 General Residential Zone III (GRZII) erf with a size of 0.6530 hectare to be developed with</p>	<p><b>DFFE: AREA MANAGER FORESTRY: WESTERN CAPE</b></p> <p><b>Melanie Koen</b></p> <p><b>20 January 2025</b></p>		

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flats (Portion 6), 1 Mixed Use Zone II (MZII) erf with a size of 0.9020 hectare (Portion 7), 2 Open Space Zone II (OSZII) erven with a size of 1.2250 hectare (Portions 4 and 11), 2 Transport Zone II (TZII) erven with a size of 1.3600 hectare (Portions 10 and 12), and 1 Split zone erf consisting of a portion Business Zone I (BZI) with a size of 1.0 hectare and a portion Open Space Zone II (OSZII) with a size of 1.0 hectare (Portion 8)." The property is zoned as Agriculture 1; the property is disturbed consisting mainly of grassy vegetation and woody shrubs such as Rhus spp- protected trees such as Cheesewood and Milkwood occurs.			
b. Forestry request that the proposed layout incorporate the protected trees as well as the coastal forest patches as far as possible. Protected trees as well as Coastal forest patches to be retained, be incorporated into the design layout by being GPS'D and indicated as no-go areas.		This will be done as far as practicably possible. The owners of each area is unknown at this stage	
c. Rehabilitation plan be drawn up- offsets be looked into to have a like-for-like replacement of endemic indigenous species		Offsets are not required due to the specialists findings, regardless the northern corridor will be maintained alien free to allow for the natural re-establishment of indigenous vegetation	
d. Indigenous forest as well as protected trees are protected under the National Forest Act (NFA) (Act No. 84 of 1998) as amended.		This is understood, no Indigenous forests located on the site.	
e. This letter is not a NFA licence.  3 Forestry reserves the right to revise initial comment based on any additional information that may be received			
<b>Pre-Application PPP</b>			
1. The pre-application Basic Assessment Report dated 10 May 2024 compiled on your behalf by your appointed Environmental Assessment Practitioner ("EAP"), Mr. Michael Bennett (EAPASA No: 2021/3163) of <i>Sharpley Environmental</i>	<b>Department of Environmental Affairs and Development Planning Directorate: Development Management, Region 3</b>	Please refer to Appendix G8 for the requested Socio-Economic Assessment. Additionally need and desirability aspects provided by in the Socio-Economic	

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<p>Services cc ("SES"), and received by this Department on 16 May 2024, refers.</p> <p>This Directorate has reviewed the pre-application Basic Assessment Report ("Pre-App BAR") and provides the following comment: Need and Desirability of the proposed development:</p> <p>With reference to this Directorate's letter of 21 September 2023 please be advised that the need and desirability of the proposed development has not been adequately addressed in the report. In this regard, this Directorate requires the compilation of a socio-economic impact assessment to address the need and desirability of the proposed development. The feasibility of the proposed shopping centre must be adequately reported with specific reference to similar facilities within a 5km radius of the proposed development. In this regard, please be advised that the Department recently issued an environmental authorisation for a shopping centre on Erf 1027 in Fraaiuitsig, Klein Brak River (Ref: 16/3/3/1/D6/35/0001/23) near the N2 National Road on / off ramp at Klein Brak River. Furthermore, the Directorate is currently considering an application for the proposed development of the 20 000m<sup>2</sup> GLA Garden Walk retail facility near Hartenbos.</p> <p>In light of the above, the Basic Assessment Report ("BAR") must include a Socio-Economic Assessment of the proposed development. In this regard, consideration must be given to the following guidelines:</p> <ul style="list-style-type: none"> <li>• Guideline for involving social assessment specialists in the EIA process, February 2007; and</li> <li>• National Department of Forestry Fisheries and the Environment's Guideline on Need and Desirability (2017) in this regard.</li> </ul>	<p><b>Steve Kleinhans</b></p> <p><b>25 June 2024</b></p>	<p>Assessment has been added to the relevant section in the BAR.</p>	
<p>Traffic Impact Assessment:</p>		<p>Please refer to the comments submitted by the Mossel Bay Municipality.</p>	

