



Comments and Response Report

The Proposed Construction of a Residential Dwelling on Erf 8 Konkiebaai (Portion 53 of Eersterivier 626), Kou-Kamma Municipality

DEDEAT REF: EC09/C/LN1&3/M/08-2023

APPROACH

This report incorporates all the public participation processes undertaken for the proposed Residential Dwelling on Erf 8 Konkiebaai, including all comments received to date. The public participation process for the Project was undertaken with due reference to Section 39 of the EIA Regulations, 2014 (as amended). Specifically, this comprised the following activities:

- The public participation process was initiated on 09/06/2022 with the publishing of a notice in the local newspaper, the Kouga Express. (Annexure 1).
- A notice was placed at the entrance to Erf 8 Konkiebaai, off the Eersterivier Road (Annexure 2).
- A Background Information Document (BID) was prepared for distribution to identified stakeholders on 09/06/2022 (Annexure 3).
- The Draft Basic Assessment Report and accompanying Appendices for the application that was withdrawn was distributed to I&APs for comment on 29/09/2022 to 29/10/2022. Comments received in response to this PPP have been incorporated into the report for consideration.
- Correspondence received from stakeholders and Interested and Affected Parties is shown in Annexure 4.
- A stakeholder and Interested and Affected Parties (I&AP) database was prepared for the project (Annexure 5).
- The preparation of a Draft Issues Trail, listing the comments received throughout the public participation process to date (Annexure 6).
- Correspondence received from the DEDEAT is shown in Annexure 7.

Annexure 1: Newspaper advertisement

Geklassifiseerd
 ☎ 042 293 2973 F: 042 293 3957



PERSOONLIKE DIENSTE

PEERSONLIK
 1400
 Erection pills. Lasts 48hrs in system. No side effects. R300 for 25 capsules. Contact **081 554 2166**

ALGEMENE & HUIDDIENSTE

ALLERLEI
 1435
APPLIANCE REPAIRS.
 AXEL **072 399 3869**

VOERTUIG

VOERTUIG GESOEK OM TE KOOP
 1435

CARS / BAKKIES / SCOOTERS
 wanted in any condition. Reliable honest service. **082-722-6183**

EIENDOMME

LA CARIBE FORM JJJ LOST OR DESTROYED DEED

Notice is hereby given in terms of regulation 68 of the Deeds Registries Act, 1937, of the intention to apply for the issue of a certified copy of Deed of Transfer Number T5613/2011CTN in favour of MANFRED JOSEF LUDWIGS BORN ON 27 FEBRUARY 1943 MARRIED WHICH MARRIAGE IS GOVERNED BY THE LAWS OF GERMANY, FRANZISKA LUDWIGS BORN ON 30 JULY 1947 MARRIED WHICH MARRIAGE IS GOVERNED BY THE LAWS OF GERMANY in respect of SECTION NO. 26 SECTIONAL PLAN NO. SS132/2009 IN THE SCHEME KNOWN AS LA CARIBE SITUATED AT ASTON BAY, KOUGA LOCAL MUNICIPALITY which has been lost or destroyed. All interested persons having objection to the issue of such copy are hereby required to lodge the same in writing with the Registrar of Deeds at King Williams Town within two weeks from the date of the publication of this notice. Dated at Jeffreys Bay 9 June 2022.

Pieterse

EKSEKUSIE VERKOPING
 4500

GEREGTELIKE VEILING
 4501
 Case no.1341/2021
NOTICE OF SALE IN EXECUTION
 In the Magistrate's Court for the District of Sarah Baartman, Held in the Sub District of Kouga, at Humansdorp

In the matter between:
ANNA-MARIE VLOK N.O 1st EXECUTION CREDITOR
DANIEL MARAIS MELVILLE N.O 2nd EXECUTION CREDITOR
WILLIAM GEORGE MELVILLE N.O 3rd EXECUTION CREDITOR
 and
LELANI MARI LABUSCHAGNE EXECUTION DEBTOR

KINDLY TAKE NOTICE that pursuant of a Judgment of the above Honourable Court granted on the 6th day of May 2022 and subsequent Warrant of Execution, the following property will be sold in Execution on **Friday, 24 of June 2022 at 10:30am** by the **SHERIFF HUMANSDORP** at the premises at **21 SAFFREY STREET, HUMANSDORP**, namely:
3x TABLES
2x OFFICE DESK & CHAIRS
1x DIGIMARK FAN

BOEDELS: LIKWIDASIE EN DISTRIBUSIE
 4205



LIKWIDASIE- EN DISTRIBUSIEREKENING IN BESTORWE BOEDEL WAT TER INSAE LÊ
 Boedel wyle JOHANNES VAN HEERDEN BELLINGAN, Identiteitsnommer 470119 5120 08 3, van Geelhoutstraat 36, Jeffreysbaai, 6330, Provinsie Oos-Kaap. Boedelnr. 4180/2021.
 Kennis geskied hiermee, kragtens Artikel 35(5) van die Wet op die Administrasie van Boedels, nr. 66 van 1965, dat afskrifte van die Eerste en Finale Likwidasie- en Distribusierekening in die bogenemde boedel vir alle belanghebbendes ter insae sal lê vir datum van publikasie hiervan in die kantoor van die Meester van die Hoogeregshof, Port Elizabeth en Landdros, Humansdorp.
 Indien geen beswaar daarteen gedurende die spesifieke tydperk by die betrokke

PERSOONLIKE DIENSTE

KRUIEKENNER
 1435


DR MED
083 427 6109
 • Financial Situation
 • Lost Lover
 • Sexual Problems
 • Mpukane for money and many more
WhatsApp or call 083 427 6109
DR MED

MAMA AGINESS NOW IN JEFFREYS BAY

Helps in financial problems, removes bad luck, men power creams and size, bring back lost love, stop cheating lover, try lotto, magic ring for money, asthma, diabetes, drinking problems.
 Call/Whatsapp **068 121 1819**

EP Media and Media24 have not verified whether any of the services or products advertised are safe to use or will have the desired effect or outcome. Readers are warned that they should carefully

ECO-ROUTE ENVIRONMENTAL CONSULTANCY EIA PROCESS



Notification of Public Participation:

The Proposed Construction of a Residential Dwelling on Erf 8 Konkiebaai, Kou Kamma Municipality, Eastern Cape

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, and the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008); of a 30-day Pre-Application Public Participation Process to be undertaken under the authority of the Department of Economic Development, Environmental Affairs and Tourism / DEDEAT. The Public Participation Process will run from **10/06/2022 – 12/07/2022**.

