

(42)

TO: EviroAfrica Overberg (Piet se Bos)

PO Box 4

Onrus

7201

AND: Department of Environmental Affairs and Planning

Attention: Directorate: Integrated Management (Region B)

Private Bag X9086

Cape Town

8000

Fax 021 483 4372

Date: 29 April 2013

REFERENCE NUMBER: 16/3/1/1/E2/14/2026/13

Name: Andrew Grieve

Gender: Male

Postal Address: PO Box 74, Worcester, 6849

Telephone: 023 3476787 (H)

023 3484500 (W)

082 4699259 (C)

023 342-8708 (FAX)

I am the owner of erf 3504; otherwise known as 227, 11th Street, Voelklip, Hermanus, situated in the immediate vicinity of Piet se Bos. I would like to be registered as an Affected Party in the proposed upgrade of Piet se Bos and Grotto Beach area.

I would like to have the opportunity to pose specific questions, the answers to which are not contained in the Basic Assessment Report.

Regards,



Andrew Grieve

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

1/2 a

12 August 2013

Mr A Grieve
P O Box 74
WORCESTER
6849

Dear Mr Grieve

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

Your letter dated 29 April and received on 5 May 2013 regarding the abovementioned project refers.

We wish to confirm that you are registered as Interested and Affected Party. We note that you refer to "have the opportunity to pose specific questions, the answers to which are not contained in the Basic Assessment Report". Please note that the newspaper and on-site adverts as well as the Background Information Document clearly indicate that these issues, impacts and concerns need to have reached us before the end of the 40 day comment period which ended on 3 May 2013, in order for them to be addressed in the final BAR.

If you have any issues that you wish to see addressed, we will make a special exemption in your case that so you can raise them to reach us in writing (Fax: 0865132141) by close of work on 20 August 2013 as we will be concluding the final Basic Assessment Report on this proposed development.

Yours sincerely



Charel Bruwer Snr

(43)

R'ceid late 6/6

Mr & Mrs Tessa Schreuder
No. 2, Tenth Ave
Voelklip
Hermanus
7200

28th April 2013

EnviroAfrica Overberg (Piet Se Bos)
PO Box 4
Onrus
7201

Att: Charel Bruwer

To Whom It May Concern:

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

I would hereby like to register as an Interested and Affected Party and submit my objection in writing to the proposed upgrade of the Piet Se Bos and Grotto Beach area of Hermanus, Ref. No. 16/3/1/1/E2/14/2026/13.

My details as per request are:

Name: Mrs Tessa Schrueder
Gender: Female
Address: No. 2 Tenth Ave
Voelklip
Hermanus
7200

Phone: 028 314 0709
Fax: 028 312 3978
Cell: 079 697 2081

As my residence is located above Grotto beach I feel the proposed improvements at Grotto Beach would have a direct impact on my residence and having seen the types of issues that have been caused by similar improvements to areas such as Kirstenbosch in Cape Town I would like to object to the improvements proposed.

Should you have any questions please do not hesitate to contact me.

Regards,



Tessa Schrueder

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

43a

12 August 2013

Mr & Mrs Tessa Schreuder
No. 2 Tenth Avenue
Voëlklip
HERMANUS
7200

Dear Mrs Schreuder

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

Your letter dated 28 April and received on 6 May 2013 regarding the abovementioned project refers.

We wish to confirm that you are registered as Interested and Affected Party. We note that you refer to "similar improvements to area such as Kirstenbosch in Cape Town" and take it that you refer to noise issues caused by concerts there. We may respond to the issue of noise that you have raised in your letter as follows. The Overstrand Municipality have indicated in our discussions with them on the issue that you have raised that noise emanating from the use of the amphitheatre will be managed by them according to the municipal by-laws on noise.

They have also emphasized that the Grotto Beach area is a public amenity that has been there for a considerable period of time and is there for the use of the wider community of Hermanus and tourists and thus one must expect public influx, use change of the area as entertainment requirements of tourism change, etc., etc. The municipality considers that there are enough parking spaces and during events traffic control officers will be on duty if and when required.

Please note that the newspaper and on-site adverts as well as the Background Information Document clearly indicate that these issues, impacts and concerns need to have reached us before the end of the 40 day comment period which ended on 3 May 2013, in order for them to be addressed in the final BAR.

Yours sincerely

copy

Charel Bruwer Snr

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

1195

ANNEXURE D 302/551

Posted 2/5
Rec'd late 6/5
H/4

Meldac Trust

Reg No IT 5291/1996

Tel: 021 887-0223

Fax: 021 887-0224

P O Box 1497

Stellenbosch

7599


18 April 2013

EnviroAfrica Overberg (Piet se Bos)
PO Box 4
Onrus
7201

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

Please register Meldac Trust as an interested and affected party in respect of the above referenced application. Meldac Trust is the registered owner of a property nearby which may be affected by activities in this area.

Yours sincerely,



JL Scott
Trustee

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

449

12 August 2013

Mr J Scott
P O Box 1497
STELLENBOSCH
7599

Dear Mr Scott

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

Your letter dated 18 April with postage stamp 2 May and received on 6 May 2013 regarding the abovementioned project refers.

