



Comments and Response Report

PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE.

DEA&DP Ref. No: 16/3/3/1/D2/30/0015/24

APPROACH

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 Notice of Intent to Submit an EIA Application was submitted to the Department of Environmental Affairs and Development Planning (DEA&DP) on 14/08/2023, and acknowledged on 25/08/2023.
- The Screening Tool Report and Site Sensitivity Verification Report was submitted with the NOI to DEA&DP, and comments received on 12/09/2023.
- The 30-day Pre-Application Public Participation Process commenced on 27/09/2023 and ended 27/10/2023.
- A notice was published in the local newspaper, the George Herald, and two site signs erected at the entrance of Erf 1058 (Annexure 1).
- Stakeholders and Interested and Affected Parties were notified via email (Annexure 2) and Pre-Application BAR and Appendices made available via the Eco Route website. Emails sent to private individuals have been excluded from annexure 2 due to the POPI Act.
- A Pre-Application Basic Assessment Report was submitted to DEA&DP on 27/09/2023 and acknowledged on 02/10/2023.
- A Pre-Application meeting with DEA&DP assigned case officer was held on 09/10/2023. Minutes of the meeting are attached as Annexure 3.
- A site visit with commenting authorities and I&AP's was held on 13/10/2023. Attendance register is attached as Annexure 4.
- A stakeholder and Interested and Affected Parties (I&AP) database was prepared for the project (Annexure 5).
- The preparation of an Issues Trail, listing the comments received throughout the public participation process to date (Annexure 6).
- Evidence of notifications sent to I&APs have been included in Annexure 7. Emails sent to private individuals have been excluded from annexure 7 due to the POPI Act.
- Evidence of comments received have been included in Annexure 8. Emails received by private individuals have been excluded from annexure 8 due to the POPI Act.

Annexure 1: Newspaper advertisement and Notice Boards

Thursday 21 September 2023

GEORGE HERALD 31

GBS MUTUAL BANK
OFFICE ADMINISTRATOR - GEORGE

Role Summary
GBS Mutual Bank operates predominately in the long-term deposit, mortgage finance, and asset-backed finance markets. The Bank's head office functions are located in Makhanda (Grahamstown). Due to the opening of a new branch in George, a vacancy has arisen for an Administration Clerk in the George branch. The Bank has other branches in Port Alfred, Qaqebatha and Cape Town.

The Office Administrator will be required to perform all branch administration, procurement of Bank business (loans and deposits) in the George and Garden Route area, expansion of client base through an active agency/broker network and seek out promotional opportunities and assist with marketing and advertising applicable to the area.

Qualifications and Experience

- Matric with maths
- Degree/diploma advantageous
- FAIS: RE Level 1 Representative
- Excellent management, organisation and communication skills
- Good IT skills
- Two years relevant experience, preferably within the banking environment

To apply, please contact Mrs Barbara Smith, email Barbara.Smith@gbbank.co.za or telephone 044 622 7109 for an application for employment. The completed application for employment, Curriculum Vitae, copy of matric certificate and other qualifications must be emailed to the above email address.

Deadline for applications: 29 September 2023. Applicants not contacted by 2 October 2023 must assume that their application was unsuccessful.

The Bank reserves the right not to fill this position.

VIEWS
BOUTIQUE HOTEL & SPA
Wilderness, Western Cape

Night Receptionist

The chosen candidate must have at least 3 year's experience as a receptionist. Well presented, well spoken, computer literate and a people's person with a great understanding of the local area is a pre-requisite. Must be dedicated to working night shift (22:00 to 07:00) and have a matric certificate or equivalent qualification. Some accounting knowledge and Excel competence are basic requirements to be successful in your application. Open to South African citizens only.

Application closing date: 30 September 2023
Send CV's with contactable references to:
work@viewshotel.co.za
Should you not hear back from us within 14 days, kindly consider your application as unsuccessful.

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY, WESTERN 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, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP). The Public Participation Process will run from **27/09/2023 – 27/10/2023**.

DEA&DP Ref: 16/3/3/6/7/1/D2/30/0241/23

Activity:
The Basic Assessment Application is for a proposed low density residential and tourism development on Erf 1058 Hoekwil (Wilderness Heights), Wilderness in the George Municipal Area of the Western Cape. The proposed development will consist of 830m² of building structures including a main house, three accommodation units, and associated infrastructure, as well as 1093m² of landscaped areas (roads, parking, pool, deck areas, etc) on the 3,0108ha property. The GPS coordinates to the property is 33°59'20.00"S , 22°35'55.89"E.

The following EIA Listed Activities are applicable:

Government Notice No. R327 (Listing Notice 1): Listed Activity 28.
Government Notice No. R324 (Listing Notice 3): Listed Activity 4, 6 & 12.

A Draft Basic Assessment Report and relevant appendices will be made available to all registered Interested and Affected Parties (I&APs) for public review and comment. 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. Please note that information submitted by I&AP's becomes public information. In terms of the Protection of Personal Information Act 4 of 2013 (POPIA), no personal information will be made available to the public.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

www.ecoroute.co.za
P.O. Box 1252, Sedgfield, 6573
Email: admin@ecoroute.co.za
Cell: 072 126 6393

Eco Route
ENVIRONMENTAL CONSULTANCY

BEAUTIFULL 5 BEDROOM HOME IN THE STUNNING LE GRAND ESTATE! MAGNIFICENT OCEAN VIEWS!!
GEORGE, WESTERN CAPE

ONLINE BIDDING: 12:00, 4-5 OCTOBER 2023
BID AND REGISTER: www.vansauctions.co.za
AUCTION OF: 221 BUNKER ROAD, LE GRAND ESTATE, GEORGE

Land Extent: ± 950m²

Lot 1: Family Home (± 730m²)
5 bedrooms, 5 Bathrooms & guest toilet, Open plan kitchen with living area, Dining room, Wine cellar, Swimming pool, Viewpoint, 3 x Garages & 6 parking bays

Lot 2: Movable assets offered separately as one lot:
Lounge suites, coffee tables, TV's, diningroom table, appliances, crockery & cutlery, beds & bedding, patio sets and MUCH MORE!!!

Auctioneer's note:
Stunning family home with excellent improvements and amazing ocean views in the Le Grand Estate!!

WEB23/0120

R255,000 registration fee, 10% Deposit & Buyers Commission: Bidders to register & supply proof of identity and residence. Register to Consumer Protection Act: www.vansauctions.co.za. Rules of Auction to be viewed at 38 Gardsbok Street, Kooledoorspoort (Industriële), Portofino, Tel 085 111 8207 | Auctioneer: Martin Pratorius

JOIN NOW **MARTIN & EAST**

www.martin-east.co.za

WE ARE HIRING

Construction Supervisor

Minimum Requirements:

- Valid Driver's License.
- National Diploma in Civil Engineering or Equivalent Qualification.
- Minimum 5 years' experience as a Construction Supervisor.
- Applicants must possess their own transportation and be willing to work anywhere within South Africa for extended periods as required, with the first project being in the George area for approximately 36 months.

Experience / Skills:

- Plan the work for the day to ensure the systematic execution of duties.
- Communicate daily objectives to the team to co-ordinate teamwork.
- Ensure production targets are achieved.
- Take care of company assets by ensuring the condition of the equipment is maintained.
- Monitor and minimize wastage.
- Operate in accordance with specifications provided.
- Conduct toolbox talks.

CLOSING DATE
31 OCTOBER 2023
Send CV to careers@megroup.co.za

If you have not been contacted within 90 days of the closing date of this advertisement, please consider your application as unsuccessful.

DID YOU KNOW?

ALCOHOLISM IS A DISEASE

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FIND AN AA MEETING

0861 435 722
24 / 7 HELP LINE

Addicted to GAMBLING?

CALL Responsible Gambling
TOLL-FREE: 0800 006 008

Figure 1: Advert placed in the George Herald on 21 September 2023.



Figure 2: Two site signs were erected at the entrance of Erf 1058 Hoekwil, coordinates 33°59'18.94"S, 22°35'52.26"E.

Annexure 2: Notification to Stakeholders and I&AP's of the Pre-Application BAR

ENVIRONMENTAL ASSESSMENT PROCESS

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Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

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Annexure 3: Minutes of Pre-Application Meeting with DEA&DP



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

MEETING MINUTES

Title: PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE: 16/3/3/6/7/1/D2/30/0241/23

Date: 09 October 2023

Time: 10:00

Venue: Virtual – MS Teams

Attended: Dorien Werth (DEA&DP), Malcolm Fredericks (DEA&DP), Alexander Polson (Applicant), Janet Ebersohn (Eco Route), Joclyn Marshall (Eco Route).

1. Purpose of meeting

- ❖ Pre-Application consultation with DEA&DP. Discuss comments received on NOI.

2. Background

- ❖ A low density residential and tourism development is proposed on Erf 1058. The property will be managed as a nature conservation area with tourist accommodation as a consent use.
- ❖ Zoning is required from Agriculture Zone II to Open Space Zone III. Zoning to Open Space III requires input from CapeNature with regards to management of conservation areas and possible stewardship agreements.
- ❖ Pre-Application BAR in PPP (27 September – 27 October)

3. Specialist Studies

- ❖ Agricultural Compliance Statement – A desktop Agricultural Compliance Statement will be sufficient to address this theme sensitivity. Comments from Department of Agricultural will be required once report is completed.
- ❖ Plant & Animal Species Compliance Statement – the report by The Biodiversity Company must include the list of plant and animal species identified in the screening tool report.
- ❖ Terrestrial Biodiversity Assessment – protocol for “low” sensitivity was followed in the Compliance Statement compiled by The Biodiversity Company. Letter from The Biodiversity Company details their reasons for assessing a “low” sensitivity for terrestrial biodiversity. Comments from CapeNature are required to confirm these findings, and whether a full Impact Assessment for Terrestrial Biodiversity is required.

4. Services

- ❖ Letter from Western Cape Transport Infrastructure Department, approving the road access with conditions - *Detailed design plans of the access and associated access road, which might be partially within the road reserve, must be submitted to this Branch’s Chief Directorate Road Design and the approval must be obtained before any construction activities within the DR01621 road reserve may commence.*

PO Box 1252 Sedgefield, 6573

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- ❖ A stormwater management plan and services report will be required.

5. National Heritage Resources Act

- ❖ Letter from HWC received confirming no further studies.

6. General

- ❖ Covid-19 level 1 applicability – not applicable.
- ❖ New dedicated link to portal on OneDrive must be requested to upload applications to DEA&DP.

7. SDP Layout & Alternatives

- ❖ Process for reaching preferred alternative must be included in the BAR.

8. Other matters arising

- ❖ AIP clearing can continue in accordance with the approved control plan and OSCAE permit. No disturbance of topsoil or removal of indigenous plants will be allowed as it will be seen as commencement of listed activities.
- ❖ A site visit will be conducted on 13 October 2023. DEA&DP indicated that they have been to site and therefore do not need to attend.

Annexure 4: Attendance Register for I&AP Site Visit



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

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PhD Univ. Pretoria
Cell: 072 222 6013
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MS. JANET EBERSOHN
Bsc. Hons. Environmental Management
Cell: 082 557 7122
e-mail: janet@ecoroute.co.za

ATTENDANCE REGISTER

Title: PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE.

Date: 13 October 2023

Time: 10:00

Venue/Platform: Erf 1058 Hoekwil in Wilderness

Name	Organisation	Tel/Cell	Email	Signature
Janet Ebersohn	Eco Route Environmental Consultancy		janet@ecoroute.co.za	
Joclyn Marshall	Eco Route Environmental Consultancy		joclyn@ecoroute.co.za	
M. Koen	Forestry	060 973 0991	mkoen@dtff.gov.za	
G. Gibbs	Eco-route	0823023067	gibbs@ecoroute.co.za	
J. Britten	SAN Parks	0847147793	jonathan.britten@sarparks.org	
CHARLES SLOTT	WALEAF	0825626161	walouf@langvlei.co.za	
Vanessa Wenge	SAN Parks	074 707 8199	vwenge@thevaandmodel.co.za	
SIMON JAMIESON	WRRRA	078 147 6652	SIMON@ROOIBOSANTIITEL.CO.ZA	

PO Box 3511, Knysna, 6570

www.ecoroute.co.za

Annexure 5: Interested and Affected Parties Database

STATE DEPARTMENTS			
Name	Contact Person	Contact Details	Email
Department of Environmental Affairs and Development Planning (DEA&DP)	Danie Swanepoel	4 th Floor, York Park Building, 93 York Street, George, 6529 044 814 2002 (T)	Danie.Swanepoel@westerncape.gov.za
Department of Environmental Affairs and Development Planning (DEA&DP)	Malcolm Fredericks Dorien Werth	4 th Floor, York Park Building, 93 York Street, George, 6529 044 814 2002 (T)	Malcolm.Fredericks@westerncape.gov.za Dorien.Werth@westerncape.gov.za
Coastal Management Unit, DEA&DP	leptieshaam Bekko Mercia J Liddle Hilda Hayward Ryan Apolles	Private Bag x9086, Cape Town. 8000 021 483 3370 (T)	leptieshaam.Bekko@westerncape.gov.za Mercia.Liddle@westerncape.gov.za Hilda.Hayward@westerncape.gov.za Ryan.Apolles@westerncape.gov.za
Department of Health	Nathan Jacobs	Private Bag x6592, George, 6530 044-803 2727 (T) 044-873 5929 (F)	Nathan.Jacobs@westerncape.gov.za
Heritage Western Cape	Noluvo Toto Stephanie Barnardt	Private Bag x9067, Cape Town, 8000 021-483 9729 (T) 021-483 9845 (F)	Noluvo.Toto@westerncape.gov.za Stephanie.barnardt@westerncape.gov.za
Provincial Roads Dept	Azni November	Private Bag x617, Oudtshoorn, 6620 044 272 6071 (T) 044 272 7243 (F)	Azni.November@westerncape.gov.za

Department of Water & Sanitation	John Roberts	Private Bag x16, Sanlamhof, 7532 021 941 6179 (T) 021 941 6082 (F)	RobertsJ@dwa.gov.za
Dept of Agriculture Land Use Management	Cor van der Walt Brandon Layman	Private Bag x1, Elsenburg, 7601 021 808 5093 (T)	Cor.VanderWalt@westerncape.gov.za Brandon.layman@westerncape.gov.za
Transport & Public Works / Department of Infrastructure	Vanessa Stoffels	24 th Floor, 9 Lower Burg Street, Cape Town 021 483 4669 (T)	Vanessa.Stoffels@westerncape.gov.za
DFFE: Forestry Management	Melanie Koen Innocent Mapokgole	Private Bag x12, Knysna, 6570 044 302 6902 (T) 044 382 5461 (F)	MKoen@dfpe.gov.za imapokgole@dfpe.gov.za
ORGANS OF STATE			
Name	Contact Person	Contact Details	Email
Breede-Olifants Catchment Management Agency	Andiswa Sam R Mphahlele SI Ndluvo	PO Box 1205, George, 6530 023 346 8000 (T) 023 347 2012 (F)	asam@bocma.co.za rmphahlele@bocma.co.za sndlovu@bocma.co.za
Cape Nature Land Use Advice	Colin Fordham Megan Simons	Private Bag x6546, George, 6530 044 802 5328 (T) 044 802 5313 (F)	msimons@capenature.co.za
Southern Cape Fire Protection Agency	Dirk Smit	Private Bag x12, Knysna, 6570 044 302 6912 (T) 086 616 1682 (F)	managerfpa@gmail.com
SANPARKS (Wilderness Parks Manager)	Sandra Taljaard		sandra.taljaard@sanparks.org

SANPARKS	Dr Vanessa Weyer	PO Box 3542, Knysna, 6570 044 302 5600 (T) 044 382 4539 (F) 074 707 8199	Vanessa.Weyer@sanparks.org
SANRAL	Nicole Abrahams Rene de Kock	Private Bag x19, Bellville, 7530 021 957 4602 (T)	AbrahamsN@nra.co.za Dekockr@nra.co.za
South African Civil Aviation Authority	Canny Mosebjadi Mothapo	083 461 6292	environment@caa.co.za
MUNICIPALITIES			
Name	Contact Person	Contact Details	Email
George Municipality Town Planning Section	Clinton Petersen	P.O. Box 19, George, 6530 044-8019477 (T) 08605299923 (F)	cpetersen@george.gov.za
George Municipality Environmental Department	Lauren Josias	71 York Street, George 6529 044-801 9156 (T)	ljosias@george.gov.za
Garden Route District Municipality	Mr. Lusanda Menze	P.O. Box 12, George, 6530 044-8031300 (T) 0865556303 (F)	info@gardenroute.gov.za
Garden Route District Municipality: Environmental Health Practitioner: Municipal Health	Ivy Mamegwa	Mission Street George, 6530 044 803 1558	ivy@gardenroute.gov.za
Garden Route District Municipality	Dr. Nina Viljoen	P.O. Box 12, George, 6530 044-8031300 (T) 0865556303 (F)	nina@gardenroute.gov.za
George Municipality – Ward 4 Councillor	Marlene Barnardt		mviljoen@george.gov.za

George Municipality – Municipal Manager	Dr Michele Gratz	044 801 9111	fduplooy@george.gov.za
PUBLIC			
Portion No.	Contact Person	Contact Details	Email
Erf 1029	Adv Jacques Malan		
Not provided	Rita Brock		
Erf 1028	Andries Wiese		
Wilderness Ratepayer's Association WALEAF - Langvlei	Charles Scott		
Wilderness Ratepayers and Residents Association (WRRRA)	John Miller Simon Jamieson Balvindra Walter		
Erf 297	Rebotech Construction CC		
Erf 1108, 299	Aquarella INV 228 (Pty) Ltd		
Erf 1262	Dion Romijn Familie Trust		
Erf 292	Mr/Mrs JM & LM Theunissen		
Erf 547	Suter Family Trust		
Erf 298, Wilderness Heights	George Municipality Property Management Donald Gelderbloem		

Annexure 6: Issues and Response Register

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO NOI SUBMITTED ON 14 AUGUST 2023	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning (DEA&DP) – 12 September 2023	
<p>COMMENT ON THE NOTICE OF INTENT (NOI) TO APPLY FOR THE PROPOSED DEVELOPMENT ON ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE</p> <ol style="list-style-type: none"> 1. The abovementioned document and respective attachments received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 14 August 2023 refers. 2. Kindly take note of your specific fee reference number: G/BA/EIA/J17. This number must also be inserted into the Application Form and proof of payment of the applicable fee attached when the Application Form is submitted to this Department. 3. It is understood that the proposal entails the development of a low density residential and tourism development on Erf 1058, Hoekwil (Wilderness Heights), George Municipality. The proposed project includes the following: <ul style="list-style-type: none"> • Main residential dwelling for the property owner (280m²); • Outbuilding with home office, garage, and storage space (170m²); • Kitchen Yards (35m²); • Driveway and parking for main dwelling (291m²); • Three tourist accommodation units of 80m² each (240m²); • Three jacuzzi decks for tourist accommodation units of 16m² each (48m²); • Outdoor Lapa (42m²); • Sauna House (40m²); • Natural outdoor pool (240m²); • Access to tourist accommodation and facilities (270m²); • Parking for tourist accommodation and facilities (72m²); • Footpaths (95m²); and 	<p>Protocols in terms of the National Environmental Screening Tool have been adhered to.</p> <p>The SDP has been updated, see Appendix B.</p>

- Green House (90m2).

4. The following advice or instructions of the nature and extent of any of the processes that may or must be followed or decision support tools that must be used, in order to comply with the Act and the Environmental Impact Assessment Regulations, 2014, as amended is provided below.

4.1 Environmental Impact Assessment Process

Based on the listed activities which will be triggered, and for which written Environmental Authorisation is required, a **Basic Assessment process** must be followed in order to apply for Environmental Authorisation.

4.2 National Web Based Environmental Screening Tool Report

- This Directorate notes the National Web Based Environmental Screening Tool Report that has been attached to the Notice of Intent. In accordance with Regulation 16(1)(b)(v) the report must also be attached to the application for environmental authorisation.
- The findings of the screening tool report and your site verification report is noted.

4.3 Protocols or Minimum Information Requirements

Please be informed that the applicable protocols or minimum information requirements, which were published in Government Notice No. 320 of 20 March 2020 (Government Gazette No. 43110 of 20 March 2020 refers), which came into effect on 9 May 2020, must be applied to the impact assessment process that must be followed, provided that if the specialist assessment affected by any of the protocols, was commissioned before 9 May 2020, then the applicant is allowed to continue and submit documents for decision making, which do not need to comply with the requirements of the protocols. Proof that the specialist work was outsourced before 9 May 2020, is deemed to be sufficient to allow this on a case-by-case basis. In such instances, the specialist report need not comply with the applicable protocol but must comply with Appendix 6

of the Environmental Impact Assessment Regulations, 2014 (as amended).

Therefore—

- in accordance to the above, where the applicable protocol applies to any specialist performing work related to any of the fields of practice listed in Schedule I of the Natural Scientific Professions Act, 2003 (Act 27 of 2003) must be registered with the South African Council for Natural Scientific Professions ("SACNASP") [1] in any of the prescribed categories [Section 18] and further to this, only a person registered with the SACNASP may practise in a consulting capacity [Section 20]; or
- where a specialist assessment was commissioned prior to 9 May 2020, you are required to submit proof to the competent authority that the work was commissioned prior to the said date (e.g., approved quotation for specialist assessment and/or proof of work being carried out).
- It is the responsibility of the Environmental Assessment Practitioner (EAP) to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist studies, including the provision of photographic evidence of the footprint situation. Such motivation must be submitted to this Department as soon as possible, preferably before the submission of the application form.

4.4 In light of the protocols, the screening tool, and the site verification report, please note the following:

Agricultural Theme

The agricultural theme is rated as "medium sensitivity". According to protocol, an agricultural theme that results in a medium sensitivity requires a minimum of a compliance statement to be done by an agricultural soil scientist that is registered with the South African Council for Natural Scientific Professions ("SACNASP") [2]. Your motivation that the proposal will not impact on any agricultural features, given the slope and size of the

Agricultural Theme

An Agricultural Compliance Statement has been compiled by Johan Lanz that was submitted to the Department of Agriculture. The Western Cape Department of Agriculture (Land Use Management) has no objection to the proposed development as it would blend in with the surrounding land uses of the area. See letter attached as Appendix E7.

Archaeological and Paleontological Sensitivity Theme

Final letter from Heritage Western Cape was received on 13/09/2023, that stated that there is no reason to believe that the proposed low density residential - tourism development on Erf 1058, Whites Road, Hoekwil,

property with the statement that the site was historically used for agricultural purposes as well as the site is currently vacant, overgrown with a mixture of indigenous and exotic vegetation is noted. This Directorate agrees that the sensitivity rating can be reduced to “low”, however a compliance statement and written comment from Department of Agriculture must still be submitted.

Archaeological and Paleontological Sensitivity Theme

The Archaeological Sensitivity Theme is rated as “Low”, and the Paleontological Sensitivity theme is rated as “medium”. This Directorate notes that a Notice of Intent will be submitted to Heritage Western Cape. Please include the final comment from Heritage Western Cape in the Basic Assessment Report.

Landscape/Visual

It is noted that the Screening Tool Report indicated that a site sensitivity verification report must be done by the EAP, however it is noted that a Visual Impact Assessment Report was compiled by Paul Buchholtz. Please include this Visual Impact Assessment Report in the Basic Assessment Report.

Civil Aviation sensitivity theme

The sensitivity of the civil aviation theme is rated as “medium”. A minimum of a compliance statement must be submitted. It is noted that the South African Civil Aviation Authority (“SACAA”) will be included in the I &AP register. Please obtain meaningful comments from the SACAA and include these in the Basic Assessment Report.

Socio-economic sensitivity theme

The Screening Tool Report requires that a Site Sensitivity Verification must be done; however, it is noted that a Planning Statement was done by Marlize de Bruyn Planning (July 2023), which does address the socio-economic aspects. It is therefore agreed that a separate Socio-Economic study is not required.

Aquatic sensitivity theme

Wilderness, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. See Appendix E1.

Landscape/Visual

A Visual Impact Assessment was compiled by Paul Buchholz (Appendix G6).

Civil Aviation sensitivity theme

Comment has been requested from SACAA.

Socio-economic sensitivity theme

The Planning Statement is attached as Appendix G1.

Aquatic sensitivity theme

Comment from BOCMA was received on 23/10/2023 and addressed below.

The development is outside of the riparian area and 1:100 year floodline and more than 500 m away from a wetland (estuaries are not considered as wetlands) and therefore falls outside of the regulated area of a watercourse (mentioned on Page 9 of the Freshwater Compliance Statement attached as Appendix G4) – no section 21 c and i water uses are therefore applicable.

Further comment regarding the proposed modular wastewater treatment plant will be requested from BOCMA and included in the Final BAR.

Animal species sensitivity theme

A Plant, Animal and Terrestrial Biodiversity Assessment was compiled by David Hoare Consulting (Pty) Ltd dated 24 March 2024 (Appendix G3).

Plant species sensitivity theme

A Plant, Animal and Terrestrial Biodiversity Assessment was compiled by David Hoare Consulting (Pty) Ltd dated 24 March 2024 (Appendix G3).

Terrestrial Biodiversity sensitivity theme

A Plant, Animal and Terrestrial Biodiversity Assessment was compiled by David Hoare Consulting (Pty) Ltd dated 24 March 2024 (Appendix G3).

The aquatic sensitivity theme is rated as "very high". According to the protocol an assessment must be prepared by a specialist registered with the South African Council for Natural Scientific Professionals (SACNASP), with expertise in the field of aquatic sciences, however this Directorate does take note that a compliance statement was conducted. The compliance statement reported that the proposed development footprint is within a FEPA and SWSA, and that the implementation of the proposed management recommendations and buffer will prevent impacts on aquatic biodiversity. Additionally, the entire footprint will be located outside the watercourse and its associated buffer. The EAPs motivation for the sensitivity rating to be "low" is supported by this Directorate provided that comments be obtained from the Breede-Olifants Catchment Management Agency (BOCMA) to confirm this, as well as the applicability of a General Authorisation. It is advised that such input be obtained, prior to the submission of the application form, but at least with the submission of the final BAR.

Animal species sensitivity theme

The animal species theme was rated as "high". According to the protocol the presence or likely presence of the species of conservation concern (SCC) identified by the screening tool must be investigated through a site inspection by a specialist registered with the SACNASP with a field of practice relevant to the taxonomic groups ("taxa") for which the assessment is being undertaken. This Directorate is in agreement with the sensitivity to be reduced to Low. However, a compliance statement is still required by the protocol, as the specialist confirmed the existence of natural habitat despite the degraded condition.

Plant species sensitivity theme

The plant species theme is rated as "medium". According to the protocol the presence or likely presence of the species of conservation concern (SCC) identified by the screening tool must be investigated through a site inspection by a specialist registered with the SACNASP with a field of practice relevant to the taxonomic groups ("taxa") for which the assessment is being undertaken. This Directorate is in agreement with the sensitivity to be reduced to Low. However, a compliance statement is still required by the protocol, as the specialist confirmed the existence of natural habitat despite the degraded condition.

Terrestrial Biodiversity sensitivity theme

The terrestrial biodiversity sensitivity theme sensitivity is rated “very high”. According to the protocols, an assessment must be prepared by a specialist registered with the South African Council for Natural Scientific Professionals (SACNASP) with expertise in the field of terrestrial biodiversity. This Directorate does not agree with the EAPs motivation that the sensitivity rating should be “Low” as the area does fall within an area that is listed as a Critically Endangered Ecosystem namely, Garden Route Granite fynbos. The protocol is requires that an assessment must be done. Please adhere to the protocol requirement.