The following EIA Listed Activities are applicable:

Government Notice No. R327 (Listing Notice 1): Activity 19A (ii)
Government Notice No. R324 (Listing Notice 3): Activity 12 a (iii)

A pre-application Background Information Document will be sent via email to all registered Interested and Affected Parties/ I&APs for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

Environmental Assessment Practitioner: Samantha Teeluckdhari

www.ecoroute.co.za
 P.O. Box 1252, Sedgfield, 6573
 Email: samantha@ecoroute.co.za
 Cell: 072 773 5397

Annexure 2: Placement of Notices



Annexure 3: Background Information Document (BID)



Eco Route
ENVIRONMENTAL CONSULTANCY
REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN
PHD Univ. Pretoria
Tell: 044 343 2232

MS. JANET EBERSOHN
Bsc. Hons. Environmental Management
Tell: 044 343 2232

BACKGROUND INFORMATION DOCUMENT (BID)

PRE-APPLICATION ENVIRONMENTAL PROCESS

**The Proposed Construction of a Residential Dwelling on Erf 8 Konkiebaai
(Portion 53 of Eersterivier no.626), Kou Kamma Municipality, Eastern Cape**

JUNE 2022

Introduction

Eco-Route Environmental Consultancy have been appointed to ensure compliance with the regulations contained in the National Environmental Management Act (Act no. 107 of 1998 as amended) and the Environmental Impact Assessment (EIA) Regulations 2014, as amended for a **Basic Assessment Process**.

The proposed activity entails the construction of a residential dwelling and will require prior authorisation in terms of the following:

- National Environmental Management Act ("NEMA") (Act no. 107 of 1998)
- National Environmental Management Act: EIA Regulations 2014, as amended
- National Environmental Management: Integrated Coastal Management Act (Act no.24 of 2008)
- National Environmental Management: Biodiversity Act ("NEMBA") (Act no. 10 of 2004)

Purpose of the BID

The main purpose of this Background Information Document (BID) is to:

- Provide potential "Interested and Affected Parties" (I&APs) with information regarding the development proposal;
- Describe the environmental process being undertaken in terms of the National Environmental Management Act ("NEMA") (Act no. 107 of 1998 as amended) & the Environmental Impact Assessment Regulations 2014, as amended; and
- Explain the way forward.

Project Proposal (preferred option)

The proposed will be the construction of a residential dwelling on Erf 8 Konkiebaai. The property measures 838m²; however, the dwelling footprint will be 360m².

The property occurs within 100m inland from the high-water mark of the sea and thus falls within the Coastal Protection Zone.

A site development plan has been included at the end of this document.

Alternatives

"Alternatives" are defined in the Regulations as different means of meeting the general purpose and requirements of the activity, which may include alternatives to: (a) the property on which or location where it is proposed to undertake the activity; (b) the type of activity to be undertaken; (c) the design or layout of the activity; (d) the technology to be used in the activity or process alternatives; (e) the operational aspects of the activity; and (f) the option of not implementing the activity.

1

Should any reasonable / feasible alternatives be identified by stakeholders, specialists or project team members during the environmental process, such alternatives will be investigated and compared to the Preferred option in the Basic Assessment Report.

Environmental Context

The vegetation type present on the site is **Tsitsikamma Sandstone Fynbos** and partially **Southern Afrotemperate Forest** vegetation which have Ecosystem Threat Statuses of Vulnerable and Least Threatened, respectively.

Applicable NEMA: EIA Regulations 2014, as amended - Listed Activities

NEMA specifies various 'Listed Activities' which require Environmental Authorisation prior to commencement. The following listed activities are applicable to this development (please note that these are subject to change as more information becomes available):

Listing Notice No	Activity No	Activity Description
1	19A	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</p> <p>(i) the seashore; (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or (iii) the sea; —</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>
3	12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>a. Eastern Cape</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>iii. Within the littoral active zone or 100 metres inland from the high water mark of the sea, whichever distance is the greater, excluding where such removal</p>

		<p>will occur behind the development setback line on erven in urban areas;</p> <p>iv. Outside urban areas, within 100 metres inland from an estuarine functional zone; or</p> <p>v. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</p>
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Environmental Process

The procedures of a Basic Assessment Environmental Process, as per the EIA Regulations 2014, as amended are being undertaken for this environmental process.

A pre-application Public Participation Process (PPP) will be undertaken to inform the development proposal prior to submission of a formal Application to the Department of Environmental Affairs and Development Planning (“DEA&DP”). The pre-application PPP phase is to allow members of the public ample time to register as Interested and Affected Parties (I&APs), receive and review project information and provide input/ comments on the proposed development.

The following steps will be undertaken as part of the Pre-Application and Application Environmental Process:

- Identifying potential Interested and Affected Parties (I&APs);
- Placement of Site Notices at the site;
- Make available the Background Information Document (BID) for distribution to registered I&APs and neighbouring landowners, briefly explaining the process and project (this document);
- Advertising- a ‘Call for Registration of Interested & Affected Parties and Comments Regarding the Draft Basic Assessment’ in a local newspaper with a commenting period of 30 days;
- Open and maintain a Registered Stakeholder database;
- Undertaking of specialist impact assessments (if necessary);
- Submission of an EIA Application Form to DEDEAT;
- Compilation and public availability of a Draft Basic Assessment Report (BAR) and Draft Environmental Management Programme (EMPr), highlighting issues/concerns, as well as findings of specialist studies (if necessary)- 30 Day Public Participation including Competent Authority (DEDEAT);
- Compilation of the Final BAR and Final EMPr based on comments received on the Draft BAR and submission of the Final BAR and Final EMPr to DEDEAT for decision-making (authorisation with conditions, or refusal);
- Notification of registered I&APs and Stakeholders of Environmental Decision, and details of appeal process / period.

