

APPENDIX 3: DECLARATION OF AGREEMENT

DECLARATION OF UNDERSTANDING

I, _____

Representing _____

Declare that the conditions of the DEA&DP Environmental Authorisation were brought under my attention and that I have read and understood the contents of the Environmental Management Plan (which includes all documents as per DEA&DP Environmental Authorisation).

SITE: Piet se Bos and Grotto Beach area

DEA&DP Environmental Authorisation Ref: 16/3/1/1/E2/14/2026/13

I also declare that I understand my responsibilities in terms of enforcing and implementing the Environmental Specifications as set out in the various documents for the aforementioned site.

I also undertake to inform all persons under my supervision of such specifications and contents of the documents.

Signed: _____

Place: _____

Date: _____

Witness 1: _____

Witness 2: _____

APPENDIX 5: EXAMPLE OF METHOD STATEMENT

METHOD STATEMENT

CONTRACT:..... **DATE:**.....

PROPOSED ACTIVITY (give title of method statement and reference number):

WHAT WORK IS TO BE UNDERTAKEN (give a brief description of the works):

WHERE ARE THE WORKS TO BE UNDERTAKEN (where possible, provide an annotated plan and a full description of the extent of the works):

START AND END DATE OF THE WORKS FOR WHICH THE METHOD STATEMENT IS REQUIRED:

Start Date:

End Date:

HOW ARE THE WORKS TO BE UNDERTAKEN (provide as much detail as possible, including annotated maps and plans where possible):
Note: please attach extra pages if more space is required

DECLARATIONS

1) ENVIRONMENTAL CONSULTANT AND/OR ENVIRONMENTAL CONTROL OFFICER
The work described in this Method Statement, if carried out according to the methodology described, is satisfactorily mitigated to prevent avoidable environmental harm:

(Signed) (Print name)

(Signed) (Print name)

Dated: _____

2) PERSON UNDERTAKING THE WORKS

I understand the contents of this Method Statement and the scope of the works required of me. I further understand that this Method Statement may be amended on application to other signatories and that the ECO will audit my compliance with the contents of this Method Statement

(Signed) (Print name)

Dated: _____

3) THE CLIENT

The works described in this Method Statement are approved.

(Signed) (Print name) (Designation)

Dated: _____

4) APPROVING AUTHORITY

The works described in this Method Statement are approved.

(Signed) (Print name) (Designation)

Dated: _____

APPENDIX 6: CONTACTOR: ENVIRONMENTAL WEEKLY CHECKLIST

CONTACTOR/S REPRESENTATIVE: ENVIRONMENTAL WEEKLY CHECKLIST

SITE: _____

PHASE OF WORK AND % OF COMPLETION: _____

ENVIRONMENTAL ASPECT	YES/NO (✓ or X)	COMMENTS
• How many workers are on site		
• All new personnel on site are aware of the contents of the EMP and have been through the environmental awareness course.		
• Contractor's camp is neat and tidy and the labourers' facilities are of an acceptable standard.		
• Sufficient and appropriate fire fighting equipment is visible and readily available.		
• Waste control and removal system is being maintained.		
• Refuse bins in place and maintained		
• Toilets are in place and clean		
• Demarcation and other fences are being maintained.		
• What machinery are on site		
• Drip trays are being utilised were there is a risk of incidental spillage		
• Bunds/ drip trays are being emptied on a regular basis (especially after rain).		
• No leakages (oil & fuel) are visible from construction vehicles		
• No go areas, remaining natural features and trees have not been damaged.		
• Dust control measures (if necessary) are in place and are effectively controlling dust.		
• Noise Control measures (if necessary) is in place and is working effectively.		
• Erosion control measures (if necessary) are in place and are effective in controlling erosion. (Access road, site areas etc.)		
• Stockpiles are located within the boundary of the site, do not exceed 2 m in height and are protected from erosion.		

Completed by:..... Sign:..... Date:.....

To be submitted at the end of each week to the Environmental Site Officer (ESO)

Received by:

Environmental Site Officer: Sign:..... Date:.....