Please note that this is a late registration and 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 Basic Assessment Report. Please note that the newspaper and on-site adverts as well as the Background Information Document clearly indicate that these issues, impacts and concerns need to have reached us before the end of the 40 day comment period which ended on 3 May 2013, in order for them to be addressed in the final BAR.

If you have any issues that you wish to see addressed, we will make a special exemption in your case that so you can raise them to reach us in writing (Fax: 0865132141) by close of work on 20 August 2013 as we will be concluding the final Basic Assessment Report on this proposed development.

Yours sincerely



Charel Bruwer Snr

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

19 August 2013

TO WHOM IT MAY CONCERN

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

There were a number of questions that were raised by Interested and Affected Parties during the public participation process that we had to refer to the relevant officials in the Overstrand Municipality with regard to the proposed upgrading of Piet se Bos and Grotto beach area. These are the responses that were obtained for your information.

Question 1:

I have read under "Project Location & Description" what is intended in regard to the Upgrade of Wetlands. I would like to know what has motivated this Wetlands upgrade – what is wrong with what is there now and what is its budgeted cost?

Answer: Overstrand Municipality have an environmental management section that oversees the conservation in the municipal area and plan which areas need to be rehabilitated to improve biodiversity. The present state of the area was compromised many years ago when the original wetland area was filled in. The current system is dysfunctional and does not ensure proper filtering of the river that enters the Blue Flag beach, which is one of the requirements for the implementation and retention of a Blue Flag Programme. The Overstrand Municipality is currently busy with an Environmental Management Plan for Fernkloof Nature Reserve and the municipality is of the intention to include this area into the management plan and Environmental Framework for the municipality.

The upgrade is in the planning stage and once environmental authorization is obtained can the upgrade process be put out to tender and only then will the costs be known.

Question 2:

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.

Question 3:

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

What were the reasons why the Municipality has decided to use this area so close to a Blue Flag Beach for use for an Amphitheatre? It seems that possibly a consideration was that it was a way to use the rubble and builders material that will be removed during the "upgrade" of the Wetland re-establishment. Is that correct?

Answer: The existing rubble that was used to fill in the original wetland will be removed to restore the current function of the system and only suitable rubble will be used, where necessary, with the development of the amphitheatre. Unsuitable rubble will be removed to the most suitable landfill site. The removed material could also be used for a number of other fill applications in the area, for instance to rehabilitate the washed away banks of the Grotto car park at the Kleinrivier Lagoon. We are sure that there are other uses for the excavated material as well, but the Municipality has decided that to use it for an amphitheatre offers an enhanced use of the area from which income can be generated to offset the cost of registering a Blue Flag Beach. Note that the use is in keeping with the concept of the Blue Flag Beach.

Question 4:

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.

Question 5:

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 6

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.

Question 7

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

EnviroAfrica

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 8

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 9:

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 10

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.

Question 11:

How is it proposed that such visitors will arrive, park there

Answer: The existing road network is deemed adequate and the current parking at the Grotto area makes provision for all types of vehicles.

Question 12:

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 13:

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 14:

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 15:

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.

Question 16:

How is it envisaged to attenuate the sound emanating for events being held in the amphitheatre and to what extent

Answer: This will only be attended to in detail once the business plan for the amphitheatre is drawn up

Question 17:

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 portable toilet facilities may also be a condition in individual instances for organisers of events, depending on the requirement.

1201

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

17 September 2013

PLCL FamilieTrust
c/o M van Rooyen
P O Box 859
STELLENBOSCH
7599

Master copy sent to all registered I&APs.

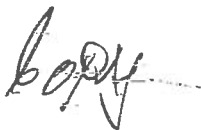
16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA, HERMANUS

The abovementioned project and yourself as registered I&AP refers.

The final Basic Assessment Report for the abovementioned project has been completed. The full document is very bulky and consists of 391 pages. A copy of the full document is available in the municipal library in Hermanus. The document may also be accessed on the Overstrand Municipality website by means of the following: www.overstrand.gov.za and then click on "Overstrand Municipality-Home", on the left scroll down to the heading "Public Interest" and there-under click on "Notices". Look for the document "Final Basic Assessment Report Piet se Bos" and double click to open.

Please ensure that your written comments, if any, reach us by the close of work on 9 October 2013, to be supplied to *EnviroAfrica (Piet se Bos)* P O Box 4 ONRUS 7201 or Fax 0865132141. Please ensure that you include the reference number 16/3/1/1/E2/14/2026/13 and your postal address in all correspondence.

Yours sincerely



Charel Bruwer

17 September 2013

This is to certify that I, Charel Bruwer (ID 4403295091088) have posted the availability of the final basic assessment report for the proposed upgrade of the Piet se Bos and Grotto Beach area (Erf 4771, Hermanus) to the list of registered I&APs at the Onrus Post Office.

