

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

150

26 April 2013

Mr I D Smith
9 Sunrise Close
CONSTANTIA
7806

Dear Mr Smith

16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA, HERMANUS

Your fax received on 23 April 2013 refers.

We wish to confirm that you are registered as Interested and Affected Party for the abovementioned proposed project. Please also note that the address that is contained in your letter is not a postal address. We trust that this letter will reach you and plead with you in future to include the postal information that was requested in the Background Information Document (BID) that you have received.

Questions raised in your letter dated 23 April that can be answered now with corresponding numbers are as follows.

1. The amphitheatre will be ~5 metres above the present level of the picnic area and will cover a footprint area of ~120m², inclusive of the fynbos embankment, according to the layout diagram that was included in your BID. According to the architect that designed the upgrade, there will be seating for ~250 persons and another 50 on blankets on the flat grassed area under the pergola.
2. According to the architect the visitors will find parking on the existing parking areas at Grotto Beach and further along the access road as events will be mostly held in the early evenings when people have left the beach.
3. There will obviously be some noise, depending on what sort of events will be allowed, but we have referred this issue to the Overstrand Municipality for a response. Once we receive more detail on the events that will be allowed we will inform you accordingly. In the conversations that we have had with the Municipality it was stressed that they are not looking for an area where an amphitheatre can be constructed, but is looking at the upgrading and rehabilitation of the Piet se Bos area. A feasible option that the Municipality has come up with is an amphitheatre that will meet the requirement under the Integrated Coastal Management Act, which requires that coastal areas be made more available for use by the general public.
4. We have referred this to the Municipality for a response, but we suspect that this information will only become available once tenders for the upgrading have been called for.
5. Referred to Municipality for a response. Also note that the use of the area for an amphitheatre offers an enhanced use of the area from which income can be generated to offset the cost of the upgrade and the costly annual expense as registration of a Blue Flag Beach.
6. Yes the use is in keeping with the concept of the Blue Flag Beach.

Yours sincerely



Charel Bruwer

P O Box 4
ONRUS RIVER 7201
Tel: (028) 3162888
Fax: 0865132141
Cell: 0828050190

CK 2007043835/23
VAT No 4380237091

Charel Bruwer Snr
Jerry Avis
Charel Bruwer Jnr
Bernard de Witt

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

5 September 2013

Mr I D Smith
9 Sunrise Close
CONSTANTIA
7806

Dear Mr Smith

16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTA BEACH AREA, HERMANUS

Your fax received on 23 April 2013 refers.

We wish to inform you that, apart from our reply dated 26 April 2013, we have received the following answers from the municipality to your questions.

The municipality reiterated that it must be noted that the Piet se Bos and Grotto Beach under jurisdiction of the Overstrand Municipality has been used as a recreational area for a very long time and is also indicated as such in the Spatial Development Framework. It is also a highly utilized area during the summer holidays, over weekends and public holidays when the weather is good and with this the associated noise, vehicular and pedestrian traffic is to be expected during such periods.

From information that we have obtained from the Overstrand Municipality, they have indicated that Hermanus has as its prime focus to be an excellent tourist destination. Thus with the increasing growth of tourism in the area, increased affluence among a large sector of the Overstrand community and a younger population who requires amenities and activities according to their needs, the public utilization of areas such as the Grotto area has increased and will continue to increase in future. It is also one of the few areas in Hermanus where visitors and patrons can access the beach and have the opportunity to enjoy the restaurant and bar facilities that go with such public places.

Question:

Who is the target market to which these events will be directed. What is the proposed entrance fee for a typical event.

Answer: The broader community spectrum. The entrance fee will be determined by the individual organisers and dependent on the event.

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Question:

What is the budgeted cost of the Amphitheatre and what is the anticipated income that is to be generated from the staging of events.

Answer: The cost of the amphitheatre can only be determined when the tenders for the upgrading of the area have been finalised. The anticipated income to be generated will be dependent on the type of event and agreements reached between the municipality and individual organisers.

Question:

How often is it intended to be put to use (no of uses per month over each month of the full year)

Answer: This can only be determined once requests for use of the amphitheatre are submitted by individual organisers.

Yours sincerely



Charel Bruwer

inve dion 021-8839424

M A T T H Y S M D U T O I T

Toll: 0800 4130 00, 033 9250 341 (Karoo 8828134), Servis: 0800 990 0430

E-pos: mattd@mvv.co.za

23 April 2013

Mnr C A Bruwer

Enviro Africa

Posbus 4

Onrusrivier

7201

Geagte Mnr Bruwer

IS: GROTTO STRAND, HERMANUS: VERWYS NR: 16/3/1/1/E2/14/2026/13

Met verwysing na die kennisgewing gedateer 15 Maart 2014, wil ek graag registreer as 'n ge-
 affekteerde party in hierdie saak.

Ek is die eienaar van erwe 4951 (geleë op Twiefdelaan 4, Voëlklip, Hermanus) en 7580 (geleë op
 89 Marine Drive, Northcliff Hermanus)

Ek vertou dat ek op hoogte gehou sal word van alle vordering met die beplanning. Ek stuur
 hierdie brief per faks asook per gewone pos soos versoek. Geliewe asseblief ontvangs te
 herken.



Vriendelike groete

Thys du Toit

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

16a

26 April 2013

Mr M du Toit
P O Box 723
STELLENBOSCH
7599

Dear Mr Du Toit

**16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA,
HERMANUS**

Your fax dated 24 April 2013 regarding the abovementioned project refers.

We wish to confirm that you are registered as Interested and Affected Party.