APPENDIX 7: BASIC RULES OF CONDUCT

BASIC RULES OF CONDUCT

The following list represents the basic Do's and Don'ts towards environmental awareness, which all participants in this project must consider whilst carrying out their tasks. These are not exhaustive and serve as a quick reference aid.

NOTE: **ALL new site personnel must** attend an environmental awareness presentation. Please inform your foreman or manager if you have not attended such a presentation or contact the ESO.

DO:

- USE THE TOILET FACILITIES PROVIDED – REPORT DIRTY OR FULL FACILITIES
- CLEAR YOUR WORK AREAS OF LITTER AND BUILDING RUBBISH AT THE END OF EACH DAY – use the waste bins provided and ensure that litter will not blow away.
- REPORT ALL FUEL OR OIL SPILLS IMMEDIATELY & STOP THE SPILL CONTINUING.
- DISPOSE OF CIGARETTES AND MATCHES CAREFULLY. (Littering is an offence.)
- CONFINE WORK AND STORAGE OF EQUIPMENT TO WITHIN THE IMMEDIATE WORK AREA.
- USE ALL SAFETY EQUIPMENT AND COMPLY WITH ALL SAFETY PROCEDURES.
- PREVENT CONTAMINATION OR POLLUTION OF STREAMS AND WATER CHANNELS.
- ENSURE A WORKING FIRE EXTINGUISHER IS IMMEDIATELY AT HAND IF ANY "HOT WORK" IS UNDERTAKEN e.g. welding, grinding, gas cutting etc.
- REPORT ANY INJURY OF AN ANIMAL.
- DRIVE ON DESIGNATED ROUTES ONLY.
- PREVENT EXCESSIVE DUST AND NOISE.

DO NOT:

- REMOVE OR DAMAGE VEGETATION WITHOUT DIRECT INSTRUCTION.
- MAKE ANY FIRES.
- INJURE, TRAP, FEED OR HARM ANY ANIMALS – this includes birds, frogs, snakes, lizards etc.
- ENTER ANY FENCED OFF OR MARKED AREA.
- ALLOW CEMENT OR CEMENT BAGS TO BLOW AROUND.
- SPEED OR DRIVE RECKLESSLY
- ALLOW WASTE, LITTER, OILS OR FOREIGN MATERIALS INTO THE STREAM
- SWIM IN THE DAM
- LITTER OR LEAVE FOOD LAYING-AROUND

Notes:

1. Must any animals such as tortoises, chameleons or snakes be encountered then do not harm them. The ESO or RE must be contacted to remove these safely. The harming of any animal will result in disciplinary action.
2. Construction and heavy machine operators must be particularly sensitive to staying within access routes and prevention of unnecessary damage. Dust and noise is also of particular concern. Ensure that vehicles and machinery do not leak fuel or oils. Refuelling or maintenance must be done within the maintenance camp area only.
3. Alien plant clearing and control work teams must be closely supervised.

BASIESE GEDRAGSKODES

Die volgende lys verteenwoordig die Moets en Moenies vir omgewingsbewustheid wat alle deelnemers aan hierdie projek in ag moet neem tydens die uitvoer van hul take. Hierdie lys is nie volledig nie en dien slegs as 'n vinnige verwysing.

NOTA: ALLE nuwe terreinpersoneel moet 'n aanbieding ten opsigte van omgewingsbewustheid bywoon. Indien u nog nie so 'n aanbieding bygewoon het nie, lig asseblief u voorman of bestuurder in of kontak die Omgewings Terreinbeampte.