Public Participation

Names and details of members of the public who respond to the legal advert and/or notices (calling for I&APs to register and comment) will be captured on the project Stakeholder Register. All written comments provided will also be recorded.

Should you (or any other party you may be aware of) have an interest in the process, or feel that you may be affected by the proposed development; you are invited to register as an I&AP for the environmental process. A vital part of the process is public consultation as it provides stakeholders with an opportunity to gain an informed understanding of the proposed development and provide input thereto. To do so, I&APs are requested to submit their full contact details, in writing, to Eco-Route Environmental Consultancy using the contact details provided at the end of this document.

Please note that the main purpose of this Pre-Application process is to gain an understanding of all issues / concerns related to the development proposal. The formal Application will only be submitted to DEDEAT once all issues / concerns have been resolved and / or potential impacts sufficiently mitigated.

**TO REGISTER AS AN I&AP, PLEASE SEND YOUR
REGISTRATION REQUEST, NAME & FULL CONTACT
DETAILS, AND ANY PRELIMINARY COMMENTS TO:**

ATT: Samantha Teeluckdhari
P.O. BOX 1252 Sedgefield 6573
Email: samantha@ecoroute.co.za
Website: www.ecoroute.co.za

BASIC ASSESSMENT ENVIRONMENTAL PROCESS

**The Proposed Construction of a Residential Dwelling on Erf 8 Konkiebaai,
Eersterivier, Eastern Cape**

REGISTRATION / INITIAL COMMENT SHEET ON BID

Should you have any preliminary comments and would like to be registered as an Interested and Affected Part (I&AP), please complete this form and return it to Eco Route Environmental Consultancy at P.O. BOX 1252 Sedgefield 6573/ Email: samantha@ecoroute.co.za

TITLE	
NAME & SURNAME	
REPRESENTING	
POSTAL ADDRESS	
TEL NO.	
FAX NO.	
CELL NO.	
E-MAIL	

NOTE: Submission of incomplete contact details may result in a person / entity not being registered. Please ensure that you complete the above table in full.

COMMENTS (please feel free to submit more pages)

1. List any key issues or concerns relating to the proposed development.

4

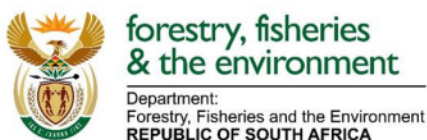
2. Describe your reason / motivation for participating in this environmental process (disclose any interest).

NOTE: ITO the Environmental Regulations 2014, as amended it is compulsory for I&APs to state their interest in a project / process, thus not providing reasons, may result in a person / entity not being registered.

3. List any potential (reasonable and / or feasible) alternatives for the activity and state why these alternative(s) are recommended:

4. List Interested & Affected Parties (I&APs) or Stakeholders that you feel should be registered (provide their full contact details & who they represent, so that they may be contacted):

Annexure 4: Correspondence received from Stakeholders (I&AP's)



Enquiries: OCEIA@dfre.gov.za

Ref: EDMS - 218843

Eco Route Environmental Consultancy

Att: Ms. Samantha Teeluckdhari

P.O. Box 1252

SEDFIELD

6573

Tel: 044 343 2232

Email: samantha@ecoroute.co.za

Dear Ms. Samantha Teeluckdhari

SUBJECT: COMMENTS ON THE BACKGROUND INFORMATION DOCUMENT AND PRE-APPLICATION ENVIRONMENTAL PROCESS FOR THE PROPOSED CONSTRUCTION OF A RESIDENTIAL DWELLING ON ERF 8 KONKIEBAAI (PORTION 53 OF EERSTERIVIER NO.626), KOU KAMMA MUNICIPALITY, EASTERN CAPE.

The Department of Forestry, Fisheries, and the Environment (DFFE) Oceans & Coasts (O&C) Branch appreciates the opportunity granted to comment on the Background Information Document and Pre-Application Environmental Process for The Proposed Construction of a Residential Dwelling on Erf 8 Konkiebaai (Portion 53 of Eersterivier no.626), Kou Kamma Municipality, Eastern Cape. The Branch O&C has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("**ICM Act**").

The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of coastal zones are maintained 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 continues to strive for environmental sustainability and socially justified sharing of benefits derived from a resource-rich coastal area without compromising the ability of future generations to access those benefits. The Branch O&C underscores the need for sustainable development, ensuring that developments within coastal and estuarine environments are socially responsible, economically justifiable, and ecologically sustainable.

1. These comments are important for the Environmental Assessment Practitioners (EAPs) to note and consider:

- 1.1 It was noted as part of the site inspection that was conducted that Erf 8, Konkiebaai is irregular with gentle access from the street level, but then sloping steeply downwards (northwards from the street). As such, significant earthworks are anticipated to clear, level, and compact the site surface in preparation for construction. For the development on this site to be viable, this Branch recommends that the applicant explores the option of incorporating wooden stilts as the preferred design for the proposed residential dwelling. Stilt houses date to prehistoric times. They are well suited to coastal regions and subtropical climates as they can protect the structure against floods, maximize views and allow homeowners to build on rocky, steep, or unstable land. They also keep out animals and vermin, provide ventilation under the house and minimize a house's footprint. This Branch will provide further input into the preferred alternative in terms of design, technology, and layout as part of the subsequent public participation process when more information is available.
- 1.2 In terms of the specialist studies to be conducted, this Branch recommends for a Biodiversity Assessment be undertaken to identify the types of fauna and flora available on the property and confirm whether any indigenous or alien species need to be maintained and/or protected, including, advising on any applicable permits which need to be applied for.
- 1.3 The EAP stated that the applicant is exploring a solid building design for the more stable portions of the site, adjacent to the street and parkin area. A Geotechnical Assessment/Geotechnical Soil Test Report may be required to understand the physical characteristics of the soil to inform the construction method that should be applied to clear, level, and compact the site surface.
- 1.4 Further information relating to stormwater and stormwater management system should be included in the subsequent report. If the applicant intends to utilise municipal services such as electricity connections, water services, stormwater connections, building plan approvals, etc., all relevant environmental processes need to be adhered to and relevant permits obtained before commencement with any/all construction-related activities. The applicant should strive to ensure sustainable development and that all building-related activities, leveling, landscaping, and construction are in line with all relevant environmental laws and legislation to avoid hindrance.
- 1.5 The Basic Assessment Report or EMP should clearly articulate how waste material will be managed during and post-construction to avoid any pollution entering the marine and coastal environment.
- 1.6 This Branch further requests to be registered as an I&AP.