5. Public Participation Process

- ❖ A public participation process (“PPP”) that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (preapplication) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR and EMPr.
- ❖ Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to this Directorate, in terms of Regulation 40, the pre-application BAR may also be submitted to this Directorate for commenting purposes. Please ensure a minimum of one electronic version of the pre-application BAR is submitted to this Directorate for commenting purposes.
- ❖ In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. Please note that

A Pre-Application Public Participation Process was undertaken from 27/09/2023 – 27/10/2023. All comments received and evidence of notifications are contained in this report. A register of all State Departments and I&AP's can be found in Annexure 4 of this report.

the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.

- ❖ Your list of State Departments to include in the PPP is noted and supported.
- ❖ Delivery of reports/documents must be done in a manner provided for in section 47D of the NEMA and the Directions, provided that all registered I&APs have access to such facilities. Electronic versions of reports may be made accessible through any of the following non-exhaustive list of methods: websites, Zero Data Portals, community or traditional authorities, Cloud Based Services.
- ❖ The timeframes regarding comment period must be specified. All potential interested and affected parties including I&APs and organs of state identified in Section 3 of the Public Participation plan, must be afforded a minimum of three (3) calendar days from date of notification before the 30-day commenting period on the Basic Assessment Report (Pre-Application or formal process report). However, where the third day falls on a Saturday, Sunday or public holiday, it must be extended to the end of the next day which is not a Saturday, Sunday or public holiday.
- ❖ Please consider the following guidance regarding the Application Programme: Once the Application Form is submitted to this Directorate, the programme should allow for the 10- day acknowledgement period, prior to any Public Participation commencing, so that this Directorate can confirm that the application is in order.
- ❖ It must be possible to cross-reference the proposed delivery of documents to the preferences indicated in the I&AP Register.

6. Public Participation Plan

<ul style="list-style-type: none"> ❖ In terms of the Directions issued on 5 June 2020, the Competent Authority may be approached for an agreement as provided for in Regulation 41(2)(e) of the Environmental Impact Assessment Regulations, 2014 (as amended) to conduct a public participation process which is reasonable and fair. ❖ Considering the above, this Directorate has reviewed the proposed Public Participation Plan and agrees to the proposed actions to conduct the public participation process. ❖ Notwithstanding the above, please note the Basic Assessment Report must comply with public participation process in terms of Regulation 32(1)(a)(aa) read together with Regulation 41. Proof of the requirements in accordance with Regulation 41 of the Environmental Impact Assessment Regulations, 2014 (as amended) ("EIA Regulations, 2014). In the event where Regulation 41 has not been complied with during the pre-application phase it must be complied with during the application phase of the process. 	
<p>7. Pre- Application Consultation</p> <p>7.1 This Directorate avails itself for a pre-application meeting engagement to provide further guidance and advice in terms of Regulation 8 on the process requirements and the administration of your application.</p> <p>7.2 Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application, which may be submitted to the Directorate.</p> <p>7.3 No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:</p> <ul style="list-style-type: none"> > that additional information or documents will not be requested 	<p>A Pre- Application Consultation meeting was held with the case officer of DEA&DP on 09/10/2023. Minutes of the meeting can be found in Annexure 5 of this report.</p>

<p>➤ of the outcome of the application.</p>	
<p>8. Services</p> <p>Please ensure that written comment is obtained from George Municipality which confirms that sufficient unallocated services (water, sewage, and solid waste) exist within the municipal grid network to support the proposed development to inform the decision-making process. You are also advised to investigate the implementation of resource conservation measures as part of your proposal, in order to conserve much needed services.</p>	<p>Communications with the George Municipality as per the Engineering report Appendix B, confirms that water connection is available off the existing line to the north of the development across Whites Road. The Engineering Report is attached as Appendix G7.</p> <p>The Applicant intends to make use of solar power, modular wastewater treatment plant, and supplement water requirements with rainwater harvesting.</p>
<p>9. Need and Desirability</p> <p>In terms of the NEMA EIA Regulations, when considering an application, the Department must take into account a number of specific considerations including inter alia, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability. Refer to the Department's Guideline on Need and Desirability (March 2013).</p>	<p>Please see Appendix K for Need and Desirability.</p>
<p>10. National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA")</p> <p>Section 38 of the NHRA sets out the requirements regarding the integration of the decisionmaking proses with that of the EIA Regulations 2014, however, under the provision that the necessary information is submitted and any comments and recommendations of the relevant heritage resources authority (HWC) with regard to such development have been provided and taken into account prior to the granting of the authorisation. Further to the above:</p> <ul style="list-style-type: none"> • An application for Environmental Authorisation, must include,where applicable, the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), 	<p>Final letter from Heritage Wester Cape was received on 13/09/2023, that stated that there is no reason to believe that the proposed low density residential - tourism development on Erf 1058, Whites Road, Hoekwil, Wilderness, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.</p>

<p>excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.</p> <ul style="list-style-type: none"> • Where Section 38 of the NHRA is triggered, the Standard Operating Procedure between Heritage Western Cape and this Department must be followed. If Section 38 is applicable to the proposed development, then the proponent/applicant is required to submit a Notice of Intent to Develop (“NID”) to Heritage Western Cape and attach a copy to thereof to the EIA application form. If Heritage Western Cape requires a Heritage Impact Assessment, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the NEMA EIA Regulations, 2014. It is reasonable to suspect that the proposed activity triggers an activity identified in section 38 of the NHRA and it is likely that the national estate may be impacted. Comment from Heritage Western Cape must be obtained to substantiate this. 	
<p>11. You are advised that when undertaking the Basic Assessment process, you must take into account applicable guidelines, including the circulars and guidelines developed by the Department. These can be provided upon request. In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:</p> <ul style="list-style-type: none"> ➤ Guideline for the Review of Specialist Input in the EIA process (June 2005). ➤ Guideline for Environmental Management Plans (June 2005). ➤ Guideline on Alternatives (March 2013). ➤ Guideline on Generic Terms of Reference for EAPs and Project Schedules (March 2013) ➤ Guideline for determining the scope of specialist involvement in EIA processes, June 2005. ➤ Guideline for involving visual and aesthetic specialists in the EIA process, June 2005. ➤ DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs. 	<p>All Guidelines have been taken into consideration.</p>

<p>12. Please ensure that the Basic Assessment Report and Environmental Management Programme ("EMPr") contain and comply with all information requirements outlined in Appendices 1 and 4 respectively of the Environmental Impact Assessment Regulations, 2014 (GN R. 982 of 4 December 2014, as amended).</p>	
<p>General</p> <p>13. In accordance with the Directions regarding measures to address, prevent and combat the spread of COVID-19 (Government Notice No. 650 of 5 June 2020) during Alert Level 1, all applications, reports and documents, which include all signatures and Annexures which are included as part of the application and subsequent reports, must be submitted via e-mail to the relevant official, with attached PDF versions of letters and reports. If the documents are too large to attach to an e-mail, the competent authority must be notified per e-mail and provided with an electronic link to such documents that is accessible by the relevant authority.</p> <p>14. With reference to this Department's Circular No. 0027/2021 of 15 December 2021, please note that from 1 February 2022 all general EIA queries, correspondence, applications, non-applications and reports must be e-mailed to this Directorate's dedicated e-mail address.</p> <p>In this regard the following procedure for the submission of documents must be followed when submitting documents to the Directorate: Development Management (Region 3) –</p> <p>(a) submitted electronically per electronic mail to this Directorate's generic e-mail address and copied to the assigned case officer.</p> <p>Note: The Directorate: Development Management (Region 3), has created a generic e-mail address to centralise its administration within the component (i.e. notifying clients of decisions and receiving EIA applications, Notice of Intent form; request for fee reference numbers, etc.): DEADPEIAAdmin.George@westerncape.gov.za</p> <p style="text-align: center;">OR</p>	<p>Noted.</p>

(b) uploaded electronically to the designated folder on the Directorate's OneDrive system which has been assigned to the EAP.

Note: The document must be placed in an appropriately named folder and the reference number included (where applicable). This Directorate must be notified via e-mail once the document has been uploaded. Such notification must include a screenshot of the documents that have been uploaded within the folder.

15. Kindly note that this Directorate requires that when the pre-application BAR is submitted, an electronic version of the document must be submitted to this Directorate for consideration. Hard copies of the document are no longer required but must be made available upon request.
16. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.
17. Also note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
18. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION BASIC ASSESSMENT REPORT -

STATE DEPARTMENTS

Department of Environmental Affairs and Development Planning (DEA&DP) – 06/11/2023

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT: ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED MAIN RESIDENTIAL DWELLING, TOURIST FACILITIES AND ASSOCIATED INFRASTRUCTURE ON ERF 1058, WHITES ROAD, HOEKWIL, GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE.

1. The abovementioned document received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 22 September 2023 refers
2. It is understood that the proposal entails the development of a low density residential and tourism development on Erf 1058 and will include the following:
 - Main residential dwelling for the property owner (280m²),
 - Outbuilding with home office, garage, and storage space (170m²), Kitchen Yards (35m²),
 - Driveway and parking for main dwelling (291m²).
 - Three tourist accommodation units of 80m² each (240m²).
 - Three jacuzzi decks for tourist accommodation units of 16m² each (48m²).
 - Outdoor Lapa (42m²).
 - Sauna House (40m²).
 - Natural outdoor pool (240m²).
 - Access to tourist accommodation and facilities (270m²).
 - Parking to tourist accommodation and facilities (72m²).
 - Footpaths (95m²). Green House (90m²)
3. This Directorate has reviewed the document and provide the following comments:
 - 3.1. This Directorate notes that the property slopes down steeply south-east towards the Touws River and to the west towards a non-perennial drainage line. This Directorate is concerned

3.1. The Engineering Report attached as Appendix G7 addresses stormwater management. The stormwater management will also be addressed in the EMPr submitted as part of the Basic Assessment Report.

3.2. Comments from BOCMA on 23/10/2023 were received and addressed below.

3.3. Comments from CapeNature were received on 14/11/2023 which addressees the zoning and stewardship agreement.

3.4. Comments from CapeNature were received on 14/11/2023 which addressees the sensitivity rating for Terrestrial Biodiversity. CapeNature is of the opinion that the sensitivity should be High-Medium.

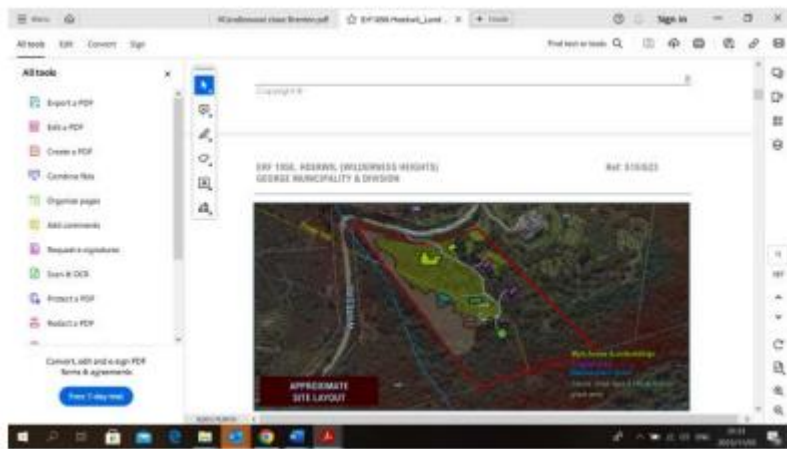
about the potential impact of stormwater and how this will be managed on the site and potential run-off and subsequent pollution of the aforementioned water sources. The aforementioned stormwater management plan and EMPr must be submitted as part of the Basic Assessment Report.

- 3.2. It is noted from the Pre-application Basic Assessment Report that there is a non-perennial drainage line on the property and apart from this drainage line there is also a watercourse. It is also noted that no water use license in terms of The National Water Act, 1998 (Act No. 36 of 1998) will be required. However, this Directorate recommends that meaningful comment must be obtained from the Breede-Olifant Catchment Agency ("BOCMA"), which confirms the applicability of a water use license application or not.
- 3.3. The current zoning of the property is Agriculture II which will be rezoned to Open Space Zone III and the primary land use right of this proposed zoning will be nature conservation area with tourist accommodation as a consent use. Please obtain comments from Cape Nature regarding the proposed rezoning to Open Space III and what requirements the proponent must meet in this regard and whether a stewardship agreement must be entered into with CapeNature.
- 3.4. In addition to the above, comments must also be obtained from Cape Nature to confirm the specialist opinion that the Terrestrial Biodiversity sensitivity theme rating should be reduced to a "Low" and not "very high", as per the findings of the Screening Tool Report. CapeNature must also confirm whether a compliance statement will be accepted and not a Terrestrial Biodiversity Assessment as required by the relevant protocol for this theme.
4. This Directorate awaits the submission of the application for Environmental Authorisation.
5. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.

<p>6. Also note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p> <p>7. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.</p>	
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Department of Forestry, Fisheries & the Environment (DFFE) – 27/10/2023

<p>COMMENTS ON THE PROPOSED REZONING ON ERF 1058, WHITES ROAD, HOEKWIL:</p> <ol style="list-style-type: none"> 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. 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 <ol style="list-style-type: none"> a. The above proposed application is to rezone the property to Open Space Zone III (nature conservation area) and to develop a primary dwelling and tourist accommodation (3 units). The property: is currently zoned as Agriculture zone II; has a moderate slope downward from north to south-east that becomes very steep and undevelopable towards the southern and western edges; is mostly infested with alien vegetation with single standing indigenous trees as well as also indigenous forest patches occurring throughout the property (Forest thorn, Camphor bush, Milkwood, Ironwood, Sage); towards the bottom (south) an indigenous forest strip occur. 	<p>It is noted that these comments are for the Town Planning Application with MDB Planners.</p> <ol style="list-style-type: none"> i. The strip of indigenous vegetation to the bottom of the property will be conserved, and infrastructure (Iapa) within the identified no-go area has been moved. ii. This will be done before any work commences. The placement of structures has considered indigenous trees and will be adjusted if required. Open clearings have been utilized as far as possible. iii. The house and units have been placed in areas that have been previously cleared of alien vegetation. The Applicant wishes to restore indigenous vegetation that was on the property through the clearing and management of invasive alien vegetation. Keeping patches of indigenous vegetation and trees forms part of that objective. The owner does not propose to remove any protected trees whatsoever and is willing to slightly move or reposition the units if required for preserving protected trees. iv. A new layout was assessed and is include as the preferred layout (Alternative A) in the Draft BAR. The new layout makes use of open clearings as far as possible.
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b. Forestry request that:

- i. Indigenous forest strip at the bottom of property be retained and indicated as no-go area.
 - ii. That indigenous trees as well as indigenous forest patches be incorporated in proposed layout as no-go areas- be GPS'd and cordoned off in order to be retained.
 - iii. That units be designed/ placed around the indigenous trees as well as indigenous forest patches in order to accommodate- be placed in disturbed areas.
 - iv. That layout be redesigned where placement of units accommodates indigenous trees as well as indigenous forest patches- and be recirculated for comment to IAP.
- c. Indigenous Forest as well as protected trees are protected under the National Forest Act (NFA) (Act No. 84 of 1998) as amended.
- d. 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.

Breeder-Olifants Catchment Management Agency (BOCMA) – 23/10/2023

Reference is made to the above-mentioned Pre-Application Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to the Pre-Application Basic Assessment Report, which should be adhered to:

1. The proposed development occurs adjacent to a drainage line, regulated area of a watercourse, therefore it triggers water uses in terms of section 21© & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorized. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:
 - a) The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measure from the middle of the watercourse of a river, spring, natural channel, lake or dam;
 - b) In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act); or
 - c) A 500m radius from the delineated boundary (extent) of any wetland or pan.
2. The drilling of a borehole and abstract groundwater from the borehole trigger water use(s) in terms of section 21(a) of the National Water Act, 1998 (Act No. 36 of 1998) which refers to taking water from a water resource and must be authorized by means of a water use authorization.
3. The rainwater harvesting and storage of rainwater in tanks does not trigger any water use(s) and it doesn't require any water use authorization,
4. For water that will be supplied by a Water Services Provider (WSP) i.e. Municipality, there must be an agreement between the

Response from Freshwater Specialist, Confluent Environmental on Point 1:

In terms of Point 1: The development is outside of the riparian area and 1:100 year floodline and more than 500 m away from a wetland (estuaries are not considered as wetlands) and therefore falls outside of the regulated area of a watercourse (mentioned on Page 9 of the Freshwater Compliance Statement) – no section 21 c and i water uses are therefore applicable.

Point 2: Abstraction of water from a borehole that is located within 500 m of an estuary does require a Water Use License. A WUL will be applied for if the Applicant wishes to make use of a borehole.

Point 6: In terms of sewer lines – these are considered 21 c and i water uses and are therefore not applicable in this case (unless the sewer lines cross the watercourse or go within the regulated area of the watercourse – i.e. in the riparian zone or the 1:100 year floodline). If they stay outside of the buffer area as defined in the Aquatic Compliance Statement in Figure 8, then authorisation is not required.

If wastewater is disposed into a septic tank/conservancy tank, it would also not require a section 21 (g) license or general authorisation as these would be located outside of the regulated area of a watercourse. If a borehole is however commissioned and septic tanks are located within 500 m of the borehole then they may require a Section 21 (g) license. This would have to be confirmed with BOCMA.

Further comment regarding the proposed modular wastewater treatment plant will be requested from BOCMA and included in the Final BAR.

3. Noted.
4. Communications with George Municipality regarding available water connection is included in the Engineering Report (Appendix G7).
5. No natural water resources from Erf 1058 will be used during construction.
6. This is included in the Engineering Report (Appendix G7). Please see response from Freshwater Specialist on point 6, above.

developer and the municipality and water charges/tariffs must be paid directly to the municipality.

5. Please note that no water shall be derived from any water resource and used for any purposes on Erf 1058 during the construction and operational phase of the development without prior approval by means of a water use authorization in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998).
6. The applicant is advised to conclude the investigation of sewer services and include the information in the final draft basic assessment prior to the commencement of the construction of the development. BOCMA will advise whether the proposed sewer services trigger water uses or not.
7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorization as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
8. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development,
9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water use Authorisation.

7. A Water Use Authorization will not be required.

<p>11. Should you wish to apply for a water use authorization for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at http://www.dws.gov.za/e-WULAAS.</p> <p>12. Should you have further enquiries, the office can be contacted or alternatively contact Mr. SI Ndlovu at the above-mentioned contact number or on sndlovu@bocma.co.za</p>	
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Department of Health & Wellness – 11/10/2023

<p>A notification for the Public Participation Process on the pre-application of a Draft Basic Assessment Report (BAR) for the proposed low-density residential and tourism development on ERF 1058 Hoekwil (Wilderness Heights), Wilderness in the George Municipal Area of the Western Cape, was received on the 26th of September 2023, from Joclyn Marshall of ECO Route Environmental Consultancy for commenting purposes.</p> <p>In consideration of the above-mentioned notification, this office has no objections to the proposed activity, subject to compliance with applicable laws and by-laws.</p>	<p>These comments are noted.</p>
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The Western Cape Department of Agriculture: Land Use Management – 17/01/2024

<p>The Western Cape Department of Agriculture: Land Use Management has no objection to the proposed development as it would blend in with the surrounding land uses of the area.</p> <p>Please note:</p> <ul style="list-style-type: none"> • Kindly quote the above-mentioned reference number in any future correspondence in respect of the application. • The Department reserves the right to revise initial comments and request further information based on the information received. 	<p>These comments are noted.</p>
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Department of Environmental Affairs and Development Planning: Biodiversity and Coastal Management – 24/11/2023

<p>RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY, WESTERN CAPE.</p>	<p>2.1.1. Updated SDP is attached as Appendix B.</p> <p>2.1.2. This has been corrected.</p> <p>2.1.3. Correct.</p>
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Your request for comment from the Sub-directorate: Coastal Management on the above-mentioned pre-application basic assessment report received on 22 September 2023, refers.

1. CONTEXT

1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations".

1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The PCMP is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. The Department has developed the next generation PCMP that includes priority objectives for the next 5 years. This PCMP was adopted on 19 May 2023 and may be viewed at [Western Cape draft PCMP 2022-2027](#).

1.3. A key priority of the PCMP is the Estuary Management Programme, which is predominantly implemented through the Estuary Management Framework and Implementation Strategy ("EMFIS") project. The Department is implementing estuary management in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans. Both draft and approved plans may be viewed at [DEA&DP: Coastal Management](#).

2.1.4. Section 63 of the NEM: ICMA has been considered in the Draft BAR under Section G (3.3).

2.1.5. It is noted that the property will not be affected by risk zones as per the Department's coast risk modelling for the Garden Route District project.

2.1.6. Appropriate erosion control measures are incorporated in the EMPr.

2.1.7. No development will take place within the 36m buffer of the non-perennial drainage line.

2.1.8. All comments provided by the Coastal Management Department have been considered in the Draft BAR, and the EMPr will be strictly adhered to.

2.1.9. The Applicant has been made aware of Section 28(1) of NEMA and Section 58 of the NEM: ICMA.

1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available on the Departmental website at [DEA&DP: Coastal Management](#).

2. COMMENT

2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:

2.1.1. The proposal will entail a low density residential and tourism development on Erf 1058 Hoekwil. The proposed development will consist of 830m² of building structures including a main house, three accommodation units, and associated infrastructure as well as 1093m² of landscaped areas on the 3.0108ha property.

2.1.2. Be advised that on page 11 of the pre-app BAR, the applicant indicated that the NEM: ICMA is not an applicable legislation for the proposed development, however the subject property is located in the Coastal Protection Zone ("CPZ") and affected by the Coastal Management Line ("CML") as such the NEM: ICMA is indeed applicable for the proposed development.

2.1.3. The SD: CM confirms that in accordance with the Western Cape Biodiversity Spatial Plan 2017, the development is proposed to be partially within a Critical Biodiversity Area and the applicant has indicated the loss of vegetation and potential habitats can be managed and mitigated to limit the disturbance of vegetation. The applicant also considered Ecological Support Areas as well as the adjacent Wilderness Lakes Protected Area that forms part of the Garden Route National Park. Furthermore, the SD: CM notes that the applicant also indicated that the rezoning of the subject property to Open Space Zone II will further contribute to the conservation of the abutting protected area.

2.1.4. The subject area in its entirety is located within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and partially seaward of the Garden Route District coastal management line ("CML") delineated by the Department in the project for the coastal management line. The purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the NEM: ICMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ. As such, Section 63 should be considered by local authorities for land use decision making.

2.1.5. The increased effects of climate change, sea level rise and increased storm surges in coastal environments obliges the Department to take a more cautious approach when considering developments along the coast and estuaries. The technical delineation of the CML project was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk to flooding, wave-run-up modelling, *inter alia*, and was delineated in conjunction with and supported by other organs of state including the Local and District Municipalities, CapeNature and all other organs of state represented on the steering committee for the Overberg District CML project. The principal purpose of the CML is to protect coastal public property ("CPP"), private property and public safety; to protect the CPZ; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both a quantification of risks and pro-active planning for future development. The SD: CM can confirm that the subject property will not be affected by risk zones as per the Department's coast risk modelling for the Garden Route District project.

2.1.6. The SD: CM can confirm that due to the subject property's proximity to the highwater mark (800m) and the height above sea-level (64-110m), Erf 1058 is unlikely to be subjected to coastal erosion effects and risks arising from dynamic coastal processes. This is further confirmed by the Departmental coastal risk zones. The applicant did acknowledge that the steep slopes of the subject property will however be vulnerable to erosion

<p>during clearance of the site and the construction phase and the SD: CM agrees that appropriate erosion control measure should be implemented inside the boundaries of the subject property.</p> <p>2.1.7. Furthermore, the SD: CM notes that on page 18 of the pre-app BAR, a buffer for the non-perennial drainage line to the west of the property is set to 36m. Any development that occurs within this buffer is considered to be of a very high aquatic sensitivity, while others outside the buffer are considered to be of a low sensitivity and this further aligns with the Garden Route District CML.</p> <p>2.1.8. Based on the abovementioned items, the SD: CM does not object to the rezoning of Erf 1058 to Open Space Zone III and the proposed development, provided that all the above-mentioned items are considered and the EMPr is strictly adhered to.</p> <p>2.1.9. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: <i>"...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."</i> together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.</p> <p>3. The SD: CM reserves the right to revise or withdraw its comments and request further information from you based on any information that may be received.</p>	
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Cape Nature – Megan Simons – 03/11/2023

<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>	<ol style="list-style-type: none"> 1. The owner does not propose to remove any protected trees whatsoever and is willing to slightly move or reposition the units if required for preserving protected trees. 2. Response from MDB Planners: When studying the land use application and related documentation, it is clear that the property was
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According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017)¹ the property has Critical Biodiversity Areas (CBA 1: Forest and Terrestrial) along the west and south. The property borders the Wilderness Lakes Protected Area to the south. A nonperennial river flows outside of the western boundary of the property. The property is within the National Strategic Water Source Area for surface water for the Outeniqua region and serves as a water source protection for the Touws River and a watercourse protection for the South Eastern Coastal Belt.

The Vlok and de Villiers (2007) fine scale vegetation map describes the area as Wolwe River Fynbos-Forest. According to the National Biodiversity Assessment (Skowno et al. 2018)² the vegetation unit is Garden Route Granite Fynbos which is Critically Endangered (NEM:BA, 2022)³. The Garden Route Granite Fynbos was listed as one of the seven high risk Critically Endangered vegetation types in South Africa (Skowno et al. 2018).

Following a review of the Pre-App BAR and specialist reports, CapeNature wishes to make the following comments:

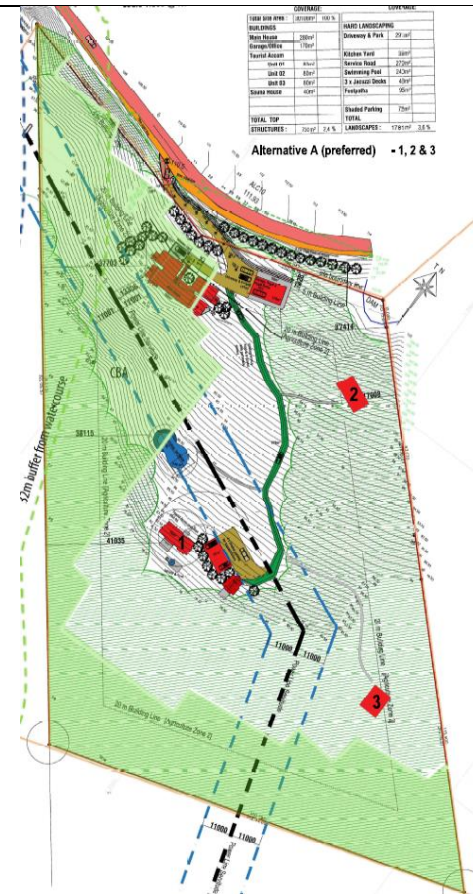
1. In terms of section 15(1) of the National Forests Act⁴, no person may cut, disturb, damage, or destroy any protected tree or possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree except under a license granted by the Minister.
2. The Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017) has specific guidelines regarding CBA loss and their sensitivity and conservation objectives. Thus, the proposed development should be guided by those objectives to conserve and protect the CBAs (Pool-Stanvliet et al. 2017). CapeNature maintains minimal habitat loss is acceptable (in line with the WCSBP Land Use Guidelines Handbook, 2017) provided the underlying biodiversity objectives and ecological functioning are not compromised.
3. The property forms part of a continuous CBA corridor to the west which is important for the conservation of the species, ecosystems, supporting ecological processes, and landscape connectivity. The proposed development is not in line with the recommended acceptable land-uses according to the WCBSBP and CapeNature will not support the loss of CBA.

predominantly used for agricultural purposes in the past and that it is invested with alien invasive species which the new property owner wishes to remove and rehabilitate the property. It is therefore safe to deduct that the environment will benefit from the process being followed and the intentions of the new property owner.