MOETS:

- GEBRUIK DIE BESKIKBARE TOILET-GERIEWE – RAPPORTEER VUIL OF VOL GERIEWE.
- MAAK U WERKPLEK SKOON VAN ROMMEL OF BOUROMMEL AAN DIE EINDE VAN ELKE DAG – gebruik beskikbare vullisdromme en verseker dat rommel nie rondwaai nie.
- RAPPORTEER ALLE BRANDSTOF- EN OLIE STORTINGS ONMIDDELLIK – STOP VERDERE STORTING.
- WEES VERSIGTIG MET DIE WEGDOEN VAN SIGARETTE EN VUURHOUTJIES. (rommelstrooi is 'n oortreding.)
- BEPERK WERKAKTIWITEIT EN DIE SToor VAN TOERUSTING TOT DIE ONMIDDELLIKE WERKAREA.
- GEBRUIK VEILIGHEIDSTOERUSTING EN VOLDOEN AAN ALLE VEILIGHEIDS-MAATREËLS.
- VOORKOM BESOEDELING VAN STROME EN WATERBANE
- VERSEKER DAT 'N BRANDBLUSSER IN WERKENDE TOESTAND BYDERHAND IS WANNEER "WARM" WERK VERRIG WORD bv. Sweis, wegslyp, gasny, ens.
- RAPPORTEER BESEERDE DIERE.
- RY SLEGS OP AANGEWESE ROETES.
- VOORKOM OORMATIGE STOF EN GERAAS.

MOENIE:

- PLANTEGROEI VERWYDER OF BESKADIG SONDER DIREKTE INSTRUKSIE NIE.
- ENIGE VURE MAAK NIE.
- ENIGE DIERE DOOD, BESEER, VANG OF VOER NIE, insluitende voëls, paddas, slange, akkedisse, ens.
- ENIGE OMHEINDE OF AFGESPERDE AREAS BINNETREE NIE.
- SEMENT OF SEMENTSASSE LAAT RONDWAAI NIE.
- VINNIG OF ROEKELOOS BESTUUR NIE.
- ENIGE ROMMEL, AFVAL, OLIE OR ENIGE VERVEMDE MATERIAAL IN STROME LAAT BELAND NIE.
- IN DIE DAM SWEM NIE.
- ROMMELSTROOI OF KOS LAAT RONDLE NIE.

Notas:

1. Indien enige diere soos skilpaaie, verkleurmannetjies of slange teëgekem word, moet hulle nie beseer of dood nie. Kontak die OTB of RI om hulle veilig te verwyder. Die besering van diere sal lei tot dissiplinêre optrede.
2. Operateurs van konstruksie- en swaar masjiene moet veral versigtig wees om binne toegangsroetes te bly en om enige onnodige skade te voorkom. Verseker dat voertuie en masjiene nie olie of brandstof lek nie. Brandstofaanvulling en voertuigonderhoud mag slegs binne die onderhoudsarea gedoen word.
3. Streng toesig moet gehou word oor indringerplantbeheerspanne.

EZIPPHAMBILI EKUNYANZELEKILEYO UKUBA ZENZIWE

Zonke ezi zinto zilandelayo zizinto ekufuneka zenziwe nekufuneka zingenziwanga. Wonke umntu ofikayo kufuneka afundiswe ngemigaqo kupala. Neda yazisa iforman yakho ikuba awukhange uye kufundiswa.

IZINTO EMAZENZIWE

- SEBENZISA IZINDLU ZANGASESE, YAZISA XA KUKHO UMONAKALO.
- ZAMA UKUCOCA APHO UBUSEBENZA KHONA.
- SEBENZISA IMIGQOMO YENKUKUMA UNGAYEKI IPHAPHTIEKE.
- YAZISA XA UBONA IOIL ECHITHSKALAYO OKANYE IPETROL.
- CIMA LOZOLI CIGARETTE XA UGQIBIBILE UKUTSHAYA
- ZONKE IZIXHOBO USEBENZA ZIBUYISELE APHO ZIHLAKA KHONA XA UCGIBILE APHO ZIHLALA KHONA XA UGQIBILE UKUZISEBENZISA.
- ZISEBENZISE IZIKHUSELIXA UZINKIWE.
- SUKUGALELA IZINTO EMLANJENI.
- MASIBEKHO ISICIMA MLILO XAUSEBENZA NGOMLILO.
- YAZISA MSINYANE XA UBONE ISILWANYANA EZONZAKELEYO.
- XAUQHUBA ISITHUTHI HAMBA ENDLELENI QHA UNGAFATHULINJE.
- NAPHINA ZAMAUNGENZI THULI OKANYE INGXOLO XA USEBENZA.