Further comments will be provided as part of the next PPP phase when more information is available.

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 or electronic copy) should be submitted to our office via OCEIA@dfe.gov.za / or **Physical Address: Department of Environment Affairs (DEA), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.**

Yours Sincerely

A handwritten signature in black ink, consisting of a stylized 'X' shape followed by a horizontal line.

ACTING DIRECTOR: COASTAL CONSERVATION STRATEGIES

DATE: 22 JUNE 2022

----- Original Message -----

Subject:Erf 8 Konkiebaai
Date:17/08/2022 21:44
From:Anru Pretorius [REDACTED]
To:samantha@ecoroute.co.za

Hi Samantha

I am a shareholder in Eersterivier and come here for 57 years. I would like to see the proposed development on this site. We have others that use the river below for access to the sea and our access gate is close by.

Regards
Anru

From: info@ecoroute.co.za
Sent: Thursday, 29 September 2022 16:24
To: Joclyn
Subject: Fwd: RE: [EXTERNAL] Re: DRAFT BASIC ASSESSMENT - ERF 8 KONKIEBAAI, EC EC09/C/LN1&3/M/46-2022

----- Original Message -----

Subject:RE: [EXTERNAL] Re: DRAFT BASIC ASSESSMENT - ERF 8 KONKIEBAAI, EC EC09/C/LN1&3/M/46-2022
Date:29-09-2022 11:11 am
From:Henri Staal [REDACTED]
To:Henk du Bruyn [REDACTED] "info@ecoroute.co.za" <info@ecoroute.co.za>, Zaan du Bruyn [REDACTED]

Ek het geen besware nie

Kind regards, Henri



Dr Henri Staal, Exec. Director

Kapela Investments Holdings (Pty) Ltd

Hello,

Ek het geen beware nie, dink ek is erf 5 net bokant

Henk du Bruyn

The Greatest Enemy of Knowledge is not Ignorance, it is the Illusion of Knowledge.

On Wed, Sep 28, 2022, 1:24 PM <info@ecoroute.co.za> wrote:

Good day

You have been identified as an Interested and/or Affected Party with regard to the above-mentioned Draft Basic Assessment EC09/C/LN1&3/M/46-2022.

Kindly find below link to the draft basic assessment report and relevant appendices, alternatively, please visit our website: <https://ecoroute.co.za/> to get access to all relevant documents during the public participation process.

A 30-day public participation will be held from 29/09/2022 – 29/10/2022. Please submit your comments to the EAP (Janet Ebersohn: info@ecoroute.co.za) in this time.

<https://www.dropbox.com/sh/tzxna7rdal5pt95/AABabHWtaG7ypPxuTYYaaoTqa?dl=0>

Kind regards,

Administration

Eco Route Environmental Consultancy



Eco Route

ENVIRONMENTAL CONSULTANCY

REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN

PhD Univ. Pretoria

Cell: 072 222 6013

e-mail: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN

Bsc. Hons. Environmental Management

Cell: 082 557 7122

e-mail: janet@ecoroute.co.za

Annexure 5: Interested and Affected Parties Database

STATE DEPARTMENTS			
Name	Contact Person	Postal Address	Email
Eastern Cape Department of Economic Development, Environmental Affairs and Tourism	Andries Struwig	Private Bag X5001, Greenacres, Port Elizabeth, 6057	Andries.Struwig@dedea.gov.za
Department of Environmental Affairs: Oceans and Coasts	Tabisile Mhlana	Private Bag X4390, Cape Town, 8000	tmhlana@dffe.gov.za OCEIA@dffe.gov.za
Eastern Cape Department of Agriculture, Forestry and Fisheries	Babalwa Layini		Blayini@dffe.gov.za / zmtotywa@dffe.gov.za
Department of Water and Sanitation Eastern Cape	Ncamile Dweni	140 Govan Mbeki Ave, 7 th Floor Starport Building Port Elizabeth, 6000	DweniN@dws.gov.za

ORGANS OF STATE

Name	Contact Person	Postal Address	Email
Eastern Cape Parks and Tourism Agency		17-25 Oxford Street, East London CBD, 5201	info@ecpta.co.za
Eastern Cape Provincial Heritage Resources Authority	Sello Mokhanya	Corner Scholl and Amalinda Drive, East London, 5247	smokhanya@ecphra.org.za
South African Civil Aviation Authority	Ayanda Manunga	Private Bag X73, Halfway House, Midrand	obstacles@caa.co.za/mail@caa.co.za

MUNICIPALITIES

Name	Contact Person	Postal Address	Email
Sarah Baartman District Municipality: Municipal Manager	Ted Pillay	PO Box 318, Port Elizabeth, 6000	ted@sbdm.co.za
Kou Kamma Municipality: Municipal Manager	Mr. Pumelelo Maxwell Kate	Private Bag X011 Kareedouw 6400	katepm@koukamma.gov.za
Kou Kamma Municipality: Town Planning		Private Bag X011 Kareedouw 6400	maatje@route2.co.za

Kou Kamma Municipality: Ward 5 Councillor	Olwethu Williams	Private Bag X011 Kareedouw 6400	williamsolwethu@gmail.com
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PUBLIC			
Erf No.	Contact Person	Postal Address	Email
Erf 1	June Kretzmar		
Erf 2	Simon Bekker		
Erf 4	Loulene Kuschke		
Erf 5	Henri Staal		
Erf 7	Henk de bruyn		
Not supplied	Anru Pretorius		