PLCL Familietrust		c/o M van Rooyen			P O Box 859	STELLENBOSCH	7599
TG & GW	Joubert	24 St John's Estate	9 Higgo Crescent			HIGGOVALE	8001
J	de Klerk				P O Box 603	NEWLANDS	0049
J	Taylor				P O Box 269	HERMANUS	7200
Seetuin Trust		p/a DM Hoogenhout	Jonkershoekweg 21			STELLENBOSCH	7600
J	Heyns				P O Box 1077	HERMANUS	7200
Nacuka Trust		c/o KHKV Albrecht			P O Box 4750	CAPE TOWN	8000
NG	Fine		1 Vale Road			RONDEBOSCH	7700
J	Carinus			Die Boord	P O Box 12017	STELLENBOSCH	7600
PLCL Familietrust		c/o P vdp du Toit	Simonsbergstraat 18			STELLENBOSCH	7600
PLCL Familietrust		c/o L du Toit	Simonsbergstraat 18			STELLENBOSCH	7600
The	Director	Heritage Western Cape			P/Bag X9067	CAPE TOWN	8000
D	Heard		12 Sepia Avenue	Vermont		ONRUSRIVIER	7201
Tania Investments		c/o ID Smith	9 Sunrise Close			CONSTANTIA	7806
Roorstock Capital(PTY) Ltd		p/a Mr M du Toit			Posbus 723	STELLENBOSCH	7599
Chief Executive Officer		c/o P van Coller	BOCMA		P/Bag X3055	WORCESTER	6849
AE	Boynton				P O Box 1458	HERMANUS	7200
Antrio Trust		c/o Me B du Toit			P O Box 2170	HERMANUS	7200
SC	Hibberd				P O Box 2063	HERMANUS	7200
Cardinox (Prop) ltd		c/o Dr J van Zyl			P O Box 782	SOMERSET MALL	7137
JL	Nel				P O Box 2103	HERMANUS	7200

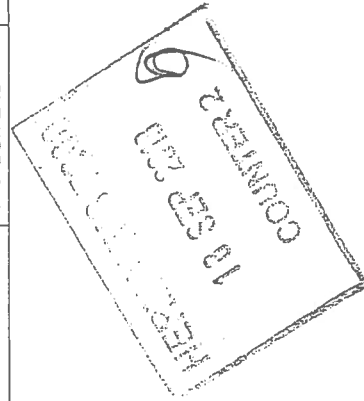
P O Box 4
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Tel: (028) 3162888
Fax: 0865132141
Cell: 0828050190

CK 2007043835/23
VAT No 4380237091

Charel Bruwer
Jerry Avis
Charel Bruwer Jnr
Bernard de Wit

EnviroAfrica

Eureka Trust		c/o DP Janse van Rensburg			Posbus 1504	HERMANUS	7200
Mrs L	du Toit		27 Woltemade Street			STELLENBOSCH	7600
Mrs Z	Rehs		7 Steenkamp Street			ALIWAL NORTH	9750
Dr J	Slazuz		Hennie Winterbachstraat 55			PANORAMA	7500
JW Louw Trust		c/o M Louw		P O Box 118		NEWLANDS	0049
M&L	Cloete	Berghof Retirement Complex	44A Hof Street		Posbus 66	GARDENS	8001
P	Cillie				Posbus 1142	WELLINGTON	7654
Tiendestraat 215 Trust		c/o E Neethling			Posbus 1142	HERMANUS	7200
A	Roux	Dept of Agriculture		P/Bag XI		ELSENBURG	7607
L&M	le Roux			Posbus 1514		HERMANUS	7200
Stehan Grobler Trust		c/o S Grobler		P O Box 6245		UNIEDAL	7612
A	Wolfaardt			P O Box 38		PRINCE ALFRED'S HAMLET	6840
Frans Nell Kindertrust		c/o FJ Nel		P O Box 6083		UNIEDAL	7612
Simon Pickstone Trust		c/o WM Pickstone	Lekkerwijn		P O Box 83	GROOT DRAKENSTEIN	7680
Simon Pickstone Trust		c/o S Pickstone-Taylor	Lekkerwijn		P O Box 83	GROOT DRAKENSTEIN	7680
G	Griewe		5 Kedah Road			RONDEBOSCH	7700
Jean-Mandi Trust		c/o I&M Odendaal		P O Box 3293		TYGER VALLEY	7536
J	Airmstrong		64 Jonkershoek Road			STELLENBOSCH	7600
C&J	McCulloch		64 Jonkershoek Road			STELLENBOSCH	7600
R	Smart	Cape Nature		P/Bag X5014		STELLENBOSCH	7599
A	Griewe			P O Box 74		WORCESTER	6849
T	Schreuder	No 2 Tenth Avenue	Voelklip			HERMANUS	7200
J	Scott			P O Box 1497		STELLENBOSCH	7599



Charel Bruwer

Charel Bruwer

EnviroAfrica

Environmental Planning and Impact Assessment Consultants

Tel: 028-3162888 Fax: 0865132141 Cell: 082 805 0190

Fax

To: Mr R Fryer	From: C A Bruwer
Fax: 0866950046	Pages: 2
Phone:	Date: 18/12/2013
Re: Piet se Bos and Grotto area	CC:

Urgent For Review Please Comment Please Reply Please Recycle

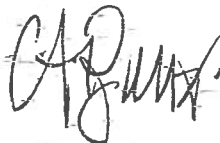
• **Comments:** Dear Mr Fryer, We have received your comment on the BAR of Piet se Bos upgrade and note that you have registered as I&AP only on the very last day of comment of the final Basic Assessment Report for the upgrading of Piet se Bos. Please supply me with a postal address for Whale Coast Conservation as we need this for our records and to get information to you that is not available in electronic format. Also see the attached notification of the intended workshop and we require confirmation of receipt thereof either by fax or by post to the details contained in this fax form.