We note that you have not raised any issues, concerns or impacts that you would like to see addressed in the final Basic Assessment Report and therefore assume that you have none. The newspaper and on-site adverts as well as the Background Information Document clearly indicate that these issues, impacts and concerns need to be raised now before the end of the 40 day comment period, in order for them to be addressed in the final BAR. If you have any please respond urgently. Thank you for the interest that you take in the environment

Yours sincerely



Charel Bruwer



BREEDE-OVERBERG

Catchment Management Agency

Opvanggebied Bestuursagentskap

I-Arhente yoLawulo lomMandla nokungqongileyo

Breede-Overberg CMA
Private Bag X3055
Worcester
6850

Breede- Overberg OBA
Privaatsak X3055
Worcester
6850

Breede-Overberg CMA
Ingxowa X3055
Worcester
6850

E-mail: pcoller@bocma.co.za

Cell: 071 687 0495

Navrae: / Enquiries/ Imibuzo:



Verwysing: / Reference/ilReferenci:

Datum: / Date:

P van Coller

(023) 347 8131

4/10/2/G40H/Piet se bos

4 April 2013

Enviro Africa
P.O. Box 4
ONRUS
2010

Sir / Madam

COMMENT ON THE PROPOSED UPGRADE OF PIET SE BOS AND GROTTA BEACH AREA, ERF 4771, HERMANUS.

With reference to the Draft Basic Assessment Report dated March 2013, the following:

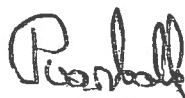
This office, in principle, has no objection to the proposed upgrade of Piet se Bos and Grotto Beach area, subject to the following conditions.

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- Storm water management must be addressed both in terms of flooding and pollution potential.
- The water provided for domestic use must comply with the SANS 241: 2011 Edition 1 guidelines for drinking water. Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it is a threat to human health, then this Department and the Provincial Department of Health must be informed of the procedures to rectify the problem.
- No permanent structures maybe constructed within the 1:100 year flood line of any watercourse (seasonal or permanent river, stream, etc.) or alternatively, more than 100 metres from the edge of a water resource, whichever is further.

- The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National water Act.
- The sewage from this facility must be linked to Hermanus waste water treatment works. If sewage pump stations have to be built for connection to the Hermanus waste water treatment works, a precautionary approach must be applied with the design and positioning of such structures so that no pollution to the water resources may occur during emergency situations. It is important that emergency overflows are designed not to have their flow into water resources, but that the design allows for the re- diversion from water resources.
- The re-instating of a portion of the wetland needs to be done in conjunction with a wetland specialist/fresh water ecologist. This activity might trigger a Section 21 (c) and (i) license in terms of the National water Act.
- The Overstrand Municipality needs to adopt and implement a water conservation/demand management plan to conserve water at the facility.
- The waste generated by the facility needs to be managed of in terms of the National Environmental Management Waste Act, 2008 (Act 59 of 2008) on the property and the final disposal of the waste at a licensed solid waste disposal site.
- The minimizing of waste must be promoted in the area and alternative methods for waste management must be investigated.

Please do not hesitate to contact Mr. P. van Coller 071 687 0495 or either pcoller@bocma.co.za, if you have any further queries.

Yours faithfully



PHAKAMANI BUTHELEZI

CHIEF-EXECUTIVE OFFICER

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
 Omgewingsbeplanning en Impakbeoordeling Konsultante

(17a)

26 April 2013

The Chief Executive Officer
 BOCMA
 Private Bag X3055
 WORCESTER
 6850

Attention: Mr P van Coller

Dear Mr Van Coller

16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTA BEACH AREA, HERMANUS

Your letter dated 4 April 2013 and received on 12 April regarding the abovementioned project refers.

We wish to respond to the conditions that you have raised as follows in the sequence that they are contained in your letter.

- o All relevant sections and regulations of the NWA, 1998 (Act 36 of 1998) regarding water use are adhered to
- o There will be no increase in storm water or pollution as there is no runoff generated from the upgrade and the existing systems that are in place will be maintained.
- o Existing municipal drinking water supplies to the area will be used and this is regularly tested in the municipal monitoring protocol for potable water.
- o This conditions would have to be waived in the case of this proposed upgrade and in fact for the majority of the Overstrand as this upgrade is on an old wetland that was in-filled and still has fringe areas left. Consider that according to the Water Affairs definition of a water resource the whole of Kleinmond and Betty's Bay is a wetland from the top of the mountain to the sea. We therefore request that this condition be removed in a letter, otherwise this proposed development cannot go ahead.
- o Disposal of sewage will be to the existing sewage infrastructure of the Overstrand Municipality which comply with the requirements mentioned.
- o A wetland specialist was briefed by the EAP who also has ~30 years experience as an applied limnologist, on the proposed rehabilitation of the wetland. A short rehabilitation report will be produced, as according to the wetland specialist "this is a very simple rehab". With regard to a license requirement under Section 21(c)

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Charel Bruwer Snr
 Jerry Avis
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and (i) of the NWA, we may add that there will be no "impeding or diverting the flow of water in a watercourse" as all the water that is currently semi-diverted around the existing wetland section will pass into the enlarged rehabilitated wetland area. With regard to (i) "altering the bed, banks, course or characteristics of a watercourse", the BAR clearly states that a portion of the in-filled original wetland will be re-instated by removal of some of the edge fill material that will result in an enlarged wetland perimeter around the central amphitheatre area. BOCMA must please clearly indicate if a Section 21 (i) license is required, otherwise such a license will not be applied for.

- o The Overstrand Municipality is a world leader in water conservation with their original "12 point plan" and still follows this plan in all their water supply areas.
- o Waste generation due to the upgrade will be minimal and will be dealt with under the existing approved waste disposal infrastructure of the Overstrand Municipality which includes solid waste disposal to licensed solid waste disposal sites.
- o The Overstrand Municipality has an existing waste minimization and recycling programme in place for all waste generated in the municipal area.

Yours sincerely



Charel Bruwer

EnviroAfrica Overberg (Piet se Bos)
P.O.Box 4
Onrus
7201

Receid 15/4

Proposed Upgrade of the Piet se Bos and Grotto Beach Area, Hermanus

I wish to register as an Interested and Affected Party

My details are as follows:-

Mrs Audrey Emmeline Boynton
Female
ID No. 330210 0066 08

P.O.Box 1458, Hermanus, 7200
Physical address:- 186 11th St. Voelklip
Phone: 028 314 0637
Cell:- n/a
Fax:- n/a
Ref. No. 16/3/1/1/E2/14/2026/13

I would like to make provisional comments as follows.