Only a small section of the property is indicated to be CBA, with only a small part of the proposal marginally overlapping the CBA area as confirmed by the biodiversity specialist – which is in reality infested with alien vegetation. As seen from the motivation report and supporting documentation, the primary dwelling is positioned in the northern section of the property on a suitable slope close to the entrance from Whites Road, above the powerline in an area covered with Black Wattles. This position is further than 32m from the watercourse just outside the property boundary to the west. If the dwelling house is positioned elsewhere, protected vegetation must be removed. Now only Black Wattles needs to be removed. Due to the topography difference between Whites Road and the property, the access point is also important. All these aspects were considered in the position proposed not only for the primary dwelling house and outbuilding but also for the tourist accommodation units and related structures.

The majority of the property is not CBA and therefore we cannot agree with CapeNature's comment that the proposal for Erf 1058 Hoekwil (Wilderness Heights) is not in line with recommended acceptable land uses as included in the WCBSBP (see figure below indicating CBA in green highlight). The site development plan has been updated to indicate the 32m from the watercourse located just west of the subject property and the CBA area was overlaid with a white line. The white area on the site development plan is invested with Black Wattles. The majority of structures are proposed on the sections of this alien invested area with a suitable slope and considering the powerline. Two of the three tourist accommodation units in the area with more indigenous vegetation, is proposed in natural clearings, with a suitable slope and away from the powerline. The third tourist accommodation unit is southwest of the powerline on a suitable slope. There are no other clearings on a suitable slope where the units could be accommodated.

4. The property provides important landscape connectivity to the west and the Wilderness Lakes PA to the south. The proposed development footprint will be 1923m² of Critically Endangered (CR) Garden Route Granite Fynbos vegetation. CapeNature recommend the footprint be reduced to limit the impact on CR vegetation and Critical Biodiversity Area, as this is not aligned to the desired objectives of CBA. Furthermore, the layout is currently too scattered and CapeNature recommends a more clustered layout for better management.
5. The balance between the thicket and fynbos elements on the site would be depended (and affected) by the fire frequency noting that in the absence of fire the area will become thicket. Thus, has an ecological burn been considered for the property prior to the starting the development? CapeNature recommends the landowner seeks guidance from the Fire Protection Association (FPA) to conduct an ecological burn. The FPA must advise on the consolidation of the adjacent properties to the west, also CBAs, to form a larger management unit.
6. The Fynbos Forum Guidelines⁵ mentions that the impacts of developments must be minimised, buildings should be clustered within fire-free zones and protected with firebreaks. Furthermore, flammable building materials such as thatch should be avoided.
7. Soil erosion control measures, water and pollution run-off must be strictly implemented. All runoffs must be managed in a manner as to minimise or prevent erosion. Areas susceptible to erosion and areas cleared of indigenous vegetation must be protected by installing the necessary temporary structures.
8. CapeNature reminds the applicant that the site has a high soil erodibility factor thus the geology is unstable and may result in a landslide. Furthermore, the removal of vegetation will destabilise the soil and result in land slipping. Mitigation must be considered to avoid this impact.
9. Eradication of invasive alien plant species are of high priority and CapeNature supports the removal of these species. Alien plant species that occur outside of the proposed footprint must be



Approximately 1.7ha of the property is not indicated to be CBA – which is ±56% of the property. Most of the development proposed for Erf 1058 Hoekwil (Wilderness Heights) is located outside of the CBA area. The development footprint is less than 7% of the property which includes the existing internal access route.

Response from EAP: Approximately 15 000m² of the property was heavily infested with wattle (previously cleared for farming activities early- to mid-1900s), of which 80% has been legally eradicated of alien vegetation. The majority of the development footprint (1,923m²) has been proposed within these areas in an effort to avoid undisturbed natural areas. More than 13,000m² of this area will be left to return to near-natural state, with alien vegetation management and monitoring in place.

cleared during the alien clearing phase. In this way, more alien plant species can be removed. The eradication and monitoring of the spread of invasive alien species should follow the National Environmental Management: Biodiversity Act (Act No.10 of 2004)6.

10. The ECO must ensure that the mitigation measure proposed by the specialists are implemented to protect the remaining ecological process and landscape connectivity.

11. CapeNature reminds the applicant of Section 28 of National Environmental Management Act (NEMA) (Act 104 of 1998 as amended) (Duty of Care) that states the following:

"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

Any action that causes wilful degradation of the environment may therefore constitute a breach of this Duty of Care and the penal provisions of NEMA will apply.

In conclusion, CapeNature has received numerous development applications for the Wilderness area. We are concerned that the cumulative impacts, if not properly considered and planned for, could be quite significant. Due to the impact of the fragmenting the CBA network, CapeNature does not support the development at this phase.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Please see Section G (4.4) of the Draft BAR.

3. CapeNature were invited to the site visit on 13 October 2023 for officials and I&AP's. They were unable to attend. A request for a site visit has been made with CapeNature to verify what is on the ground. Please see point 2 above in response.

It should be noted that the powerline fragments the CBA on the property, effectively cutting off the proposed main house. It should be taken into consideration that the powerline servitude is maintained by brushcutting 11m either side of the line. The CBA within the property will be managed for Alien Invasive Plants in accordance with the approved Alien Clearing Plan (Appendix L). This is in line with the objects of the Biodiversity Spatial Plan for CBA's in that degraded areas are rehabilitated or restored to near-natural state. More than 13,000m² of the heavily infested areas on the property will be left to return to near-natural state, with alien vegetation management and monitoring in place.

Please see Section G (4.4) of the Draft BAR.

See page 59 of the Terrestrial Biodiversity, Plant and Animal Species Assessment by Dr. David Hoare.

It is important for the maintenance of biodiversity and ecological patterns in the general Wilderness area that ecological linkages are maintained in the landscape. This includes coastal-inland linkages, lowland-upland linkages, migration corridors that run parallel to the coast, and ecotones between the different major habitat types. The mesic thicket/forest area on site is a key component of all of these linkages, but also a band of habitat at the base of the steep slope upon which the forest is located.

The lower one third of the site contains a band of natural mesic thicket or low forest that is in a good natural condition. No infrastructure is proposed for this area (see Figure below), but it is possible that some secondary impacts could occur from upslope activities.



4. See page 48 of the Terrestrial Biodiversity, Plant and Animal Species Assessment by Dr. David Hoare

The part of the site that is affected by the proposed development is mapped as Garden Route Granite Fynbos, but currently contains secondary thicket patches, alien plants and some small areas of herbaceous vegetation that includes a small number of fynbos elements typical of secondary vegetation.

There are two scenarios that can be evaluated with respect to the possible loss of natural fynbos on site:

- Fynbos previously occurred there naturally but has been lost due to historical processes of degradation.
- Fynbos never occurred there naturally and will therefore not be affected.

If the assumption is made that the national vegetation map is correct and that fynbos is the natural vegetation that should occur on site then the following factors affect the re-establishment of fynbos on site:

- **There is currently no typical fynbos vegetation on site.** The vegetation that currently occurs on site is not representative of the regional vegetation type, Garden Route Granite Fynbos. In the areas not currently occupied by natural thicket, it is currently a combination of secondary thicket with a small number of species that are considered to be fynbos elements.

- **There are currently few fynbos plant species on site.** The fynbos species that occur on site are a small number of species that typically colonise previously disturbed areas. The suite of fynbos species that occur on site are small in number (only 9 species), and have been consistently observed to emerge in areas recently cleared of pine plantations.
- **There are no nearby areas from which recruitment of natural fynbos species can take place.** All nearby areas that currently contain some form of vegetation that resembles fynbos are previously cultivated areas. This means that any fynbos vegetation that occurs there is secondary and also not representative of the regional vegetation type.
- **There is unlikely to be any soil seed bank of fynbos species occurring on site.** Historical aerial photographs show that the site was ploughed prior to 1936 (exact date of initial ploughing unknown but probably many years prior to 1936), therefore any soil seed bank would need to have survived almost 100 years, possibly more. Soil seed survival is unlikely for the majority of species that could occur in typical fynbos. Recruitment from a soil-based seed bank would therefore yield few original species (if any).

The more likely scenario is that fynbos didn't naturally occur on site prior to cultivation in 1936. This is supported by various observations:

1. Landcover data shows that, within areas currently in proximity to the site (within about 10 km) defined as either Garden Route Granite Fynbos or Garden Route Shale Fynbos, most remnants are thicket/forest, not fynbos. The only places that fynbos currently seems to occur is in locations where the environment specifically supports pockets of fynbos, such as localised areas on north-facing (drier, warmer) slopes, or areas with atypical substrate properties.
2. Climate data shows that the Wilderness area has mean annual rainfall patterns typical of the Forest Biome (intermediate to Albany Thicket Biome), not typical of the Fynbos Biome, therefore it would be expected that the typical vegetation would be forest or mesic thicket.
3. Remnant vegetation in the Wilderness area shows that areas with similar slope, aspect and elevation above sea level in proximity to the site currently contain mesic thicket/forest typical of the Wilderness area, not fynbos.
4. Secondary vegetation on site is rapidly developing towards mesic thicket in both structure and species composition. Woody species (trees and shrubs) that have already established in these secondary vegetation areas include *Allophylus decipiens*, *Buddleja saligna*, *Diospyros whyteana*, *Elaeodendron croceum*, *Grewia occidentalis*,

Gymnosporia buxifolia, *Gymnosporia nemorosa*, *Myrsine africana*, *Olea europaea*, *Pittosporum viridiflorum*, *Pterocelastrus tricuspidatus*, *Putterlickia pyracantha*, *Rapanea melanophloeos*, *Scutia myrtina*, *Searsia chirindensis*, *Searsia lucida*, *Searsia pallens*, *Sideroxylon inerme*, *Tarchonanthus littoralis*, *Trimeria grandifolia*, *Vepris lanceolata*, and *Zanthoxylum capense*. This is accompanied by a suite of herbaceous species found in woody vegetation, not fynbos.

Taken from MDB Planners: The proposed development is considered small-scale, of an appropriate scale. The 3 tourist accommodation units are proposed to be small and hidden from surrounding scenic routes and tourist viewpoints. The only "disturbed" footprints currently on the property are the existing path and existing clearings. Already disturbed areas are to be used. It should also be noted that during the site visit, it was agreed upon that clusters of indigenous forest will be retained, and the units will be moved if necessary to preserve these indigenous clusters.

The tourist accommodation cannot be clustered in the north as the northern slopes are steeper than where the tourist accommodation is currently proposed. The position of the electrical servitude running through the property also has an impact on position of structures. Furthermore, the owners wish to create a sense of remoteness for the prospective guests and clustering. This motivation report and specialist reports such as the VIA supports the site layout as proposed.

Please see Section H (1.3) of the Draft BAR.

5. The landowner is a member of the SCFPA and will seek guidance on ecological burns.
6. Clustered layout is discussed in point 4, above. The SCFPA will be consulted regarding defendable spaces, firebreaks, and fire-free zones.
7. The EMPr will address erosion control measures and run-off. A stormwater management plan will also address SUD design and permeable paving, to be included in the Final BAR.
8. Mitigations will be included in the EMPr. A Geotechnical Report was compiled for the site and included in the Draft BAR as Appendix G2. The report concluded the following
 - Excavatability - No significant problems were noted, with no refusals encountered at depths shallower than 800mm. Excavation constraints may be expected at depths exceeding 1 meter.

- Stability of Excavations - Excavations were all stable and no side walls collapsed.

The appointed Structural Engineer will inspect all trenches/excavations before placing of any foundations.

9. The property was densely infested with wattle and pine, especially in areas previously cleared for farming activities which commenced by at least the early- to mid-1900s and possibly as early as the early 1800s (Nilssen 2022). Alien plant removal by hand pulling, handsaw, and chainsaw (no topsoil disturbance) was carried out by the previous owner of Erf 1058. Subsequently, an approved Alien Clearing Plan dated 23/03/2023, and an OSCAE Permit as issued by George Municipality (Appendix L) was attained by the Applicant.

Approximately 15 000m² of the property was heavily infested with wattle, as shown in the right image below, of which 80% has been eradicated of alien vegetation as described above. The majority of the development footprint (1,788m²) has been proposed within this area in an effort to avoid undisturbed natural areas. More than 13,000m² of this area will be left to return to near-natural state, with alien vegetation management and monitoring in place.



10. An ECO will be appointed for the construction phase of the development and will carry out duties in accordance with the approved EMPr.

11. Noted, this is not the intention of the landowner.

	<p>Response from MDB Planners: Noted. If so, many applications are on the table at the moment, the authorities have the opportunity to consider the proposals almost together. The proposal for Erf 1058 Hoekwil (Wilderness Heights) is limited and responds to the nature of the property. What the authorities should also strongly keep in mind is that with the limited development proposed, comes funding for rehabilitation and the expansion of CBA. A conservation outcome is proposed.</p> <p>It is further important to note that this land use application for the subject property was not found to be in conflict with the principles of SPLUMA. All authorities dealing with land development, must consider SPLUMA.</p>
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Cape Nature – Megan Simons – 14/11/2023

<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.</p> <p>CapeNature was requested by the Department of Environmental Affairs and Development Planning to provide additional comments to points 3.3 and 3.4 in their letter dated 06 November 2023. CapeNature wishes to make the following comments:</p> <ol style="list-style-type: none"> 1. The rezoning application does not provide any motivation on how this property relates to conservation. The rezoning application and the Terrestrial Ecology Report both stated “the property has low biodiversity value and lacks primary vegetation” and “comprises modified and severely degraded habitat types” respectively. 2. The objectives of Open Space Zone III (nature conservation area) is to ensure biodiversity is conserved and to allow ecological processes in undeveloped areas. Thus, the rezoning to Open Space Zone III must be aligned with conservation objectives. CapeNature has objected to the current layout, based on the impact to the Garden Route Granite Fynbos (CR) and CBA. Thus, the development must be in an ecological sensitive manner with minimal impact on the natural environment (Esler et al.2014). 3. The property has a Critically Endangered ecosystem which is under-protected, is within the Outeniqua Strategic Water Source Area for surface water which serves as an important water source protection and is within proximity to the Garden Route National 	<p>Point 1:</p> <p>Open Space Zone III (nature conservation area) provides for the 'management of land with the objective of preserving the natural biophysical characteristics of that land' through an environmental management plan and in this instance through a NEMA-process as well. The motivation report for this land use application has shown that the abutting Remainder Erf 1262 Wilderness has already been rezoned to Open Space Zone III with the development being implemented at present. Creating properties in this area, zoned Open Space Zone III (nature conservation area) will create a greater area bordering onto the Garden Route National Park protected suitably through environmental management plans. The conservation authorities should consult with property owners in the area to create at least a conservancy, similar to the Constantia Kloof Conservancy, located close by. A conservation corridor over privately owned land, can be created through Wilderness to the Garden Route National Park.</p> <p>George Municipality is the competent authority when it comes to zonings and the allocation thereof. It should also be noted that the GMSDF (2023) supports the rezoning of properties such as Erf 1058 Hoekwil (Wilderness Heights) to Open Space Zone III (nature conservation area).</p> <p>It should also be taken into consideration that the landowner requires an income from the land in order to manage it for invasive alien vegetation and to achieve effective conservation outcomes. Further to this, the landowner wishes to work with the Departments to achieve these conservation outcomes while still utilising the land.</p>
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Park and borders the Wilderness Lakes Protected Area. In addition to the above the property has a potential to be rehabilitated which will improve the biodiversity on site. SANParks has expressed an interest to include the property in their expansion footprint, CapeNature would recommend SANParks be approached to consolidate this property into their expansion footprint.

4. The screening tool rated the Terrestrial Biodiversity for the property as High sensitivity due to the CBA, ESA, SWSA and the CR ecosystem. The Specialist rated the sensitivity as Low based on the heavily degraded habitat.
5. The current state of the vegetation is degraded; however, the habitat has a Very High Resilience and does have potential to be rehabilitated. It is important to note that the presence of fynbos species between alien plants is evidence that they are not yet outcompeted. Furthermore, the fire history is unknown and an important factor which was not discussed is the seed bank. Even if no indigenous plants are present the seed bank can still be intact. The season of assessing the site is important (and was in mid-winter) as late winter and spring is the best season to assess fynbos (Fynbos Forum Guidelines).
6. Based on the above the Specialist has not adequately considered the value of the fynbos and what the impact of the development would be on this CR ecosystem. CapeNature is of the opinion that the sensitivity should be High-Medium.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Point 2:

The rezoning of Erf 1058 Hoekwil (Wilderness Heights) is following the creation of an Open Space Zone III (nature conservation area) corridor of properties linking with the Garden Route National Park (Ebb & Flow located close by to the east). The abutting Remainder Erf 1262 Wilderness has already been rezoned to Open Space Zone III (nature conservation area). A linkage with the 'Garden Route's network of formally protected and critical biodiversity areas' are therefore being established.

Open Space Zone III (nature conservation area) provides for the 'management of land with the objective of preserving the natural biophysical characteristics of that land' through an environmental management plan. The abutting Remainder Erf 1262 Wilderness has already been rezoned to Open Space Zone III with the development being implemented at present. Creating properties in this area, zoned Open Space Zone III (nature conservation area) will create a greater area bordering onto the Garden Route National Park protected suitably through environmental management plans. The conservation authorities should consult with property owners in the area to create at least a conservancy, similar to the Constantia Kloof Conservancy, located close by. A conservation corridor over privately owned land, can be created through Wilderness to the Garden Route National Park.

Reading the land use descriptions for nature conservation area and nature reserve, we deduct that the intention with nature reserve is not small pockets of land. George Municipality is the competent authority when it comes to zonings and the allocation thereof. It should also be noted that the GMSDF (2023) supports the rezoning of properties such as Erf 1058 Hoekwil (Wilderness Heights) to Open Space Zone III (nature conservation area). Also, when comparing the land use description, development parameters and possible consent uses of nature conservation area and nature reserve it could be stated that the latter gives more development potential for the subject property. Therefore, the zoning for the entire property as proposed, Open Space Zone III (nature conservation area) is appropriate, balancing all relevant considerations.

Positioning all structures in the northern section of the property will necessitate the removal of indigenous vegetation, which the property owner is trying to prevent.

Point 3:

SANParks have been approached to discuss a Stewardship Agreement / Biodiversity Agreement.

Point 4:

Correct.

Point 5:

It is the Applicants intention to rehabilitate and resort the indigenous vegetation and fynbos on the property. It is assumed that the seedbank still exists and will assist in the rehabilitation of the site. Fire regimes and possible ecological burns can be discussed with the SCFPA and CapeNature.

The following should be noted here -

It has not been shown in any ecosystem in South Africa that secondary vegetation can ever be restored to a state that resembles the original natural vegetation that would have occurred there. So, to reiterate, loss of secondary vegetation is fully reversible through active rehabilitation back to secondary vegetation, NOT to the original natural state – Dr David Hoare.

Point 6:

as Garden Route Granite Fynbos, but currently contains secondary thicket patches, alien plants and some small areas of herbaceous vegetation that includes a small number of fynbos elements typical of secondary vegetation.

There are two scenarios that can be evaluated with respect to the possible loss of natural fynbos on site:

- Fynbos previously occurred there naturally but has been lost due to historical processes of degradation.
- Fynbos never occurred there naturally and will therefore not be affected.

If the assumption is made that the national vegetation map is correct and that fynbos is the natural vegetation that should occur on site then the following factors affect the re-establishment of fynbos on site:

- **There is currently no typical fynbos vegetation on site.** The vegetation that currently occurs on site is not representative of the regional vegetation type, Garden Route Granite Fynbos. In the areas not currently occupied by natural thicket, it is currently a combination of secondary thicket with a small number of species that are considered to be fynbos elements.

- **There are currently few fynbos plant species on site.** The fynbos species that occur on site are a small number of species that typically colonise previously disturbed areas. The suite of fynbos species that occur on site are small in number (only 9 species), and have been consistently observed to emerge in areas recently cleared of pine plantations.
- **There are no nearby areas from which recruitment of natural fynbos species can take place.** All nearby areas that currently contain some form of vegetation that resembles fynbos are previously cultivated areas. This means that any fynbos vegetation that occurs there is secondary and also not representative of the regional vegetation type.
- **There is unlikely to be any soil seed bank of fynbos species occurring on site.** Historical aerial photographs show that the site was ploughed prior to 1936 (exact date of initial ploughing unknown but probably many years prior to 1936), therefore any soil seed bank would need to have survived almost 100 years, possibly more. Soil seed survival is unlikely for the majority of species that could occur in typical fynbos. Recruitment from a soil-based seed bank would therefore yield few original species (if any).

The more likely scenario is that fynbos didn't naturally occur on site prior to cultivation in 1936. This is supported by various observations:

5. Landcover data shows that, within areas currently in proximity to the site (within about 10 km) defined as either Garden Route Granite Fynbos or Garden Route Shale Fynbos, most remnants are thicket/forest, not fynbos. The only places that fynbos currently seems to occur is in locations where the environment specifically supports pockets of fynbos, such as localised areas on north-facing (drier, warmer) slopes, or areas with atypical substrate properties.
6. Climate data shows that the Wilderness area has mean annual rainfall patterns typical of the Forest Biome (intermediate to Albany Thicket Biome), not typical of the Fynbos Biome, therefore it would be expected that the typical vegetation would be forest or mesic thicket.
7. Remnant vegetation in the Wilderness area shows that areas with similar slope, aspect and elevation above sea level in proximity to the site currently contain mesic thicket/forest typical of the Wilderness area, not fynbos.
8. Secondary vegetation on site is rapidly developing towards mesic thicket in both structure and species composition. Woody species (trees and shrubs) that have already established in these secondary vegetation areas include *Allophylus decipiens*, *Buddleja saligna*, *Diospyros whyteana*, *Elaeodendron croceum*, *Grewia occidentalis*,

Gymnosporia buxifolia, *Gymnosporia nemorosa*, *Myrsine africana*, *Olea europaea*, *Pittosporum viridiflorum*, *Pterocelastrus tricuspidatus*, *Putterlickia pyracantha*, *Rapanea melanophloeos*, *Scutia myrtina*, *Searsia chirindensis*, *Searsia lucida*, *Searsia pallens*, *Sideroxylon inerme*, *Tarchonanthus littoralis*, *Trimeria grandifolia*, *Vepris lanceolata*, and *Zanthoxylum capense*. This is accompanied by a suite of herbaceous species found in woody vegetation, not fynbos.

The vegetation type (Garden Route Granite Fynbos) is listed as Endangered. However, the small areas of secondary vegetation that contain any fynbos species are a poor example of the regional vegetation type. The fynbos vegetation was assessed as having a **VERY LOW** significance.

SANPARKS – 27/10/2023

Erf 1058, Whites Road, Hoekwil (Wilderness Heights) is in the Buffer Zone of the Garden Route National Park (GRNP). Achieving a conservation outcome on this property is important to SANParks.

The property borders a non-perennial river towards the west, and a Critical Biodiversity Area (CBA) traverses the north-western and southern portions of the property (Plate 1). Critical Biodiversity Areas are required to be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning.

Responses from Marlize de Bruyn Planning:

Correct. That is part of the reason why the development is proposed in the eastern and northeastern sections of the property. No development is proposed in the north-western or southern sections of the property. The biodiversity specialist however found that the vegetation of this property does not represent the vegetation type as stated.

Response from EAP:

The proposed development can be regarded as low impact as it is low density with a relatively small footprint ($\pm 6.4\%$ coverage of the total property), and the objective of the development is to use existing disturbed spaces and natural open areas for construction to minimise disturbance of vegetation, and to blend into the surrounding environment. Restoration of indigenous vegetation and conservation outcomes forms an important aspect of the development such that the property will be rezoned to Open Space Zone III (nature conservation area).

Open Space Zone III aims to provide for the conservation of natural resources in areas that have not been proclaimed as nature areas (non-statutory conservation), in order to sustain flora and fauna and protect areas of undeveloped landscape including woodlands, ridges, wetlands and the coastline. A range of consent uses is provided to supplement and support the main objective of this zone. With the rezoning of the property, it is proposed to conserve the property as a nature area along Whites Road and in a scenic area, located close to the Ebb & Flow Rest camp of SANParks. Tourist accommodation is one of the eight consent uses possible in a nature



Plate 1: Erf 1058 in the context of the Garden Route National Park, CBAs, and river systems

Plate 2: Erf 1058 contains Garden Route Granite Fynbos (FFg 5)

The property falls within the Garden Route Granite Fynbos (FFg 5) vegetation type (Plate 2), which is listed as Critically Endangered in the National Environmental Management Biodiversity Act (Act No. 10 of 2004), Revised National List of Ecosystems that are Threatened and in Need of Protection GNR No. 2747, 18 November 2022 (Plate 3).

Garden Route Granite Fynbos	Fynbos	Critically Endangered	B1(i)	Garden Route Granite Fynbos is narrowly distributed with high rates of habitat loss in the past 28 years (1990-2018), placing the ecosystem type at risk of collapse.
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Plate 3: Extract from National Environmental Management Biodiversity Act (Act No. 10 of 2004), Revised National List of Ecosystems that are Threatened and in Need of Protection GNR No. 2747, 18 November 2022, pg 4.

Erf 1058 Whites Road is 3.0108ha in extent and zoned Agricultural Zone II (i.e., smallholding, with rights to erect two dwellings with outbuildings, with various consent uses permissible pending application). The registered owner is Wealth Spring Proprietary Limited.

The development proposal entails two applications:

1. Proposed removal of restrictive conditions, rezoning, consent use and permanent departure for Wealth Spring Propriety Limited, for Erf 1058, Whites Road, Hoekwil (Wilderness Heights), submitted by Marlize de Bruyn Planning, Consulting Town & Regional Planning; and
2. Environmental Assessment Process, Basic Assessment application, for the proposed development of Erf 1058, Whites Road, Hoekwil (Wilderness Heights), submitted by EcoRoute Environmental Consultancy.

The following EIA Listed Activities are noted as applicable:

- a. Government Notice No. R327 (Listing Notice 1): Listed Activity 28; and
- b. Government Notice No. R324 (Listing Notice 3): Listed Activities 4, 6 & 12.

The development proposal consists of: (1) a main house (280m²); (2) an outbuilding with an office and garage (170 m²); (3) three tourist accommodation units (3 x 80m²); (4) a sauna house (40m²); (5) driveway and parking for main dwelling (291m²); (6) kitchen yards (35m²); (7) service road 270m²); (8) swimming pool (240m²); (9) three jacuzzi decks

conservation area, and the income generated will ensure continued management of the property for the best possible conservation outcome.

The powerline fragments the CBA on the property, effectively cutting off the proposed main house. It should be taken into consideration that the powerline servitude is maintained by brushcutting 11m either side of the line. The CBA within the property will be managed for Alien Invasive Plants in accordance with the approved Alien Clearing Plan (Appendix L). This is in line with the objects of the Biodiversity Spatial Plan for CBA's in that degraded areas are rehabilitated or restored to near-natural state. More than 13,000m² of the heavily infested areas on the property will be left to return to near-natural state, with alien vegetation management and monitoring in place.

Only approximately 400m² of CBA will be disturbed for the main dwelling and a section of the swimming pool. It should also be taken into consideration that much of the site was previously disturbed, and that rehabilitation effort such as invasive alien vegetation removal and restoration of natural vegetation alongside a low impact development be considered as consistent with the objectives and management guidelines of the Biodiversity Spatial Plan.

for tourist accommodation units (48m²); (10) footpaths (95m²); (11) outdoor Lapa (42m²); (12) shaded parking (72m²); and (13) rehabilitation areas (90m²). This equates to 730m² for buildings, and 1093m² for hard landscaping, including driveways, i.e., 1823m² , with 90m² additional allocated for rehabilitation/disturbance. As per proposed Site Development Plan V17, 16/08/2023, EcoRoute Pre-application BAR.