We furthermore wish to confirm your registration as I&AP for the following projects:

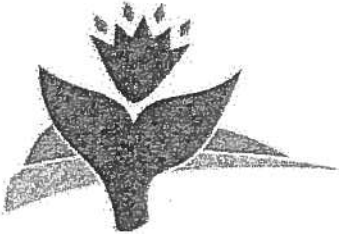
DEADP Reg No: 16/3/1/1/E2/13/2078/13. We have faxed you a copy of the background information document on 25 October 2013 requesting that you present the issues, concerns and impacts that you wish to see addressed in the draft BAR by 1 November 2013. To date we have received no response from you and take it that you have none. Please confirm receipt thereof either by fax or by post to the details contained in this fax form.

DEADP Reg No: 16/3/1/1/E1/2053/13. We have faxed you a copy of the background information document on 25 October 2013 requesting that you present the issues, concerns and impacts that you wish to see addressed in the draft BAR by 1 November 2013. To date we have received no response from you and take it that you have none. Please confirm receipt thereof either by fax or by post to the details contained in this fax form. Please also note the prescribed methods of response in the respective BIDs and follow these exactly to ensure that your comments are recorded in the system that we use.

Best regards



Charel Bruwer Snr



overstrand conservation foundation, trading as

whale coast
CONSERVATION
ensuring wonders never cease

2013-10-21

EnviroAfrica Overberg (Fax : 086 513 2141)
P.O. Box 4
Onrus

Dear Mr Charl Brewer

**FINAL BASIC ASSESSMENT REPORT (BAR) FOR PROPOSED UPGRADE
OF PIET SE BOS AND GROTTO BEACH AREA, ERF 4771, HERMANUS
(REF.: 16/3/1/1/E2/14/2026/13).**

Please register Whale Coast Conservation as an I&AP in respect of the above referenced EIA process.

WCC wishes to endorse the comments made by the Femkloof Nature Reserve Advisory Committee attached hereto.

In particular, we wish to draw attention to our concerns about the building of any structure near to the high water mark. We contend that proposing to build a restaurant in the position indicated is unwise given the recent frontal dune erosion that has occurred at the eastern end of Grotto Beach and the strong probability that the Klein River Estuary mouth may continue to move westward in the coming seasons. There is a real possibility that the roadway running west-east along the beachfront could be taken by the sea and that the proposed restaurant site could be subject to periodic inundation and to erosion of the ground surrounding it.

Please acknowledge receipt.

Yours faithfully

Rob Fryer
Manager

TEL +27 28 316 2527 FAX 086 695 0046 CELL +27 72 185 5726

E-MAIL wcc@ocf.org.za WEBSITE www.whalecoastconservation.org.za

Green House, R43 (opposite Lynx Rd turn off to Vermont), Hermanus PO Box 1949 Hermanus South Africa 7200

PBO 130004541 NPO 020-717



EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgevingsbeplanning en Impakbeoordeling Konsultante

9 December 2013

Mr R Fryer
Fax: 0866950046

Dear Mr Fryer

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

The environmental impact assessment process for the abovementioned project in which you are registered as an Interested and Affected Party (I&AP) refers.

After discussions with the Overstrand Municipality on the issues, concerns and impacts that were raised during the public participation process, the Municipality requested us to inform you of the following. They have requested a discussion session with registered I&APs to engage in a two-way communication regarding the proposed project. It was furthermore decided to have this discussion session on a Saturday in order to allow those registered I&APs that live outside Hermanus an opportunity to also attend.

As registered I&AP you are thus herewith invited to attend this discussion session that will be held on Saturday 18 January 2014 at 11h00 in the Municipal Auditorium at the Hermanus municipal offices.

Yours sincerely



Charel Bruwer

(2) K'cid 22/10

STEHAN GROBLER TRUST

Trust No: IT1699/93

P O Box 6425
Uniedal
7612

Tel: +27 (21) 808 0750
Fax: +27 (21) 808 0794
Cell: +27 083 251 7846
e-mail: stehan@hoffmaninc.co.za

BY TELEFAX AND MAIL

Mr CA Bruwer
Enviro Africa
P O Box 4
Onrus 7201

Telefax: 086 513 2141

22 October 2013

Dear Sirs

BASIC ASSESSMENT REPORT : PROPOSED UPGRADE OF AREAS KNOWN AS PIET SE BOS AND GROTTA BEACH, HERMANUS

In my capacity as a trustee and authorised representative of the Stehan Grobler Trust, registered owner of Erf 3721 Hermanus, situate at 245 Tenth Street, Voëlklip, Hermanus, I confirm having (i) registered the Trust as an Interested and Affected Party in relation to; and (ii) lodged an objection to, the proposed upgrade and development of the areas known as Piet se Bos and Grotto Beach, Hermanus by the installation of a sloped amphitheatre on a portion thereof.

I reiterate the basis for the aforementioned objection being the anticipated increase in pedestrian and vehicle traffic as well as raised noise levels which will result from such a development, thus causing irreparable damage to the peaceful area of Voëlklip.

In addition to what is set out above, the trustees of the Trust wish to expand their objection to include environmental concerns in relation to, in particular, the birdlife in and around the areas earmarked for this development. The proposed development will encroach on the living and feeding areas currently occupied by these birds and the increased traffic will negatively impact their habitat.