My reasons are personal.

I consider 1. There will be a Noise Nuisance

2. There will be Pollution from crowd occupancy in a confined area
3. There will be Pollution from cars
4. Drinking of alcohol will need control. In the past New Years Eve Celebrations even without a bar got so out of hand that it had to be restricted and policed
5. My property will devalue if this proposal is accepted.

I understand this is a provisional enquiry and that a further opportunity for detailed objections will be provided before a final decision is made.

Yours faithfully
Mrs A.E.Boynton

A E Boynton



EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

26 April 2013

Mrs A E Boynton
P O Box 1458
HERMANUS
7200

Dear Mrs Boynton

16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA, HERMANUS

Your letter received on 15 April 2013 refers.

We wish to confirm that you are registered as Interested and Affected Party for the abovementioned proposed project. The Background Information Document that you have received states that issues, concerns and impacts need to be raised now in order for them to be addressed in the final Basic Assessment Report (BAR). This is thus not a provisional enquiry and the only further opportunity for comment would be on the final BAR in which the Overstrand Municipality will propose a course of upgrade, taking into consideration the comments received on the draft. However, you may rest assured that the relevant issues, concerns and impacts have collectively been raised during the course of the impact assessment process up until now.

Questions raised in your letter received on 15 April that can be answered now with corresponding numbers are as follows.

1. Admittedly there will be noise as this is a public place and where people congregate there is a certain amount of noise. We have referred this question to the Municipality in order to get a better description of what sort of noise can be expected from the events that will be held in the amphitheatre.
2. You do not mention the type of pollution that you are referring too, but we assume it is the domestic waste (paper, plastic wrappers, tins, etc) that will be generated by visitors to the place, similar too that on a nice summer holiday. This will all be managed by means of the existing waste management infrastructure of the Overstrand Municipality.
3. You do not mention the type of pollution from cars, but bear in mind that the number of cars that will be attracted by the events in the amphitheatre will be insignificant in relation to the number of cars already on the roads in the near vicinity of Voëlklip.
4. Alcohol consumption associated with Matric weekends and New Year celebrations cannot be compared to that associated with events and performing arts to be held at the proposed amphitheatre. This can also easily be restricted and policed because of the much smaller number of people located in the confined seating space on the theatre.
5. The municipality is of the opinion that the value of properties will remain the same, if not rather increase, due to the proposed upgrade of the area, "once the dust has settled".

Thank you for the interest that you take in the environment.

Yours sincerely

Copy

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Charel Bruwer Snr
Jerry Avis
Charel Bruwer Jnr
Bernard de Witt

Beswaar teen opgradering van Piet se Bos

Envis Africa.

Hiermee registreer ek Barbara du Toit

I.D. no 3606240007089 van 10de Str. 196

Hermanus.

Verwysings no. Ref No. 16/3/1/1/E 2/14/2026/13.

Wankie vir u Kennisgewing, maar ongelukkig het al die inwoners in Voelklip vir wie dit muskies sal raak, nie Kennisgewings briewe ontvang i.v.m. opgradering nie.

Ek as inwoner kyk met waardering na die opgradering van die gebied, veral as dit gaan oor die aanplanting van fynbos, inheemse boome, "boardwalks" wat aansluit by dit wat daar alreeds is, asook die skoon hou van die grotte. Die aantrekkings krag van die gebied is sy ongerepteheid. Om hier in permanente struktuur op te rig sal in onomkeerbare verandering van die landskap veroorsaak. Om in amfiteater regender in woongebied te bou sal weer net al die probleme bring wat ons in klompie jare gelede gehad het.

Die Klank wat opstaan teen die berg is baie duidelik hoorbaar in in groot deel van Voelklip.

Ons besit sedert 1972 eendom in Voelklip, die meeste mense of lewens inwoners, is natuur liefhebbers. Kan dit nie ook maar so bewaer word vir die

nageslag nie?

Ons is dankbaar dat daar planne is vir opgradering van Piet se Bos, maar volgens my beste mening is in amfiteater nie die aangewese struktuur daar nie. Saans kom daar verskillende soorte voëls slaap in die bome. As daar ligte, waertuie en in gras is, sal hulle ook weer verdwyn.

Van in natuur liefhebber van Voelklop B du Yot.

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

26 April 2013

Me B du Toit
Postbus 2170
HERMANUS
7200

Geagte Me Du Toit

16/3/1/1/E2/14/2026/13: VOORGESTELDE OPGRADERING VAN PIET SE BOS AND GROTTOSTRAND AREA, HERMANUS

U brief wat op 17 April 2013 in verband met bogenoemde ontvang is verwys

Ons bevestig hiermee dat u as Belanghebbende Party geregistreer is wat verder by die omgewingsinvloebepalingsproses betrek sal word.

Na aanleiding van die punt wat u in u brief opper reageer ons graag as volg.

- o Die idée met die opgradering is juis om onder andere die biodiversiteit van die natuurlike omgewing te verbeter.
- o Die area waarop die amfiteater beplan word is nie meer natuurlik nie en die voorgestelde ontwikkeling is ook daarop gemik om hierdie area visueel meer aanvaarbaar te maak.
- o Die probleme wat u voorsien met betrekking tot geraas wat met die amfiteater se gebruik gepaard gaan is na die Overstrand Munisipaliteit verwys vir 'n antwoord en ons sal u op hoogte hou van hulle uitspraak in dié verband.
- o Wat betref die voëls waarna u verwys moet in ag geneem word dat daar darem nie op die oorgrote meerderheid van aande gebruik gemaak sal word van die amfiteater nie. Die bos is daar baie dig en behalwe vir die geraas behoort die lig nie die voëls te pla nie. Gelukkig is daar darem ook nog 'n baie groot area met baie digte natuurlike bos sonder menslike toegang geleë, direk oos aangrensend to the amfiteater area, waar voëls ook 'n heenkome kan vind.

Dankie vir die belangstelling wat u toon in u omgewing.