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<p>The findings of the Traffic Impact Assessment ("TIA") (Report No: 22-160_TIA; Rev. 1) dated April 2024, compiled by Urban Engineering Consulting Civil and Structural Engineers, is noted. According to the TIA the proposed development has the potential to generate up to 571 trips (IN and OUT) during the Weekday AM and 566 trips during the Weekday PM peak house. It is understood that the traffic volumes (259 trips) of a neighbouring proposed development (on Portion 115 of the Farm Wolvedans No. 129) have also been considered in the TIA. It is understood that in order to have acceptable Level of Service ("LOS") that a traffic circle is constructed on Divisional Road 1578 (DR1578) to provide access to the proposed development. Furthermore, it is also understood that the existing Main Road 344 (MR344) / DR1578 intersection be upgraded to a traffic circle. In light of the above, you are required to obtained written approval / comment from the Mossel Bay Municipality and the Western Cape Government: Department of Infrastructure regarding the adequacy of the proposed improvements to the road network.</p>		<p>Western Cape Government: Department of Infrastructure will be provided an opportunity to comment on the proposal.</p>	
<p>2.3. Confirmation of Municipal Services and Municipal Service Agreement: The Engineering Services Report is noted. According to the engineering report bulk water and sewage infrastructure are available along the DR1578 road bordering the proposed development. However, according to the information the Mossel Bay Municipality will not permit connection to the existing sewer as this is a rising main towards the Great Brak Wastewater Treatment Works (WWTW"). As such, a new pumpstation is required to be developed to service the proposed development. In light of the above, you are required confirm the following in respect of the proposed sewage pumpstation: the location; the throughput capacity in litres per second (ℓ/s); and</p>		<p>Please refer to Appendix __ for Confirmation of available bulk services allocation letter from the Mossel Bay Municipality for the proposal.</p> <p>Please also refer to Appendix __, as seen from the layout the new pumpstation will be located __</p>	

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the pipeline routing to and from the pumpstation. Please be reminded that the Mossel Bay Municipality must provide written confirmation of the availability of unallocated bulk services (i.e. potable water supply; waste water treatment capacity; disposal of solid waste; etc.) to service total demand for the proposal, or sufficient approved unallocated capacity able to accommodate the abovementioned application in future. Any additional expansion of the services already approved of by the environmental authority, but not yet effected must be highlighted.			
<p>Visual Impact Statement:</p> <p>Heritage Western Cape ("HWC") required that a Visual Impact Statement ("VIS") be compiled as part of the Heritage Impact Assessment ("HIA"). This was confirmed by this Directorate in the letter of 21 September 2023. The following Visual Statement has been lled In the HIA:</p> <p><i>"A proposed mixed use development on Re Farm 139/5 and Erf 998 in Tergniet, near Mossel Bay will ultimately complement the surrounding land use, which is increasingly residential, with associated commercial (e. g. filling station) and retail components (shops)."</i></p> <p>You are hereby informed that the above statement is considered inadequate and does not address the visual impact of the proposed development adequately. In this regard, you are advised to consider this Department's Guideline for involving visual and aesthetic specialists in the EIA process, June 2005.</p>		Please refer to Appendix G7 for the Visual Impact Statement	
<p>Terrestrial Biodiversity Assessments:</p> <p>The following terrestrial biodiversity related assessments have been included in the pre-application BAR:</p> <ul style="list-style-type: none"> <li>• Terrestrial Biodiversity Impact Assessment and Plant and Animal Species Compliance Statement dated June 2023 by Chepri (Pty) Ltd. Scientific Services;</li> </ul>		Please also refer to the appointed Biodiversity specialist (Blueskies research, Appendix G3) who indicates that no buffer is required. Blueskies Research compiled a concise Compliance statement which highlights the motivation for not requiring	

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<ul style="list-style-type: none"> <li>• Botanical Comment dated 6 February 2024 by MB Botanical Surveys; and</li> <li>• Terrestrial Faunal and Avifaunal Species Compliance Statement dated February 2024 by Blue Skies Research.</li> </ul> <p>According to the information in the BAR, Chepri (Pty) Ltd Scientific Services ("Chepri") recommended an 80m-wide "mitigation area" be incorporated along the northern boundary of the proposed development to minimise the impact on the Ecological Support Area and create a faunal corridor. However, it is understood that the economic impact of the loss of 2ha of land for the establishment of the 80m-wide corridor, was not reasonable to the proponent. Additional input in this regard was obtained from MB Botanical Surveys which recommends a 40m-wide corridor and has been incorporated in the development proposal.</p> <p>However, with due consideration of the mitigation hierarchy, you are advised to consider an alternative layout proposal which incorporates the findings of Chepri (i.e. an 80m-wide ecological corridor) and to assess and report on the alternative, this should include a comparative assessment of the alternatives.</p>		<p>such a larger buffer on the northern boundary.</p> <p>Additionally refer to Section G.8.2 in the BAR for the description of the Socio-Economic Aspects including the comparison between the unmotivated 80m buffer vs the preferred alternative which has a 40m buffer.</p>	
<p>Environmental Management Programme:</p> <p>The contents of the EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014. The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing).</p> <p>This Department has reviewed the EMPr as included and received as part of the pre-application BAR. The following aspects must be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Frequency of visits by the Environmental Control Officer</i></li> </ul>		<p>Thank you for your recommendations, the EMPr has been revised to include your recommended ECO site visit frequency and auditing frequency.</p>	