EMAZINGENZIWA

- SUKUSUSA NESIPHINA ISITYALO UNGAKHANGE UXELELWE
- SUKWENZA MLILO NOKUBA SEKUBANDA
- AMAGQARA UKUBULALA IZILWANYANA NOKUZIFIDA AKUVUMELEKANGA
- SUKUNGENA XA KUVALIWE NGAPHANDLE KWE MVUME
- INGXOWA ZESAMENTE MAZINCEDWE ZINGALAWA NJE
- SUKUQHUBA NGESANTYA ESIPHAKAMILEYO
- SUKUGALELE NAYIPHI INTO PHAYA EMLANJENI
- SUKUQBHA EDAMENI Q OQOSHA YONK INKUKUMA

APPENDIX 8: ECO/ESO WEEKLY REPORT/CHECKLIST

ECO/ESO WEEKLY REPORT/CHECKLIST

PROJECT:

LOCATION:.....

PROPONENT:

PHASE:.....

WEEK NO.

DATE:

ENVIRONMENTAL ASPECT	Y/N	COMMENTS
Is the site free of day-to-day litter? And are clean within acceptable tolerance levels?		
Contractor's camp is organised and is he maintaining good housekeeping standards on site?		
Labourer's quarters are adequate with acceptable ablution facilities?		
Are there sufficient refuse bins on site?		
Boundary fences remain in place and are being maintained?		
No-go areas, remaining natural features and trees have not been damaged?		
Waste control and removal systems are being maintained?		
Wastewater control system is being maintained?		
On-site fire fighting equipment rechecked and is in good working order?		
Heavy earth-moving equipment and vehicles operating within site boundaries?		
Bunds and drip trays are being used and emptied on a regular basis?		
Construction vehicles are mechanically sound with no-visible oil leaks?		
Are on-site refuelling areas in compliance with the site EMP specs?		
Dust control measures (when necessary) are in place and minimise dust pollution effectively?		
Erosion control measures have been installed and are working effectively?		

1439

EnviroAfrica

ESO WEEKLY CHECKLIST

ENVIRONMENTAL ASPECT	Y/N	COMMENTS
Stockpiles of topsoil or rocks are being located within the site boundary and do not exceed maximum heights?		
Has there been unauthorized removal or alteration of soil or rock not specified in the EMP?		
If applicable, if rivers or streams flow through or near the site, have pollution measures been installed?		
State approximate no of workers currently on site		
Have any wildlife species been found on the site. If so what measures were taken for relocation?		
If applicable is the concrete batching area well maintained and in compliance with the EMP? And are spillages removed on a regular basis?		
Are empty cement bags contained and removed daily?		
Has there been any increase of heavy earthmoving or construction machinery brought onto the site not stated on original EMS forms?		
Has it been necessary to impose spot fines or penalties on the site? If so for what reasons?		
Completed by:		Title:
Date:-		Signature

APPENDIX 9: DEA&DP ENVIRONMENTAL AUTHORISATION.

APPENDIX 10: RECOMMENDATIONS AS PER EIA REPORTS

APPENDIX 11: CLIENT PROJECT STANDARD ENVIRONMENTAL SPECIFICATIONS

APPENDIX 12: DRAWING/S

To be included

APPENDIX 13: ANY OTHER RELEVANT DOCUMENTS

APPENDIX J

IMPACT ASSESSMENT METHODOLOGY USED

METHODOLOGY TO ASSESS POTENTIAL IMPACTS IDENTIFIED

The potential impacts of the proposed activity on the various components of the receiving environment was evaluated in terms of nature, duration (time scale), extent (spatial scale), magnitude and significance as outlined in Table 1. The impacts were furthermore assessed in terms of the probability of the impact occurring, the degree in which the impacts may be reversed, the degree in which the impact may cause irreplaceable loss of resources and the degree in which the impact may be mitigated. These impacts could either be positive or negative.