Beste groete



Charel Bruwer

Recd 2-4/13

S C HIBBERD (Mrs)

P O BOX 2063

HERMANUS

Landline: 028 313 0776

Cell: 082 923 4437

E-mail: sch@telkomsa.net

11 April 2013

Enviro Africa

P O Box 4

ONRUS RIVER

7201

ATTENTION: MR CHAREL BRUWER

Dear Mr Bruwer

PUBLIC PARTICIPATION PROCESS: DEA&DP REF Nos. 16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA, HERMANUS

I would like to register myself as an Interested and Affected party to the above mentioned project as a concerned individual rejecting certain aspects to the proposal. Although there are certain positives to the project such as the upgrading of the area, removal of the palm trees and planting of "fynbos" and indigenous trees there are a number of issues with which I can categorically not agree, and I list some of them as follows:

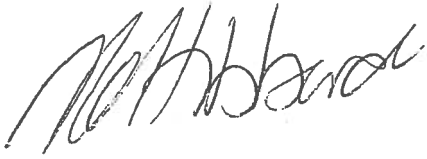
- The building of an amphitheatre should under no circumstances be permitted. The issues surrounding this includes noise pollution, parking, traffic congestion, toilet and ablution facilities to mention but a few.
- Ratepayers' money should be spent on projects benefitting the whole community such as the new Sports Centre rather than an amphitheatre for exclusive use by the privileged 10% of society.
- We already have the Municipal Auditorium and the Hemel and Aarde Amphitheatre, why another venue?
- The noise pollution is a factor not only to humans but also to the animals in the vicinity such as otters, birds, mongooses and other small animals living in Piet-se-Bos. The purpose of

the proposed wetland area is surely to encourage other animals to come and live there only to be frightened away by masses of people and noise.

- Tourists come to Grotto for the beach experience, not other entertainment
- A single story building will surely be more than adequate and blend in with the existing precious and protected Milkwood trees.
- The rules as posted on the bill board of the current guard house clearly state: No music, no alcohol – let's keep it this way.

As a registered Interested and Affected Party I assume I will be kept informed of developments.

Yours faithfully

A handwritten signature in black ink, appearing to read 'SC Hibberd', written in a cursive style.

SC HIBBERD (Mrs)

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

26 April 2013

Mrs S C Hibberd
P O Box 2063
HERMANUS
7200

Dear Mrs Hibberd

16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA, HERMANUS

Your fax received on 23 April 2013 refers.

We wish to confirm that you are registered as Interested and Affected Party for the abovementioned proposed project.

Questions raised in your letter dated 11 April and received on 24 April 2013 that can be answered now with corresponding bullet points are as follows.

- o Using the site to, amongst other, construct an amphitheatre is a municipal decision and we have referred your concerns regarding noise, parking and traffic congestion to them for a response. Portable toilet facilities can be made available for full house events while the existing facilities can be used for fewer attendants.
- o The way that ratepayers' money is spent is decided by subjection to the Integrated Development Programme process that is a requirement of municipal financial management. This is where expenditures are prioritized for annual expenditure. The intention with the amphitheatre is indeed to make the Piet se Bos and Grotto Beach area more accessible to the larger public as required under the Integrated Coastal Management Act. Why the statement is made that the development is aimed "for exclusive use by the privileged 10% of society" is not motivated and is not understood. Please provide clarification for this statement where after it may be addressed.
- o This development proposal was what the Overstrand Municipality proposed for the development of this site, but we will refer the question to them for clarification.
- o The noise pollution to humans has been referred to the municipality. As for the animals, the reason for the wetland re-habilitation is more to accommodate a greater plant biodiversity who are not affected by noise. The Piet se Bos area is furthermore quite vast to the east and there are ample areas that have no human access where these animals can establish themselves or take refuge to in case of temporary disturbance.
- o This statement is contrary to what the experience on other beachfronts are e.g. Durban, Port Elizabeth and closer to home, Kleinmond, Onrus.
- o The reason for the double storey restaurant is to accommodate both a kiosk type environment for take away purchases to the beach and an upstairs more up-market dining venue where the late afternoons and evening beach experience can be sampled. It should work well in conjunction with the events produced at the amphitheatre. Note that no milkwood trees would be compromised.
- o We will refer this one to the municipality for a comment and whether a new set of rules pertaining to the area outside of events will be required.

Yours sincerely


Charel Bruwer

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Bernard de Witt

638 (206)

ANNEXURE A 161/382
R. Cell 17/5

S C HIBBERD

P O Box 2063

HERMANUS 7200

9 May 2013

Mr C Bruwer

Enviro Africa

P O Box 4

ONRUS RIVER 7201

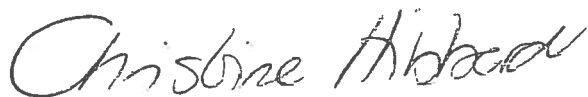
Dear Mr Bruwer

16/3/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA,
HERMANUS

Thank you for your detailed response to my letter confirming that I have been registered as an
Interested and Affected Party for the above mentioned project.

I do however not agree with your counter arguments and feel strongly that this project should not
come to fruition.

Yours faithfully



Christine Hibberd

2639

Rec'd Council 24/4/17

Attention: EnviroAfrica

Ref. No. 16/3/1/1/E2/14/2026/13

Dr Johan Lotter van Zyl

Gender: Male

P.O. Box 782, Somerset Mall, 7137

Tel: (021)8527835 or 082 806 2252

I am the owner/sole director of Cardinox Pty Ltd that owns 195 9th Ave Voelklip erf no 5441. Just above Grotto Beach. This is my holiday home.

I strenuously object to the development of the proposed amphitheatre at grotto beach on the following grounds:

1. The beach area is an environmentally sensitive area and a beautiful natural area that should be utilised for holiday/nature activities such as walking/picnics/family outings etc.
2. The amphitheatre will bring noise, traffic, litter, drunk and disorderly conduct and other unwanted activities into a residential area that tax payers have a right to enjoy undisturbed by aforesaid activities.
3. An amphitheatre will commercialise the area. Why? Is it for the benefit of the tax payer and if so, in what way? There is enough other areas close to the commercial centre of Hermanus that is more suitable for this purpose.
4. I support the objections that have been raised by my neighbours.