The Trustees urge you to reconsider the basic assessment report to take into account the basis of the Trust's objection to the proposed development.

Yours faithfully



STEHAN GROBLER TRUST
Per: SJ GROBLER
TRUSTEE

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

31 July 2014

Stehan Grobler Trust
c/o Mr S J Grobler
P O Box 6425
UNIEDAL
7612

Dear Mr Grobler

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

Your letter dated 22 October 2013 with regard to the abovementioned project refers.

As you may be aware a workshop on the Piet se Bos upgrade was held on 18 January 2014 in the municipal auditorium to which you were invited. After the workshop the Overstrand Municipality withdrew the construction of the proposed amphitheatre as the preferred option and also decided to reduce the scale of the proposed restaurant to be limited to a single storey wooden building.

A revised final BAR was compiled of which you will receive a copy in due course for your written comment. Please also note that the issue of the impact of the proposed development has been addressed in previous correspondence included in the final BAR.

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

Yours sincerely



Charel Bruwer Snr

Simon Pickstone Trust

Lekkerwijn

PO Box 83

Groot-Drakenstein

Western Cape 7680

EnviroAfrica Overberg (Piet Se Bos)

PO BOX 4

Onrus 7201

22 October 2013

Dear Mr CA Bruwer,

RE WRITTEN RESPONSE TO PROPOSED UPGRADE OF PIET SE BOS AND GROTO BEACH AREA

As you know, we have registered ourselves (on behalf of the Simon Pickstone Trust, as an affected and now wish to voice our strong opposition to almost all the proposals. The Simon Pickstone Trust owns Erf numbers 6275, 6276 and 6277, which are probably the closest erf's to the proposed development.

We are very disappointed with you letter dated the 28th August 2013. Our questions were not adequately answered and what appears to be 'prepared mass answers' given that do not address our concerns.

We remain **totally opposed** to the idea of allowing an **amphitheatre and stage**. This will allow noise that will disturb us. We remain totally un-reassured by any of the arguments made by the municipality that this will not lead to disturbance from noise to our property.

Having visited friends with homes near Kirstenbosch when their open-air concerts are on, we know the level of noise that these concerts can generate and that this causes severe disruption at peoples' private homes. Our house is probably the closest house to the area and might well be worst affected. We would expect though that many homes will be affected.

It is absurd to think that classical music is likely to be the main music played once a venue has been made. The letter states that younger population is being thought about. This population want loud music and of a very different kind. Even if the music is well controlled to begin with, this might not be the case in 5 years time when present people are no longer in office in the municipality or government. Our family chose the property in 1916 to get away from the town and wish to continue to enjoy peace and quiet as much as possible. The answers you have sent me e.g. over how often concerts will happen demonstrates the big problem. Essentially the answer was the municipality does not know. While there might be once concert every 2 months in 2014, there might be 3 a week by 2018. Frankly even one concert is too much for us, we do not want any. 340 people at a concert is something we are totally against.

Your letter does not address the fact that this venue is not near to the majority of young people in the Overstrand area. The vast majority of people, particularly young people are in Mount Pleasant and the area around it. It is expensive and difficult for these people to come through to Voelklip for concerts. This issue was not answered in your reply. We are convinced that the venue can be built near them, which would be far more democratic in giving more of Hermanus's population access to a concert venue.

Voelklip residents contribute a huge amount of revenue to the municipality. We do not know one resident consulted who approves of this proposal (Concert venue in particular). It is ironic that the people who contribute most heavily to Hermanus municipality are now being asked to put up with something funded by their money that they are totally against on their doorstep that will disrupt their sleep.

We are strongly of the opinion that this matter affects all the residents of Voelklip. If this proposal is not rejected at this point, I feel all residents of Voelklip need to be directly contacted and consulted. We are not happy with the level of Public Participation. We personally know other residents of Voelklip that were not aware of this proposal, equally against it and very upset that they have not been consulted.

We are also very concerned that a full Environmental Impact Assessment is not being sought for this proposal. We are strongly against the exemption that has been sought.

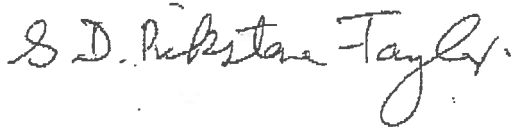
We are not happy with the difficulties we have experienced in trying to contact yourself, or with the lack of useful information sent to us explaining the process. Your letter of the 28th August simply ends with "We trust this answers your questions." It certainly does not and your letter does not attempt to explain what the next steps in this process are. Your letter leaves people like myself feeling very alarmed that this process is about to go ahead and explains none of the future processes or ways of protesting further. This whole matter is deeply upsetting to many people who do not understand the process and have been very upset by the lack of information you have provided us with in terms of understanding where the process is now in terms of moving forward etc. The fact that you are not easily contactable, makes it all the more upsetting to people who do not have lots of time to spend on this matter. Your letter does not appear to be written by a neutral body, but by someone who is clearly trying to get the municipality's proposal through. I find this very disturbing. I (Simon Pickstone-Taylor) called the municipality myself today and was given a lot of helpful information from the Town Planners office about the process, that I feel you should have sent

everyone to spare them similar upset to me. I suggest that this omission be addressed as soon as possible by your office.