SANParks conducted a site inspection on 13/10/2023 together with the landowner, Alexander Polson, EcoRoute, Marlize de Bruyn Town Planners, WRRRA, DFFE, and WALEAF (Plate 4-7).



Plate 4: Site visit representatives discussing the development proposals.



Plate 5: A powerline traverses the property from north to south. Photograph taken at the change of direction junction point.



Plate 6: Views from the property looking south-east across the Touws river.



Plate 7: Indigenous vegetation remnant pockets situated within alien vegetation areas.

Point 1: Site Development Plan and footprint of the proposed dwellings on the property.

Point 1: Site Development Plan and footprint of the proposed dwellings on the property.

Responses from Marlize de Bruyn Planning:

As conveyed to also SANParks during the site visit of 13 October 2023, structures are to be positioned in existing clearings with suitable slopes considering access from the existing access route and the position of the power line



Plate 8: Aerial photo of property, CapeFarmMapper, 24/10/2023



Plate 9: Position of dwellings, extract from EcoRoute, Pre-application BAR, 26/09/2023. **Note:** SANParks is in support of development above/north of the yellow line, but **NOT** below/south.



Plate 10: Urban Edge, Priority Natural Areas and Corridors, George Municipality GIS viewer, 24/10/2023

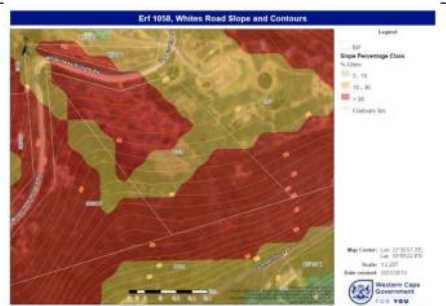


Plate 11: Slope and Contours. **Note:** slope percentage class is >30% in most areas on the property, CapeFarmMapper, 24/10/2023

running through the property. The site development plan forming the basis of this land use application was carefully thought through and ground truthed.

The tourist accommodation cannot be clustered in the north as the northern slopes are steeper than where the tourist accommodation is currently proposed. The position of the electrical servitude running through the property also has an impact on position of structures. Furthermore, the owners wish to create a sense of remoteness for the prospective guests and clustering.

The VIA, prepared by a specialist, concluded that the proposed development does not have a negative visual impact.

- Visual sensitivity: Viewers in the surrounding area would experience a limited visual envelope or viewshed. None of the proposed buildings are located on the prominent ridgelines with the individual dark-coloured buildings being positioned to optimise the screening effect from surrounding vegetation with the proposed development therefore having a moderate to low visual sensitivity.
- Visual absorption capacity: Topography, surrounding vegetation, and the position and design of the proposed development components provide a high level of visual absorption for the proposed development.
- Visual intrusion: The development as proposed has a low visual impact design and the use of appropriate cladding materials and colour selection materials allows it to blend in very well with its surroundings and create a minimal change in the landscape. The proposed development, therefore, has a low visual intrusion.

Response from the EAP:

Clustered Alternative Layout does not make optimal use of existing open areas / clearings and open secondary thicket. A large portion of dense secondary thicket would be disturbed to allow for a clustered layout to the northeast of the property. Development above/north of the yellow line as shown in Plate 9, shows that the majority of the development will be concentrated in the open and dense secondary thicket. This alternative will result in the loss of dense secondary thicket.

This layout also does not consider the objectives of the development that aims to provide secluded and private tourism units that contribute to the



Plate 12: Observer locations and probable view catchment (purple areas), Visual Impact Assessment, Paul Buchholz, dated 01/08/2023



Plate 13: Observer locations. Green depicts visible. Visual Impact Assessment, Paul Buchholz, dated 01/08/2023

- SANParks objects to the development of the southern/lower half of the property, i.e., areas below/south of the yellow line (Plate 9). Where the nursery/greenhouse area, Unit 02 and 03 including their jacuzzi & deck, the sauna house, outdoor Lapa, swimming pool, parking and road areas are located.
- The development should rather be located on the upper/northern portion of the property above the yellow line (Plate 9).
- This would serve to: (1) limit transformation and fragmentation of the lower southern portion and negate biodiversity loss and improve biodiversity connectivity corridors which are present (Plate 10); (2) mitigate risks of soil erosion due to developing building platforms and roads on a steep property (Plate 11); and (3) reduce the visual impact of the proposed development, particularly as the property is visible from the Ebb and Flow Rest Camp, Garden Route National Park (Plate 12 and 13), and visual quality will be negatively affected. Items (1) and (2) are particularly important in terms of building adaptation and resilience to predicted climate change impacts.

experience of being within nature. The layout will also impact on the permanent residential dwelling and privacy thereof.

Only one existing access route exists on the property which will be 'formalised' with e.g grass blocks with suitable stormwater controls. This development proposal is guided by various specialist inputs and will include stormwater management as per an engineering design approved by the Provincial Roads Department.

The Terrestrial Ecology Compliance Statement by The Biodiversity Company, dated September 2023 states, "The Project Area presently comprises modified and severely degraded habitat types", and "the Project Area has been cleared for agricultural purposes and consequently

A Plant Species, Animal Species and Terrestrial Biodiversity Assessment was undertaken by Dr. David Hoare. The following was determined regarding the natural fynbos on site:

does not possess natural primary vegetation". SANParks disagrees with this statement, as similar 'degraded' sites have shown great potential for fynbos rehabilitation, due to the fynbos seedbanks remaining in the soil profile for decades. During the site inspection of 13/10/ 2023 fynbos vegetation was observed to be present between the alien vegetation. Further, as the vegetation type is listed as Critically Endangered Garden Route Granite Fynbos (FFg 5), the value and potential for restoration should not be overlooked. The specialist study has not included any landscape functionality/ corridor assessment. The property links into important corridors as noted in Plate 10.

as Garden Route Granite Fynbos, but currently contains secondary thicket patches, alien plants and some small areas of herbaceous vegetation that includes a small number of fynbos elements typical of secondary vegetation.

There are two scenarios that can be evaluated with respect to the possible loss of natural fynbos on site:

- Fynbos previously occurred there naturally but has been lost due to historical processes of degradation.
- Fynbos never occurred there naturally and will therefore not be affected.

If the assumption is made that the national vegetation map is correct and that fynbos is the natural vegetation that should occur on site then the following factors affect the re-establishment of fynbos on site:

- **There is currently no typical fynbos vegetation on site.** The vegetation that currently occurs on site is not representative of the regional vegetation type, Garden Route Granite Fynbos. In the areas not currently occupied by natural thicket, it is currently a combination of secondary thicket with a small number of species that are considered to be fynbos elements.
- **There are currently few fynbos plant species on site.** The fynbos species that occur on site are a small number of species that typically colonise previously disturbed areas. The suite of fynbos species that occur on site are small in number (only 9 species), and have been consistently observed to emerge in areas recently cleared of pine plantations.
- **There are no nearby areas from which recruitment of natural fynbos species can take place.** All nearby areas that currently contain some form of vegetation that resembles fynbos are previously cultivated areas. This means that any fynbos vegetation that occurs there is secondary and also not representative of the regional vegetation type.
- **There is unlikely to be any soil seed bank of fynbos species occurring on site.** Historical aerial photographs show that the site was ploughed prior to 1936 (exact date of initial ploughing unknown but probably many years prior to 1936), therefore any soil seed bank would need to have survived almost 100 years, possibly more. Soil seed survival is unlikely for the majority of species that could occur in typical fynbos. Recruitment from a soil-based seed bank would therefore yield few original species (if any).

The more likely scenario is that fynbos didn't naturally occur on site prior to cultivation in 1936. This is supported by various observations:

	<ul style="list-style-type: none"> • Landcover data shows that, within areas currently in proximity to the site (within about 10 km) defined as either Garden Route Granite Fynbos or Garden Route Shale Fynbos, most remnants are thicket/forest, not fynbos. The only places that fynbos currently seems to occur is in locations where the environment specifically supports pockets of fynbos, such as localised areas on north-facing (drier, warmer) slopes, or areas with atypical substrate properties. • Climate data shows that the Wilderness area has mean annual rainfall patterns typical of the Forest Biome (intermediate to Albany Thicket Biome), not typical of the Fynbos Biome, therefore it would be expected that the typical vegetation would be forest or mesic thicket. • Remnant vegetation in the Wilderness area show that areas with similar slope, aspect and elevation above sea level in proximity to the site currently contain mesic thicket/forest typical of the Wilderness area, not fynbos. • Secondary vegetation on site is rapidly developing towards mesic thicket in both structure and species composition. Woody species (trees and shrubs) that have already established in these secondary vegetation areas include <i>Allophylus decipiens</i>, <i>Buddleja saligna</i>, <i>Diospyros whyteana</i>, <i>Elaeodendron croceum</i>, <i>Grewia occidentalis</i>, <i>Gymnosporia buxifolia</i>, <i>Gymnosporia nemorosa</i>, <i>Myrsine africana</i>, <i>Olea europaea</i>, <i>Pittosporum viridiflorum</i>, <i>Pterocelastrus tricuspidatus</i>, <i>Putterlickia pyracantha</i>, <i>Rapanea melanophloeos</i>, <i>Scutia myrtina</i>, <i>Searsia chirindensis</i>, <i>Searsia lucida</i>, <i>Searsia pallens</i>, <i>Sideroxylon inerme</i>, <i>Tarchonanthus littoralis</i>, <i>Trimeria grandifolia</i>, <i>Vepris lanceolata</i>, and <i>Zanthoxylum capense</i>. This is accompanied by a suite of herbaceous species found in woody vegetation, not fynbos.
<p>The development is proposed on a steep property (slope percentage class is >30% in most areas) with numerous driveways and accesses to the main house, outbuilding and three units. Due to the steepness of the property, SANParks is concerned that that roads and building platforms will result in large disturbance platforms, more than areas calculated in the SDP (90m2 allocated for rehabilitation in the SDP appears to be an underestimate). Soil erosion is a serious concern, that may be exacerbated by climate change affects.</p>	<p>The position of the main dwelling and studio unit are shown as being within a sloped area of approximately 31-35%, however the primary dwelling was positioned in the northern section of the property on a suitable slope close to the entrance from Whites Road, above the powerline in an area covered with Black Wattles. Due to the topography difference between Whites Road and the property, the access point is also important. All these aspects were considered in the position proposed not only for the primary dwelling house and outbuilding but also for the tourist accommodation units and related structures.</p>

	<p>According to the ground slope stability assessed in the geotechnical report, no unstable geological materials that can move either gradually (creep) or suddenly as a slump or a slide are visually present. The side walls were stable and there were no signs of piping (erosion) visible on site (Appendix G2).</p> <p>The design of the road will take into consideration the limitations of constructing on slopes and incorporate engineering designs as approved by the Provincial Roads Department. The slope of embankments and cut-outs will be stabilised by suitable concrete retainer wall blocks. The house design will also take into consideration building challenges and will be constructed on stilts using lightweight construction materials.</p> <p>The house and studio will be a light steel frame construction in order to ensure minimum impact created by the footprint. The garage and relevant floor structure is separate from the main dwelling and the only portion of the building to be constructed on a concrete slab. The garage building slab is positioned on a suitably sloped portion of the property avoiding steep areas. The natural contours on the property presents various challenges with regards to the design and relevant environmental impact but the fact that the main dwelling “floats” above the natural contours on columns ensures a well-considered and sensitive approach.</p> <p>The three tourist accommodations will follow the tiny home concept and will be constructed on top of wooden platform on timber poles. The tiny homes will be a light steel frame construction.</p> <p>Please see Section G (5) of the Draft BAR.</p>
<p>Point 2: Rezoning of the property from Agriculture II to Open Space III</p> <p>SANParks will support the Rezoning application for the rezoning of the property from Agriculture II to Open Space III, however ONLY for the upper northern portion of the property, i.e., the area above/ north of the yellow line as shown in Plate 9.</p>	<p>Point 2: Rezoning of the property from Agriculture II to Open Space III</p> <p>Responses from Marlize de Bruyn Planning:</p> <p>For a property to be rezoned to Open Space Zone IV, the conservation authorities must confirm that such property will be declared a nature reserve or similar. It has always been the understanding that conservation bodies do not support small portions of land to be declared as nature reserves. Open</p>

<p>An alternative zoning option is possible, which should be investigated. The property could have a dual/spot zoning status applied, i.e., where the upper/northern portion above the yellow line be zoned as Open Space III (OSZIII) (to allow special consent for resort), whilst the lower/southern portion be rezoned as Open Space IV (OSZIV). An Open Space IV zoning would allow the lower/southern portion to be more formally protected and committed to conservation and to be declared a Nature Reserve. This rezoning model could afford the landowner with potential rates reductions; however, this would be subject to discussions to be held with the George Municipality. SANParks suggests that the landowner signs a Biodiversity Agreement to formalise the management of the property for conservation. SANParks would welcome an opportunity to meet with the landowner to discuss this option further.</p>	<p>Space Zone III (nature conservation area) provides for the 'management of land with the objective of preserving the natural biophysical characteristics of that land' through an environmental management plan and in this instance through a NEMA-process as well. The motivation report for this land use application has shown that the abutting Remainder Erf 1262 Wilderness has already been rezoned to Open Space Zone III with the development being implemented at present. Creating properties in this area, zoned Open Space Zone III (nature conservation area) will create a greater area bordering onto the Garden Route National Park protected suitably through environmental management plans. The conservation authorities should consult with property owners in the area to create at least a conservancy, similar to the Constantia Kloof Conservancy, located close by. A conservation corridor over privately owned land, can be created through Wilderness to the Garden Route National Park.</p> <p>Reading the land use descriptions for nature conservation area and nature reserve, we deduct that the intention with nature reserve is not small pockets of land as suggested by SANParks in this instance. George Municipality is the competent authority when it comes to zonings and the allocation thereof. It should also be noted that the GMSDF (2023) supports the rezoning of properties such as Erf 1058 Hoekwil (Wilderness Heights) to Open Space Zone III (nature conservation area).</p> <p>Also, when comparing the land use description, development parameters and possible consent uses of nature conservation area and nature reserve it could be stated that the latter gives more development potential for the subject property. We do not think that this is the intention of SANParks. Therefore, the zoning for the entire property as proposed, Open Space Zone III (nature conservation area) is appropriate, balancing all relevant considerations.</p> <p>Positioning all structures in the northern section of the property will necessitate the removal of indigenous vegetation, which the property owner is trying to prevent.</p> <p>The landowner is open to a discussion on biodiversity agreement options with SANParks.</p>
<p>Point 3: Summary and way forward</p> <p>SANParks cannot support the current application as it will result in an unacceptable loss of habitat, landscape functionality, and corridors in the</p>	<p>Point 3: Summary and way forward.</p> <p>Open Space Zone IV also allows for tourist accommodation as consent use. Open space Zone IV makes provision for more intensified consent uses namely</p>

SANParks Buffer Zone. SANParks recommends that only the upper/northern portion of the property be developed (as shown in Plate 9), and that this portion be rezoned to Open Space III. The remainder of the property should be rezoned to Open Space IV and placed into conservation with a signed Biodiversity Agreement in place.

The proposed development should be scaled down and consolidated within the upper northern portion of the site. The landowner could investigate combining the three accommodation units into a guest house (with height restrictions applicable) or locate them in closer proximity. Road accesses, building platforms, infrastructure and services should be reduced to minimise disturbance and negative impacts.

The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on their property.

Further, compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. The landowner is encouraged to become a member of the Southern Cape Fire Protection Association.

SANParks reserves the right to revise initial comments if additional information becomes available.

a conference facility and a function venue. This is not the intention of the development proposal and shows that Open Space Zone III (nature conservation area) is the appropriate zoning in this instance.

Restrictions contained in a title deed cannot be removed for only a part of the property. The Deeds Office also does not allow conditions such as suggested by SANParks to be written into a title deed. The conditions of approval for any land use application are sufficient to manage the goal of the development proposal.

The motivation report of the land use application states the following regarding the 'clustering' suggestion from the pre-application consultation: The tourist accommodation cannot be clustered in the north as the northern slopes are steeper than where the tourist accommodation is currently proposed. The position of the electrical servitude running through the property also has an impact on position of structures. Furthermore, the owners wish to create a sense of remoteness for the prospective guests and clustering. This motivation report and specialist reports such as the VIA supports the site layout as proposed.

The motivation report of the land use application states the following regarding the 'clustering' suggestion from the pre-application consultation:

The tourist accommodation cannot be clustered in the north as the northern slopes are steeper than where the tourist accommodation is currently proposed. The position of the electrical servitude running through the property also has an impact on position of structures. Furthermore, the owners wish to create a sense of remoteness for the prospective guests and clustering. This motivation report and specialist reports such as the VIA supports the site layout as proposed.

The positions of all structures were determined considering topography (slope), vegetation, access, existing clearings, and the power line cutting through the property. Positioning all structures in the northern section of the property will necessitate the removal of indigenous vegetation, which the property owner is trying to prevent.

There is an approved Invasive Alien Control Plan in place for Erf 1058. The intention of the property owner is to live on the property and provide tourist accommodation in 3 small units in order to source income to manage the property. Management of the property includes the control of AIP and

	<p>restoration of indigenous vegetation. This cannot be funded without a source of income.</p> <p>The landowner is a member of the SCFPA.</p> <p>The landowner has removed the lapa in order to create a no-go ecological corridor to the bottom (south) of the property. Moving of the accommodation units does not make sense considering that they have been placed strategically within identified 'clearings' as to avoid impacts on natural vegetation. Footpath to the units will not have a significant effect on animal movement, and fencing will not be used. Consideration has been given in order to create an environmentally sensitive development.</p> <p>It should also be taken into consideration that the landowner requires an income from the land in order to manage it for invasive alien vegetation and to achieve effective conservation outcomes. Further to this, the landowner wishes to work with the Departments to achieve these conservation outcomes while still utilising the land.</p>
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Garden Route District Municipality – 05/10/2023

<p>This municipal Health Services office has no objections towards the proposal of development of proposed low density residential & tourism development on ERF 1058 Hoekwil (Wilderness Heights) and hereby wishes to set the following requirements and/or recommendations:</p> <ol style="list-style-type: none"> 1. Ensure that all practical measure to minimise the impact of operations on the environment have been included in plans / programmes and emergency plans have been developed. 2. Ensure that all staff have the appropriate level of environmental awareness and competence in order to ensure continued environmental due diligence and ongoing minimization of environmental harm. 3. Proper storage facilities for the storage of oils, paints, grease, fuels, chemicals and any hazardous materials to be used must be provided and must conform to the relevant safety requirements to prevent the migration of spillage into the ground and groundwater regime around the temporary storage area(s). 	<p>The comments are noted. All requirements and recommendations will be included in the EMPr.</p>
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- ✓ Hazardous substances must be stored at least 20m from any water bodies on site to avoid pollution.
4. All major spills of any materials, chemicals, fuels or other potentially hazardous or pollutant substances must be cleaned immediately, and the cause of the spill investigated. Preventative measures must be identified and emergency response procedures followed and implemented.
 5. The Contractor must provide sufficient ablution / sanitary facilities, in the form of portable or VIP toilets, at the Construction Camp(s), and must conform to all relevant health and safety standards and codes.
 - ✓ Where French drain systems or soak away systems are used, it may not be situated within 50 meters of any surface water body or within 1:100-year flood line.
 - ✓ A sufficient number of toilets must be provided to accommodate the number of personnel working in the area (1 toilet per every 15 workers) at appropriate locations on site during construction and the operational phase.
 6. All waste generated on site during construction should be stored in waste bins and removed from site on a regular basis.
 7. Broken or old batteries or components of the plant should be stored in a demarcated area in quarantine for the shortest period possible until it can be collected and taken to a special chemical waste facility.
 8. Food preparation areas must be provided with adequate washing facilities and food refuse must be stored in sealed refuse bins which must be removed from site on a regular basis.
 9. Provision of sufficient ventilation in all the houses.
 10. All extensions must be connected to an approved sewerage system.
 11. Drainage system should be connected to the municipal line.
 12. Provision of sufficient lighting should be in place.

13. Provision of safe drinking water should be made available and comply with SANS241.
14. Ensure compliance with relevant legislation pertaining to municipal health.

This Department reserves the rights for further comments.

NGO

Wilderness & Lakes Environmental Action Forum (WALEAF) – 21/10/2023

We refer to our previous comments dated 2023-10-19 on this rezoning/consent use/departure application, and, now that we have started studying the Pre-Application BAR documents compiled by Ecoroute in Sedgefield, for which the closing date for comments is 2023-10-27, we wish to supplement our comments of 2023-10-19 with the following.

Western Cape Land Use Planning Guidelines : Rural Areas : March 2019

On page 14 of Ecoroute's Pre-Application BAR documents, the following is stated:

“As only 3 tourist accommodation units are proposed, the Rural Areas guideline regard it as a small resort.....”

In Marlize de Bruyn's the Land Use application there is no mention made that this application is in actual fact a **resort zone application**.

As it is accepted that all land use applications in rural areas must comply with the **Western Cape Land Use Planning Guidelines : Rural Areas : March 2019**, then naturally these Guidelines must apply to this land use application. We therefore have made reference to these Guidelines below.

In Chapter 10 of the **Western Cape Land Use Planning Guidelines : Rural Areas : March 2019** the following guidelines apply to rural areas, and specifically **resorts**:

*“The following accommodation types **should be avoided at all cost**:*

- *Alienable units.*

It is not a resort zone application. Please refer to the Town Planning report by MDB Planning, Appendix G1.

Response from MDB Planning: Firstly, it should be noted that terminology across disciplines vary and that terminological definitions differ in terms of environmental legislation and planning legislation. Terminology in terms of environmental legislation should not be mistaken for terminology in terms of land use planning legislation. According to the Zoning Scheme Bylaw (2023) the primary right under

Resort Zone is tourist accommodation, which is the same consent use that is currently applied for under Open Space Zone III.

The proposed development on Erf 1058 Hoekwil will not create alienable units, it is not urban sprawl in the rural landscape or linear coastal development. It is also not a new settlement.

- Urban sprawl into the rural landscape, including linear coastal development.
- New settlements.

This policy envisages a wide range of accommodation/residential opportunities in the rural area which is summarised in the table below and discussed in further detail in this section.

LOCATION	TYPE OF ACCOMMODATION
Farms	One homestead (Owner's dwelling) Five additional dwellings Agri worker housing Guest House Camping sites
Resorts	Temporary accommodation Employees' accommodation Tourist
Nature Reserves	One homestead (Owner's dwelling) Accommodation for tourists Employees' accommodation
Smallholdings (on urban fringes)	One homestead (Owner's dwelling) Second dwelling Guest House
Agri-village	Accommodation for bona fide agri workers

10.1.2 GUIDANCE FOR IMPLEMENTATION

- Large scale tourist accommodation should preferably be provided in or close to urban areas.
- Tourist accommodation in the rural landscape could be allowed if, of an appropriate scale and form, appropriate to the SPC.
- Tourist accommodation in the rural landscape should be clustered in visually discreet nodes.
- Only activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate should be accommodated. The long-term impact on the municipality (resources and financial); agricultural activities,

Response from MDB Planning: The proposed development is considered small-scale, of an appropriate scale. The proposed development will not have any long-term impact on the Municipality. The 3 tourist accommodation units are proposed to be small and hidden from surrounding scenic routes and tourist viewpoints. The only "disturbed" footprints currently on the property are the existing path and existing clearings. Already disturbed areas are to be used. It should also be noted that during the site visit, it was agreed upon that clusters of indigenous forest will be retained, and the units will be moved if necessary to preserve these indigenous clusters.

The Western Cape Rural Guidelines were considered with this proposal for erf 1058 Hoekwil (Wilderness Heights).

<p>production and sustainability, risk and finances; and the scenic, heritage and cultural landscape should be considered when decisions are taken.</p> <ul style="list-style-type: none"> • Tourist accommodation in the rural landscape should cater exclusively for the temporary accommodation for in transit visitors. • Units in resorts should primarily be allowed to facilitate access to the conservation areas, coastal resources or leisure facilities of the province on the basis of temporary or short term accommodation. • The form and scale of tourist accommodation should reinforce rural landscape qualities. Information on the architectural design must be provided, for the purposes of heritage and visual assessments. • Buildings should include appropriate buffers, landscaping and screening to reduce their <u>visual impact</u> on the rural landscape. • Tourist accommodation should preferably make use of existing buildings or new buildings on <u>disturbed footprints</u>, and these should take the natural and heritage significance of the site into consideration. 	
<p>Guidance for implementation specific to <u>resort development</u></p> <ul style="list-style-type: none"> • A resort development should be closely associated with <u>a resource</u> which clearly benefits and distinguishes the site, in terms of its amenity value, from surrounding properties. • Resort applications outside urban areas <u>can only be considered if linked to a unique resource</u>, unless the area in question has already been demarcated for resort development in terms of an approved SDF or overlay zone. • Only in <u>exceptional cases</u> where special desirability factors can be motivated, would any probability arise for new resorts to be established. <p>Such a resource is:</p> <ul style="list-style-type: none"> — High amenity value in the immediate coastal area, with direct access to the sea, river mouth, river and particularly a sandy beach. — Unique physical features of the site which preclude the creation of a precedent for undesirable ribbon development or the establishment of an excessive number of nodes over a short distance. — Usually a natural resource (e.g. a hot water source, beach, dam, mountain range, lagoon or river). 	<p>Response from MDB Planning: Please note that the land use application for the subject property is not a rezoning to Resort Zone. It is a rezoning to Open Space Zone III (nature conservation area) with consent use for tourist accommodation. The focus is on nature conservation and not resort development. The 3 tourist accommodation units can be regarded as ancillary to the primary dwelling and conservation outcome proposed for the property. Conservation is not a free exercise and needs to be funded.</p>

<p>— Occasionally, an existing, established man-made feature (e.g. historic battle field, or gallery of rock paintings), which has regional significance and is complementary to a unique natural resource.</p> <p>— An established regional-scale dam with a surface area of at least 1km² allowing recreation activities.</p> <p>— Of such a nature that it makes the subject property particularly favourable in relation to other properties in the area (locational advantage).</p> <p>— Of sufficient value to justify long-distance travel by visitors and the desire to stay longer than one day.</p> <p>— Inseparable from the property on which the source is located.</p> <ul style="list-style-type: none"> • If access to a linear or natural resource exists within an existing urban area nearby, then new resort development outside of the urban edge <u>should not be permitted</u>. • Properties smaller than 50 ha in size are not accommodated for in the table, since only the additional dwelling density model should be used for those properties i.e. 1 unit per 10 ha with a maximum of 5 units, with the exception of one additional unit that can be allowed in all cases irrespective of the size of the agricultural land unit. <u>This implies that a rezoning to resort zone should not be entertained for properties of which the size is less than 50 ha.</u> • If a property of 50 ha or less is located within 1km of the high water mark of the sea or a tidal river additional dwellings may not be allowed unless it complies with the municipal zoning scheme with regards to “additional dwelling unit”.” <p>As per what is stated above, it is clear that this proposed resort is clearly in conflict with the Western Cape Provincial guidelines.</p>	
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Wilderness & Lakes Environmental Action Forum (WALEAF) – 25/10/2022

<p>WALEAF attended a site visit on 13th October 2023, together with Marlice de Bruyn Town Planners, Ecoroute, Sanparks, WRRRA, and the property owner.</p> <p>Erf 1058 Wilderness is ±3ha in extent, and is covered in vegetation consisting of fynbos and pockets of indigenous forest, which is severely infested with black wattle, and various other types of invasive alien vegetation.</p>	<p>Response from MDB Planning: Certain consent uses could be regarded as ‘more rights’, but the WALEAF does not acknowledge what goes with the ‘more rights’. A consent use for tourist accommodation might be approved but it is accompanied by environmental management plans, landscaping plans, and other conditions of approval which will not necessarily apply if the zoning of the property remains Agriculture Zone II.</p> <p>Consent uses are not a right. It must be applied for, motivated and shown to comply with what is relevant such as the spatial development frameworks and legislation such as NEMA. Writer is not aware of any instance where a property</p>
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The site plan indicating the position of all proposed structures.