Annexure 6: Issues and Response Register

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO SUBMISSION OF THE BACKGROUND INFORMATION DOCUMENT AND PRE-APPLICATION ENVIRONMENTAL PROCESS	
STATE DEPARTMENTS	
The Department of Forestry, Fisheries, and the Environment (DFFE) Oceans & Coasts (O&C) Branch – 22/06/2022	
<ol style="list-style-type: none"> 1. It was noted as part of the site inspection that was conducted that Erf 8, Konkiebaai is irregular with gentle access from the street level, but then sloping steeply downwards (northwards from the street). As such, significant earthworks are anticipated to clear, level, and compact the site surface in preparation for construction. For the development on this site to be viable, this Branch recommends that the applicant explores the option of incorporating wooden stilts as the preferred design for the proposed residential dwelling. Stilt houses date to prehistoric times. They are well suited to coastal regions and subtropical climates as they can protect the structure against floods, maximize views and allow homeowners to build on rocky, steep, or unstable land. They also keep out animals and vermin, provide ventilation under the house and minimize a house's footprint. This Branch will provide further input into the preferred alternative in terms of design, technology, and layout as part of the subsequent public participation process when more information is available. 2. In terms of the specialist studies to be conducted, this Branch recommends for a Biodiversity Assessment be undertaken to identify the types of fauna and flora available on the property and confirm whether any indigenous or alien species need to be maintained and/or protected, including, advising on any applicable permits which need to be applied for. 3. The EAP stated that the applicant is exploring a solid building design for the more stable portions of the site, adjacent to the street and parking area. A Geotechnical Assessment/Geotechnical Soil Test Report may be required to understand the physical characteristics of the soil to inform the construction method that should be applied to clear, level, and compact the site surface. 4. Further information relating to stormwater and stormwater management system should be included in the subsequent report. 	<p>The dwelling will be constructed on stilts as recommended.</p> <p>A Biodiversity Assessment was undertaken and attached as Appendix D.</p> <p>Noted. This will be addressed if a solid building design is followed for this section of the site.</p>

<p>If the applicant intends to utilise municipal services such as electricity connections, water services, stormwater connections, building plan approvals, etc., all relevant environmental processes need to be adhered to and relevant permits obtained before commencement with any/all construction-related activities. The applicant should strive to ensure sustainable development and that all building-related activities, leveling, landscaping, and construction are in line with all relevant environmental laws and legislation to avoid hindrance.</p> <p>5. The Basic Assessment Report or EMP should clearly articulate how waste material will be managed during and post-construction to avoid any pollution entering the marine and coastal environment.</p> <p>6. This Branch further requests to be registered as an I&AP.</p>	<p>Noted, this will be adhered to. Stormwater management will be addressed in the final design/layout.</p> <p>Noted, this will be addressed.</p> <p>This Branch has been added to the I&AP Register.</p>
<p>PUBLIC</p>	
<p>Anru Pretorius (property owner Eesterivier) – 17/08/2022</p>	
<p>I am a shareholder in Eersterivier and come here for 57 years. I would like to see the proposed development on this site. We have others that use the river below for access to the sea and our access gate is close by.</p>	<p>Noted, Ms Pretorius has been included in I&AP Register for distribution of the DBAR.</p>
<p>Dr Henri Staal (property owner Eesterivier) – 29/09/2022</p>	
<p>Ek het geen besware nie.</p>	<p>Thank you for your comment.</p>
<p>Henk du Bruyn (property owner Eesterivier) – 29/09/2022</p>	
<p>Ek het geen besware nie, dink ek is erf 5 net bokant.</p>	<p>Thank you for your comment.</p>
<p>COMMENTS RECEIVED IN RESPONSE TO DRAFT BASIC ASSESSMENT REPORT (PREVIOUS APPLICATION)</p>	
<p>STATE DEPARTMENTS</p>	
<p>Mr.R. Casoojee, Department of Economic Development, Environmental Affairs & Tourism (DEDEAT) – 28/10/2022</p>	
<p>APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED CONSTRUCTION OF A RESIDENTIAL DWELLING ON ERF 8 KONKIEBAAI (PORTION 53 OF 626 EERSTERIVIER), KOU-KAMMA MUNICIPALITY, EASTERN CAPE.</p> <p>1. Refer to the amended Draft BAR titled "The Proposed Construction of a Residential Dwelling on Erf 8 Konkiebaai (Portion 53 of 626 Eersterivier), Kou-Kamma Municipality, Eastern Cape" dated September 2022 and submitted to the Department on 29 September 2022 (hereafter referred to as the DBAR).</p> <p>2. You are hereby informed that the Department has reviewed the DBAR and in this regard comments as follows:</p>	<p>2.1. Services: The proposed size of conservancy tank is 10.0m³ and placed as far away from watercourses (red outline in site layout below). This position is between the house and main road in an area identified as SEI – VERY LOW as per the Terrestrial Biodiversity Report. This area will allow for ease of emptying and in the unlikely event of spillage and/or leakage will be easy to control and rectify as a result of it being built into a levelled paved driveway with minimal runoff. Design and construction of the tank will be in accordance with SANS 10400-P:2010 Edition 3 and to the approval of the appointed Engineer and Local Authority.</p>

2.1. Services:

2.1.1. Sewage Treatment: Size of conservancy tank for usage is not mentioned, nor its location. The conservancy tank should be placed in such a manner that it is as far away from watercourses as possible and between the house and main road to allow for ease in emptying. Further the possible impacts of spillages or leakage of the conservancy tank into the surrounding environment and nearby stream should be assessed.

2.2. Alternatives:

2.2.1. Facility illustrations are lacking required information and measurements and appear to be concept plans. The Department will not be able to make a decision based on such plans. A proper architectural plan with measurements will be required for the facility illustrations.