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<p>According to the EMPr the Environmental Control Officer ("ECO") must conduct two site visits every month during the initial site clearance and Civil services installations of the construction phase. However, this Directorate recommends that site visits are conducted once a week during the initial development period, especially the initial clearance of the proposed site. Visits by the ECO may taper, at the discretion of the ECO thereafter. The frequency of site visits by the ECO must be properly described in the EMPr to address the aforementioned.</p> <ul style="list-style-type: none"> <li><i>Environmental Auditing</i></li> </ul> <p>According to EMPr the appointed environmental auditor must undertake environmental audits at a recommended frequency of once every six months. However, with due consideration of the nature and impact associated with the proposed development it is recommended that audits be undertaken less frequent.</p>			
<p>Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department.</p> <p>Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.</p> <p>This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.</p>		<p>Thank you for your comments on the Pre-Application BAR.</p>	
<p>The transformation of undeveloped land to residential/commercial may include the following construction activities: Site preparation (Vegetation clearing, scraping road surfaces), excavations, tarring, building, construction of bulk services (sewage and water, piping installations).</p> <p>The abovementioned activities may "reat' a negative impact on human health such as stress, respiratory infections (asthma,</p>	<p><b>Garden Route district Municipality</b></p> <p><b>Monde Stratu</b></p> <p><b>2 July 2024</b></p>	<p>Thank you for your recommendations, the implementation of the EMPr during the construction phase will mitigate the possible negative impacts mentioned in your comments</p>	

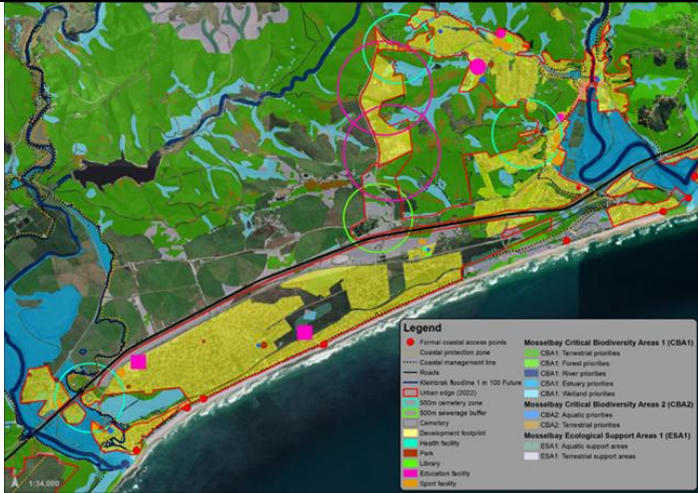
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<p>coughing, wheezing, and lung irritations) and vector borne illnesses from increased waste.</p> <p><u>Recommendations:</u> Management of all above mentioned activities to prevent and/or limit the negative health effects to humans through:</p> <ul style="list-style-type: none"> <li>• Proper storage and disposal of waste generated (general waste and construction waste) on site.</li> <li>• Managing dust emanating from site by means of the most practical option available.</li> <li>• Ensure proper toilet facilities for employees on site.</li> </ul> <p>The Environmental Health Practitioner responsible for the area in which the construction will take place will be responsible for monitoring effect to human health.</p>			
<p>Hi</p> <p>Thanks for the opportunity to provide new comments on the proposal after discussion on 26 July 2024.</p> <p>Spatial comments:</p> <p>The property is located within the Mossel Bay Urban Edge:</p>	<p><b>Mossel Bay Municipality Town Planner – Spatial Planning</b></p> <p><b>Jaco Roux</b></p> <p><b>29 July 2024</b></p>	<p>Thank you for your comments.</p>	