It should be borne in mind that this property is currently zoned **Agriculture II**, which means that the owner of the property presently has **rights to erect 2 dwellings with outbuildings, as well as a guest house** (plus various other consent uses) on the property.

This application is for the following:

A residential and tourism development is proposed on Erf 1058, and will consist of the following:

- Main residential dwelling for the property owner (280m²).
- Outbuilding with homer office, garage, and storage space (170m²).
- Kitchen Yards(35m²).
- Driveway and parking for main dwelling (291m²).
- Three tourist accommodation units of 80m² each (240m²).
- Three jacuzzi decks for tourist accommodation units of 16m² each (48m²).
- Outdoor Lapa (42m²).
- Sauna House (40m²).
- Natural outdoor pool (240m²)
- Access to tourist accommodation and facilities (270m²).
- Parking for tourist accommodation and facilities (72m²).
- Footpaths (95m²).
- Green House (90m²).

owner with a zoning of e.g. Open Space Zone III applied for each and every possible consent use. It is not practical, feasible or desirable for every property.

To state that every consent use application was approved, shows that those who apply for consent uses, apply for what can be approved and what is desirable. The consent uses approved must also be viewed in context. A blanket statement is just a blanket statement. Statistically it would be interesting to know how many different consent uses were approved on average per property and what type of consent use dominates.

<p>It is proposed to rezone Erf 1058 from Agriculture Zone II to Open Space Zone III. The primary land use right of this proposed zoning is <u>nature conservation area</u> with tourist accommodation as a <u>consent use</u>. The rezoning and land use application is being undertaken by Marlize de Bruyn Planning, and comprises the following:</p> <ul style="list-style-type: none"> • Removal in terms of Section 15(2)(f) of the George Municipality: Land Use Planning By-law (2023) of restrictive title conditions E(a) & (b) in T4887/2023. • Rezoning in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) from Agricultural Zone II (smallholding) to Open Space Zone III (nature conservation area). • Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-law (2023) for tourist accommodation. <p>WALEAF is concerned that if OSZIII <u>with a consent use</u> for tourist accommodation is approved for this property, that it will actually give the owner <u>more rights</u> than he currently has under Agriculture II zoning, which, if approved, could ultimately have a far greater total building footprint, which will result in far more indigenous vegetation being destroyed.</p> <p>WALEAF, in its quest to conserve as much of the natural environment impacted by the building process, is very concerned that in the event that the application for OSZIII zoning is approved, it will allow for any of the following consent uses (listed below) in the future, should the property owner apply for such. Being <u>consent uses</u>, they are <u>actual rights</u>, which the municipality generally approves.</p>	
<p><u>OSZIII allows for the following:</u></p> <p>One dwelling</p> <p>One second dwelling</p> <p>Outbuildings</p> <p>A guest house (consent use)</p> <p>Tourist accommodation¹ (consent use), including camping, caravans, shop, wellness centre, staf staff accommodation, etc.</p> <p>Tourist facilities² (consent use), including lecture rooms, restaurants, gift shop, farmers' market, breweries, distilleries, etc.</p>	<p>Response from MDB Planning: If the number of consent uses is a future problem for WALEAF with a future property owner, they should in future comment on a future revision of the zoning by-law and probably take the Municipality to court if their feelings regarding the number of consent uses were not addressed.</p> <p>Land use decisions today cannot be taken on what a future property owner could apply for in e.g 30 years' time. Authorities an only consider what is relevant to the land use application submitted and what is on the table today.</p>

<p>Wellness Centre³ (consent use), including saunas, pools, steam rooms, gymnasiums, treatment rooms, whirlpools, provision of meals, etc. Environmental facilities (consent use).</p> <p>We feel that a zoning more applicable to the conservation of the indigenous vegetation on this property should be considered, instead of OSZIII, as OSZIII in its <u>present form</u> allows for <u>too many consent uses</u>, which could potentially detract from the Primary Use, which is “Nature Conservation Area”.</p> <p>We are concerned that at any point in the future the current and/or potentially a <u>new owner</u> might apply for all or some of the applicable consent uses, which the municipality may approve. This we feel could negate the whole reason to rezone to OSZIII which is supposed to be a NATURE CONSERVATION AREA.</p>	<p>The primary use on the property will be conservation following the approval of this land use application. The owner has explained that his intentions with the property is specifically to rehabilitate the property, to clear the property of alien vegetation, and to get the ecosystem status of the property to a place where it can reintegrate with a green strip and the greater indigenous ecosystem. However, conservation is very much time and finance consuming. The owner thus intends to partially use the income of the three tourist units for conservation on the property.</p>
<p><u>SUGGESTED ALTERNATIVES</u></p> <p>In this Pre-application BAR document, the consultant has proposed 2 alternatives, see below:</p>	<p>Alternative 3: Response from MDB Planning: During the site visit of 13 October 2023, the reasons for the site development plan was discussed and shown. As stated earlier in this letter, already disturbed/cleared areas were chosen for the structures with an existing route on the property to be used. No unnecessary vegetation it to be removed (except black wattles).</p> <p>Unfortunately, environmental authorities and organisations seem to only focus on a few structures proposed to be built instead of the gain for the environment. With a property owner living here, generating an income, black wattles can be battled, and the property restored over time. Conservations costs money. It does not happen for free. Even SANParks has to provide e.g. tourist accommodation to generate income to finance their mandate as the national government has cut their budget more and more over recent decades.</p> <p>Alternative 4: Response from MDB Planning: Guest house is a possible consent use for properties zoned Open Space Zone I (nature conservation area) just like tourist accommodation. Consent uses are problematic for WALEAF, but another is suggested.</p> <p>It should be noted that a guest house means a dwelling house, second dwelling, double dwelling house or additional dwelling unit which is used for the purpose of supplying lodging to transient guests for compensation. The</p>

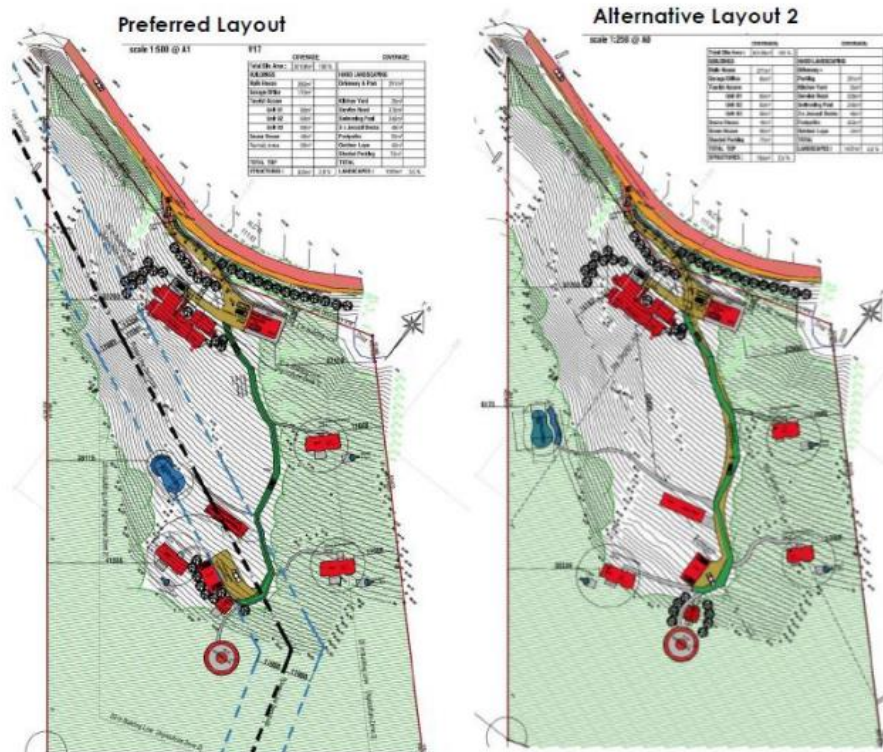


Figure 14: Alternative Layout 1 (Preferred Layout) and Alternative Layout 2.

WALEAF wishes to offer a few more alternatives, see below:

Alternative 3

We are of the opinion that the dwelling, outbuilding, and 3 tourist cottages should all be positioned at the north of the property, as this will ensure that:

- (a) the footprints of all buildings will be confined to one smaller area, resulting in less vegetation having to be cleared,
- (b) the roads connecting all the buildings will be reduced in length and surface area, which will result in
 - (i) less vegetation having to be cleared,
 - (ii) less water run-off when it rains, resulting in less soil erosion,
 - (iii) reduced costs for the owner,
- (c) services (electricity and water) to the cottages placed far from the dwelling will be reduced in length, with less trenching, which will result in less vegetation being cleared, and reduced costs.

owner does not intend to build another large dwelling house on the property and use it as a guest house nor does the owner intend to use his personal home as a guest house.

The proposed tourist accommodation units are considerate to their environmental, hidden in the vegetation with no negative visual impact. Constructing one, bigger structure could have a detrimental visual impact. It also does not reflect the secluded atmosphere the property owner wishes to create. The proposed structures are not far from each other, to be positioned in existing clearings.

Positioning all structures in the northern section of the property will necessitate the removal of indigenous vegetation, which the property owner is trying to prevent.

Alternative 5:

Response from MDB Planning: With this reference to Open Space Zone IV (nature reserve), WALEAF did not consider that the possible consent uses for this zoning is more than what is possible for Open Space Zone III (nature conservation area). This contradicts earlier statements by WALEAF.

For a property to be rezoned to Open Space Zone IV, the conservation authorities must confirm that such property will be declared a nature reserve or similar. It has always been the understanding that conservation bodies do not support small portions of land to be declared as nature reserves. Open Space Zone III (nature conservation area) provides for the 'management of land with the objective of preserving the natural biophysical characteristics of that land' through an environmental management plan and in this instance through a NEMA-process as well. The motivation report for this land use application has shown that the abutting Remainder Erf 1262 Wilderness has already been rezoned to Open Space Zone III with the development being implemented at present. Creating properties in this area, zoned Open Space Zone III (nature conservation area) will create a greater area bordering onto the Garden Route National Park protected suitably through environmental management plans. The conservation authorities should consult with property owners in the area to create at least a conservancy, similar to the Constantia Kloof Conservancy, located close by. A conservation corridor over privately owned land, can be created through Wilderness to the Garden Route National Park.

If the proposed buildings are all grouped together, rather than spread all over the property, it will ultimately result in less pristine indigenous vegetation being destroyed.

Alternative 4

Another alternative is to maybe combine the 3 proposed tourist cottages into one building, placed at the north of the property, as this will also be beneficial to reducing the buildings' footprints, reducing roads and services, and reducing the amount of indigenous vegetation that needs to be removed for 3 separate buildings. This option of combining the 3 cottages into one building could be approved as a Guest House, which is a consent use under both Agriculture II and OSZIII zonings.

Alternative 5

As perhaps another alternative, we suggest that OSZIV could be considered where Sanparks and CapeNature will need to determine the land use restrictions and development parameters of the property. Tourist accommodation is a consent use under OSZIV. Below are the applicable development parameters for OSZIV:

Development parameters:

- (a) An environmental management plan must be submitted to the Municipality, SANParks and/ or CapeNature for their approval.
- (b) SANParks and/ or CapeNature must, in consultation with the Municipality, determine the land use restrictions and the development parameters for the property based on the objectives of this zoning, the particular circumstances of the property, and in accordance with an approved environmental management plan.
- (c) When consent use(s) to provide tourist facilities or tourist accommodation in a "nature reserve" are approved, conditions must be laid down with regard to density, layout, landscaping, and building design.
- (d) A site development plan must be submitted to the Municipality for its approval, clearly indicating the position of all structures, stands, services and internal roads.

This property is in a buffer zone of the Garden Route National Park, and in terms of the Western Cape Biodiversity Spatial Plan 2017, some of the property has "**Critical Biodiversity Area Status**". If all of the invasive alien vegetation was to be removed, the whole of the property could ultimately become a "**Critical Biodiversity Area**", which could become an asset for future generations living in Wilderness. Development parameters in this

Reading the land use descriptions for nature conservation area and nature reserve, we deduce that the intention with nature reserve is not small pockets of land as suggested by WALEAF in this instance. George Municipality is the competent authority when it comes to zonings and the allocation thereof. It should also be noted that the GMSDF (2023) supports the rezoning of properties such as Erf 1058 Hoekwil (Wilderness Heights) to Open Space Zone III (nature conservation area).

Also, when comparing the land use description, development parameters and possible consent uses of nature conservation area and nature reserve it could be stated that the latter gives more development potential for the subject property. Therefore, the zoning for the entire property as proposed, Open Space Zone III (nature conservation area) is appropriate, balancing all relevant considerations.

During the site visit of 13 October 2023, the property owner's intention to rehabilitate the property was made clear, also to the WALEAF.

<p>option would be more restrictive on this property but would also serve the landowner's intentions of having some form of tourist accommodation, from which he can generate the income which he wants from his land.</p>	
<p>An additional point which we wish to make is that at present most of the property is heavily infested with invasive alien vegetation, which is resulting in not knowing where the best positions/sites are to erect the various buildings. WALEAF suggests that before any site development plan (SDP) be approved, that all the alien vegetation first be removed, and once this has been done, it will present a better picture to everyone involved in this process, to have a better idea of where to place all the buildings. The present chosen sites for the various buildings might be totally inappropriate, resulting in the unnecessary destruction of indigenous vegetation. It may be advantageous to wait for the clearing of all the invasive alien vegetation to first take place, and then position the buildings in areas previously infested with invasive alien vegetation. (CONTINUE WITH LETTER 21/10/2023).</p>	<p>The property owner does understand his ongoing responsibility of clearing alien vegetation. The status of alien clearing was explained to all present on 13 October 2023. Unfortunately, the property owner cannot remove alien invasive species now. Only after the EA is issued, can it continue. The area where the greatest infestation of black wattles occur is on the steepest section of the property and primarily in the area of the powerline. It is not advisable to construct structures on the steepest section of the property and also too close to the powerline.</p> <p>Furthermore, Eco Route Environmental Consultancy have engaged a team of specialists who are specifically tasked with assessing the environmental factors on the property, giving their expert opinions on the proposed positioning of the units and their respected recommendations.</p>

PUBLIC

Karen Romijn (Erf 1262) – 02/10/2023

----- Forwarded message -----
 From: Karen Romijn
 Date: Mon, 02 Oct 2023, 11:02
 Subject: Re: Erf 1058, Whites Weg, Hoekwil, Wildernishoogte
 To:

TOWNPLANNING - GEORGE FOR ATTENTION: PRIMROSE NAKO 02 OCTOBER 2023

IE: CONCERS AND OBJECTIONS OF THE PROPOSED DEVELOPMENT ON ERF 1058, HOEKWIL: -

I am the owner of erf 1262. Our application for development – of a small portion of our own property is nearing completion. We have spent the last seven years planning and obtaining permission for this.

Our development entails a Main house and four tourist units. Its position is north of Waterside and Dumbleton roads' intersection, but also immediately NNE of the proposed development on erf 1058.

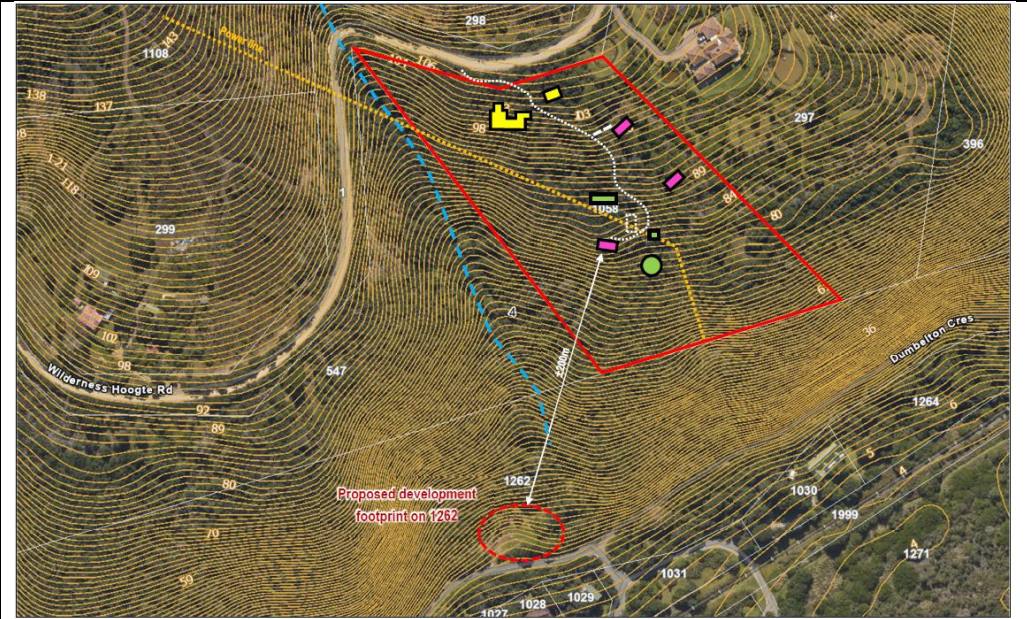
Erf 1058 Hoekwil is in part infested with alien vegetation. The property was sold in February 2023 to a new owner. The new owner immediately commenced with the necessary processes to start clearing the property of alien vegetation and rehabilitating it. The non-perennial stream that flows onto Erf 1262 passes west of Erf 1058 over Remainder of Erf 547 Hoekwil. In the Streetview image to follow, it is evident that neither the overhead powerline on Erf 1058 Hoekwil (200m NNE) nor the house on Erf 297 Hooekwil (300m NNE) are visible to the north from Erf 1262 Wilderness. The proposed development on Erf 1058 Hoekwil falls mostly between the overhead powerline and the house on Erf 297 and should not be visible form Erf 1262 Wilderness.



Two of our tourist units face north and shall have direct views to erf 1058 and the proposed development. The main house and one of the remaining units also have views towards erf 1058.

All the agricultural land on erf 1058 that has, in the past, been cleared of invasive trees now once again has been invaded by invasive trees (Blackwattle). The Blackwattle are spreading down the slopes, towards my erf. Seeds are being taken down with the rains into the streams that runs down the mountain. The seeds are sprouting along the streams but also at the bottom areas next to Waterside Road.

I am not against the development on erf 1058, but have the following concerns and objections: -



Marlize de Bruyn Pr. Pln. A/1477/2011 B. Art. et. Scien. (Planning)(Cum Laude)(Patch)

Concerns: -

1. That once development starts, I assumed/hope that eradicating the invasive Blackwattle would be a condition for development. Once this has taken place, most of the property would be open and bare, without any natural screening. The visual impact would be far greater than what the visual assessment suggests. Its impact would also extend over a long period as trees takes time to grow. Mature, high enough trees etc would be required to be planted as suitable screening or some other suitable method needs to be put in place.
2. That the buildings on erf 1058 would be a visual intrusion to our guests and ourselves.
3. That the noise and light pollution from vehicles driving up and down the long access road are going to be a visual intrusion and disturb the peace and tranquillity of our guests and my family, especially during nights (access road);
4. That the noise and light pollution from the buildings and the guests are going to disturbs the tranquillity, peace and ambiance of our guests and my family. This is particularly worrying for the proposed

1. The new owner has recently obtained an OSCAE permit for alien clearing and fully intend to rehabilitate the property to indigenous vegetation. Alien clearing will be done responsible in accordance with the anticipated environmental authorisation.
2. The buildings proposed on Erf 1058 Hoekwil are specifically designed to be small, hidden between vegetation and dark in colour to have the least possible visual impact. Structures will be screened from "below".
3. The ±250m vegetation buffer between the development proposed on Erf 1058 Hoekwil (together with the topography) and the development of Erf 1262 Wilderness, grows many metres above the ground and is dense, ensuring that headlights from vehicles on Erf 1058 Hoekwil should not be able to infiltrate into any potential structures on Erf 1262 Wilderness. The view of structures proposed for Erf 1262 Wilderness is also not upwards along the steep slope of this property. Any outside lighting for Erf 1058 Hoekwil, as for Erf 1262 Wilderness is low, close to the ground. Sounds from the existing access route on Erf 1058 Hoekwil cannot be more disturbing than the location of the development proposed for Erf 1262 Wilderness located right next to Waterside Road, an important link road running from the Village to Ebb & Flow.

<p>natural pool, lower guest unit, jacuzzi deck, sauna, Lapa and parking, all being so close to our development.</p> <ol style="list-style-type: none"> 5. The visual and noise pollution to our guests and my family during construction; 6. That adequate screening would not be implemented during and after construction. 7. That pollution would be carried down to our development, by rain but also polluted water runoff, during the construction phase, into the natural streams and pools, ending up in our development and further downstream. 8. How would water and sewerage lines get to the development on erf 1058? 9. That a proper tree and plant invasion eradication program supervised by an environmental specialist until complete eradication is obtained, would not be implemented. And also, that re-establishment of indigenous tree and plant species into those affected areas, would not take place. 	<ol style="list-style-type: none"> 4. Only 3 one-bedroom tourist units are proposed. The distance between the developments on the two properties are more than ±250m. The development on Erf 1262 Wilderness is for 4 tourist accommodation units which will accommodate more than 6 guests. The objector's development has the potential to be a greater disturbance due to more people. 5. Construction is luckily temporary. 6. Screening will be done as required by the Environmental Management Programme to be approved for the development of Erf 1058 Hoekwil which will include the construction phase. The same applies to the development approved for Erf 1262 Wilderness. 7. An Environmental Control Officer will monitor the construction phase with necessary provisions to prevent pollution. 8. This is addressed by the project engineer and part of the environmental authorisation process. 9. The development proposed for Erf 1058 Hoekwil will be subject to stringent conditions as the owner of Erf 1262 Wilderness is also experiencing.
<p>I object against the following: -</p> <ol style="list-style-type: none"> 1. The outspread nature of this development: everything under, and south of the powerlines should be moved to a more central position north of the powerlines. This existing development areas is one of the least invaded parts of the property and should be rehabilitated instead of being developed. I also object to its close proximity to our development, for visual, noise etc reasons as mentioned before; 2. object against placement of the two tourist units on the eastern side of the property. It's within the last remaining natural vegetated areas of this property and should be protected. There is enough space on the upper north western side of this property, (within the invasive area); 	<p>Taken from MDB Planners:</p> <ol style="list-style-type: none"> 1. The proposed development is considered small-scale, of an appropriate scale. The 3 tourist accommodation units are proposed to be small and hidden from surrounding scenic routes and tourist viewpoints. The only "disturbed" footprints currently on the property are the existing path and existing clearings. Already disturbed areas are to be used. <p>The tourist accommodation cannot be clustered in the north as the northern slopes are steeper than where the tourist accommodation is currently proposed. The position of the electrical servitude running through the property also has an impact on position of structures. Furthermore, the owners wish to create a sense of remoteness for the prospective guests and clustering. This motivation report and specialist reports such as the VIA supports the site layout as proposed.</p>

<p>3. I object against the request for departure of the land use planning by-law, 2023 for and increase in the wall plate height of the garage and outbuilding from 6.5 to +-7.5m on the south, east and west elevations. (In the absence of any explanation why), the garage and outbuilding are already the highest point of the development, very close to the ridgeline, very visible from the N2. I can't see why design within the existing allowable height, is not possible.</p> <p>4. I object to the long access road that meanders thru nearly the entire length of the property. The visual, noise and light (at night) disturbance would impact, unnecessary on tourists as well as local residents. This road that has been created by unlawful activity should not be 'rewarded', by allowing it.</p> <p>I would like to stress that I am not against development of erf 1058.</p> <p>Yours faithfully DION ROMIJN (for and on behalf of the DION ROMIJN FAMILY TRUST) Erf 1262, Waterside Road, Wilderness</p>	<p>The development proposed for Erf 1058 Hoekwil, is a significant distance from the development on Erf 1262 Wilderness which directly abuts a busy, narrow road with dense vegetation and steep slopes in between.</p> <p>2. The eastern section of Erf 1058 Hoekwil is the furthest away from the development area of Erf 1262 Wilderness. Please see points above.</p> <p>3. Page 7 of the Land Use Application report (Appendix G1) explains why the minor departure is required. Wall plate is still below the highest point of the roof and is created by the underlying topography – natural ground level – and the design. It should be noted that the overall height of the structure does not exceed the height line as per the zoning scheme. It is only the wall plate that will be higher than 6.5m but still below the maximum height allowed (8.5m) meaning that the structure does not exceed the maximum height allowed and the permanent departure for the wall plate height increase will not in any way affect the visual impact of the house (see image below). This outbuilding also cannot impact on the development of Erf 1262 Wilderness.</p> <p>4. This route is existing. Creating an alternative route will lead to the removal of most likely indigenous vegetation. Using what is disturbed should make environmental sense.</p>
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Karen Romijn – 26/10/2023

<p>From: Karen Romijn Sent: Thursday, October 26, 2023 10:59 AM To: 'Joclyn Marshall' Subject: FW: Erf 1058, Whites Weg, Hoekwil, Wildernishoogte</p> <p>Hi Joclyn</p> <p>Further to our objections and concerns letter send to you on the 14th of October 2023: -</p> <p>1. If the owner of property 1058 are going to make use of a generator for power back-up, we would like to know the position of such generator and how its noise will be soundproof to acceptable noise pollution levels;</p>	<p>1. The owner will make use of solar power.</p> <p>2. Any pumps used will be of an acceptable noise level and will not have any significant noise pollution.</p> <p>3. A Stormwater Management Plan will be included in the BAR and submitted to the municipality.</p> <p>4. This will be addressed in the Engineering Report.</p>
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2. The same as per above point nr.1 would apply for any required pool pumps etc or irrigation pumps/booster pumps;
3. The owner of property 1058 needs to produce a stormwater management plan for approval by the relevant municipal authorities;
4. The owner needs to produce a water and sewerage plan for approval by the relevant municipal authorities;

The above documentation needs to be provided by us for comments.