Yours sincerely

Dr Johan van Zyl

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

30 August 2013

Prof P vdP du Toit
18 Simonsberg Road
STELLENBOSCH
7600

Dear Prof du Toit

**16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA,
HERMANUS**

Your letter dated 22 April 2013 and received on 30 April regarding the abovementioned project refers.

With reference to the points raised in your letter we have consulted with a number of authorities and also had discussions with the Overstrand Municipality to solicit responses from them on issues that you have raised that only the municipality could answer. As a result we wish to respond as follows.

On the legal issue that you have raised we wish to point out that NEMA 2010 makes provision for dealing with listed activities that occur within 100 metres of the high water mark of the sea in one of two ways namely, where no development setback line has been determined, to go through the environmental impact assessment process as described in the regulations under NEMA 2010, or to apply to the relevant authority on an application form supplied by them for the acceptance of an *ad hoc* development setback line. For obvious reasons the Overstrand Municipality have opted for the former process.

With regard to the relevance of the document that you have based your comments on we wish to point out there was one other person that also referred to a copy that had these mistakes in them. It would appear that an interim copy of the draft BAR got into circulation that should not have happened. It should have been quite clear when viewing such a copy, that there was obviously some mistake somewhere. An immediate phone call would have rectified the matter without having had to go to all the trouble to comment on an obvious wrong document. We received this complaint from your lawyer, Ms M van Rooyen as well (who acts on your behalf in this application) and supplied her with a CD of the correct document on 6-May 2013 for your use as well as some information on the profile of initially-identified I&APs that have been requested. This information will also be made available to all registered I&APs once all the issues, concerns and impacts have been discussed with the Overstrand Municipality, in the form of a final Basic Assessment Report, again for their written comments.

It must be noted that the Piet se Bos and Grotto Beach under jurisdiction of the Overstrand Municipality has been used as a recreational area for a very long time and is also indicated as such

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in the Spatial Development Framework. It is also a highly utilized area during the summer holidays, over weekends and public holidays when the weather is good and with this the associated noise, vehicular and pedestrian traffic is to be expected during such periods.

From information that we have obtained from the Overstrand Municipality, they have indicated that Hermanus has as its prime focus to be an excellent tourist destination. Thus with the increasing growth of tourism in the area, increased affluence among a large sector of the Overstrand community and a younger population who requires amenities and activities according to their needs, the public utilization of areas such as the Grotto area has increased and will continue to increase in future. It is also one of the few areas in Hermanus where visitors and patrons can access the beach and have the opportunity to enjoy the restaurant and bar facilities that go with such public places.

The relevant answers to some of the points that you have raised that were received from the municipality are as follows.

RESPONSE TO POINT 1

What exactly is the idea behind the establishment of an Amphitheatre. I was under the impression that Hermanus has a site where such open air theatre functions can be held. Is that not so?

Answer: There is an increase in the growth of tourism in Hermanus as well as a younger population who requires amenities and activities according to their needs. The Forest Theatre is situated in the Hemel-and-Aarde valley within a rural area which caters for specific events such as single performances.

RESPONSE TO POINT 2

What alternative locations have been considered by the Municipality to cater for such events and what process was followed to proceed with the development in this location

Answer: There are no suitable sites available with existing facilities. The municipality is not looking for an area where an amphitheatre can be constructed, but is looking at the upgrading and rehabilitation of the Piet se Bos area. A feasible option that the municipality has come up with is an amphitheatre that will meet the requirement under the Integrated Coastal Management Act, which requires that coastal areas be made more accessible to the general public.

RESPONSE TO POINT 3

We note your comment regarding whether the proposed activity constitutes rehabilitation or not. Please note that the toilets will be behind a wall in a recess and not on top of the embankment. These will also be removable toilets that will be the responsibility of the events organizers, if required, and the decision on the necessity and control thereof will rest with the municipality, based on the request and plan to stage an event.

RESPONSE TO POINT 4

This proposed restaurant will be for leasehold and the successful tenderer will be the one to decide whether he can run the restaurant successfully or not. The design of the restaurant can be done in

such a way that a double storey wooden building can blend in with the surrounding environment. To say that a double storey building would not blend in is an individual judgement value. There are other comments received that welcome the proposal for a double storey restaurant. The idea behind the double storey is for a beach- style bottom section with a more up-market top section.

RESPONSE TO POINT 5

This was referred to the municipality for an answer and they indicated that the type of event would depend on what applications are received from promoters and this would be screened by the municipality and event specific rules and regulations laid down

Question:

To what specific type of event has the Municipality in mind to be staged in this proposed Amphitheatre. This will give an idea of the additional facilities that have to be provided for such events.

Answer: The municipality has in mind plays, classical performances or suitable musical events as per request, under strict conditions such as suitability, time limits and conditions of the temporary removable infrastructure that has to be put in place by the individual organisers

Question:

How often is it intended to be put to use (no of uses per month over each month of the full year)

Answer: This can only be determined once requests for use of the amphitheatre are submitted by individual organisers

Question:

What are the proposed operating times and on which days of the week will such events be staged

Answer: This will once again be dependent upon request, but all performances will end before 12:00 pm.

Question:

What loudspeaker and amplification system is envisaged – location, height and direction of loudspeakers and wattage

Answer: This is not known at the moment as it will be dependent on the individual event and organiser requirements, but will be approved by the municipality for each event.

Question:

What lighting system is envisaged – location, height and direction of all spot lights and their type and wattage

Answer: The municipal lighting will be flood lighting. The individual lighting is not known at the moment as it will be dependent on the individual event and organiser requirements.

RESPONSE TO POINT 6

Question:

What is the MAXIMUM no of visitors that are to be accommodated (seated and standing) in this Amphitheatre.

Answer: An absolute maximum of 340 persons, both seated and standing, filled to maximum capacity.