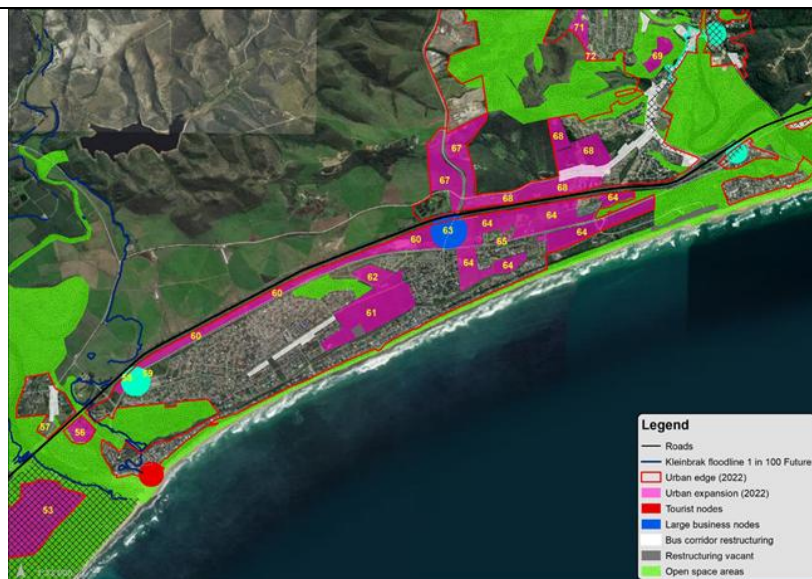
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 <p>The applicable properties are earmarked as Urban Expansion area number 63 which is a Large business node.</p>			
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Parcel Number	Development Type	Size (ha)	Approximate Yield
63	Business, Light Industrial, Mix Use, Medium Density Residential outside sewerage circle	16	60

The proposal seems to be consistent with the Mossel Bay Spatial Development Framework 2022 and is therefore spatially supported by the Municipality.

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<p>General comments on the proposal:</p> <p>Turning circles must be included in the layout if deemed necessary by the appointed traffic engineer (could be servitudes).</p> <p>Regards Jaco Roux</p>			
<p>We acknowledge receipt of email dated 16 May 2024. The South African Civil Aviation Authority (SACAA) is an agency of the Department of Transport (DoT). The Civil Aviation Act 13 of 2009 provides for the establishment of the CAA as a stand-alone authority mandated with controlling, promoting, regulating, supporting, developing, enforcing and continuously improving levels of safety and security throughout the civil aviation industry. The CAA exercises this mandate through the Civil Aviation Regulations (CARs).</p> <p>Please see our comments below:</p> <p>The screening tool has indicated that proposed site has a medium sensitivity towards civil aviation due to George Airport being approximately 20 km away from the site. The proposed development may have no impact towards civil aviation activities and infrastructure. It is advisable to communicate with George Airport for their comments. Furthermore, a formal obstacle assessment may need to be conducted to determine whether the proposed will affect the safety of flights in any way. Kindly note that the SACAA has transferred all obstacle assessments and applications responsibilities to Air Traffic and Navigation Services (ATNS) as published on the SACAA website: <a href="http://www.caa.co.za/industryinformation/obstacles/">www.caa.co.za/industryinformation/obstacles/</a> . A formal application must be lodged with Air Traffic and Navigation Services (ATNS) for a formal obstacles assessment to be conducted. The list and contact details of the approved obstacles assessment services providers can be obtained from the CAA website: <a href="http://www.caa.co.za">www.caa.co.za</a>.</p> <p>Yours sincerely, Ms. Pamela Madondo</p>	<p><b>South African Civil Aviation Authority</b></p> <p>Aviation Environmental Compliance Department</p> <p><b>Ms. Pamela Madondo</b></p> <p><b>20 May 2024</b></p>	<p>Thank you for your comments, the George Airport was notified of the PPP and offered and opportunity to comment on the proposal.</p> <p>The proposed development does not exceed any thresholds contained in the The Civil Aviation Act, 2009(Act No. 13 of 2009), Twenty-sixth amendment of Civil Aviation Regulations, 2023 (New Obstacle regulations) and as such an Obstacle assessment is not required for the proposal.</p>	