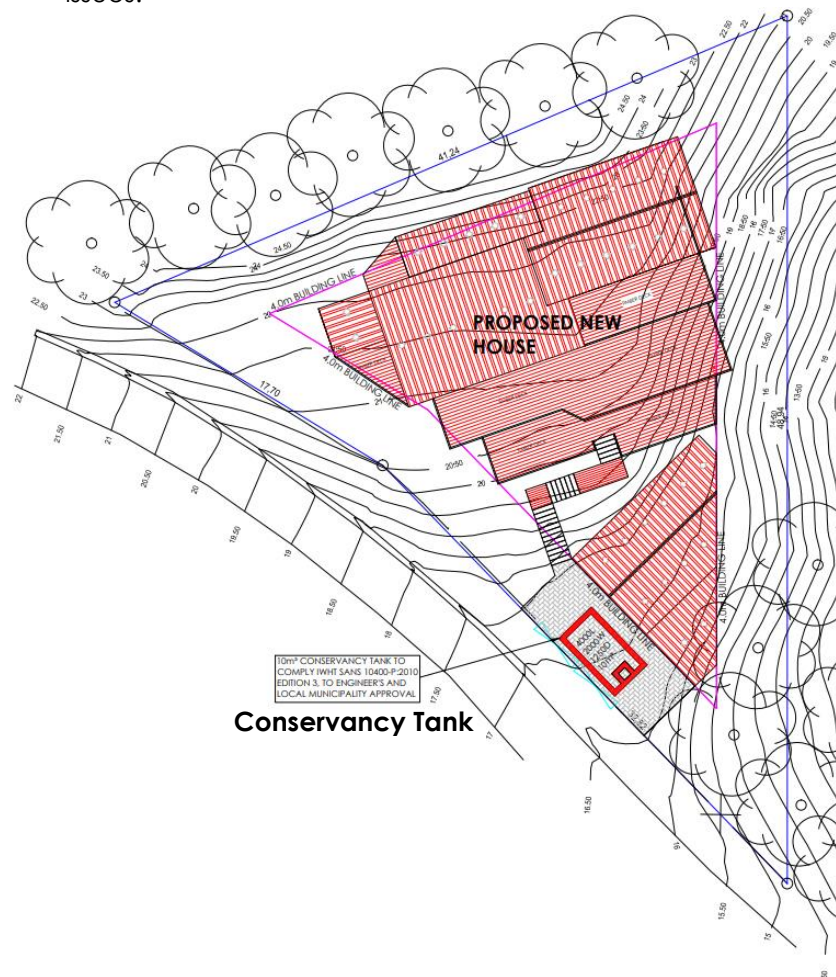
2.2.2. Design alternatives that consider the sensitivities of the site and layout of the environment (e.g. slope etc.) need to be considered. It is noted that alternative layouts have been assessed which take into account the vegetation sensitivity, however neither has considered sensitivities regarding the aquatic environment, the slope of the plot or the layout of the environment in general. Added to this, there is a lack of information regarding the design of the property and method of construction (e.g. the amount of earthworks and removal anticipated, use of heavy machinery etc.). It is especially important that an alternative is considered that concentrates on the relative flat portion of the erf and which avoids the steep portions towards the stream. This will need to be rectified prior to the submission of the FBAR.

2.3. Impact Assessment:

2.3.1. Impacts relating to pollution/erosion into the nearby stream must be considered and assessed and specific mitigation are to be such that it does not impede access of otters and other species to the stream, as it is noted by I&APs that otters make use of the stream to access the sea.

The Freshwater Assessment addresses potential impacts on the stream. The distance of 15m was determined in the buffer model as the operational phase buffer zone, as per the Freshwater Assessment.

- Two mitigations were included in the EMP regarding the conservancy tank:
- The conservancy tank must be emptied regularly by either the municipality or a private sewage management company.
 - The conservancy tank must be inspected regularly for any maintenance issues.



<p>2.3.2. It appears that the operational phase has a higher impact (medium) on loss of vegetation than the construction phase (low), which would be surprising. The EAP is to confirm if this was a typographical error and to correct it, or if not, motivate the reasoning behind the impact ratings given.</p> <p>2.4. Specialist reports:</p> <p>2.4.1. The CVs and declarations of the terrestrial biodiversity specialists have not been included in the report. This is to be rectified in the FBAR.</p> <p>2.4.2. 3 Species of concern are noted in the specialist report, however it is not clear whether they are located within the development footprint or not. Clarity to be obtained, and if so, mitigation measures must include a plant search-and-rescue in the EMPr.</p> <p>2.5. Site Sensitivity Verification Report</p> <p>2.5.1. The National Screening Tool Protocols make mention that a preliminary on-site inspection is required to formulate a Site Sensitivity Verification Report (SSVR). However, the SSVR contained within the BAR makes no mention of such an inspection being carried out. This is to be rectified in the FBAR.</p> <p>2.5.2. The Aquatic Biodiversity section of the National Screening Tool Protocols state that should a site verification find that where the screening tool designation of "Very High" is found to be "Low", an Aquatic Biodiversity Compliance Statement, done by a suitably qualified, SACNASP registered scientist in Aquatic Biodiversity, must be submitted. The EAP can thus not dispute the minimum requirement for a Compliance Statement in this regard.</p> <p>2.5.3. Furthermore, the Department finds the conclusions and recommendations of the SSVR regarding Aquatic Biodiversity Sensitivity to be flawed. It is noted from the report and triggered activities that the development footprint lies within 32m of the perennial stream nearby with some parts of the footprint being as close as within 20m. Erosion from the clearance, earthworks, stockpiling of topsoil etc. through wind or rain would have the potential to enter and pollute the watercourse. The spillage of</p>	<p>2.2. Alternative:</p> <p>2.2.1. Facility illustrations in Appendix C include all final building plans and elevations.</p> <p>2.2.2. Sensitivity regarding the aquatic environment was assessed in the Freshwater assessment report. The distance of 15m was determined in the buffer model as the operational phase buffer zone, as per the Freshwater Assessment. This was taken into consideration when determining the house footprint. The position of the house is such that it avoids SCC as far as possible and remain outside of the 15m riparian buffer zone. The volume to be excavated by hand as well as a mini excavator will amount to approximately 300m³ of which approximately 90m³ will remain on site as fill under the southern part of the garage slab.</p> <p>2.3. Impact Assessment:</p> <p>2.3.1. An Aquatic Biodiversity Impact Assessment was compiled and mitigations included in the EMPr, as follows:</p> <ul style="list-style-type: none"> - Fencing is not considered necessary along the erf boundary adjacent to the stream. The site is steep, with difficult access, meaning that workers will cause significant disturbance when installing the fence. The fence will also restrict the movement of animals along the watercourse, such as the otter. Accessibility to the erf from this perspective is difficult and highly unlikely if the riparian vegetation is maintained in its current dense state. - Fencing (if necessary, e.g. to enclose pets) along the edge of the riparian buffer zone would be supported as this would ensure reduced disturbance to this area. <p>2.3.2. The impact significance for the Construction and Operational phases has been corrected, as reflected in the BAR and EMPr.</p> <p>2.4. Specialist reports:</p> <p>2.4.1. The CV and declaration are attached to the specialist report.</p> <p>2.4.2. Response from specialist Adriaan Grobler (Terrestrial Biodiversity and Plant Species assessment) - <i>The three threatened plant species recorded on site did not fall within the development footprint. The original footprint (used as the 'alternative' in my report) impacted slightly on the buffer for Erica glandulosa subsp. fourcadei, which occurs directly next to the road, but the amended footprint</i></p>
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temporary toilets, conservancy tanks etc. would also likely have a detrimental impact on the watercourse and thus the suggestion that impacts are not expected is rather odd. It is also noted through comments from I&APs that otters make use of the stream to access the sea, and thus impacts to the stream will definitely impact the otters as well as other species in the area.