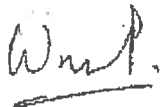
We feel the municipality needs to think very seriously about how they go about sending out proposals like this which are very upsetting to its rate payers and so poorly managed by an agency like yours.

In summary I am now very suspicious of this whole proposal and partly because of the way your have responded to my concerns and now flatly against this whole proposal. The only part I might reconsider on is rebuilding a single story restaurant (NOT a BAR or anything that might allow music or noise) on the site of the old Nautilus/ Goue Vissie. I would want this to be a temporary structure as it is within 100meters of the high tide mark. All our objections in our first letter remain in place and we would want these to also read and addressed by all relevant bodies.

Yours sincerely,



Dr Simon Pickstone-Taylor



Wendy Pickstone

Cc Hanneen van der Steop

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

3a

31 July 2014

Simon Pickstone Trust
c/o Mr S and Ms W Pickstone-Taylor
Lekkerwijn
P O Box 83
GROOT DRAKENSTEIN
7680

Dear Mr S & Ms W Pickstone-Taylor

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

Your letter dated 22 October 2013 with regard to the abovementioned project refers.

As you may be aware a workshop on the Piet se Bos upgrade was held on 18 January 2014 in the municipal auditorium to which you were invited and which you attended. After the workshop the Overstrand Municipality withdrew the construction of the proposed amphitheatre as the preferred option and also decided to reduce the scale of the proposed restaurant to be limited to a single storey wooden building.

A revised final BAR with a new preferred option was compiled of which you will receive a copy in due course for your written comment. It will also contain a verbatim transcription of the workshop discussion as well as the revised plans for the proposed restaurant.

As far as for the assurances that you seek from the municipality, we are not in a position to give those and can only convey to you what we receive from the municipality. We are similarly not in a position to make any statements on who will be in charge after the 2016 municipal elections, apart from to say that they will be fair and democratic and reflect the wishes of the majority.

With regard to the increased use of Grotto area by the youth, this is already happening regardless of whether there will be development or not and will continue in future with this public area, with the concomitant impacts associated therewith. We furthermore wish to point out that "a full Environmental Impact Assessment" as prescribed under NEMA 2010 is being followed with this application. We have furthermore never had a request from yourself for an explanation of the full process. We have to point out that we have made you aware of the provincial website at the workshop where all the information regarding applications under NEMA may be accessed. This is a very substantial volume of information that cannot be repeated by us in writing. What we can indicate is that the comment period on the revised final BAR will be 21 calendar days, excluding public holidays, where after the final BAR plus all correspondence will be handed to the relevant

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Charel Bruwer Jnr
Bernard-de Witt

EnviroAfrica

authorities for acceptance and a decision. The authorities will either ask for more information or if they consider that they have enough to make a decision, will then issue and environmental authorization. We have to dispatch a copy of the authorization to you within 12 days of the date of issue. In the authorization it will be pointed out that you have 20 days from date of issue of the authorization within which you can lodge a notice to appeal to the Minister (it is explained how to go about this in the document) and after your notice of intent to appeal you have 30 days to submit the appeal to the Minister as well as to the applicant. The applicant then has 30 days to submit a responding statement to you, where after the Minister will then deal with the appeal in his own timeframe. There after, if you do not like the Minister's decision you have recourse to the civil courts. If you have further queries on the way forward please consult the relevant website.

With regard to your statement on "the difficulties you have had in trying to contact ourselves" we have had numerous telephonic conversations with yourself and explained to you on numerous occasions the process that you need to follow with regard to providing written comments during the impact assessment process. We also wish to point out that we have responded to every written comment that you have supplied and that all these are included in the final BAR. The issue of correspondence by e-mail was also explained in detail to you at the workshop and you can understand our position where we are not in a position to entertain verbal arguments by e-mail. In order to enforce considered and factual presentation of issues, concerns and impacts, we insist that it be written format with the relevant heading and reference numbers as required under NEMA as well as the postal address in a self-standing letter format that can serve as a paper trail of the proceedings

Finally we wish to state that we have not asked for any exemptions on the NEMA process and that fact was stated in writing as part of the documentation in the previous final Bar that you had access to for comment previously.

As for your perception that "your letter does not appear to be written by a neutral body, but by someone who is clearly trying to get the municipalities proposal through" we may respond to say that in our experience of over 40 years in the environmental impact assessment field there will always be differences of opinion, that those for or against a proposal often use a judgment value and those against a development are usually those that live closest to it and the most often used accusations against the environmental assessment practitioner is that he is biased or the process is flawed. Please also not that we categorically acknowledge your right to your opinion and similarly our right to respond to issues, concerns and impacts raised, but in the final analysis the relevant authority is the body that determines whether the requirements under NEMA has been met and whether a proposal may go ahead or not. Also note that the relevant authority has been in existence since 1997 and is the most competent authority to assess on the basis of social, economic and environmental justice and inputs, whether to allow or not allow a proposed development.

Yours sincerely



Charel Bruwer Snr

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
 Omgewingsbeplanning en Impakbeoordeling Konsultante

3 October 2013

Mr D Heard
 12 Sepia Avenue
 Vermont
 ONRUSRIVIER
 7201

16/3/1/1/E2/14/2026/13: PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA, HERMANUS: COMMENT PERIOD ON FINAL BASIC ASSESSMENT REPORT

The abovementioned project and yourself as registered I&AP as representative of Fernkloof Advisory Board refers.