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<p>Morning Michael</p> <p>Not sure how much detail on rehab/maintenance u need to supply, but the clearing of aliens from the corridor and rehab therefore needs to be highlighted. By rehab I mean alien clearing and possible relocation of strandveld species from the development site to the corridor. This can be achieved by replanting of bulbs, cuttings, seedbearing branches of indigenous shrubs and topsoil with seed...</p> <p>Regards, Mark</p>	<p><b>Mark Berry</b></p> <p><b>Botanical Specialist</b></p> <p><b>3 June 2024</b></p>	<p>Thank you Mark, search and rescue will be undertaken before the clearing of the site to transplant suitable species into the corridor.</p>	
<p>Hi Michael</p> <p>I have read through the BAR and have no comments from my side. I still do not agree with the 40m corridor to be left open, but it is what it is.</p> <p>Best wishes, Jaco</p>	<p>Dr Jacobus H. Visser (PhD Zoology; Pr. Sci. Nat.) Faunal Biodiversity Specialist</p> <p><b>2 June 2024</b></p>	<p>Thank you Dr. Visser</p>	
<p>Dear Sir/Madam,</p> <p>I hope this message finds you well. My name is Lisakhanya Feni, and I am currently pursuing my honours degree at the University of the Western Cape. I am writing to express my feedback and suggestions regarding the Proposed Construction of a Mixed-Use Development on Erf 998 and Portion 5 of the Farm Zandhoogte No. 139 (Portion of RE/139), Tergniet, Mossel Bay Local Municipality, Western Cape</p> <p>Comments:</p> <p>1. Compliance: It is good to see that compliance with local environmental laws and regulations was addressed in the Basic Assessment Report. The report considered various legislation such as the National Environmental Management: Protected Areas Act,</p>	<p><b>Lisakhanya Feni</b></p> <p><b>18 June 2024</b></p>	<p>No comments or points of concern to address in this submission.</p>	

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<p>2003, the National Heritage Resources Act, 1999, and the National Water Act, 1998, among others. Additionally, I also saw comments from relevant competent authorities were attached as appendices to demonstrate compliance with these regulations.</p> <p>2. Impact: As I have read, the proposed development is expected to have impacts on local ecosystems and biodiversity, including the destruction of habitat, direct mortality of fauna, and vibration and noise from machinery and people. However, the impacts are considered low to medium in significance and are not expected to compromise biodiversity targets on a larger scale. Mitigation measures such as active indigenous plant species planting and alien clearing are proposed to address these impacts.</p> <p>3. Sustainable Practices: I have read that this proposed development aims to contribute towards achieving sustainable development by providing job opportunities in the short and long term, driving economic growth, and improving the socioeconomic profile of the community. It aligns with principles of global solidarity, ecosystem protection, and full cost accounting to ensure long-term sustainability. Additionally, the project's positive impacts on the local economy and financial contributions to the municipality are expected to support its long-term sustainability.</p> <p>Conclusion: Thank you for considering my feedback and suggestions on this matter. I look forward to the continued progress of the project and would appreciate any updates regarding its implementation. Please feel free to contact me at 0626694697 or via this email if you require any further information.</p> <p>Sincerely, Lisakhanya Feni</p>			
<p>Statement of Interest: My interest is educational, I am keen to learn about the processes involved in such developments, including environmental assessments, planning, and community engagement. This project</p>	<p><b>Ivan Hirwa</b></p>	<p>1. Building standards will comply with the relevant building regulations, these are not taking into considerations during the EIA</p>	



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<p>provides a unique educational opportunity for me to gain insights into sustainable development practices and the regulatory framework governing such projects in the Western Cape. I look forward to staying informed about the progress of this project and contributing to the discussion where possible.</p> <p>Key Concerns and Comments/Inquiries:</p> <p>1. I am interested in the sustainability practices that will be incorporated into the design and construction of the development. Can the developers elaborate on any green building standards or certifications they are aiming to achieve? What specific sustainable practices will be employed to ensure minimal environmental impact?</p> <p>2. Ongoing community engagement is crucial for the success of this project. What mechanisms will be put in place to ensure continuous dialogue between the developers and the local community throughout the planning and construction phases? How will community feedback be incorporated into the project's development?</p> <p>*Note:* Feel free to contact me via email for any further correspondence regarding this matter. Kind regards Ivan</p>		<p>process as this process is in accordance with the current NEMA EIA regulations. Implementation of the EMPr during the construction phase will mitigate impacts to acceptable levels.</p> <p>2. PPP is the community engagement and relevant comments are taken into consideration</p>	
<p>1.) Since there is an artificial dam near (although dry at time of visit), I encourage the residential property to be built quite far from the dam, or the dam should be well protected and have minimal access by public as there could be curious children playing around and people whose lives can be in danger. This is because during heavy rainfall, the sandy soil can absorb and store water and can potentially lead to a flood. Space should be left for nature to do its course, and not negatively impact people</p>	<p><b>Siyabonga Makhathini.</b> <b>21 June 2024</b></p>	<p>As indicated by the freshwater specialist the, the dam does not hold water, regardless the dam will be closed/constructed over.</p>	