The magnitude of an impact is a judgement value that rests with the individual assessor while the determination of significance rests on a combination of the criteria for duration, extent and magnitude. Significance thus is also a judgement value made by the individual assessor.

In addition to determining the individual impacts against the various criteria, the element of mitigation, where relevant, was also brought into the assessment. In such instances the impact was assessed with a statement on the mitigation measure that should be applied.

Table 1: Criteria used for evaluating impacts

Criteria	Category
Duration	Long term: >15 years Medium term: 5 – 15 years Short term: 1 – 5 years Temporary: < 1 year (not including construction)
Extent	Large: Beyond 5 km of the site (regional) Medium: Within 5 km of the site (local) Small: On site or within 1 km of the site (limited)
Magnitude	High: Natural and/or social functions/processes are severely altered Medium: Natural and/or social functions/processes are notably altered Low: Natural and/or social functions/processes are slightly altered Very low: Natural and/or social functions/processes are negligibly altered
Significance (The impact on each component is determined by a combination of the above criteria and defined as follows)	Very high: Impacts have a high magnitude and will be experienced regionally for at least the life span of the development, or will be irreversible High: Impacts will be experienced in the local and surrounding areas for the life span of the development and may result in long term changes Medium: Impacts will be localised and short to long term Low: Impacts will be site specific and temporary No change: A potential concern which was found to have no impact when evaluated
Probability	Certain: The impact will occur Likely: The impact is likely to manifest wholly or partially Unlikely: It is unlikely that the impact will occur
Degree of Reversal	High: The impact may be reversed in such a way that the <i>status quo</i> prior to development is attained Medium: The impact may be reversed to a state where certain processes remain altered while others are restored Low: The impacts cannot be reversed
Degree in which irreplaceable loss of resources may occur	High: Impact will result in loss of resource that is not replaceable and not replicated elsewhere Medium: Impact will result in loss of resource that is not replaceable but is replicated elsewhere Low: Impact will not result in any loss of resources or restricted to a very minor loss.
Degree to which impact can be mitigated	High: The impact may be mitigated in such a way that the <i>status quo</i> prior to development is attained Medium: The impact may be mitigated to a state where certain processes remain altered while others are restored Low: The impacts cannot be mitigated or only very minor mitigation can be achieved.



Cor Van Der Walt
 LandUse Management
 Email: LandUse.Elsenburg@elsenburg.com
 tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/4/2/699
YOUR REFERENCE : -
ENQUIRIES : Cor van der Walt

Enviro Africa
 PO Box 4
 ONRUS RIVER
 7201

Att: Charel Bruwer Sr.

**AMENDED PROPOSED UPGRADE OF PIET SE BOS AND GROTTA BEACH AREA:
 DIVISION CALEDON
 ERF NO 4771**

Your application of 12 September 2014 has reference.

Please refer to our previous letter of no objection dated 2013-03-26.

Please note:

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

Yours sincerely


AS ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2014-10-17

<p>Copy: Overstrand Municipality PO Box 20 HERMANUS 7200</p>
--

1449



Cor Van Der Walt
 LandUse Management
 Email: LandUse.Elsenburg@elsenburg.com
 tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/4/2/699
YOUR REFERENCE : -
DEA&DP REFERENCE : 16/3/T/1/E2/14/2026/13
ENQUIRIES : Cor van der Walt

Enviro Africa
 PO Box 4
 Onrus rivier
 7201

Att: CA Bruwer

**PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA: DIVISION CALEDON
 ERF NO 4771, HERMANUS**

Your application of 15 March 2013 has reference.

The Western Cape Department of Agriculture has no objection.