Kind regards

Dion and Karen Romijn

On behalf of the DION ROMIJN FAMILIE TRUST

ERF 1262, WILDERNESS

Annexure 7: Evidence of Notifications sent to I&AP's

From: admin@ecoroute.co.za
Sent: Thursday, 16 May 2024 11:00
To: 'Danie.Swanepoel@westerncape.gov.za'; 'Malcolm.Fredericks@westerncape.gov.za'; 'Dorien.Werth@westerncape.gov.za'; 'leptieshaam.Bekko@westerncape.gov.za'; 'Mercia.Liddle@westerncape.gov.za'; 'Hilda.Hayward@westerncape.gov.za'; 'Ryan.Apolles@westerncape.gov.za'; 'Nathan.Jacobs@westerncape.gov.za'; 'Noluvo.Toto@westerncape.gov.za'; 'Stephanie.barnardt@westerncape.gov.za'; 'Azni.November@westerncape.gov.za'; 'RobertsJ@dwa.gov.za'; 'Cor Van der Walt'; 'Brandon Layman'; 'Vanessa Stoffels'; 'Melanie Koen'; 'Innocent Mapokgole'
Cc: 'joclyn@ecoroute.co.za'; 'janet@ecoroute.co.za'
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - Draft Basic Assessment Report - Erf 1058 Whites Road, Hoekwil (Wilderness Heights), Western Cape

Tracking:

Recipient

Read

'Danie.Swanepoel@westerncape.gov.za'
'Malcolm.Fredericks@westerncape.gov.za'
'Dorien.Werth@westerncape.gov.za'
'leptieshaam.Bekko@westerncape.gov.za'
'Mercia.Liddle@westerncape.gov.za'
'Hilda.Hayward@westerncape.gov.za'
'Ryan.Apolles@westerncape.gov.za'
'Nathan.Jacobs@westerncape.gov.za'
'Noluvo.Toto@westerncape.gov.za'
'Stephanie.barnardt@westerncape.gov.za'
'Azni.November@westerncape.gov.za'
'RobertsJ@dwa.gov.za'
'Cor Van der Walt'
'Brandon Layman'
'Vanessa Stoffels'
'Melanie Koen'
'Innocent Mapokgole'
'joclyn@ecoroute.co.za'
'janet@ecoroute.co.za'
janet@ecoroute.co.za

Read: 2024/05/16 11:04

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY, WESTERN 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, of a 30-day Public Participation Process to be undertaken

under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP). The Public Participation Process will run from **20/05/2024 – 24/06/2024**.

DEA&DP Ref: 16/3/3/1/D2/30/0015/24

Activity:

The Basic Assessment Application is for a proposed low density residential and tourism development on Erf 1058 Hoekwil (Wilderness Heights), Wilderness in the George Municipal Area of the Western Cape. The proposed development will consist of 730m² of building structures including a main house, three accommodation units, and associated infrastructure, as well as 1051m² of landscaped areas (roads, parking, pool, deck areas, etc) on the 3.0108ha property. The GPS coordinates to the property is 33°59'20.00"S, 22°35'55.89"E.

The following EIA Listed Activities are applicable:

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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. Please note that information submitted by I&AP's becomes public information. In terms of the Protection of Personal Information Act 4 of 2013 (POPIA), no personal information will be made available to the public.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

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Eco Route
Environmental Consultancy

From: admin@ecoroute.co.za
Sent: Thursday, 16 May 2024 11:07
To: 'asam@bocma.co.za'; 'rmphahlele@bocma.co.za'; 'Megan Simons';
'managerfpa@gmail.com'; 'sandra.taljaard@sanparks.org';
'Vanessa.Weyer@sanparks.org'; 'AbrahamsN@nra.co.za'; 'Dekockr@nra.co.za';
'obstacles@caa.co.za'; 'Strohl@caa.co.za'
Cc: 'joclyn@ecoroute.co.za'; 'janet@ecoroute.co.za'
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - Draft Basic Assessment Report - Erf
1058 Whites Road, Hoekwil (Wilderness Heights), Western Cape

Tracking:

Recipient	Read
'asam@bocma.co.za'	
'rmphahlele@bocma.co.za'	
'Megan Simons'	
'managerfpa@gmail.com'	
'sandra.taljaard@sanparks.org'	
'Vanessa.Weyer@sanparks.org'	
'AbrahamsN@nra.co.za'	
'Dekockr@nra.co.za'	
'obstacles@caa.co.za'	
'Strohl@caa.co.za'	
'joclyn@ecoroute.co.za'	
'janet@ecoroute.co.za'	
janet@ecoroute.co.za	Read: 2024/05/16 11:08
René de Kock (WR)	Read: 2024/05/16 12:26

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

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DEA&DP Ref: 16/3/3/1/D2/30/0015/24

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Email: admin@ecoroute.co.za

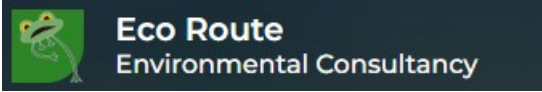
Cell: 072 126 6393



Carina Leslie

Personal Assistant/Admin

Office: 064 691 4394
www.ecoroute.co.za



admin@ecoroute.co.za

From: admin@ecoroute.co.za
Sent: Thursday, 16 May 2024 13:10
To: 'environment@caa.co.za'
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - Draft Basic Assessment Report - Erf 1058 Whites Road, Hoekwil (Wilderness Heights), Western Cape

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

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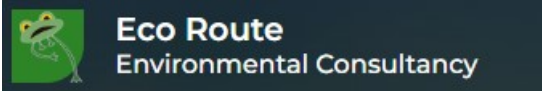
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admin@ecoroute.co.za

From: admin@ecoroute.co.za
Sent: Thursday, 16 May 2024 13:17
To: 'sndlovu@bocma.co.za'
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - Draft Basic Assessment Report - Erf 1058 Whites Road, Hoekwil (Wilderness Heights), Western Cape

ENVIRONMENTAL ASSESSMENT PROCESS

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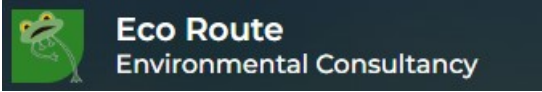
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Carina Leslie

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From: admin@ecoroute.co.za
Sent: Thursday, 16 May 2024 11:10
To: 'cpetersen@george.gov.za'; 'Ljosias@george.gov.za'; 'info@gardenroute.gov.za'; 'nina@gardenroute.gov.za'; 'Ivy Mamegwa'; 'mviljoen@george.gov.za'; 'tlduplooy@george.gov.za'
Cc: 'joclyn@ecoroute.co.za'; 'janet@ecoroute.co.za'
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - Draft Basic Assessment Report - Erf 1058 Whites Road, Hoekwil (Wilderness Heights), Western Cape

Tracking:	Recipient	Read
	'cpetersen@george.gov.za'	
	'Ljosias@george.gov.za'	
	'info@gardenroute.gov.za'	
	'nina@gardenroute.gov.za'	
	'Ivy Mamegwa'	
	'mviljoen@george.gov.za'	
	'tlduplooy@george.gov.za'	
	'joclyn@ecoroute.co.za'	
	'janet@ecoroute.co.za'	
	janet@ecoroute.co.za	Read: 2024/05/16 11:16

ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

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DEA&DP Ref: 16/3/3/1/D2/30/0015/24

Activity:

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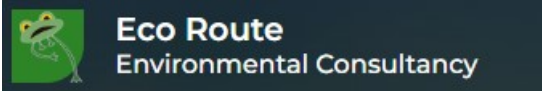
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Email: admin@ecoroute.co.za
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Annexure 8: Evidence of Comments received from I&AP's



REFERENCE: 16/3/3/6/7/1/D2/30/0241/23
ENQUIRIES: Dorien Werth
DATE OF ISSUE: **12 September 2023**

Wealth Spring (Pty) Ltd
15 Ayton Street Clydesdale
Pretoria
0002

Attention: Mr Alexander G. Polson

Cell: 082 481 9434

E-mail: alexander@polsons.info

COMMENT ON THE NOTICE OF INTENT (NOI) TO APPLY FOR THE PROPOSED DEVELOPMENT ON ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE

1. The abovementioned document and respective attachments received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 14 August 2023 refers.
2. Kindly take note of your specific fee reference number: **G/BA/EIA/J17**. This number must also be inserted into the Application Form and proof of payment of the applicable fee attached when the Application Form is submitted to this Department.
3. It is understood that the proposal entails the development of a low density residential and tourism development on Erf 1058, Hoekwil (Wilderness Heights), George Municipality. The proposed project includes the following:
 - Main residential dwelling for the property owner (280m²);
 - Outbuilding with home office, garage, and storage space (170m²);
 - Kitchen Yards (35m²);
 - Driveway and parking for main dwelling (291m²);
 - Three tourist accommodation units of 80m² each (240m²);
 - Three jacuzzi decks for tourist accommodation units of 16m² each (48m²);
 - Outdoor Lapa (42m²);
 - Sauna House (40m²);
 - Natural outdoor pool (240m²);
 - Access to tourist accommodation and facilities (270m²);
 - Parking for tourist accommodation and facilities (72m²);
 - Footpaths (95m²); and
 - Green House (90m²).

4. The following advice or instructions of the nature and extent of any of the processes that may or must be followed or decision support tools that must be used, in order to comply with the Act and the Environmental Impact Assessment Regulations, 2014, as amended is provided below.

4.1 Environmental Impact Assessment Process

Based on the listed activities which will be triggered, and for which written Environmental Authorisation is required, a **Basic Assessment process** must be followed in order to apply for Environmental Authorisation.

4.2 National Web Based Environmental Screening Tool Report

- This Directorate notes the National Web Based Environmental Screening Tool Report that has been attached to the Notice of Intent. In accordance with Regulation 16(1)(b)(v) the report must also be attached to the application for environmental authorisation.
- The findings of the screening tool report and your site verification report is noted.

4.3 Protocols or Minimum Information Requirements

Please be informed that the applicable protocols or minimum information requirements, which were published in Government Notice No. 320 of 20 March 2020 (Government Gazette No. 43110 of 20 March 2020 refers), which came into effect on 9 May 2020, must be applied to the impact assessment process that must be followed, provided that if the specialist assessment affected by any of the protocols, was commissioned before 9 May 2020, then the applicant is allowed to continue and submit documents for decision-making, which do not need to comply with the requirements of the protocols. Proof that the specialist work was outsourced before 9 May 2020, is deemed to be sufficient to allow this on a case-by-case basis. In such instances, the specialist report need not comply with the applicable protocol but must comply with Appendix 6 of the Environmental Impact Assessment Regulations, 2014 (as amended).

Therefore—

- in accordance to the above, where the applicable protocol applies to any specialist performing work related to any of the fields of practice listed in Schedule I of the Natural Scientific Professions Act, 2003 (Act 27 of 2003) must be registered with the South African Council for Natural Scientific Professions ("SACNASP") ^[1] in any of the prescribed categories [Section 18] and further to this, only a person registered with the SACNASP may practise in a consulting capacity [Section 20]; or
- where a specialist assessment was commissioned prior to 9 May 2020, you are required to submit proof to the competent authority that the work was commissioned prior to the said date (e.g., approved quotation for specialist assessment and/or proof of work being carried out).

[1] SACNASP – the legislated regulatory body for natural science practitioners in South Africa.

- It is the responsibility of the Environmental Assessment Practitioner (EAP) to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist studies, including the provision of photographic evidence of the footprint situation. Such motivation must be submitted to this Department as soon as possible, preferably before the submission of the application form.

4.4 In light of the protocols, the screening tool, and the site verification report, please note the following:

Agricultural Theme

The agricultural theme is rated as “medium sensitivity”. According to protocol, an agricultural theme that results in a medium sensitivity requires a minimum of a compliance statement to be done by an agricultural soil scientist that is registered with the South African Council for Natural Scientific Professions (“SACNASP”) [2]. Your motivation that the proposal will not impact on any agricultural features, given the slope and size of the property with the statement that the site was historically used for agricultural purposes as well as the site is currently vacant, overgrown with a mixture of indigenous and exotic vegetation is noted. This Directorate agrees that the sensitivity rating can be reduced to “low”, however a compliance statement and written comment from Department of Agriculture must still be submitted.

Archaeological and Paleontological Sensitivity Theme

The Archaeological Sensitivity Theme is rated as “Low”, and the Paleontological Sensitivity theme is rated as “medium”. This Directorate notes that a Notice of Intent will be submitted to Heritage Western Cape. Please include the final comment from Heritage Western Cape in the Basic Assessment Report.

Landscape/Visual

It is noted that the Screening Tool Report indicated that a site sensitivity verification report must be done by the EAP, however it is noted that a Visual Impact Assessment Report was compiled by Paul Buchholtz. Please include this Visual Impact Assessment Report in the Basic Assessment Report.

Civil Aviation sensitivity theme

The sensitivity of the civil aviation theme is rated as “medium”. A minimum of a compliance statement must be submitted. It is noted that the South African Civil Aviation Authority (“SACAA”) will be included in the I &AP register. Please obtain meaningful comments from the SACAA and include these in the Basic Assessment Report.

[2] SACNASP – the legislated regulatory body for natural science practitioners in South Africa.

Socio-economic sensitivity theme

The Screening Tool Report requires that a Site Sensitivity Verification must be done; however, it is noted that a Planning Statement was done by Marlize de Bruyn Planning (July 2023), which does address the socio-economic aspects. It is therefore agreed that a separate Socio-Economic study is not required.

Aquatic sensitivity theme

The aquatic sensitivity theme is rated as "very high". According to the protocol an assessment must be prepared by a specialist registered with the South African Council for Natural Scientific Professionals (SACNASP), with expertise in the field of aquatic sciences, however this Directorate does take note that a compliance statement was conducted. The compliance statement reported that the proposed development footprint is within a FEPA and SWSA, and that the implementation of the proposed management recommendations and buffer will prevent impacts on aquatic biodiversity. Additionally, the entire footprint will be located outside the watercourse and its associated buffer. The EAPs motivation for the sensitivity rating to be "low" is supported by this Directorate provided that comments be obtained from the Breede-Olifants Catchment Management Agency (BOCMA) to confirm this, as well as the applicability of a General Authorisation. It is advised that such input be obtained, prior to the submission of the application form, but at least with the submission of the final BAR.

Animal species sensitivity theme

The animal species theme was rated as "high". According to the protocol the presence or likely presence of the species of conservation concern (SCC) identified by the screening tool must be investigated through a site inspection by a specialist registered with the SACNASP with a field of practice relevant to the taxonomic groups ("taxa") for which the assessment is being undertaken. This Directorate is in agreement with the sensitivity to be reduced to Low. However, a compliance statement is still required by the protocol, as the specialist confirmed the existence of natural habitat despite the degraded condition.

Plant species sensitivity theme

The plant species theme is rated as "medium". According to the protocol the presence or likely presence of the species of conservation concern (SCC) identified by the screening tool must be investigated through a site inspection by a specialist registered with the SACNASP with a field of practice relevant to the taxonomic groups ("taxa") for which the assessment is being undertaken. This Directorate is in agreement with the sensitivity to be reduced to Low. However, a compliance statement is still required by the protocol, as the specialist confirmed the existence of natural habitat despite the degraded condition.

Terrestrial Biodiversity sensitivity theme

The terrestrial biodiversity sensitivity theme sensitivity is rated “very high”. According to the protocols, an assessment must be prepared by a specialist registered with the South African Council for Natural Scientific Professionals (SACNASP) with expertise in the field of terrestrial biodiversity. This Directorate does not agree with the EAPs motivation that the sensitivity rating should be “Low” as the area does fall within an area that is listed as a Critically Endangered Ecosystem namely, Garden Route Granite fynbos. The protocol is requires that an assessment must be done. Please adhere to the protocol requirement.

5. Public Participation Process

- ❖ A public participation process (“PPP”) that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR and EMPr.
- ❖ Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to this Directorate, in terms of Regulation 40, the pre-application BAR may also be submitted to this Directorate for commenting purposes. Please ensure a minimum of one electronic version of the pre-application BAR is submitted to this Directorate for commenting purposes.
- ❖ In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.
- ❖ Your list of State Departments to include in the PPP is noted and supported.
- ❖ Delivery of reports/documents must be done in a manner provided for in section 47D of the NEMA and the Directions, provided that all registered I&APs have access to such facilities. Electronic versions of reports may be made accessible through any of the following non-exhaustive list of methods: websites, Zero Data Portals, community or traditional authorities, Cloud Based Services.
- ❖ The timeframes regarding comment period must be specified. All potential interested and affected parties including I&APs and organs of state identified in Section 3 of the Public Participation plan, must be afforded a minimum of three (3) calendar days from date of notification before the 30-day commenting period on the Basic Assessment Report (Pre-

Application or formal process report). However, where the third day falls on a Saturday, Sunday or public holiday, it must be extended to the end of the next day which is not a Saturday, Sunday or public holiday.

- ❖ Please consider the following guidance regarding the Application Programme: Once the Application Form is submitted to this Directorate, the programme should allow for the 10-day acknowledgement period, prior to any Public Participation commencing, so that this Directorate can confirm that the application is in order.
- ❖ It must be possible to cross-reference the proposed delivery of documents to the preferences indicated in the I&AP Register.

6. Public Participation Plan

- ❖ In terms of the Directions^[3] issued on 5 June 2020, the Competent Authority may be approached for an agreement as provided for in Regulation 41(2)(e) of the Environmental Impact Assessment Regulations, 2014 (as amended) to conduct a public participation process which is reasonable and fair.
- ❖ Considering the above, this Directorate has reviewed the proposed Public Participation Plan and **agrees** to the proposed actions to conduct the public participation process.
- ❖ Notwithstanding the above, please note the Basic Assessment Report must comply with public participation process in terms of Regulation 32(1)(a)(aa) read together with Regulation 41. Proof of the requirements in accordance with Regulation 41 of the Environmental Impact Assessment Regulations, 2014 (as amended) ("EIA Regulations, 2014). In the event where Regulation 41 has not been complied with during the pre-application phase it must be complied with during the application phase of the process.

7. Pre- Application Consultation

7.1 This Directorate avails itself for a pre-application meeting engagement to provide further guidance and advice in terms of Regulation 8 on the process requirements and the administration of your application.

7.2 Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application, which may be submitted to the Directorate.

7.3 No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:

[1] On 27 March 2020 the National Government of South Africa implemented a Nation-Wide Lockdown to prevent and combat the spread of COVID-19. On 5 June 2020 the Minister of Environment, Forestry and Fisheries issued Directions in terms of Section 27(2) of the Disaster Management Act, Act No. 57 regarding measures to address, prevent and combat the spread of COVID-19 relating to National Environmental Management Permits and Licenses (Government Notice No. 650 of 5 June 2020 refers).

- that additional information or documents will not be requested
- of the outcome of the application.

8. Services

Please ensure that written comment is obtained from George Municipality which confirms that sufficient unallocated services (water, sewage, and solid waste) exist within the municipal grid network to support the proposed development to inform the decision-making process.

You are also advised to investigate the implementation of resource conservation measures as part of your proposal, in order to conserve much needed services.

9. Need and Desirability

In terms of the NEMA EIA Regulations, when considering an application, the Department must take into account a number of specific considerations including *inter alia*, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability. Refer to the Department's Guideline on Need and Desirability (March 2013).

10. National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA")

Section 38 of the NHRA sets out the requirements regarding the integration of the decision-making process with that of the EIA Regulations 2014, however, under the provision that the necessary information is submitted and any comments and recommendations of the relevant heritage resources authority (HWC) with regard to such development have been provided and taken into account prior to the granting of the authorisation. Further to the above:

- An application for Environmental Authorisation, must include, where applicable, the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.
- Where Section 38 of the NHRA is triggered, the Standard Operating Procedure between Heritage Western Cape and this Department must be followed. If Section 38 is applicable to the proposed development, then the proponent/applicant is required to submit a Notice of Intent to Develop ("NID") to Heritage Western Cape and attach a copy to thereof to the EIA application form. If Heritage Western Cape requires a Heritage Impact Assessment, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the NEMA EIA Regulations, 2014. It is reasonable to suspect that the proposed activity triggers an activity identified in section 38 of the NHRA and it is likely that the national estate may be impacted. Comment from Heritage Western Cape must be obtained to substantiate this.

11. You are advised that when undertaking the Basic Assessment process, you must take into account applicable guidelines, including the circulars and guidelines developed by the Department. These can be provided upon request. In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:
- Guideline for the Review of Specialist Input in the EIA process (June 2005).
 - Guideline for Environmental Management Plans (June 2005).
 - Guideline on Alternatives (March 2013).
 - Guideline on Generic Terms of Reference for EAPs and Project Schedules (March 2013)
 - Guideline for determining the scope of specialist involvement in EIA processes, June 2005.
 - Guideline for involving visual and aesthetic specialists in the EIA process, June 2005.
 - DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs.
12. Please ensure that the Basic Assessment Report and Environmental Management Programme ("EMPr") contain and comply with all information requirements outlined in Appendices 1 and 4 respectively of the Environmental Impact Assessment Regulations, 2014 (GN R. 982 of 4 December 2014, as amended).

General

13. In accordance with the Directions regarding measures to address, prevent and combat the spread of COVID-19 (Government Notice No. 650 of 5 June 2020) during Alert Level 1, all applications, reports and documents, which include all signatures and Annexures which are included as part of the application and subsequent reports, must be submitted via e-mail to the relevant official, with attached PDF versions of letters and reports. If the documents are too large to attach to an e-mail, the competent authority must be notified per e-mail and provided with an electronic link to such documents that is accessible by the relevant authority.
14. With reference to this Department's Circular No. 0027/2021 of 15 December 2021, please note that from 1 February 2022 all general EIA queries, correspondence, applications, non-applications and reports must be e-mailed to this Directorate's dedicated e-mail address.

In this regard the following procedure for the submission of documents must be followed when submitting documents to the Directorate: Development Management (Region 3) -

- (a) submitted electronically per electronic mail to this Directorate's generic e-mail address and copied to the assigned case officer.

Note: The Directorate: Development Management (Region 3), has created a generic e-mail address to centralise its administration within the component (i.e. notifying clients of decisions and receiving EIA applications, Notice of Intent form; request for fee reference numbers, etc.): DEADPEIAAdmin.George@westerncape.gov.za

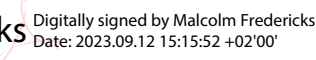
OR

- (b) uploaded electronically to the designated folder on the Directorate's OneDrive system which has been assigned to the EAP.

Note: The document must be placed in an appropriately named folder and the reference number included (where applicable). This Directorate must be notified via e-mail once the document has been uploaded. Such notification must include a screenshot of the documents that have been uploaded within the folder.

15. Kindly note that this Directorate requires that when the pre-application BAR is submitted, an electronic version of the document must be submitted to this Directorate for consideration. Hard copies of the document are no longer required but must be made available upon request.
16. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.
17. Also note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
18. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

Yours faithfully


pp Malcolm Fredericks
HEAD OF DEPARTMENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:

EAP: Eco Route Consultancy
George Municipality: Pricilla Burgoyne

E-mail: joclyn@ecoroute.co.za
E-mail: pburgoyne@george.gov.za



REFERENCE: 16/3/3/6/7/1/D2/30/0241/23
ENQUIRIES: Dorien Werth
DATE: 06 November 2023

Wealth Spring (Pty) Ltd
15 Ayton Street Clydesdale
Pretoria
0002

Attention: Mr Alexander G. Polson

Cell: 082 481 9434

E-mail: alexander@polsons.info

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT: ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED MAIN RESIDENTIAL DWELLING, TOURIST FACILITIES AND ASSOCIATED INFRASTRUCTURE ON ERF 1058, WHITES ROAD, HOEKWIL, GEORGE MUNICIPALITY & DIVISION, WESTERN CAPE

1. The abovementioned document received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 22 September 2023 refers.
2. It is understood that the proposal entails the the development of a low density residential and tourism development on Erf 1058 and will include the following:
 - Main residential dwelling for the property owner (280m²),
 - Outbuilding with home office, garage, and storage space (170m²),
 - Kitchen Yards (35m²),
 - Driveway and parking for main dwelling (291m²).
 - Three tourist accommodation units of 80m² each (240m²).
 - Three jacuzzi decks for tourist accommodation units of 16m² each (48m²).
 - Outdoor Lapa (42m²).
 - Sauna House (40m²).
 - Natural outdoor pool (240m²).
 - Access to tourist accommodation and facilities (270m²).
 - Parking to tourist accommodation and facilities (72m²).
 - Footpaths (95m²).
 - Green House (90m²).

3. This Directorate has reviewed the document and provide the following comments:
 - 3.1 This Directorate notes that the property slopes down steeply south-east towards the Touws River and to the west towards a non-perennial drainage line. This Directorate is concerned about the potential impact of stormwater and how this will be managed on the site and potential run-off and subsequent pollution of the aforementioned water sources. You are therefore required to include a detailed stormwater management plan as part of the Environmental Management Programme (EMPr). The aforementioned stormwater management plan and EMPr must be submitted as part of the Basic Assessment Report.
 - 3.2. It is noted from the Pre-application Basic Assessment Report that there is a non-perennial drainage line on the property and apart from this drainage line there is also a watercourse. It is also noted that no water use license in terms of The National Water Act, 1998 (Act No. 36 of 1998) will be required. However, this Directorate recommends that meaningful comment must be obtained from the Breede-Olifant Catchment Agency ("BOCMA"), which confirms the applicability of a water use license application or not.
 - 3.3. The current zoning of the property is Agriculture II which will be rezoned to Open Space Zone III and the primary land use right of this proposed zoning will be nature conservation area with tourist accommodation as a consent use. Please obtain comments from Cape Nature regarding the proposed rezoning to Open Space III and what requirements the proponent must meet in this regard and whether a stewardship agreement must be entered into with CapeNature.
 - 3.4. In addition to the above, comments must also be obtained from Cape Nature to confirm the specialist opinion that the Terrestrial Biodiversity sensitivity theme rating should be reduced to a "Low" and not "very high", as per the findings of the Screening Tool Report. CapeNature must also confirm whether a compliance statement will be accepted and not a Terrestrial Biodiversity Assessment as required by the relevant protocol for this theme.
4. This Directorate awaits the submission of the application for Environmental Authorisation.
5. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.
6. Also note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
7. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

Yours faithfully

Malcolm Fredericks Digitally signed by Malcolm Fredericks
Date: 2023.11.06 16:12:41 +02'00'

pp _____
**HEAD OF DEPARTMENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copied to:

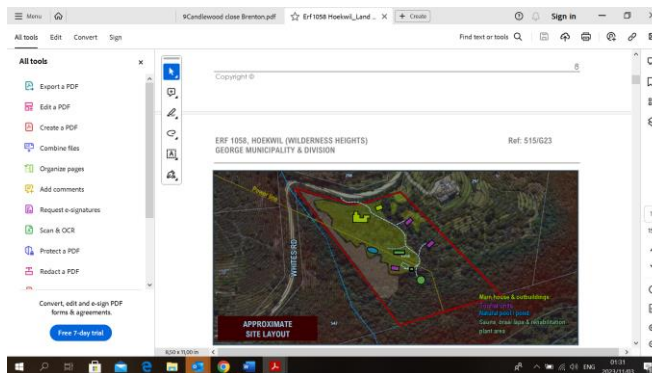
EAP: Eco Route Consultancy
George Municipality: Pricilla Burgoyne

E-mail: joclyn@ecoroute.co.za
E-mail: pburgoyne@george.gov.za

George Municipality
Attention: Clinton Petersen
Email: Cpetersen@george.gov.za
Tel/ Fax: 044- 874 0365

COMMENTS ON THE PROPOSED REZONING ON ERF 1058, WHITES ROAD, HOEKWIL:

- 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.
- 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
 - a. The above proposed application is to rezone the property to Open Space Zone III (nature conservation area) and to develop a primary dwelling and tourist accommodation (3 units). The property: is currently zoned as Agriculture zone II; has a moderate slope downward from north to south-east that becomes very steep and undevelopable towards the southern and western edges; is mostly infested with alien vegetation with single standing indigenous trees as well as also indigenous forest patches occurring throughout the property (Forest thorn, Camphor bush, Milkwood, Ironwood, Sage); towards the bottom (south) an indigenous forest strip occur



- b. Forestry request that:
 - i. Indigenous forest strip at the bottom of property be retained and indicated as no-go area
 - ii. That indigenous trees as well as indigenous forest patches be incorporated in proposed layout as no-go areas- be GPS'd and cordoned off in order to be retained
 - iii. That units be designed/ placed around the indigenous trees as well as indigenous forest patches in order to accommodate- be placed in disturbed areas
 - iv. That layout be redesigned where placement of units accommodate indigenous trees as well as indigenous forest patches- and be circulated for comment to IAP
 - c. Indigenous forest as well as protected trees are protected under the National Forest Act (NFA) (Act No. 84 of 1998) as amended.
 - d. 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

Yours Faithfully



pp. AREA MANAGER FORESTRY: WESTERN CAPE
27/10/23



BREED-OLIFANTS
CATCHMENT MANAGEMENT AGENCY

101 York Street 3rd Floor Room 302 George 6530, P.O Box 1205 George 6530

Enquiries: SI Ndlovu Tel: 023 346 8000 Fax: 044 873 2199 E-mail: sndlovu@bocma.co.za

REFERENCE: 4/10/2/K30D/ERF 1058, HOEKWIL

DATE: 23 OCTOBER 2023

ECO ROUTE
PO BOX 1252
SEDGEFIELD
6573

Attention: Ms C. Leslie

RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY, WESTERN CAPE.