Question:

How will such additional persons be accommodated in the existing parking areas, when such available parking as is currently there has already proven to be quite tight during the high season

Answer: The existing parking is deemed adequate and when necessary, Overstrand municipal traffic officials will deal with the traffic flow.

Question:

What considerations have been given to the existing road system being able to handle the additional traffic

Answer: The existing road network is deemed adequate and the current parking at the Grotto area makes provision for all types of vehicles. The existing parking is deemed adequate and when necessary, Overstrand municipal traffic officials will deal with the traffic flow.

Question:

How will the sewerage be disposed – I hope not into the sea at Grotto beach!

Answer: It will be linked to the existing sewage reticulation system in the Grotto area and in addition removable portable toilet facilities may also be a condition in individual instances for organisers of events, depending on the requirement.

With regard to the other questions under point 6 we have received the following indications from the municipality. The maximum height of the amphitheatre will be the roof structure at the back which will be 5 metres above the present ground level. The kiosk will be operated by the event organizers if required for the specific event, the merchandise sold will also be contained in a condition laid down by the municipality for the specific event.

The NEMA legislation is not very specific about what constitutes a road and to be on the safe side these two activities (GNR 546/4 and GNR546/19) are included for authorization, should the relevant authority decide that the improvement of the area at the bottom of the existing access road around the present entrance to the recreational area constitutes a road. The existing access road will remain as is, but from the site plan that was included in the documentation it is obvious that present parking and tar area around Dutchies, the proposed restaurant and entrance area to the amphitheatre will be upgraded to include formal parking for buses and accommodate the event stage trucks.

RESPONSE TO POINTS 7, 8, 9 & 10

Please refer to the responses in the introduction and your points 1,2,4&5. The municipality has furthermore supplied the following information as well that would pertain as responses to these points.

Question:

Who is the target market to which these events will be directed. What is the proposed entrance fee for a typical event.

Answer: The broader community spectrum. The entrance fee will be determined by the individual organisers and dependent on the event.

EnviroAfrica

Question:

What is the budgeted cost of the Amphitheatre and what is the anticipated income that is to be generated from the staging of events.

Answer: The cost of the amphitheatre can only be determined when the tenders for the upgrading of the area have been finalised. The anticipated income to be generated will be dependent on the type of event and agreements reached between the municipality and individual organisers.

Question:

How often is it intended to be put to use (no of uses per month over each month of the full year)

Answer: This can only be determined once requests for use of the amphitheatre are submitted by individual organisers.

RESPONSE TO POINT 11

Please refer to the introductory section of this letter

Yours sincerely



Charel Bruwer

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Stellenbosch

7600

23 April 2013

EnviroAfrica Overberg (Piet se Bos)

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DEA&DP REF Nos. 16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA, HERMANUS

I hereby register myself as an *Affected Party*. I am affected in a personal way. I am female.

I was glad to begin reading the letter about upgrading of Piet se Bos. To rehabilitate the wetland and fynbos, making of boardwalks sound like a great improvement.

However, I have a number of comments and questions regarding statements made in the letter dated 15 March 2013 and the Draft Basic Assessment Report, March 2013:

Paragraph 8 of the Draft Basic Assessment Report makes the following statement about socio economic aspects:

"The communities surrounding the site consist of higher income group retired persons that live there permanently or people that have holiday houses in the area. The houses consists of older large architecturally designed houses as well as very large modern houses that have been constructed after the old house has been knocked down" (quote from Draft Basic Assessment Report, March 2013)

Comment:

This statement is used as a justification in Section D to questions 5, 15, 16 concerning the *need and desirability of this amphitheatre*.

What is the significance of the random information about the nature of the housing and the owners? In a few years' time the older people might have made room for younger people. Still, regardless of age of owner, size or design of the house, the residents of Voëlklip invested there to seek the kind of life that is offered now – quiet, peaceful, a holiday, rural atmosphere. How can an amphitheatre be compatible with the needs of the residents and a positive contribution of this neighbourhood?

direct
and
indirect

Question 11 in Section D reads:

"How will the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc)?"

EnviroAfrica answers "no impact".

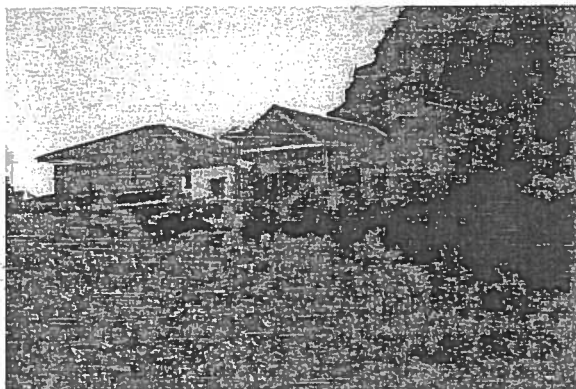
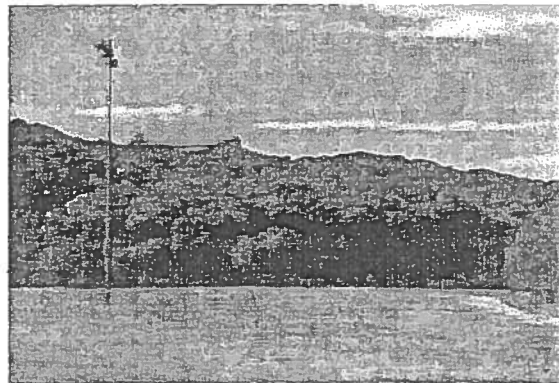
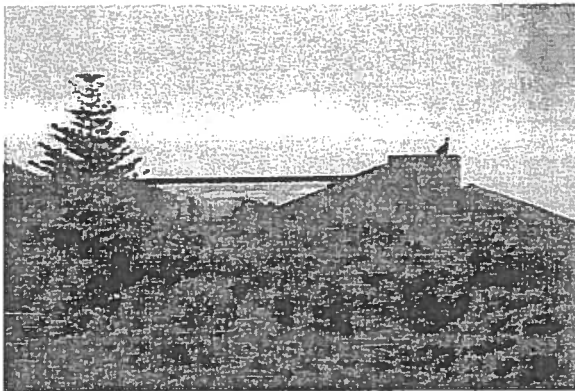
Was this answer researched at all? On what ground is this answer based? As far as I know Affected Parties only now have the opportunity to give comments about the planned projects. Thus this answer is premature.