2.5.4. With the above considered, the Department will require an Aquatic Biodiversity Specialist study to be undertaken and undergo a 30 day Public Participation Process prior to the submission of the FBAR. It is suggested that the revisions to the facility plans and layout alternatives mentioned in section 2.2 of these comments be included in the PPP above as the Aquatic study will likely inform the layout revision.

2.6. EMPr:

2.6.1. Due to the proximity to a watercourse, chemical methods of Invasive Alien Plant removal are prohibited.

2.6.2. The stockpiling of topsoil for use in rehabilitation is required. Stockpiles must not exceed 1.5m in height, must be covered with shade cloth or similar, to prevent erosion and any invasive alien species that begin to grow within it must be removed.

2.6.3. The rehabilitation plan lacks clear, measurable goals. How would one determine "80% success rate", the weekly inspections would be looking at what exactly? This is to included and clarified in the FBAR.

2.6.4. As is noted in the specialist study, there are a variety of vegetation types on site, thus using species "indigenous to the area" is not very clear. The vegetation type to be rehabilitated, or a list of species to be planted, must be included in the FBAR.

2.7. General Comments:

2.7.1. The colour of the text within the FBAR must be changed from green, as the Department requires changes to be clearly indicated in red. This is to prevent issues of access and understanding for those with colour-blindness.

('preferred' layout in my report) avoids the buffer area. Both other threatened species (Dioscorea sylvatica and Tulbaghia maritima) occur in the forest and also fall outside of the proposed footprint.

Most of the protected species also fall outside of the footprint, and for the few that do, I don't think it is worth recommending a search-and-rescue operation as they are very common and widespread. The only recommendation I made for this is that permits be obtained for their possible destruction.

2.5. Site Sensitivity Verification Report

2.5.1. A preliminary on-site inspection was conducted by Eco Route on 14 October 2021. This has been included in the SSV report.

2.5.2. An Aquatic Biodiversity Impact Assessment was completed by freshwater specialist Dr. Jackie Dabrowski and is attached as Appendix D.

2.5.3. Impacts regarding the stream have been assessed in the Aquatic Compliance Statement and included in the EMPr.

2.5.4. An Aquatic Biodiversity Impact Assessment was completed by freshwater specialist Dr. Jackie Dabrowski and is attached as Appendix D and is undergoing a 30-day PPP. The study recommended a 15m buffer zone from the stream channel and the edge of the development, which is considered a minimal distance for the protection of both infrastructure and the watercourse from erosion. The proposed layout is in line with the recommended buffer zone, shown below.

- 2.7.2. Considerations towards mitigation of climate change such as the use of LED lights etc. must be included in the FBAR.
- 2.7.3. CV of the EAP is not attached in the report, must be included in the FBAR.
- 2.7.4. It is preferred that photographs include the co-ordinates and direction in which they were taken.

- 3. Please note that you are required to address the above comments in detail in the FBAR inclusive of the assessment of the alternatives as previously advised. Furthermore, any changes to the DBAR in order to produce the FBAR is to be clearly indicated in red text in the FBAR.
- 4. You are furthermore advised to remain aware of the 107 day timeframe for submission off the Final BAR as contained within the 2014 Regulations as amended, which period will lapse on 25 July 2022.
- 5. An electronic copy of the Final BAR is to be submitted to the competent authority (i.e. DEDEAT: Sarah Baartman/NMB Region).
- 6. The Environmental Assessment Practitioner is required to notify and inform the applicant in writing that the activity may not commence prior to an environmental authorisation being granted by the competent authority.



2.6. EMPr:

- 2.6.1. Included in the EMPr
- 2.6.2. Included in the EMPr
- 2.6.3. A Vegetation Rehabilitation Plan has been included in Section 11 to address rehabilitation in more detail.
- 2.6.4. A list of plant species to use is included in the Rehabilitation Plan.

2.7. General Comments:

- 2.7.1. This has been done.
- 2.7.2. This has been included in the BAR as a consideration.
- 2.7.3. CV of the EAP has been included in the BAR.
- 2.7.4. Photographs have been amended to include the direction in which they were taken.