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<p>2.) I recommend that the residential areas be at a good distance from the business development areas to separate a feeling of homeliness and comfort for residents from the formal/corporate sections for workers.</p>		<p>Please refer to the layout plan for the proposed locations of the different landuses. The SDP has been compiled by Design Centre and Associates (Architecture, Interior Design, Town Planning and Landscape Design professionals)</p>	
<p>3.) Portions 4 and 11 are Open Spaces, I recommend that they be used efficiently for recreational/aesthetic/environmental purposes. Since portion 4 is near a business zone (portion 5) I highly recommend that it is kept as a non-cemented or a non-tar surface to prevent surface runoff. I encourage the planting of indigenous trees and succulent plants because the place has severed vegetation and terrestrial fauna, as they are also low maintenance. Portion 11 is near a community (portion 2) and a business zone, I highly recommend that portion 11 is a place to uplift the youth, recreation or job creation to alleviate job and food insecurity. Or alternatively portion 11 can be a place for a wine farm with restaurants, a tourist attraction where people can view the see from afar and enjoy nature. It can be a controlled bush where animals can settle in as well to conserve biodiversity.</p>		<p>According to the Planning Report: <b>Open Space Zone II erven (Portions 4 and 11)</b> In terms of the development proposal a 40-metre-wide open space corridor is provided along the N2-National Road boundary of the consolidated erf (Portion 11). This open space is to be linked to a future open space system which is to be provided along the southern boundary of the N2-National Road.</p> <p>In terms of the development proposal a further open space is provided on the southern side of the east/west street along the eastern boundary of the consolidated erf (Portion 4). Due to the topography of the site, and the lack of existing stormwater infrastructure in the area, it is proposed that the stormwater generated by the proposed development be managed by a Sustainable Urban Drainage System (SUDS) on a portion of Portion 4. The remainder of Portion 4 will be developed as an open space/recreation area for the benefit of the residents residing and working within the boundaries of the development area.</p>	

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		This open space will be registered as a public open space and will, once developed, be transferred to the Mossel Bay Municipality who will be responsible for the future maintenance of this open space.	
3.) I have a question of how will the soak-aways be maintained as I know from experience that trees and other vegetation with strong roots have grown on them as they are a good water source. Is there a better alternative? Has an attenuation system been considered?		<p>The Civil engineering report indicates that soak-aways are currently utilised in the area and not that they are proposed for the development. The development will require a pumpstation to pump sewerage to the WWTW.</p> <p>According to the Civil Engineering Report:  <i>It is proposed that the stormwater generated by the proposed development be managed by a Sustainable Urban Drainage System (SUDS) rather than a conventional stormwater system.</i>  <i>On site, the lack of formal subterranean, piped stormwater systems can be seen as a possible draw-back, but this principle is 100% in line with the SUDS recommendations of using swales and natural features to increase infiltration. A two-pronged approach to stormwater management for the proposed development is therefore proposed:</i>  <i>1. "Source Controls" - Reduce runoff by means of rainwater harvesting tanks which collect and store water from building roofs. Emergency overflows will be included in the design to allow controlled discharge of water during major storms. Harvested water can be used for general purposes such as</i> </p>	

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		<p>irrigation of landscaped gardens as well as washing and general maintenance of facilities. Harvested water can also be used as part of a dual plumbing system in the water borne Sewer Reticulation Network, greatly reducing the development's potable water demand.</p> <p>2. "Local controls" – Divert excess water to the grass lined stormwater channel situated along roads. If required, the capacity of the channel can be increased by improving the permeability of the channel. This is typically done by adding an additional drainage layer of washed stone to the bottom of the grassed channel.</p> <p>Swales are a form of attenuation system.</p>	
4.) The place has beautiful scenery and vegetation, I encourage the use of solar energy in order to be energy efficient, and to limit dependence on coal electricity. They are good because the area has good slopes. From observing the images of the site, the authenticity of the place should not be tampered with a lot (although it is being developed). With that being said would the limitation of electricity/transmission poles be an idea as well?		Finer scale planning hasn't been undertaken yet and will likely be undertaken by the developer of a certain area of the site.	
From an agricultural perspective, the WCDoA: Land use Management has no objection to the proposed mixed-use development	<p><b>Brandon Layman</b> <b>WCDoA: Land use Management</b></p> <p><b>01 October 2024</b></p>	Thank you for your comments.	