Reference is made to the above mentioned Pre-Application Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to the Pre-Application Basic Assessment Report, which should be adhered to:

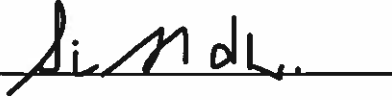
1. The the proposed development occurs adjacent to a drainage line, regulated area of a watercourse, therefore it triggers water uses in terms of section 21(c) & (i) of the National Water Act, 1998 (Act No. 36 of 1998) and must be authorised. These sections refer to the impeding or diverting the flow of water in a watercourse and altering the bed, banks, course or characteristics of a watercourse respectively. The regulated area of a watercourse is defined as follows:
 - a) *The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam;*
 - b) *In the absence of a determined 1 in 100-year flood line or riparian area the area within 100m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench (subject to compliance to section 144 of the Act); or*
 - c) *A 500 m radius from the delineated boundary (extent) of any wetland or pan.*

RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY, WESTERN CAPE.

2. The drilling of a borehole and abstract groundwater from the borehole trigger water use(s) in terms of section 21(a) of the National Water Act, 1998 (Act No. 36 of 1998) which refers to taking water from a water resource and must be authorised by means of a water use authorisation.
3. The rainwater harvesting and storage of rainwater in tanks does not trigger any water use(s) and it doesn't require any water use authorisation.
4. For water that will be supplied by a Water Services Provider (WSP) i.e. Municipality, there must be an agreement between the developer and the municipality and water charges/tariffs must be paid directly to the municipality.
5. Please note that no water shall be derived from any water resource and used for any purposes on Erf 1058 during the construction and operational phase of the development without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998).
6. The applicant is advised to conclude the investigation of sewer services and include the information in the final draft basic assessment prior the commencement of the construction of the development. BOCMA will advise whether the proposed sewer services trigger water uses or not.
7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
8. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.
9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
11. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <http://www.dws.gov.za/e-WULAAS>.
12. Should you have further enquiries, the office can be contacted or alternatively contact Mr. Si Ndlovu at the above-mentioned contact number or on sndlovu@bocma.co.za

**RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF
ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY,
WESTERN CAPE.**

Yours faithfully,

pp 

**MR. JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)**





**Western Cape
Government**

Department of Health & Wellness

Nathan Jacobs

Environmental Health Coordinator

Professional Support Services

Garden Route & Central Karoo District

Nathan.Jacobs@westerncape.gov.za | Tel: 044 813 2926 | Cell: 081 030 4557

Reference: 19/3/1/R

ECO Route Environmental Consultancy

Attention: Joclyn Marshall

RE: PUBLIC PARTICIPATION PROCESS: PRE-APPLICATION BAR FOR ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY, WESTERN CAPE

A notification for the Public Participation Process on the pre-application of a Draft Basic Assessment Report (BAR) for the proposed low-density residential and tourism development on ERF 1058 Hoekwil (Wilderness Heights), Wilderness in the George Municipal Area of the Western Cape, was received on the 26th of September 2023, from Joclyn Marshall of ECO Route Environmental Consultancy for commenting purposes.

In consideration of the above-mentioned notification, this office has no objections to the proposed activity, subject to compliance with applicable laws and by-laws.

Sincerely,

Z. BRICKLES

DIRECTOR RHS: GARDEN ROUTE & CENTRAL KAROO DISTRICS

DATE: 11/10/2023



OUR REFERENCE : 20/9/2/4/3/719
YOUR REFERENCE : -
DEA&DP REFERENCE : 16/3/3/6/7/1/D2/30/0241/23
ENQUIRIES : Cor van der Walt/Fadwa Mohammed

Eco Route Environmental Consultancy
Email: janet@ecoroute.co.za

Att: Janet Ebersohn

PROPOSED DEVELOPMENT: DIVISION GEORGE

ERF NO 1058

Your application received 13 November 2023 was reviewed and has reference.

Erf 1058 is zoned Agricultural Zone II (smallholding) and currently vacant. The property is 3.01ha in extent and the footprint of the proposed development is 0.1923 ha.

A low density residential and tourism development is proposed on Erf 1058, and will consist of the following:

- Main residential dwelling for the property owner (280m²).
- Outbuilding with homer office, garage, and storage space (170 m²).
- Kitchen Yards (35m²).
- Driveway and parking for main dwelling (291 m²).
- Three tourist accommodation units of 80 m² each (240 m²).
- Three Jacuzzi decks for tourist accommodation units of 16 m² each (48 m²).
- Outdoor Lapa (42 m²).
- Sauna House (40 m²).
- Natural outdoor pool (240 m²).
- Access to tourist accommodation and facilities (270 m²).
- Parking for tourist accommodation and facilities (72 m²).
- Footpaths (95 m²).
- Green House (90 m²).

The Western Cape Department of Agriculture: Land Use Management has no objection to the proposed development as it would blend in with the surrounding land uses of the area.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2024-01-17

Copies:

George Municipality

PO Box 19

GEORGE

6530

Department of Environmental Affairs & Development Planning

Private Bag X 6509

George

6530

The EAP
Eco Route Environmental Consultancy
P.O. Box 1252
SEDGEFIELD
6573

Attention: Ms Joclyn Marshall

Tel: 072 126 6393

Email: admin@ecoroute.co.za

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY, WESTERN CAPE.

Good Day,

Your request for comment from the Sub-directorate: Coastal Management on the above-mentioned pre-application basic assessment report received on 22 September 2023, refers.

1. CONTEXT

- 1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations".
- 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The PCMP is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. The Department has developed the next generation PCMP that includes priority

objectives for the next 5 years. This PCMP was adopted on 19 May 2023 and may be viewed at [Western Cape draft PCMP 2022-2027](#).

- 1.3. A key priority of the PCMP is the Estuary Management Programme, which is predominantly implemented through the Estuary Management Framework and Implementation Strategy ("EMFIS") project. The Department is implementing estuary management in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans. Both draft and approved plans may be viewed at [DEA&DP: Coastal Management](#).
- 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available on the Departmental website at [DEA&DP: Coastal Management](#).

2. COMMENT

- 2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:
 - 2.1.1. The proposal will entail a low density residential and tourism development on Erf 1058 Hoekwil. The proposed development will consist of 830m² of building structures including a main house, three accommodation units, and associated infrastructure as well as 1093m² of landscaped areas on the 3.0108ha property.
 - 2.1.2. Be advised that on page 11 of the pre-app BAR, the applicant indicated that the NEM: ICMA is not an applicable legislation for the proposed development, however the subject property is located in the Coastal Protection Zone ("CPZ") and affected by the Coastal Management Line ("CML") as such the NEM: ICMA is indeed applicable for the proposed development.
 - 2.1.3. The SD: CM confirms that in accordance with the Western Cape Biodiversity Spatial Plan 2017, the development is proposed to be partially within a Critical Biodiversity Area and the applicant has indicated the loss of vegetation and potential habitats can be managed and mitigated to limit the disturbance of vegetation. The applicant also considered Ecological Support Areas as well as the adjacent Wilderness Lakes Protected Area that forms part of the Garden Route National Park. Furthermore, the SD: CM notes that the applicant also indicated that the rezoning of the subject property to Open Space Zone II will further contribute to the conservation of the abutting protected area.


- 2.1.4. The subject area in its entirety is located within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and partially seaward of the Garden Route District coastal management line ("CML") delineated by the Department in the project for the coastal management line. The purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the NEM: ICMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ. As such, Section 63 should be considered by local authorities for land use decision making.
- 2.1.5. The increased effects of climate change, sea level rise and increased storm surges in coastal environments obliges the Department to take a more cautious approach when considering developments along the coast and estuaries. The technical delineation of the CML project was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk to flooding, wave-run-up modelling, *inter alia*, and was delineated in conjunction with and supported by other organs of state including the Local and District Municipalities, CapeNature and all other organs of state represented on the steering committee for the Overberg District CML project. The principal purpose of the CML is to protect coastal public property ("CPP"), private property and public safety; to protect the CPZ; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both a quantification of risks and pro-active planning for future development. The SD: CM can confirm that the subject property will not be affected by risk zones as per the Department's coast risk modelling for the Garden Route District project.
- 2.1.6. The SD: CM can confirm that due to the subject property's proximity to the highwater mark (800m) and the height above sea-level (64-110m), Erf 1058 is unlikely to be subjected to coastal erosion effects and risks arising from dynamic coastal processes. This is further confirmed by the Departmental coastal risk zones. The applicant did acknowledge that the steep slopes of the subject property will however be vulnerable to erosion during clearance of the site and the construction phase and the SD: CM agrees that appropriate erosion control measure should be implemented inside the boundaries of the subject property.
- 2.1.7. Furthermore, the SD: CM notes that on page 18 of the pre-app BAR, a buffer for the non-perennial drainage line to the west of the property is set to 36m. Any development that occurs within this buffer is considered to be of a very high aquatic sensitivity, while others

outside the buffer are considered to be of a low sensitivity and this further aligns with the Garden Route District CML.

- 2.1.8. Based on the abovementioned items, the SD: CM does not object to the rezoning of Erf 1058 to Open Space Zone III and the proposed development, provided that all the above-mentioned items are considered and the EMPr is strictly adhered to.
- 2.1.9. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: *"...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."* together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.
3. The SD: CM reserves the right to revise or withdraw its comments and request further information from you based on any information that may be received.

Yours faithfully

**leptieshaam
Bekko**

 Digitally signed by leptieshaam
Bekko
Date: 2023.11.24 09:02:34
+02'00'

leptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
SUB-DIRECTORATE: COASTAL MANAGEMENT
DATE: 24 November 2023

Postal Private Bag X6546, George, 6530
Physical 4th Floor, York Park Building, York Street, George
6530
Website www.capenature.co.za
Enquiries Megan Simons
Telephone +27 87 087 3060
Email msimons@capenature.co.za
Reference LE14/2/6/1/6/2/ERF 1058_PreAPP/Devel
_Wilderness
Date 03 November 2023

Eco Route Environmental Consultancy,
P.O. Box 1252,
Sedgefield,
6573

Attention: Ms Joclyn Marshall
By email: joclyn@ecoroute.co.za

Dear Ms Joclyn Marshall

**THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED
DEVELOPMENT OF ERF 1058, WILDERNESS HEIGHTS, GEORGE LOCAL
MUNICIPALITY, WESTERN CAPE.**

DEA&DP Reference: 16/3/3/6/7/1/D2/30/0241/23

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:

According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet *et al.* 2017)¹ the property has Critical Biodiversity Areas (CBA 1: Forest and Terrestrial) along the west and south. The property borders the Wilderness Lakes Protected Area to the south. A non-perennial river flows outside of the western boundary of the property. The property is within the National Strategic Water Source Area for surface water for the Outeniqua region and serves as a water source protection for the Touws River and a watercourse protection for the South Eastern Coastal Belt.

The Vlok and de Villiers (2007) fine scale vegetation map describes the area as Wolwe River Fynbos-Forest. According to the National Biodiversity Assessment (Skowno *et al.* 2018)² the vegetation unit is Garden Route Granite Fynbos which is **Critically Endangered** (NEM:BA, 2022)³. The Garden Route Granite Fynbos was listed as one of the **seven high risk Critically Endangered** vegetation types in South Africa (Skowno *et al.* 2018).

¹ Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature.

² Skowno, A. L., Poole, C. J., Raimondo, D. C., Sink, K. J., Van Deventer, H., Van Niekerk, L., Harris, L. R., Smith-Adao, L. B., Tolley, K. A., Zengeya, T. A., Foden, W. B., Midgley, G. F. and Driver, A. 2019. National Biodiversity Assessment 2018: The status of South Africa's ecosystems and biodiversity. Synthesis Report. Pretoria, South Africa. 214 pp.

³ National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). The Revised National List of Ecosystems that are Threatened and in need of protection. 2022. Government Gazette No. 47526

Following a review of the PreApp BAR and specialist reports, CapeNature wishes to make the following comments:

1. In terms of section 15(1) of the National Forests Act⁴, no person may cut, disturb, damage, or destroy any protected tree or possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree except under a license granted by the Minister.
2. The Western Cape Biodiversity Spatial Plan (Pool-Stanvliet *et.al.* 2017) has specific guidelines regarding CBA loss and their sensitivity and conservation objectives. Thus, the proposed development should be guided by those objectives to conserve and protect the CBAs (Pool-Stanvliet *et al.* 2017). CapeNature maintains minimal habitat loss is acceptable (in line with the WCSBP Land Use Guidelines Handbook, 2017) provided the underlying biodiversity objectives and ecological functioning are not compromised.
3. The property forms part of a continuous CBA corridor to the west which is important for the conservation of the species, ecosystems, supporting ecological processes, and landscape connectivity. The proposed development is not in line with the recommended acceptable land-uses according to the WCBSP and CapeNature will not support the loss of CBA.
4. The property provides important landscape connectivity to the west and the Wilderness Lakes PA to the south. The proposed development footprint will be 1923m² of **Critically Endangered (CR)** Garden Route Granite Fynbos vegetation. CapeNature recommend the footprint be reduced to limit the impact on **CR** vegetation and Critical Biodiversity Area, as this is not aligned to the desired objectives of CBA. Furthermore, the layout is currently too scattered and CapeNature recommends a more clustered layout for better management.
5. The balance between the thicket and fynbos elements on the site would be depended (and affected) by the fire frequency noting that in the absence of fire the area will become thicket. Thus, has an ecological burn been considered for the property prior to the starting the development? CapeNature recommends the landowner seeks guidance from the Fire Protection Association (FPA) to conduct an ecological burn. The FPA must advise on the consolidation of the adjacent properties to the west, also CBAs, to form a larger management unit.
6. The Fynbos Forum Guidelines⁵ mentions that the impacts of developments must be minimised, buildings should be clustered within fire-free zones and protected with firebreaks. Furthermore, flammable building materials such as thatch should be avoided.
7. Soil erosion control measures, water and pollution run-off must be strictly implemented. All runoffs must be managed in a manner as to minimise or prevent erosion. Areas susceptible to erosion and areas cleared of indigenous vegetation must be protected by installing the necessary temporary structures.

⁴ National Forest Act, 1998 (Act No. 84 of 1998). 1998. Government Gazette No. 19408.

⁵ De Villiers C.C., Driver A., Clark B., Euston-Brown D.I.W., Day E.G., Job N., Helme N.A., Holmes P.M., Brownlie S. and A.B. Rebelo (2016). Ecosystem Guidelines for Environmental Assessment in the Western Cape, Edition 2. Fynbos Forum, Cape Town.

[The Western Cape Nature Conservation Board trading as CapeNature](#)

Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

8. CapeNature reminds the applicant that the site has a high soil erodibility factor thus the geology is unstable and may result in a landslip. Furthermore, the removal of vegetation will destabilise the soil and result in land slipping. Mitigation must be considered to avoid this impact.
9. Eradication of invasive alien plant species are of high priority and CapeNature supports the removal of these species. Alien plant species that occur outside of the proposed footprint must be cleared during the alien clearing phase. In this way, more alien plant species can be removed. The eradication and monitoring of the spread of invasive alien species should follow the National Environmental Management: Biodiversity Act (Act No.10 of 2004)⁶.
10. The ECO must ensure that the mitigation measure proposed by the specialists are implemented to protect the remaining ecological process and landscape connectivity.
11. CapeNature reminds the applicant of Section 28 of National Environmental Management Act (NEMA) (Act 104 of 1998 as amended) (Duty of Care) that states the following:

“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”

Any action that causes wilful degradation of the environment may therefore constitute a breach of this Duty of Care and the penal provisions of NEMA will apply.

In conclusion, CapeNature has received numerous development applications for the Wilderness area. We are concerned that the cumulative impacts, if not properly considered and planned for, could be quite significant. Due to the impact of the fragmenting the CBA network, CapeNature does not support the development at this phase.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely,



Megan Simons
For: Manager (Landscape Conservation Intelligence)

⁶ Government Gazette No. 37885, GN No. R. 598 (2014) National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) Alien and Invasive Species Regulations, 2014.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

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Website www.capenature.co.za
Enquiries Megan Simons
Telephone +27 87 087 3060
Email msimons@capenature.co.za
Reference LE14/2/6/1/6/2/ERF 1058_PreAPP/Devel_Wilderness01
Date 14 November 2023

Eco Route Environmental Consultancy,
P.O. Box 1252,
Sedgefield,
6573

Attention: Ms Joclyn Marshall
By email: joclyn@ecoroute.co.za

Dear Ms Joclyn Marshall

RESPONSE TO COMMENT FROM THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING RELATING TO THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF ERF 1058, WILDERNESS HEIGHTS, GEORGE LOCAL MUNICIPALITY, WESTERN CAPE.

DEA&DP Reference: 16/3/3/6/7/1/D2/30/0241/23

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 was requested by the Department of Environmental Affairs and Development Planning to provide additional comments to points 3.3 and 3.4 in their letter dated 06 November 2023. CapeNature wishes to make the following comments:

1. The rezoning application does not provide any motivation on how this property relates to conservation. The rezoning application and the Terrestrial Ecology Report both stated “*the property has low biodiversity value and lacks primary vegetation*” and “*comprises modified and severely degraded habitat types*” respectively.
2. The objectives of Open Space Zone III (nature conservation area) is to ensure biodiversity is conserved and to allow ecological processes in undeveloped areas. Thus, the rezoning to Open Space Zone III must be aligned with conservation objectives. CapeNature has objected to the current layout, based on the impact to the Garden Route Granite Fynbos (**CR**) and CBA. Thus, the development must be in an ecological sensitive manner with minimal impact on the natural environment (Esler *et al.*2014)¹.

¹ Esler K.J., Pierce S.M., and de Villiers C. (2014). Fynbos: Ecology and Management. Britza Publications, Pretoria.
The Western Cape Nature Conservation Board trading as **CapeNature**

3. The property has a Critically Endangered ecosystem which is under-protected, is within the Outeniqua Strategic Water Source Area for surface water which serves as an important water source protection and is within proximity to the Garden Route National Park and borders the Wilderness Lakes Protected Area. In addition to the above the property has a potential to be rehabilitated which will improve the biodiversity on site. SANParks has expressed an interest to include the property in their expansion footprint, CapeNature would recommend SANParks be approached to consolidate this property into their expansion footprint.
4. The screening tool rated the Terrestrial Biodiversity for the property as High sensitivity due to the CBA, ESA, SWSA and the CR ecosystem. The Specialist rated the sensitivity as Low based on the heavily degraded habitat.
5. The current state of the vegetation is degraded; however, the habitat has a Very High Resilience and does have potential to be rehabilitated. It is important to note that the presence of fynbos species between alien plants is evidence that they are not yet outcompeted. Furthermore, the fire history is unknown and an important factor which was not discussed is the seed bank. Even if no indigenous plants are present the seed bank can still be intact. The season of assessing the site is important (and was in mid-winter) as late winter and spring is the best season to assess fynbos (Fynbos Forum Guidelines)².
6. Based on the above the Specialist has not adequately considered the value of the fynbos and what the impact of the development would be on this CR ecosystem. CapeNature is of the opinion that the sensitivity should be High-Medium.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely,



Megan Simons
For: Manager (Landscape Conservation Intelligence)

² De Villiers C.C., Driver A., Clark B., Euston-Brown D.I.W., Day E.G., Job N., Helme N.A., Holmes P.M., Brownlie S. and A.B. Rebelo (2016). Ecosystem Guidelines for Environmental Assessment in the Western Cape, Edition 2. Fynbos Forum, Cape Town.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack



South African
NATIONAL PARKS

To develop, protect, expand, manage and promote a system of sustainable national parks that represents natural and cultural heritage assets, through innovation, excellence, responsible tourism and just socio-economic benefit for current and future generations.

27 October 2023

Joclyn Marshall
EcoRoute Environmental Consultancy
P.O.Box 1252, Sedgefield
6573

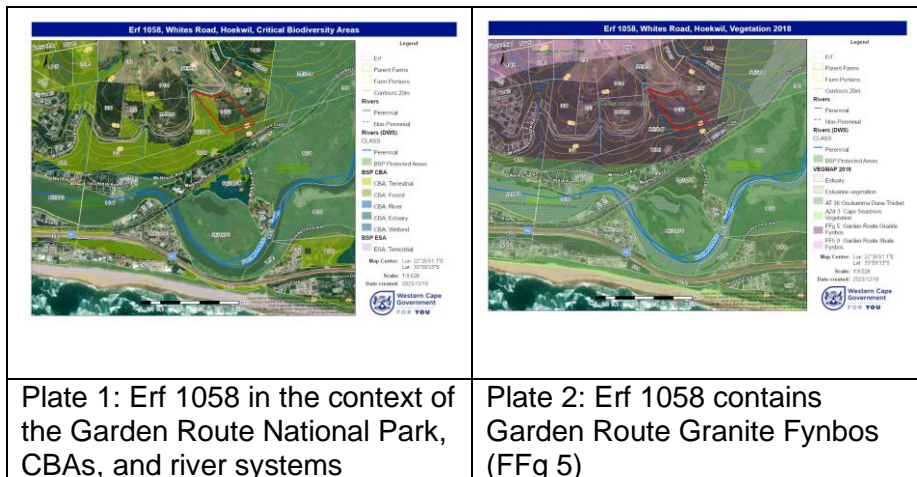
Per email: admin@ecoroute.co.za

Western Cape Government Environmental Affairs & Development
Planning Reference No.: 16/3/3/6/7/1/D2/30/0241/23

RE: PROPOSED DEVELOPMENT OF ERF 1058, WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS) GEORGE MUNICIPALITY, WESTERN CAPE; BASIC ASSESSMENT, PRE-APPLICATION PHASE

Erf 1058, Whites Road, Hoekwil (Wilderness Heights) is in the Buffer Zone of the Garden Route National Park (GRNP). Achieving a conservation outcome on this property is important to SANParks.

The property borders a non-perennial river towards the west, and a Critical Biodiversity Area (CBA) traverses the north-western and southern portions of the property (Plate 1). Critical Biodiversity Areas are required to be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning.



The property falls within the Garden Route Granite Fynbos (FFg 5) vegetation type (Plate 2), which is listed as Critically Endangered in the National Environmental Management Biodiversity Act (Act No. 10 of 2004), Revised National List of Ecosystems that are Threatened and in Need of Protection GNR No. 2747, 18 November 2022 (Plate 3).

- |ai-|ais/richtersveld transfrontier
- addo elephant
- agulhas
- augrabies falls
- bontebok
- camdeboo
- golden gate highlands
- karoo
- kgalagadi transfrontier
- knysna
- kruger
- mapungubwe
- marakele
- meerkat
- mokala
- mountain zebra
- namaqua
- table mountain
- tankwa karoo
- tsitsikamma
- west coast
- wilderness

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Pretoria

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Central reservations: 012 428 911
reservations@sansparks.org
www.sansparks.org

Garden Route Granite Fynbos	Fynbos	Critically Endangered	B1(i)	Garden Route Granite Fynbos is narrowly distributed with high rates of habitat loss in the past 28 years (1990-2018), placing the ecosystem type at risk of collapse.
Plate 3: Extract from National Environmental Management Biodiversity Act (Act No. 10 of 2004), Revised National List of Ecosystems that are Threatened and in Need of Protection GNR No. 2747, 18 November 2022, pg 4.				

Erf 1058 Whites Road is 3.0108ha in extent and zoned Agricultural Zone II (i.e., smallholding, with rights to erect two dwellings with outbuildings, with various consent uses permissible pending application). The registered owner is Wealth Spring Proprietary Limited.

The development proposal entails two applications:

- 1) Proposed removal of restrictive conditions, rezoning, consent use and permanent departure for Wealth Spring Propriety Limited, for Erf 1058, Whites Road, Hoekwil (Wilderness Heights), submitted by Marlize de Bruyn Planning, Consulting Town & Regional Planning; and
- 2) Environmental Assessment Process, Basic Assessment application, for the proposed development of Erf 1058, Whites Road, Hoekwil (Wilderness Heights), submitted by EcoRoute Environmental Consultancy.

The following EIA Listed Activities are noted as applicable:

- a. Government Notice No. R327 (Listing Notice 1): Listed Activity 28; and
- b. Government Notice No. R324 (Listing Notice 3): Listed Activities 4, 6 & 12.

The development proposal consists of: (1) a main house (280m²); (2) an outbuilding with an office and garage (170 m²); (3) three tourist accommodation units (3 x 80m²); (4) a sauna house (40m²); (5) driveway and parking for main dwelling (291m²); (6) kitchen yards (35m²); (7) service road 270m²); (8) swimming pool (240m²); (9) three jacuzzi decks for tourist accommodation units (48m²); (10) footpaths (95m²); (11) outdoor Lapa (42m²); (12) shaded parking (72m²); and (13) rehabilitation areas (90m²). This equates to 730m² for buildings, and 1093m² for hard landscaping, including driveways, i.e., 1823m², with 90m² additional allocated for rehabilitation/disturbance. As per proposed Site Development Plan V17, 16/08/2023, EcoRoute Pre-application BAR.

SANParks conducted a site inspection on 13/10/2023 together with the landowner, Alexander Polson, EcoRoute, Marlize de Bruyn Town Planners, WRRRA, DFFE, and WALEAF (Plate 4-7).



Plate 4: Site visit representatives discussing the development proposals.



Plate 5: A powerline traverses the property from north to south. Photograph taken at the change of direction junction point.



Plate 6: Views from the property looking south-east across the Touws river.



Plate 7: Indigenous vegetation remnant pockets situated within alien vegetation areas.

Point 1: Site Development Plan and footprint of the proposed dwellings on the property



Plate 8: Aerial photo of property, CapeFarmMapper, 24/10/2023

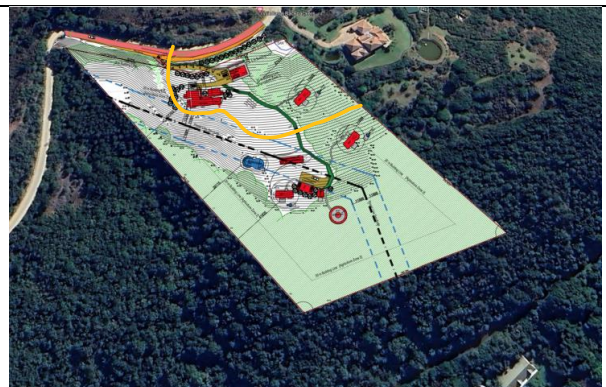


Plate 9: Position of dwellings, extract from EcoRoute, Pre-application BAR, 26/09/2023. **Note:** SANParks is in support of development above/north of the yellow line, but **NOT** below/south.