In response to your letter dated 30 September 2013 requesting the comment period to be extended we wish to point out the following.

- o As a consultant we take it that you are aware of your responsibilities under NEMA. This *inter alia* means that one should conform to the requirements set during the impact assessment process and adhere to the corresponding deadlines and participate in the process in a pro-active manner. Such pro-active participation should take note of the following.
- o The written comments on the proposed project was requested in all documentation that was available from 18 March 2013 to be made before 3 May 2013.
- o The advert in the local newspaper appeared on 14 March 2013 already, however your first written response was only made on 23 April 2013 and then in your personal capacity, listing *no issues, concerns or impacts* as requested in all the documentation and newspaper advert. Note that this is some 29 days after the first notification!
- o You did point out that you required the approved draft BAR which was posted to your contact address given and a subsequently another hard copy was made available to you by hand.
- o You mention that you have been informed "by a number of members" who did not receive the correct document. We have informed you as representative of FAB already there were only two I&APs that referred to having received the wrong copy and they were both supplied with the correct copies. Please note that no copies of the draft BAR was supplied to I&APs willy-nilly, but only on request. Most of the I&APs accessed the draft BAR on the municipal website.

1216

EnviroAfrica

Given the above sequence of events which we certainly do not see as a pro-active engagement by yourself as representative of FAB, as requested in all the documentation that was produced during the PPP and adherence to the NEMA deadlines, you may understand that we are reluctant to willy-nilly extend deadlines.

The exact purpose of the impact assessment process is to raise these issues, concerns and impacts as early as possible in the process, based on the information available at the time, pro-actively, so that it can be addressed in the interim by means of written correspondence and the final BAR compiled so that there is clarity on the proposed project. Your organisation, having failed to do this during the comment period provided for this, we now have situation where we feel that you want to treat the final BAR as a draft BAR, with all the concomitant administrative and cost problems involved.

We have decided to grant you the extension that you have requested this time around, but please note that in future you as representative of FAB have a responsibility to ensure that your inputs are collected at the very onset of the process and adherence to the deadlines and requirements set by the EAP be treated as an absolute priority.

Please ensure that all comments by members of the FAB are directed to you, collated by yourself and as representative you supply us with the collated comment on the final BAR before your requested deadline

Yours sincerely



Charel Bruwer Snr

**Final Basic Assessment Report (BAR) for PROPOSED UPGRADE
OF PIET SE BOS AND GROTTO BEACH AREA, ERF 4771,
HERMANUS (Ref.: 16/3/1/1/E2/14/2026/13).**

Date: 21 October 2013

EnviroAfrica Overberg (Fax : 086 513 2141)

P.O. Box 4

Onrus

Dear Charel

**COMMENTS: Submitted to EnviroAfrica (Onrus) by Duncan HW Heard,
Chairperson, Fernkloof Advisory Board (FAB) on behalf of the Board**

I refer to your faxed letter dated 3 October 2013 granting the Fernkloof Advisory Board (FAB) an extension for comment on the Final BAR until 22 October 2013.

As a Board we have discussed your response on our previous comments (dated 27 August 2013) as well as the Final BAR and I submit the FAB's comments as follows:

- **Public Participation Process:** The fact that an erroneous copy of Draft BAR was placed at the library and that it was shown that such copies were sent to at least some I&APs indicates to us that the draft BAR phase of the Public Participation process was flawed. There is no clarity on how many erroneous copies were distributed. In FAB's opinion, what should have occurred when it was evident that erroneous copies of the Draft BAR had been circulated, was that correct copies should have been resent to all I&APs, the library copy replaced and the final comment date adjusted accordingly.
- **Concert events at the Amphitheatre:** In a BAR it is important that social impacts are also clarified. It is therefore not sufficient for the Overstrand Municipality to say that "this is a public area used for recreation and that events will be screened by them on an individual basis and that the necessary conditions will be laid down by them". This response is too open-ended and does not inspire confidence in the Public Participation process.
The application is for a new and ongoing event opportunity. It is therefore only reasonable to expect that the local and adjacent community be provided with sufficient information up front on which to base objective comment.
Such events do have impacts that could negatively affect many of the surrounding residents. It is a well known fact that such events have negatively affected residential communities elsewhere e.g. Kirstenbosch. It is therefore our considered opinion that a proposed operational framework for regulating such a new event opportunity should be provided by the municipality to local residents for comment prior to any decision being taken on the development of the amphitheatre and its use for events.

In summary: FAB is not opposed to the amphitheatre *per se* but are of the opinion that an event regulating framework proposal needs to be made available for public comment before the process goes further. If a proposed framework finds acceptance by most of the affected adjacent community, then FAB would have no objection to the proposed development of the amphitheatre.

- **Restaurant Development:** FAB originally supported the Piet-se-Bos upgrade proposal in-principle. However, when the proposal was discussed by the Board the restaurant was not part of the proposal.

We find it difficult to understand that at a time when coastal setback lines are going through a determination phase with the objective being *inter alia* of preventing further development in coastal areas that are vulnerable to the affects of sea level rise (such as those above beaches), that the municipality envisages the development of a new restaurant in the coastal zone near the high water mark with municipal funding.

