

to ensure that people, properties, and economic activities are protected against the impacts of dynamic coastal processes.

Guided by the principles of integrated coastal management, the Branch O&C promotes developments that promote socially justified sharing of benefits derived from a resource-rich coastal area and strives to ensure that the principles of sustainable development are upheld. The Branch O&C brings it to the attention of the competent authority that while the site under assessment occurs within 100m inland from the high-water mark of the sea and thus falls within the Coastal Protection Zone, the area adjacent to the property is already a developed space with a local shopping center, recreational facilities, residential houses, a harbor, and other related facilities. As such, the Branch O&C is satisfied that, if implemented accordingly and proposed mitigation measures are undertaken, the development will not have a significant direct impact on the ecological integrity and ability of other users to enjoy the benefits associated with the coastal area.

The Branch O&C is in support of the competent authority granting environmental authorisation for the proposed development of residential apartments and associated infrastructure on RE/3420, Sea Vista, St Francis Bay, Eastern Cape. The detailed comments are based on the assessment of the adequacy of proposed mitigation measures in the Heritage Impact Assessment, Terrestrial Biodiversity Impact Assessment, and Visual Impact Assessment.

Specific Conditions for the Attention of the Environmental Assessment Practitioner (EAP) and Competent Authority (CA).

1.1 According to the Terrestrial Impact Assessment, the site is transformed and consists of mostly anthropogenic grassland with scattered alien invasive vegetation. Therefore, it is assigned a significant ratio of low for the terrestrial biodiversity. However, three declared weeds and invaders, listed in terms of the Conservation of Agricultural Resources Act (1983) and National Environmental Management: Biodiversity Act (2004) were recorded on site: *Acacia cyclops*, *Acacia saligna*, and *Ricinus communis*. Furthermore, two species protected under the Cape Environmental and Nature Conservation Ordinance (1974) occur on-site: the climber *Cynanchum obtusifolium*, which occurs in the dune thicket along the southern boundary, and the annual succulent *Mesembryanthemum aitonis*, which occurs in the secondary shrubland in the southwestern portion of the site. Both species are likely to be impacted by the proposed development. Further clarity and motivation for how this rating was determined are recommended.

1.2 Under Schedule 4 of the Cape Environmental and Nature Conservation Ordinance (1974), a permit for the destruction of all protected plant species (*C. obtusifolium*, *M. aitonis*) should be procured from the Province of the Eastern Cape: Department of Economic Development, and Environmental Affairs and Tourism before construction commences. The applicant should ensure that this permit is obtained before any removal of trees or commencement of construction activities.

The EAP agrees with this statement.

Noted.

As per the Biodiversity compliance statement, there are no SCC noted on the site with only two protected plants noted and the remaining majority of the proposed site had previously been disturbed. Therefore, the site sensitivity is a low rating. Please refer to the updated report in Appendix D.

Agreed. This has been provided as condition within the BAR and EMPr.

1.3 The competent authority should include this as a condition for approval.

1.4 Under the National Environmental Management: Biodiversity Act (2004) (NEMBA), all Category 1b alien invasive plant species (*A. cyclops*, *A. saligna*) must be eradicated from the site and a plan for their ongoing control should be included in the environmental management plan of the development. This should be stipulated in the final environmental management plan.

1.5 While mitigating visual obtrusion and maintaining the area's sense of place, long-term stability and durability of the property are also key aspects that should be considered in the planning and design process, given the location of the site to the coast, the applicant is urged to ensure that careful design planning, building method & materials selected can withstand the harsh coastal elements.

1.6 The Environmental Assessment Practitioner (EAP) should include detailed designs of the proposed apartments, proposed designs for the proposed thirty-six units, reception area, parking bays, clubhouse, and pool area, and site/layout alternatives to ensure the Branch O&C can input into the recommendations of the type of trees or vegetation that could be retained to improve the visual character of the development.

1.7 The report specifies that the entire property will need to be leveled and graded accordingly for the proposed development. However, no Geotechnical Assessment is proposed, and no motive has been provided to substantiate the lack of inclusion. Given the nature of the development, soil type, and that this development constitutes a major transformation to the land use, a geotechnical report/statement may be required to provide clarity of the soil mechanics of the site and to further advise on the suitable design and foundation for the proposed structure.

1.8 The applicant should ensure adequate stormwater management and effluent management to ensure pollution incidences are avoided and/or mitigated and to ensure minimal impact on harbor operations. Written confirmation from the Municipality confirming that the current sewer system has sufficient capacity to accommodate additional input and support for the proposal of linking the proposed development with existing sewer systems should be solicited and provided to ensure effective decision-making.