Plate 10: Urban Edge, Priority Natural Areas and Corridors, George Municipality GIS viewer, 24/10/2023

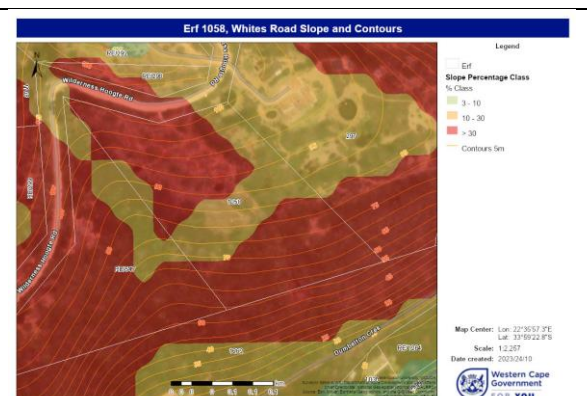
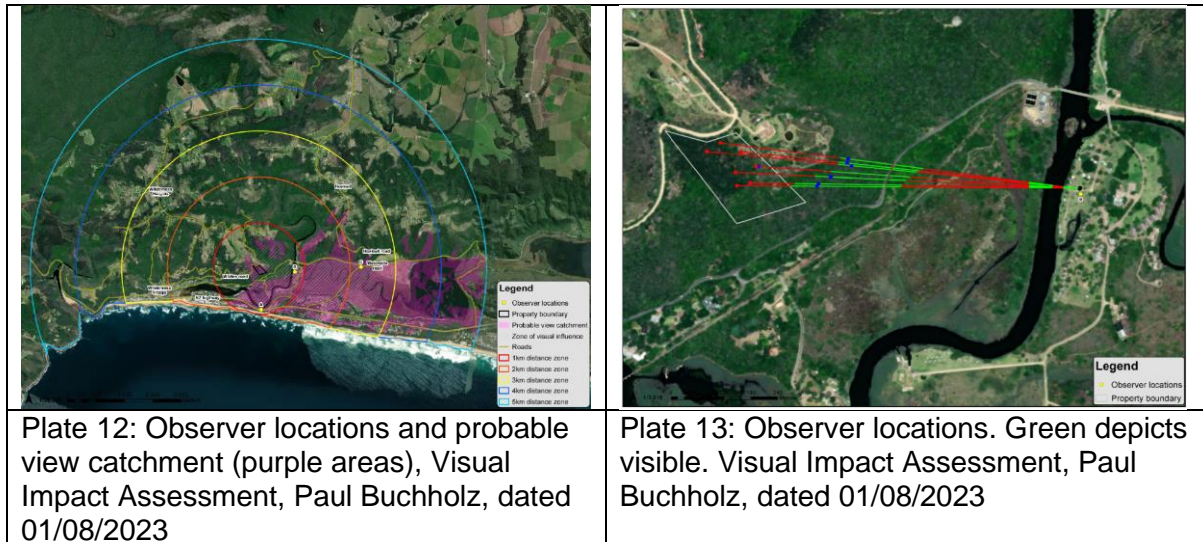


Plate 11: Slope and Contours. **Note:** slope percentage class is >30% in most areas on the property, CapeFarmMapper, 24/10/2023



- SANParks objects to the development of the southern/lower half of the property, i.e., areas below/south of the yellow line (Plate 9). Where the nursery/greenhouse area, Unit 02 and 03 including their jacuzzi & deck, the sauna house, outdoor Lapa, swimming pool, parking and road areas are located.
- The development should rather be located on the upper/northern portion of the property above the yellow line (Plate 9).
- This would serve to: (1) limit transformation and fragmentation of the lower southern portion and negate biodiversity loss and improve biodiversity connectivity corridors which are present (Plate 10); (2) mitigate risks of soil erosion due to developing building platforms and roads on a steep property (Plate 11); and (3) reduce the visual impact of the proposed development, particularly as the property is visible from the Ebb and Flow Rest Camp, Garden Route National Park (Plate 12 and 13), and visual quality will be negatively affected. Items (1) and (2) are particularly important in terms of building adaptation and resilience to predicted climate change impacts.

The Terrestrial Ecology Compliance Statement by The Biodiversity Company, dated September 2023 states, “The Project Area presently comprises modified and severely degraded habitat types”, and “the Project Area has been cleared for agricultural purposes and consequently does not possess natural primary vegetation”. SANParks disagrees with this statement, as similar ‘degraded’ sites have shown great potential for fynbos rehabilitation, due to the fynbos seedbanks remaining in the soil profile for decades. During the site inspection of 13/10/ 2023 fynbos vegetation was observed to be present between the alien vegetation. Further, as the vegetation type is listed as Critically Endangered Garden Route Granite Fynbos (FFg 5), the value and potential for restoration should not be overlooked. The specialist study has not included any landscape functionality/ corridor assessment. The property links into important corridors as noted in Plate 10.

The development is proposed on a steep property (slope percentage class is >30% in most areas) with numerous driveways and accesses to the main house, outbuilding and three units. Due to the steepness of the property, SANParks is concerned that that roads and building platforms will result in large disturbance platforms, more than areas calculated in the SDP (90m² allocated for rehabilitation in the SDP appears to be an underestimate). Soil erosion is a serious concern, that may be exacerbated by climate change affects.

Point 2: Rezoning of the property from Agriculture II to Open Space III

SANParks will support the Rezoning application for the rezoning of the property from Agriculture II to Open Space III, however **ONLY for the upper northern portion of the property**, i.e., the area above/ north of the yellow line as shown in Plate 9.

An alternative zoning option is possible, which should be investigated. The property could have a dual/spot zoning status applied, i.e., where the upper/northern portion above the yellow line be zoned as Open Space III (OSZIII) (to allow special consent for resort), whilst the lower/southern portion be rezoned as Open Space IV (OSZIV). An Open Space IV zoning would allow the lower/southern portion to be more formally protected and committed to conservation and to be declared a Nature Reserve. This rezoning model could afford the landowner with potential rates reductions; however, this would be subject to discussions to be held with the George Municipality. SANParks suggests that the landowner signs a Biodiversity Agreement to formalise the management of the property for conservation. SANParks would welcome an opportunity to meet with the landowner to discuss this option further.

Point 3: Summary and way forward

SANParks cannot support the current application as it will result in an unacceptable loss of habitat, landscape functionality, and corridors in the SANParks Buffer Zone. SANParks recommends that only the upper/northern portion of the property be developed (as shown in Plate 9), and that this portion be rezoned to Open Space III. The remainder of the property should be rezoned to Open Space IV and placed into conservation with a signed Biodiversity Agreement in place.

The proposed development should be scaled down and consolidated within the upper northern portion of the site. The landowner could investigate combining the three accommodation units into a guest house (with height restrictions applicable) or locate them in closer proximity. Road accesses, building platforms, infrastructure and services should be reduced to minimise disturbance and negative impacts.

The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on their property.

Further, compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. The landowner is encouraged to become a member of the Southern Cape Fire Protection Association.

SANParks reserves the right to revise initial comments if additional information becomes available.

Yours sincerely



Dr Vanessa Weyer
Principal Planner
Garden Route National Park

CC:	Sandra Taljaard	SANParks
	Jonathan Britton	SANParks
	Melanie Koen	DFFE
	Charles Scott	WALEAF
	Marlize de Bruyn	Marlize de Bruyn Planning



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info@gardenroute.gov.za
www.gardenroute.gov.za

OFFICE OF THE MUNICIPAL MANAGER

Enquiries:	I MAMEGWA
Reference:	18/3/4/1
Date:	05/10/2023

THE ENVIRONMENTAL ASSESSMENT PRACTITIONER
George
Hoekwil
6530

ATT: Joclyn Marshall

Dear Sir/ Madam

RE: THE BASIC ASSESSMENT APPLICATION FOR A PROPOSED LOW DENSITY RESIDENTIAL & TOURISM DEVELOPMENT ON ERF 1058 HOEKWIL (WILDERNES HEIGHTS), GEORGE, 6530

The above refers.

This Municipal Health Services office has no objections towards the proposal of development of proposed low density residential & tourism development on ERF 1058 Hoekwil (Wilderness Heights) and hereby wishes to set the following requirements and/or recommendations:

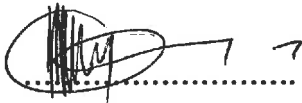
1. Ensure that all practical measures to minimise the impact of operations on the environment have been included in plans / programmes and emergency plans have been developed.
2. Ensure that all staff have the appropriate level of environmental awareness and competence in order to ensure continued environmental due diligence and ongoing minimization of environmental harm.
3. Proper storage facilities for the storage of oils, paints, grease, fuels, chemicals and any hazardous materials to be used must be provided and must conform to the relevant safety requirements to prevent the migration of spillage into the ground and groundwater regime around the temporary storage area(s).
- ✓ Hazardous substances must be stored at least 20m from any water bodies on site to avoid pollution.
4. All major spills of any materials, chemicals, fuels or other potentially hazardous or pollutant substances must be cleaned immediately, and the cause of the spill investigated. Preventative measures must be identified and emergency response procedures followed and implemented.
5. The Contractor must provide sufficient ablution / sanitary facilities, in the form of portable or VIP toilets, at the Construction Camp(s), and must conform to all relevant health and safety standards and codes.
 - ✓ Where French drain systems or soak away systems are used, it may not be situated within 50 meters of any surface water body or within 1:100-year flood line.
 - ✓ A sufficient number of toilets must be provided to accommodate the number of personnel working in the area (1 toilet per every 15 workers) at appropriate locations on site during construction and the operational phase.
6. All waste generated on site during construction should be stored in waste bins and removed from site on a regular basis.
7. Broken or old batteries or components of the plant should be stored in a demarcated area in quarantine for the shortest period possible until it can be collected and taken to a special chemical waste facility.
8. Food preparation areas must be provided with adequate washing facilities and food refuse must be stored in sealed refuse bins which must be removed from site on a regular basis.

9. Provision of sufficient ventilation in all the houses.
10. All extensions must be connected to an approved sewerage system.
11. Drainage system should be connected to the municipal line.
12. Provision of sufficient lighting should be in place.
13. Provision of safe drinking water should be made available and comply with SANS241
14. Ensure compliance with relevant legislation pertaining to municipal health

This Department reserves the rights for further comments

For any further inquiries contact:

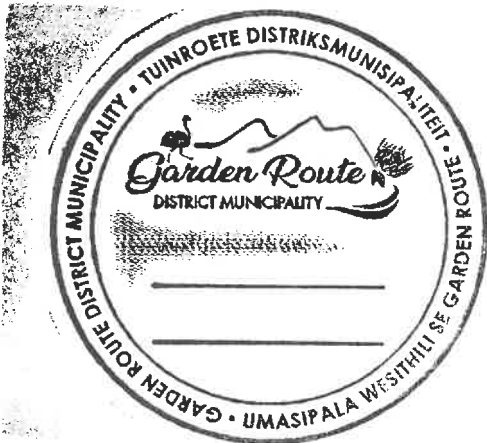
I MAMEGWA: 081 411 8862



I MAMEGWA
ENVIRONMENTAL HEALTH PRACTITIONER



(pp) MONDE STRATU
MUNICIPAL MANAGER



The Municipal Manager
George Municipality
GEORGE

Dear Sirs,

APPLICATION FOR PROPOSED REZONING, REMOVAL OF RESTRICTIVE CONDITIONS, CONSENT USE & PERMANENT DEPARTURE OF ERF 1058 HOEKWIL, WHITES ROAD, WILDERNESS, GEORGE MUNICIPALITY & DIVISION

We refer to our previous comments dated 2023-10-19 on this rezoning/consent use/departure application, and, now that we have started studying the Pre-Application BAR documents compiled by Ecoroute in Sedgefield, for which the closing date for comments is 2023-10-27, we wish to supplement our comments of 2023-10-19 with the following.

On page 14 of Ecoroute's Pre-Application BAR documents, the following is stated :

"As only 3 tourist accommodation units are proposed, the Rural Areas guideline regard it as a small resort....."

In Marlize de Bruyn's the Land Use application there is no mention made that this application is in actual fact a **resort zone application**.

As it is accepted that all land use applications in rural areas must comply with the **Western Cape Land Use Planning Guidelines : Rural Areas : March 2019**, then naturally these Guidelines must apply to this land use application. We therefore have made reference to these Guidelines below.

In Chapter 10 of the **Western Cape Land Use Planning Guidelines : Rural Areas : March 2019** the following guidelines apply to rural areas, and specifically **resorts** :

"The following accommodation types should be avoided at all cost:

- *Alienable units.*
- *Urban sprawl into the rural landscape, including linear coastal development.*
- *New settlements.*

This policy envisages a wide range of accommodation/residential opportunities in the rural area which is summarised in the table below and discussed in further detail in this section.

LOCATION	TYPE OF ACCOMMODATION
Farms	One homestead (owner's dwelling) Five additional dwellings Agri worker housing Guest house Camping sites
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Nature reserves	One homestead (Owner's dwelling) Accommodation for tourists Employees' accommodation
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Agri-village	Accommodation for bona fide agri workers

10.1.2 GUIDANCE FOR IMPLEMENTATION

- Large scale tourist accommodation should preferably be provided in or close to urban areas.
- Tourist accommodation in the rural landscape could be allowed if, of an appropriate scale and form, appropriate to the SPC.
- Tourist accommodation in the rural landscape should be clustered in visually discreet nodes.
- Only activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate should be accommodated. The long term impact on the municipality (resources and financial); agricultural activities, production and sustainability, risk and finances; and the scenic, heritage and cultural landscape should be considered when decisions are taken.
- Tourist accommodation in the rural landscape should cater exclusively for the temporary accommodation for in transit visitors.
- Units in resorts should primarily be allowed to facilitate access to the conservation areas, coastal resources or leisure facilities of the Province on the basis of temporary or short term accommodation.
- The form and scale of tourist accommodation should reinforce rural landscape qualities. Information on the architectural design must be provided, for the purposes of heritage and visual assessments.
- Buildings should include appropriate buffers, landscaping and screening to reduce their visual impact on the rural landscape.
- Tourist accommodation should preferably make use of existing buildings or new buildings on disturbed footprints, and these should take the natural and heritage significance of the site into consideration.

Guidance for implementation specific to resort development

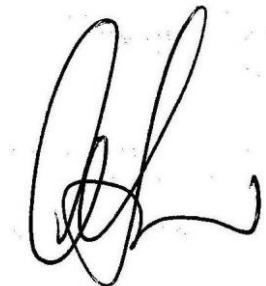
- A resort development should be closely associated with a resource which clearly benefits and distinguishes the site, in terms of its amenity value, from surrounding properties.
- Resort applications outside urban areas **can only be considered if linked to a unique resource**, unless the area in question has already been demarcated for resort development in terms of an approved SDF or overlay zone.
- Only in exceptional cases where special desirability factors can be motivated, would any probability arise for new resorts to be established.

Such a resource is:

- High amenity value in the immediate coastal area, with direct access to the sea, river mouth, river and particularly a sandy beach.
 - Unique physical features of the site which preclude the creation of a precedent for undesirable ribbon development or the establishment of an excessive number of nodes over a short distance.
 - Usually a natural resource (e.g. a hot water source, beach, dam, mountain range, lagoon or river).
 - Occasionally, an existing, established man-made feature (e.g. historic battle field, or gallery of rock paintings), which has regional significance and is complementary to a unique natural resource.
 - An established regional-scale dam with a surface area of at least 1km² allowing recreation activities.
 - Of such a nature that it makes the subject property particularly favourable in relation to other properties in the area (locational advantage).
 - Of sufficient value to justify long-distance travel by visitors and the desire to stay longer than one day.
 - Inseparable from the property on which the source is located.
- If access to a linear or natural resource exists within an existing urban area nearby, then new resort development outside of the urban edge should not be permitted.
 - Properties smaller than 50 ha in size are not accommodated for in the table, since only the additional dwelling density model should be used for those properties i.e. 1 unit per 10 ha with a maximum of 5 units, with the exception of one additional unit that can be allowed in all cases irrespective of the size of the agricultural land unit. **This implies that a rezoning to resort zone should not be entertained for properties of which the size is less than 50 ha.**
 - If a property of 50 ha or less is located within 1km of the high water mark of the sea or a tidal river additional dwellings may not be allowed unless it complies with the municipal zoning scheme with regards to “additional dwelling unit”.

As per what is stated above, it is clear that this proposed resort is clearly in conflict with the Western Cape Provincial guidelines.

Yours faithfully,



Secretary,
for WALEAF

HOEKWIL ERF 1058

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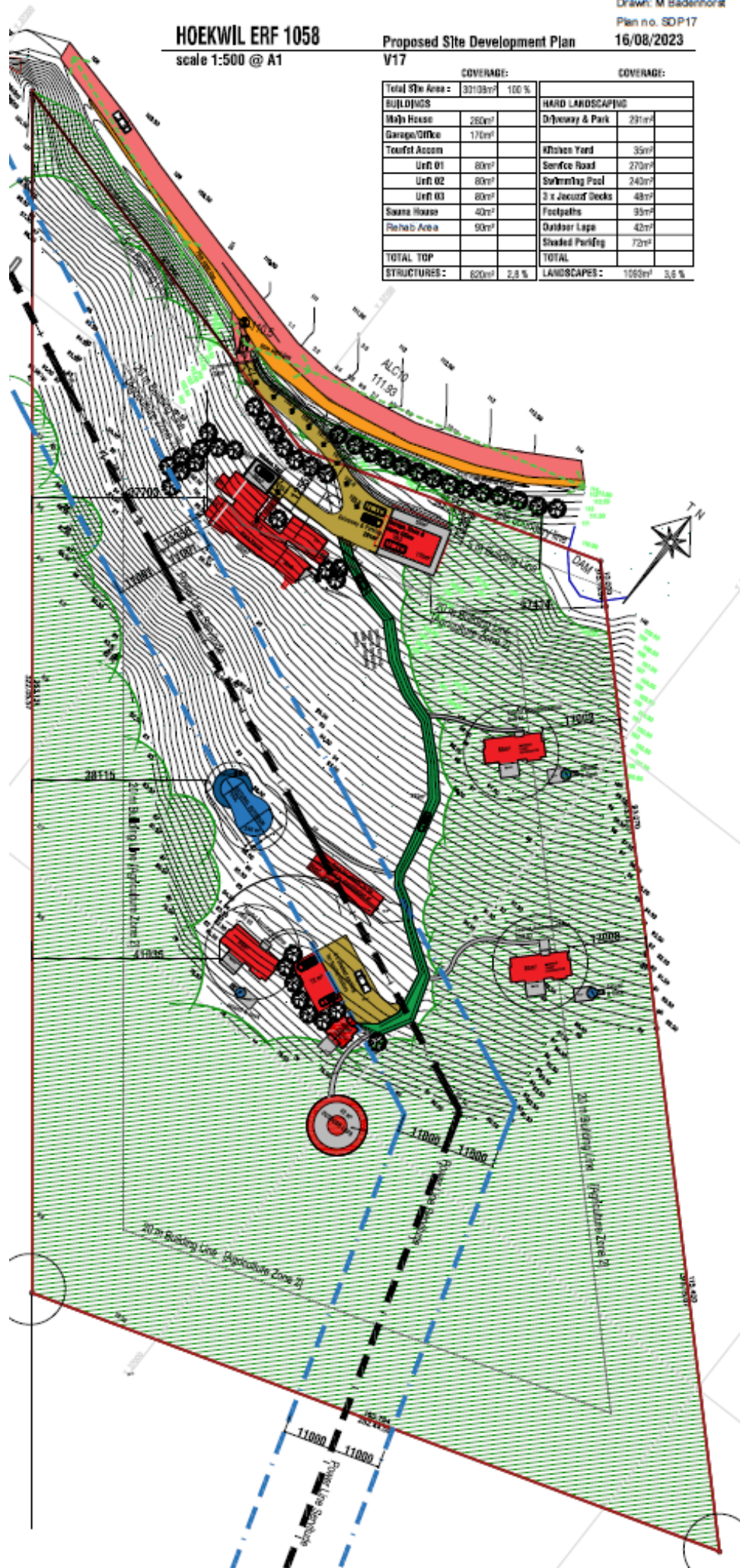
Proposed Site Development Plan

V17

COVERAGE:

COVERAGE:

COVERAGE:		COVERAGE:	
Total Site Area:	33108m ²	100 %	
BUILDINGS			
Main House	280m ²		
Garage/Office	170m ²		
Tourist Accom			
Unit 01	80m ²		
Unit 02	80m ²		
Unit 03	80m ²		
Swims House	40m ²		
Rehab Area	90m ²		
TOTAL TOP			
STRUCTURES:	600m ²	2,8 %	
HARD LANDSCAPING			
Driveway & Park	291m ²		
Kitchen Yard	35m ²		
Service Road	270m ²		
Swimming Pool	240m ²		
3 x Jacuzzi Decks	48m ²		
Footpaths	95m ²		
Outdoor Lapa	42m ²		
Shaded Parking	72m ²		
TOTAL			
LANDSCAPES:	1000m ²	3,0 %	



The site plan indicating the position of all proposed structures, roads, etc.

Eco Route Environmental Consultancy
EAP name : Joclyn Marshall
PO Box 1252
Sedgefield

Dear Sirs,

**PRE-APPLICATION BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF ERF 1058,
WHITES ROAD, HOEKWIL (WILDERNESS HEIGHTS), GEORGE MUNICIPALITY, WESTERN CAPE**

WALEAF attended a site visit on 13th October 2023, together with Marlize de Bruyn Town Planners, Ecoroute, Sanparks, WRRRA, and the property owner.

Erf 1058 Wilderness is ±3ha in extent, and is covered in vegetation consisting of fynbos and pockets of indigenous forest, which is severely infested with black wattle, and various other types of invasive alien vegetation.



The site plan indicating the position of all proposed structures.

It should be borne in mind that this property is currently zoned **Agriculture II**, which means that the owner of the property presently has **rights to erect 2 dwellings with outbuildings, as well as a guest house** (plus various other consent uses) on the property.

This application is for the following :

A residential and tourism development is proposed on Erf 1058, and will consist of the following:

Main residential dwelling for the property owner (280m²).
Outbuilding with homer office, garage, and storage space (170m²).
Kitchen Yards(35m²).
Driveway and parking for main dwelling (291m²).
Three tourist accommodation units of 80m² each (240m²).
Three jacuzzi decks for tourist accommodation units of 16m² each (48m²).
Outdoor Lapa (42m²).
Sauna House (40m²).
Natural outdoor pool (240m²)
Access to tourist accommodation and facilities (270m²).
Parking for tourist accommodation and facilities (72m²).
Footpaths (95m²).
Green House (90m²).

It is proposed to rezone Erf 1058 from Agriculture Zone II to Open Space Zone III. The primary land use right of this proposed zoning is nature conservation area with tourist accommodation as a consent use. The rezoning and land use application is being undertaken by Marlize de Bruyn Planning, and comprises the following:

- Removal in terms of Section 15(2)(f) of the George Municipality: Land Use Planning By-law (2023) of restrictive title conditions E(a) & (b) in T4887/2023.
- Rezoning in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) from Agricultural Zone II (smallholding) to Open Space Zone III (nature conservation area).
- Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-law (2023) for tourist accommodation.

WALEAF is concerned that if OSZIII with a consent use for tourist accommodation is approved for this property, that it will actually give the owner more rights than he currently has under Agriculture II zoning, which, if approved, could ultimately have a far greater total building footprint, which will result in far more indigenous vegetation being destroyed.

WALEAF, in its quest to conserve as much of the natural environment impacted by the building process, is very concerned that in the event that the application for OSZIII zoning is approved, it will allow for any of the following consent uses (listed below) in the future, should the property owner apply for such. Being consent uses, they are actual rights, which the municipality generally approves.

OSZIII allows for the following :

One dwelling

One second dwelling

Outbuildings

A guest house (consent use)

Tourist accommodation¹ (consent use), including camping, caravans, shop, wellness centre, staff accommodation, etc.

Tourist facilities² (consent use), including lecture rooms, restaurants, gift shop, farmers' market, breweries, distilleries, etc.

Wellness Centre³ (consent use), including saunas, pools, steam rooms, gymnasiums, treatment rooms, whirlpools, provision of meals, etc.

Environmental facilities (consent use).

- (a) the footprints of all buildings will be confined to one smaller area, resulting in less vegetation having to be cleared,
- (b) the roads connecting all the buildings will be reduced in length and surface area, which will result in
 - (i) less vegetation having to be cleared,
 - (ii) less water run-off when it rains, resulting in less soil erosion,
 - (iii) reduced costs for the owner,
- (c) services (electricity and water) to the cottages placed far from the dwelling will be reduced in length, with less trenching, which will result in less vegetation being cleared, and reduced costs.

If the proposed buildings are all grouped together, rather than spread all over the property, it will ultimately result in less pristine indigenous vegetation being destroyed.

Alternative 4

Another alternative is to maybe combine the 3 proposed tourist cottages into one building, placed at the north of the property, as this will also be beneficial to reducing the buildings' footprints, reducing roads and services, and reducing the amount of indigenous vegetation that needs to be removed for 3 separate buildings. This option of combining the 3 cottages into one building could be approved as a Guest House, which is a consent use under both Agriculture II and OSZIII zonings.

Alternative 5

As perhaps another alternative, we suggest that OSZIV could be considered where Sanparks and CapeNature will need to determine the land use restrictions and development parameters of the property. Tourist accommodation is a consent use under OSZIV. Below are the applicable development parameters for OSZIV :

Development parameters:

- (a) An environmental management plan must be submitted to the Municipality, SANParks and/ or CapeNature for their approval.
- (b) SANParks and/ or CapeNature must, in consultation with the Municipality, determine the land use restrictions and the development parameters for the property based on the objectives of this zoning, the particular circumstances of the property, and in accordance with an approved environmental management plan.
- (c) When consent use(s) to provide tourist facilities or tourist accommodation in a "nature reserve" are approved, conditions must be laid down with regard to density, layout, landscaping, and building design.
- (d) A site development plan must be submitted to the Municipality for its approval, clearly indicating the position of all structures, stands, services and internal roads.

This property is in a buffer zone of the Garden Route National Park, and in terms of the Western Cape Biodiversity Spatial Plan 2017, some of the property has "**Critical Biodiversity Area Status**". If all of the invasive alien vegetation was to be removed, the whole of the property could ultimately become a "**Critical Biodiversity Area**", which could become an asset for future generations living in Wilderness. Development parameters in this option would be more restrictive on this property but would also serve the landowner's intentions of having some form of tourist accommodation, from which he can generate the income which he wants from his land.

An additional point which we wish to make is that at present most of the property is heavily infested with invasive alien vegetation, which is resulting in not knowing where the best positions/sites are to erect the various buildings. WALEAF suggests that before any site development plan (SDP) be approved, that all the alien vegetation first be removed, and once this has been done, it will present a better picture to everyone involved in this process, to have a better idea of where to place all the buildings. The present chosen sites for the various buildings might be totally inappropriate, resulting in the unnecessary destruction of indigenous vegetation. It may be advantageous to wait for the clearing of all the invasive alien vegetation to first take place, and then position the buildings in areas previously infested with invasive alien vegetation.

Western Cape Land Use Planning Guidelines : Rural Areas : March 2019

On page 14 of Ecoroute’s Pre-Application BAR documents, the following is stated :

“As only 3 tourist accommodation units are proposed, the Rural Areas guideline regard it as a small resort.....”

As it is accepted that all land use applications in rural areas must comply with the **Western Cape Land Use Planning Guidelines : Rural Areas : March 2019**, then naturally these Guidelines must apply to this land use application. We therefore have made reference to these Guidelines below.

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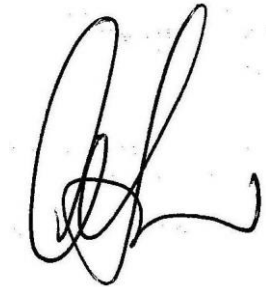
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As per what is stated above, it is clear that this proposed resort appears to be in conflict with the Western Cape Provincial guidelines.

Yours faithfully,

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a cursive name, likely 'A. L. ...', and a long horizontal flourish extending to the right.

Secretary,
for WALEAF