Your statement that "As far as we could ascertain storm surges have never reached the base area on which the restaurant will be located." is unconvincing – especially since one of our FAB members, Mr. David Beattie was able to supply the 2 **photographs attached** to page 3 of this letter. He took these in April 2005 showing damage to the site in question caused by a combination of storm run-off and high seas. This is where the proposed building is to be sited. In the light of any convincing argument to the contrary we are opposed to the municipality developing a restaurant on this site.

- **Wetland Specialist:** We do not understand why the Wetland Specialist report has not been made available during the BAR process. This is after all integral to the upgrade and as the area is an envisaged future part of Fernkloof Nature Reserve - therefore such information should also be made available for comment especially by FAB.

I would prefer that future communications from your office be sent to me by e-mail and by post. Our local postal service is unfortunately very unreliable and delays in delivery time are commonplace.

My contact details are listed below.

Kind regards

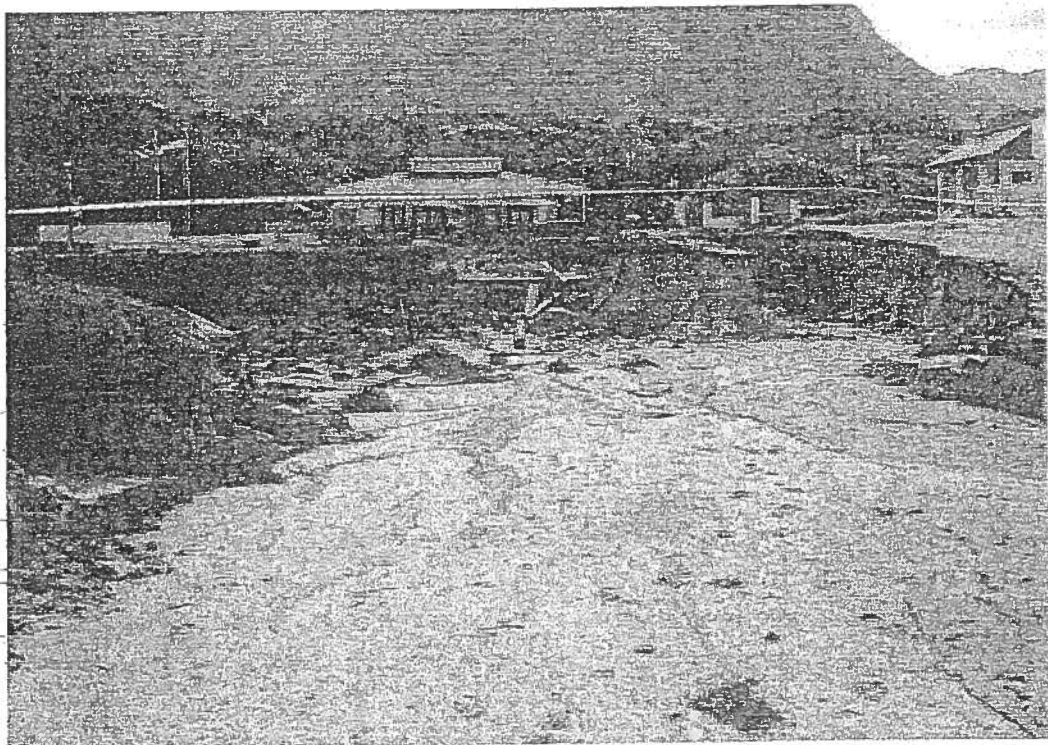
Duncan Heard

Chairperson: Fernkloof Nature Reserve Advisory Board

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40

31 July 2014

The Chairperson: Fernkloof Advisory Board
 c/o D Heard
 12 Sepia Avenue
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 7201

Dear Chairperson

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

Your letter dated 21 October 2013 with regard to the abovementioned project refers.

As you may be aware a workshop on the Piet se Bos upgrade was held on 18 January 2014 in the municipal auditorium to which you were invited and which you attended. After the workshop the Overstrand Municipality withdrew the construction of the proposed amphitheatre as the preferred option and also decided to reduce the scale of the proposed restaurant to be limited to a single storey wooden building.

A revised final BAR with a new preferred option was compiled of which you will receive a copy in due course for your written comment. It will also contain a verbatim transcription of the workshop discussion as well as the revised plans for the proposed restaurant.

With reference to your letter we wish to point out our previous correspondence to you with regard to the "erroneous copy". We wish to re-iterate that as stated previously, there were only two individuals that referred to erroneous copies, one of which was yourself and both received the correct copies, yours delivered by hand to you. We take note of FAB's opinion, but with all due respect, after having assessed the facts of the matter do not feel that anybody was deprived of an opportunity to make full inputs into the impact assessment process, taking the subsequent PPP into consideration. We now regard this matter as closed.

The amphitheatre is no longer the preferred alternative. However with regard to the information that yourself, on behalf of FAB reckons should be made available to we may respond as follows. As an environmental consultant yourself and the Chairperson of FAB you are in the ideal position to guide and educate your members on all the other policies, acts, provincial and municipal ordinances governing developments. Of specific importance are the municipal ordinances regarding the control on noise, permits required for public gatherings and events held in the municipal area. Thus when the municipality supplies an answer that an amphitheatre will be operated within the municipal

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