1.9 No contaminated runoff, waste, or harmful substances should be disposed of or allowed to reach any aquatic system within and around the construction site.

1.10 The applicant should ensure strict implementation and adherence to standard best management practice (BMP) mitigation measures, as outlined in the approved Environmental Management Programme (EMPr) to ensure that all anticipated impacts can be effectively minimised to acceptable levels. The Branch O&C cautions that the discharge of effluent or sewage into the coastal environment without a valid permit is not supported.

Agreed. An Alien Invasive Management Plan has been included in the EMPr which must be guided by a plant specialist/ECO.

Agreed. The EAP has provided recommendations within the BAR to ensure that the proposed development is designed and constructed taking into account climate change factors and energy efficiency. The EAP has recommended the appointment of a professional from the Green Building Council South Africa to advise on the best materials and technology to not only withstand coastal elements, but provides an energy efficient development.

Detailed layouts have been provided in Appendix C. In addition, the biodiversity specialist has included a map overlaying the proposed development layout and the areas of vegetation to be removed. The visual specialist has provided mitigation measures to improve visual impacts. Please refer to Appendix D.

Please refer to the Geotechnical report attached in Appendix D.

The proposed will tie into the existing bulk service system of the Port St Francis Harbour; however, confirmation of sufficient capacity will be attached in the final BAR. The proponent has been advised to make use of energy efficient technology to reduce the load and reliance on municipal services.

Agreed. The EMPr contains management measures to avoid these negative impacts.

Noted and agreed.

1.11 All the authorizations associated with this development proposal should be obtained from the relevant departments before the commencement of the proposed development.

1.12 The Branch O&C will provide further recommendations when all the plans are made available, especially the activities that will accommodate the future extension plans of a clubhouse and pool area as they are near the harbor.

1.13 The report specifies that access to the property will be via an existing access road off Triton Avenue. It further specified that proposed vehicle access for the development will be continued from the existing access road which is also currently in use to access the parking lot which links to the local shopping center. For this reason, impacts of noise and minor disturbances are anticipated. Therefore, as a mitigation measure, construction activities should avoid peak holiday seasons.

1.14 The construction and operational plan should not clash with the economic and/or residential land use of this neighborhood. The construction schedule/operational plan/ times must be communicated and, if possible, avoid holiday periods. As far as possible, the construction schedule should be available to neighbor properties to ensure that they are aware of the proposed activities and that they can make adequate means to mitigate noise and impacts.

6 Specific Considerations for Inclusion in the Environmental Management Plan (EMP)

6.1 Construction and operational management of the development must ensure that as far as possible, all protected trees are not impacted by proposed construction activities at all development stages.

6.2 The potential security and safety impacts associated with the presence of construction workers and other impacts associated with noise, dust, and safety impacts associated with construction-related activities and the movement of heavy vehicles were identified as key socioeconomic issues associated with this development proposal. While most of these impacts are unavoidable, the onus lies with the applicant to ensure that the construction activities result in a minimal disturbance to neighboring.

6.3 Construction work on-site should be limited to weekday working hours between 08h00- and 17h00. The Branch O&C further stresses that the responsibility to keep noise levels within reasonable limits and hours lies with the applicant and appointed building contractor.

6.4 All the activities should be undertaken within the property boundary of the applicant including the storage site material not unless written permission to utilize space outside the property boundaries is obtained from the relevant authorities.

6.5 Any archaeological features and materials observed on-site during the construction phase must be

Agreed.

Detailed plans have been included in Appendix D.

Noted and agreed. Construction management measures have been provided in the EMP.

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Specific mitigation measures provided by the biodiversity specialist have been included in the EMP.

Noted. The BAR and EMP contain mitigation measures to reduce the negative impacts associated with construction.

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Agreed. This has been provided as a management measure in the BAR and EMP.

<p>reported to the relevant authority for further investigation and permission be granted if required.</p> <p>6.6 Ensure drainage and runoff are controlled to prevent erosion and soil loss. Install contour berms where erosion has occurred to ensure that no new erosion pathways are formed.</p> <p>Kindly note that the Department reserves the right to revise its comments and request further information based on any additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.</p>	<p>Noted. The BAR and EMPr contain mitigation measures to reduce the negative impacts associated with construction.</p>
<p>PUBLIC</p>	
<p>S. Jordan – 10/05/2022</p>	
<p>Comments</p>	<p>Response</p>
<p>1. A resident in SFB I like to be kept abreast of developments in the area. As well as potential impact on crime and scarce resources.</p> <p>2. A supplier of certain building materials - bricks pavers, and wall and floor coverings, I will often look for opportunities in future building activities.</p>	<p>Noted, thank you. Your details have been captured in the I&AP register.</p>