Years ago when music came from this area, it was unbearable and after numerous complaints the Municipality came to the rescue of the problem with great success.

It might be possible to think of an argument supporting the development being grounded on the premise that shows hosted in the amphitheatre will be of good quality. The content of the shows is not relevant to the fact that people living in the vicinity will be forced to hear the shows without any choice about it.

Paragraph 7 of the Draft Basic Assessment Report, March 2013 EnviroAfrica states that:

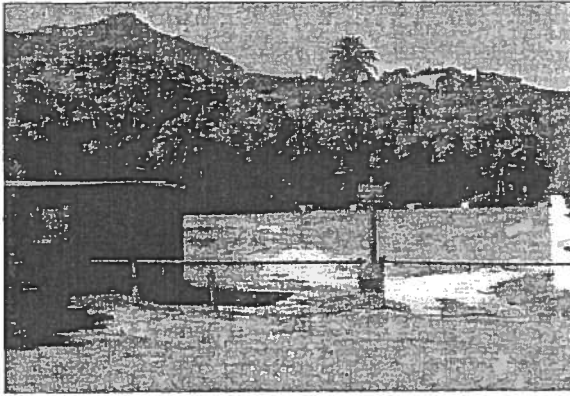
"The nearest residential area is located immediately above the picnic area but is not visible from the existing picnic area.* The houses are occupied by mainly retired residents and expensive and exclusive holiday residences."**



*One can see the houses. The photos were taken from the picnic area without being elevated.

** This fact is of no significance in relation to the building of an amphitheatre.

A few additional comments and questions:



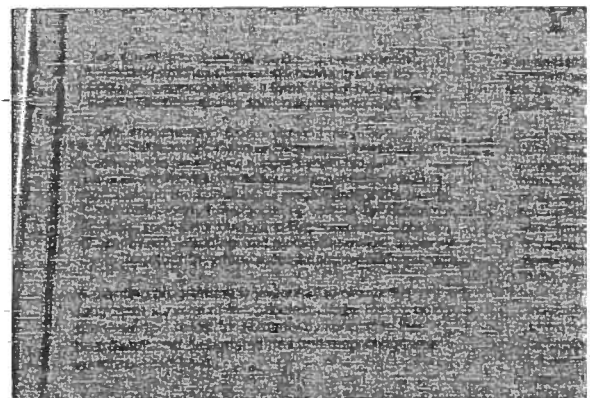
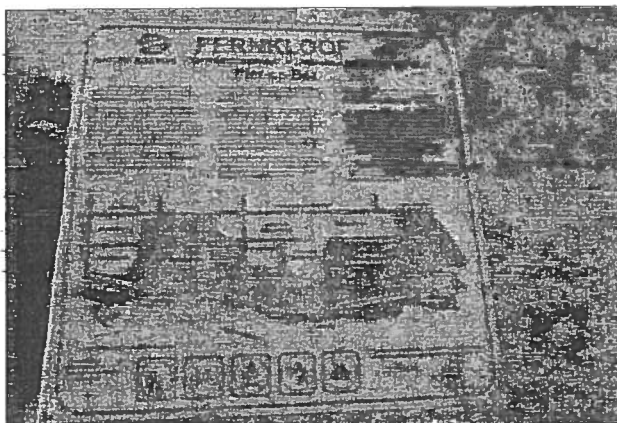
1. Any construction will change or block out the view of the forest for ever.
2. Removing the palm trees will really be of great aesthetic value.
3. An **events stage truck** (as per Site Development Plan) on the grassed "Common" is irreconcilable with the supposed **upgrading** of Piet se Bos and the Grotto site.
4. If this was originally a wetland, how is it defensible to change it into a landscape created by the **movement of extraneous fill** to create an amphitheatre? It will convert the site into a man-made, built up, transformed once again, landscape even further removed from its original state. Added to this, the construction of seats, kiosks, pergola, stage will bring in even **more extraneous material**.
5. The **extraneous** fill material removed in the upgrading, can simply be taken away from the site.
6. Imagine planting fynbos that is specifically suited for a wetland environment on this site instead. This will be an extension of the fine and commendable plan to upgrade the vegetation as described in the Site Development Plan.
7. Even though the notice board/sign may be within the prescribed size, I really think it would have been helpful to erect a bigger, more conspicuous notice.

In paragraph 7(b) of the Draft Basic Assessment Report, March 2013 EnviroAfrica make the following statement:

"The area immediately surrounding the site and to the east consists of a dense milkwood forest in good condition and this area is at present in the process of being incorporated into the Fernkloof Nature Reserve by the Overstrand Municipality."

The photographs below contradict the above. According to the notice Piet se Bos is already part of the Fernkloof Nature Reserve .

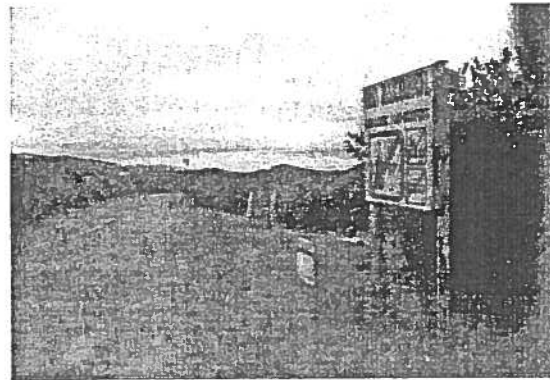
There are many more species of trees than Milkwood in the forest.



The text of the above notice board on the right, speaks for itself: "A planting programme is underway to ensure the long-term survival of this priceless asset. Please help to preserve...". I cannot agree more with this request from the Municipality.