Please take note:

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

Yours sincerely

M. Roux
 M. AS ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2013-03-26

Copies:

Department of Environmental Affairs & Development Planning
 1 Dorp Street
 CAPE TOWN
 8001

Overstrand Municipality
 PO Box 26
 GANSBAAI
 7220



SCIENTIFIC SERVICES

postal Private Bag X5014 Stellenbosch 7599
 physical Assegaaibosch Nature-Reserve Jonkershoek
 website www.capenature.co.za
 enquiries Rhett Smart
 telephone +27 21 866 8017 fax +27 21 866 1523
 email rsmart@capenature.co.za
 reference SSD14/2/6/1/7/2/4771_upgrade_Grotto Beach
 date 6 November 2014

EnviroAfrica
 P.O. Box 4
 Onrus River
 7201

Attention: Charel Bruwer
 By email: charel@enviroafrica.co.za

Dear Charel

Amended Final Basic Assessment Report for the Proposed Upgrade of the Piet se Bos and Grotto Beach Area, Erf 4771, Hermanus
 (DEA&DP ref. no. 16/3/1/1/E2/14/2026/13)

CapeNature would like to thank you for the opportunity to comment on the proposed activity and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed activity.

CapeNature commented previously on the Draft and Final Basic Assessment Reports for the proposed development, where we indicated our support for the partial rehabilitation of the wetland area, which had historically been infilled to create the lawned braai area. A revised development proposal has been devised and is listed as the preferred alternative.

CapeNature supports the selection of this alternative as the preferred layout, as it includes the partial wetland rehabilitation discussed above, in addition to removal of the amphitheatre component, which will reduce the amount of human traffic (particularly during events) on the site and associated impacts e.g. trampling of vegetation.

Please take note that white milkwoods (*Sideroxylon inerme*) are a protected species under the CapeNature Ordinance, and a permit is required for the removal of a specimen or a part thereof.

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

Yours sincerely

Rhett Smart
For: Manager (Scientific Services)

③ A'aid 10/10

10 October 2014

EnviroAfrica
PO Box 4
Onrus River
7201
Att: Mr Charel Bruwer

Dear Sir,

AMENDED PROPOSED UPGRADE OF PIET SE BOS AND GROTTO BEACH AREA, ERF 4771 HERMANUS (DEA&DP Ref.No. 16/3/1/1E2/14/2026/13)

Your letter dated 12 September 2014 and the attached Basic Assessment Report dated July 2014 refer.

As Interested and Affected Parties we, the undersigned, are concerned that the preferred alternative to the original proposal as expressed and supported at the public meeting held on 18 January 2014, was not included as an option in the BAR.

No new restaurant
A

Despite the clear views expressed by the I&APs at the meeting, you have not developed a proposal that **excludes** the construction of a new restaurant. This is not acceptable as there was strong opposition to building such a restaurant.

The option favoured by the I&APs was upgrading/extending the "Dutchies" restaurant instead of building a new restaurant on the old Nautilus site.

There was unanimous and enthusiastic support for restoring a portion of the wetland, and therefore the second alternative given in the BAR; which excludes re-establishment of the wetland, is not an option that would gain any support from the I&APs.

The third alternative given in the BAR should therefore become the second alternative.

The preferred alternative, not given in the BAR (either by omission or design), is **to re-establish the wetland around the entire north and east perimeter of the picnic area, to provide picnic and braai facilities with adequate shade, and to upgrade the present "Dutchies" building to meet modern standards.**

The proposal to build a new restaurant on the old Nautilus site has not taken adequate cognisance of the realities of climate change. Professor Michael Orren, a highly respected authority on climate change who is familiar with local conditions, warns that "The well-documented and increasing rise in sea level will pose serious problems through beach and cliff erosion, irreversible flooding of low-lying land and rapid destruction of all built structures, such as houses, located on estuaries, beaches or cliffs **at or near previous sea level.**" This advice should be heeded.

Kindly acknowledge receipt of this letter.