Eco Route

ENVIRONMENTAL CONSULTANCY

REGISTRATION NO. 1998/031976/23

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Annexure 7: Correspondence received from DEDEAT

Mr.R. Casoojee
041 5085800
0664868376
Riyadh.casoojee@dedea.gov.za
Ref: EC09/C/LN1&3/M/46-2022



Eco-Route Environmental Consultancy
46 President Steyn Rd
The Island
Sedgefield
6573

Dear Ms. Ebersohn

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED CONSTRUCTION OF A RESIDENTIAL DWELLING ON ERF 8 KONKIEBAAI (PORTION 53 OF 626 EERSTERIVIER), KOU-KAMMA MUNICIPALITY, EASTERN CAPE.

1. The application form dated September 2022 submitted by Eco-Route Environmental Consultancy on behalf of Mr. Christo Horn and received by the Department on 23 September 2022 that proposes to undertake Listed Activities scheduled in Government Notice R. 324 & 327 of 04 December 2014 as amended for the above project, is hereby acknowledged.
2. The reference number assigned to your application is **EC09/C/LN1&3/M/46-2022**. The Environmental Case Officer assigned to your application is **Mr. Riyadh Casoojee** and is reachable as per the contact details outlined in the header to this letter.
3. In consideration of the Application, your attention is drawn to the following preliminary requirements:
 - 3.1. Please quote the reference number provided in the event of any correspondence/queries in this regard, with correspondence being addressed to the appointed case officer.
 - 3.2. The processing of this application is based on the information reflected in the Application Form being maintained as a true and accurate reflection of the proposed development and the listed activities applied for. In the event that corrections to these are required, such amendments must formally be communicated by the Environmental Assessment Practitioner and acknowledged by this Department prior to the competent authority being in a position to consider final submissions.
 - 3.3. With regard to the activities listed in the EIA Regulations 2014 as amended that are being applied for, please note that the various activities and any associated aspect thereof must be detailed with coordinate references provided in each respect, in any Draft and / or Final BAR.
 - 3.4. In addition to the minimum requirements outlined in the regulations, the following is to be adequately addressed in any Draft and Final Reports:
 - 3.4.1. Outline and define the impact assessment methodology and significance assessment matrix table adopted in the comparative assessment of identified impacts;

- 3.4.2. Alternatives of design and layout, as well as the nature of the proposed project, must be considered.
 - 3.4.3. Specialists reports or compliance statements by a competent SACNASP registered professional scientist, as identified to be required by the National Screening Tool, must be attached to the draft and final reports, as per the National Screening Tool protocols.
 - 3.4.4. Any amendments within the Final Report and associated Appendices that may differ to those addressed in the Draft Report and associated Appendices must be clearly highlighted in the context of the Final Report;
 - 3.4.5. Reference to the public participation process and engagement with Interested and Affected Parties must be substantiated with relevant written and dated correspondence being provided;
 - 3.4.6. The EAP should confirm the preferred format of the Draft Report to be submitted to the respective juristic Organs of State for the minimum prescribed comment period, should the EAP's intent not be to provide them with a hard bound copy;
 - 3.4.7. Cognisance of Regulation 42, whereby a register of interested and affected parties is to be opened and maintained. This register must specifically include the full contact details of those Organs of State and State Departments identified as having jurisdiction in respect of the proposed activity or any associated aspect thereof and therefore have from the outset been notified of the said application. A copy of the I&AP register must be included within the Draft and Final reports submitted to the Department.
4. The EAP is advised to remain aware of the 90 day timeframe for submission of the Final Report as contained within the 2014 Regulations as amended, which period will lapse on **16 January 2023**, with specific reference to Regulation 19(1)(a), which provides for a commenting period of 30 days for both I&AP's and the competent authority. All requirements as contained in Appendix 1 of the 2014 EIA Regulations as amended must be addressed in the FBAR.
 5. Due to the current Covid19 regulations, an electronic copy of all Draft and Final reports are to be submitted to the competent authority (i.e. DEDEAT: Sarah BaartmanRegion) unless otherwise communicated.
 6. The Environmental Assessment Practitioner is required to notify and inform the applicant in writing that the activity may not commence prior to an environmental authorisation being granted by the competent authority.



RIYADH CASOOJEE
ENVIRONMENTAL OFFICER: EIM
CACADU REGION
DATE: 18/10/2022

Mr.R. Casoojee
041 5085800
0664868376
Riyadh.casoojee@dedea.gov.za
Ref: EC09/C/LN1&3/M/46-2022



Eco-Route Environmental Consultancy
46 President Steyn Rd
The Island
Sedgefield
6573

Dear Ms. Ebersohn

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED CONSTRUCTION OF A RESIDENTIAL DWELLING ON ERF 8 KONKIEBAAI (PORTION 53 OF 626 EERSTERIVIER), KOU-KAMMA MUNICIPALITY, EASTERN CAPE.

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2. You are hereby informed that the Department has reviewed the DBAR and in this regard comments as follows:

2.1. Services:

2.1.1. Sewage Treatment: Size of conservancy tank for usage is not mentioned, nor its location. The conservancy tank should be placed in such a manner that it is as far away from watercourses as possible and between the house and main road to allow for ease in emptying. Further the possible impacts of spillages or leakage of the conservancy tank into the surrounding environment and nearby stream should be assessed.

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2.2.1. Facility illustrations are lacking required information and measurements and appear to be concept plans. The Department will not be able to make a decision based on such plans. A proper architectural plan with measurements will be required for the facility illustrations.

2.2.2. Design alternatives that consider the sensitivities of the site and layout of the environment (e.g. slope etc.) need to be considered. It is noted that alternative layouts have been assessed which take into account the vegetation sensitivity, however neither has considered sensitivities regarding the aquatic environment, the slope of the plot or the layout of the environment in general. Added to this, there is a lack of information regarding the design of the property and method of construction (e.g. the amount of earthworks and removal anticipated, use of heavy machinery etc.). It is especially important that an alternative is considered that concentrates on the relative flat portion of the erf and which avoids the steep portions towards the stream. This will need to be rectified prior to the submission of the FBAR.

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 - 6. The Environmental Assessment Practitioner is required to notify and inform the applicant in writing that the activity may not commence prior to an environmental authorisation being granted by the competent authority.



ANDRIES STRUWIG

MANAGER: EQM

SARAH BAARTMAN/NMB REGION

DATE: 28 October 2022