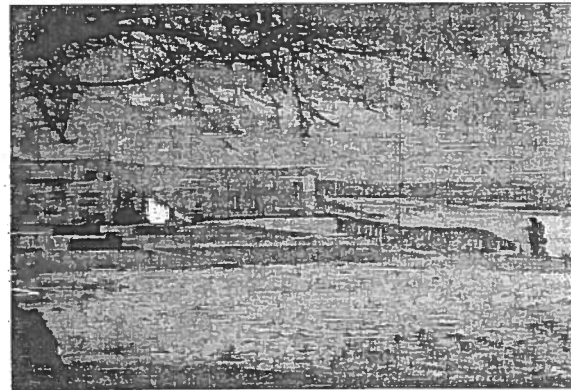
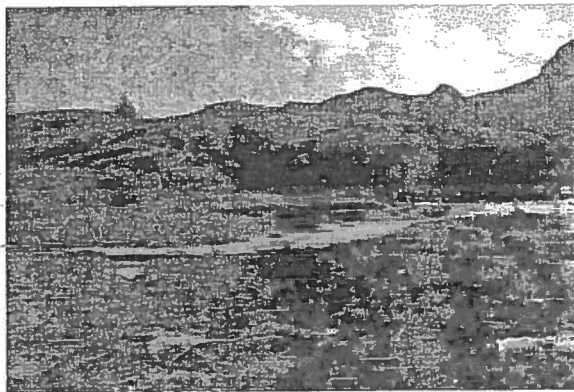
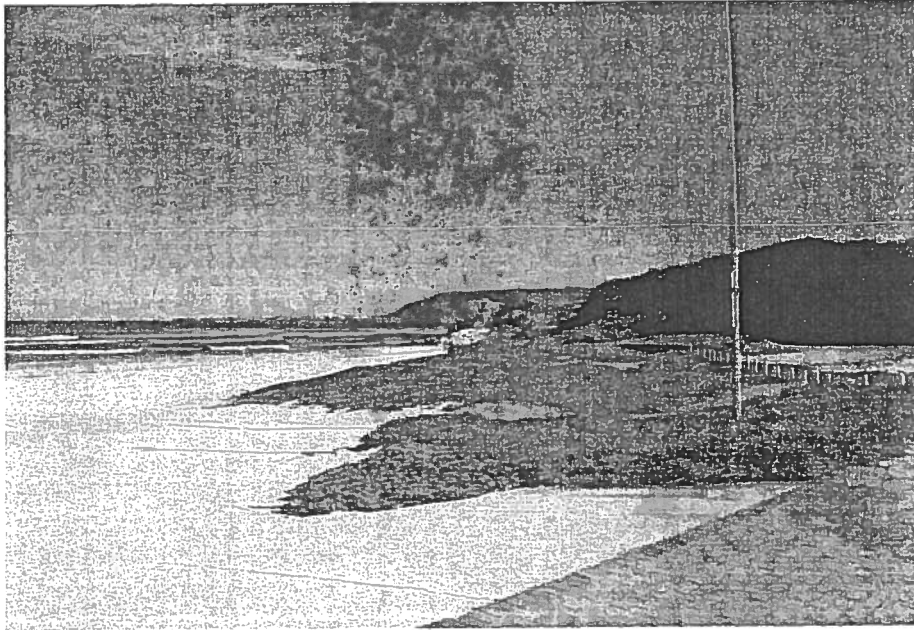
A Nature Reserve draws people to experience nature and not to experience loud music and crowds.

8. No bicycles are allowed in the forest. All the more reason not to attract traffic and crowds to this sensitive area. An amphitheatre will by definition attract traffic and more people.
9. Voëlklip has the forest and the footpaths in Piet se Bos as an unique, rare and sensitive core. The town of Hermanus offers activities of entertainment to visitors and residents. What is the rationale behind considering to change this area into public entertainment area which will destroy the essence of this place?



10. These signs (above) affirm the success the Municipality had to stop loud music and the consuming of alcohol in this area. Do they really want to go back on this successful management of this sensitive area? If the planned amphitheatre creates noise and owners should rightfully complain, how can the Municipality rectify this again after having built a permanent structure which *per se* will be used to create noise?
11. The sound being created at the planned amphitheatre will have to be amplified considerably to compete with the sound of the ocean. I fail to see how amplified sounds created at this site can contribute to the upgrading of Piet se Bos or the Grotto Beach area.

12. On the Site Development Plan I notice *Kiosks*. It is not mentioned anywhere how many and for what purpose these will be applied. Can you please explain?
13. Three busses are plotted on the Site Development Plan. In the past busses were not allowed to enter the area. This diverting of heavy traffic was also successfully implemented by the Municipality. Why change this to an area of heavy traffic with the accompanying large concentrations of people?
14. Four (4) mobile toilets (as per Site Development Plan) will also bring more traffic to the area because these unattractive units will have to be service on a regular basis. The odours of these units concern me.



These photos show the terrain of the planned restaurant building as well as the existing ablution building. The scale of the existing building is pleasing in the surroundings. I agree with the choice of single storey for the planned restaurant as stated as an option in Section A: Activity Information, Atmospheric emission activities in terms of the NEM: AQA (Government Gazette No 33064) (d) – buildings.

Earlier on in the same document it is mentioned as double-storey as the only choice (1. PROJECT DESCRIPTION (B))

I hope that the architect will reconsider the idea of a double storey on this beautiful site where the milkwood trees are in a sense "single storey" like the ablution building. A double storey will dwarf the environment.

Grotto beach is the largest beach in Hermanus and has been proclaimed a "Blue Flag" beach which ensures its preservation as a world heritage site.

Source: Wikipedia, 2013. <http://en.wikipedia.org/wiki/hermanus>

15. The forest of Piet se Bos is home to many animals and birds. If I could, I would have inserted photos of amongst others otters, genet, porcupine, bats, owls, loeries, African Harrier-Hawk, Lanner Falcons, Francolins, and more than 20 species of smaller birds that we have counted in Piet se Bos. Any noise and high density of activity will disturb all the wildlife, in the day and also in the night. In the night time the introduction of light to serve the amphitheatre will surely have a great influence on the animals of the Fernkloof Nature Reserve.



L du Toit

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No fax number