Yours sincerely,

David Beattie
2 Mossel River Drive
Kwaaiwater
davidbeattie@telkomsa.net

Anina Lee
32 Fernkloof Village
Fernkloof
anina@hermanus.co.za

EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

30

6 March 2015

Mr D Beattie
2 Mossel River Drive
Kwaaiwater
HERMANUS
7200

Dear Mr Beattie

16/3/1/1/E2/14/13: UPGRADING OF THE PIET SE BOS EN GROTTO BEACH AREA, HERMANUS

Your communication dated 10 October 2014 with regard to the abovementioned project refers.

The Overstrand Municipality have indicated that they are not considering the construction of an amphitheatre any more and it is also indicated as a non-preferred option in the revised final BAR. Please note that we are not allowed to remove this non preferred option from the BAR as it remains part of the documentation and options considered.

The NEMA process makes provision for application for development within 100 metres of the high water mark. The footprint of the building will not be larger than the total previous footprint.

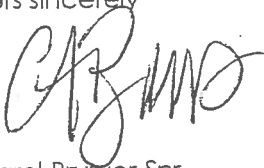
The development of the restaurant has been referred to the Executive Committee of the Overstrand Municipality for their consideration and opinion. The building was designed by a professional architect and it must be noted that opinions differ.

Exco will decide on the future of Dutchies as I understand that it does not have toilet facilities. The municipality is keen to have a decent restaurant on their Blue Flag Beach and has given instruction that we include the scaled down single storey restaurant.

The diversion of the road around Dutchies was investigated and found not to be a viable and realistic option as there are sewage infrastructures and a pump station in the gap between Dutchies and the milkwood forest to the east.

Has Professor Orren given any scientifically proven sea water level rise within future timeframes?. If these exist I would appreciate it if you could supply me the data

Yours sincerely



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
Charel Bruwer Jnr
Bernard de Witt

④ Received 14/10

du plessis • hofmeyr • malan
land law specialists

Ons verw: CJH/H38
U verw: 16/3/1/1/E2/14/2026/13

14 Oktober 2014

Mnr GA Bruwer
Enviro Africa
Posbus 4
Onrus 7201

PER FAKS: 086 513 2141

Beste Mnr Bruwer

**PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTA BEACH AREA, ERF 4771
HERMANUS – COMMENT ON FINAL BASIC ASSESSMENT REPORT**

Ons merk dat aanhangsel C tot ons brief van 8 Oktober 2014 onvolledig was en heg nou weer hierby aan ons brief aan die Munisipale Bestuurder sowel as 'n volledige stel aanhangsels.

Ons bevestig verder dat ons gepoog het om ons brief van 8 Oktober 2014 per pos aan u te stuur, maar ons is meegedeel dat ons poging onsuksesvol sou wees in die lig van die huidige posdiensstaking.

Vriendelike groete.

DU PLESSIS HOFMEYR MALAN ING.

JP Hofmeyr
Per
CJ Hofmeyr

DU PLESSIS HOFMEYR MALAN INC (Registration Number: 2011/134862/21)

ATTORNEYS • CONVEYANCERS • NOTARIES

DIRECTORS: JP du Plessis B Iuris LLB (UNISA), BPhil & MPhil Sustainability (US) •

CJ Hofmeyr BA LLB (US), LLM (HU-Berlin), LLM Public Law (UCT) • N Malan BA Industrial Psych (US), LLB (UNISA)

Unit No. 12, Paardevlei Specialist Medical Centre, Gardner Williams Avenue, De Beers Precinct, Somerset West, 7130 • PO BOX 70, Somerset Mall, 7137 • Tel: 021 851 0359 • Fax: 021 851 4852

du plessis • hofmeyr • malan
land law specialists

Our ref: CJH / H38
Your ref: 16/3/1/1/E2/14/2026/13

8 October 2014

Mr CA Bruwer
Enviro-Africa
PO Box 4
Onrus 7201

**BY REGISTERED MAIL
AND BY FAX: 086-513-2141**

Dear Mr Bruwer

**PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA, ERF 4771
HERMANUS – COMMENT ON FINAL BASIC ASSESSMENT REPORT**

1. Please find annexed our letter, dated 8 October 2014 to the Municipal Manager of the Overstrand Municipality in the above regard. That letter should be read as part of our client's response to the amphitheatre component of the proposed development.
2. Your attention is drawn in particular to paragraphs 4, 5 and 7 of that letter and you are requested to respond to paragraph 7 thereof as a matter of urgency.

Yours faithfully
DU PLESSIS HOFMEYR MALAN INC.

Per:
C J HOFMEYR

DU PLESSIS HOFMEYR MALAN INC (Registration Number: 2011/134862/21)
ATTORNEYS • CONVEYANCERS • NOTARIES

DIRECTORS: JP du Plessis B Juris LLB (UNISA), BPhil & MPhil Sustainability (US) •

CJ Hofmeyr BA LLB (US), LLM (HU-Berlin), LLM Public Law (UCT) • N Malan BA Industrial Psych (US), LLB (UNISA)

Jnit No. 12, Paardevlei Specialist Medical Centre, Gardner Williams Avenue, De Beers Precinct, Somerset West, 7130 • PO BOX 70, Somerset Mall, 7137 • Tel: 021 851 0359 • Fax: 021 851 4852

1456

DHM

du plessis • hofmeyr • malan

land law specialists

Our ref: CJH / H38
Your ref: 1083/14/P9

8-October 2014

The Municipal Manager
Hermanus

Email: cgroenewald@overstrand.gov.za

Dear Sir / Madam

REDEVELOPMENT OF PIET SE BOS: AMENDED DRAFT BASIC ASSESSMENT REPORT

1. As you know we act on behalf of a group of owners of properties around the Piet se Bos area, who commented on the original draft basic assessment report for the abovementioned project.
2. At a public meeting held on 18 January 2014 in Hermanus, our clients and several other property owners voiced their grave concerns about the proposed amphitheatre and the message our clients took away from that meeting was that the amphitheater was not to be developed anymore. This message was echoed in:
 - a. newspaper articles published in the local press subsequent to the meeting;
 - b. the letter from your Mr Müller, dated 12 February 2014 under cover of which the minutes of the public meeting was circulated (see Annexure "A" hereto);
 - c. Mr D M Hoogenhout, one of our client's letter to you, dated 10 March 2014 (see Annexure "B" hereto);
 - d. the email from your Ms Van der Stoep, dated 11 March 2014 and Mr Hoogenhout's response thereto, dated 22 March 2014 (the email exchange is annexed hereto as Annexure "C")
3. In light of the foregoing we find it strange that two of the three development alternatives referred to in the amended draft basic assessment report, dated 30 July 2014 still revolve around an amphitheatre.
4. Our clients' right to respond in detail to the other aspects in the amended draft basic assessment report is reserved but our instructions at this juncture

DU PLESSIS HOFMEYR MALAN INC (Registration Number: 2011/134862/21)

ATTORNEYS • CONVEYANCERS • NOTARIES

DIRECTORS: JP du Plessis B Juris LLB (UNISA), BPhil & MPhil Sustainability (US) •

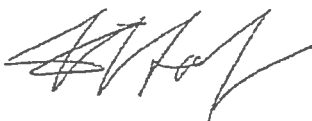
CJ Hofmeyr BA LLB (US), LLM (HU-Berlin), LLM Public Law (UCT) • N Malan BA Industrial Psych (US), LLB (UNISA)

Unit No. 12, Paardevlei Specialist Medical Centre, Gardner Williams Avenue, De Beers Precinct, Somerset West, 7130 • PO BOX 70, Somerset Mall, 7137 • Tel: 021 851 0359 • Fax: 021 851 4852

are to request, as we hereby do, that the EAP be instructed to inform the competent authority in writing that the Municipality will not be developing an amphitheatre and that approval therefor is not sought.

5. Should our clients' request in paragraph 4 above not be adhered to, despite what is referred to in the amended draft Basic Assessment Report as the "vehement" opposition to the amphitheatre and despite what has been said at and after the public meeting of 18 January 2014, our further instructions are to confirm as we hereby do, that the submissions made in our letter of 21 October 2013 to EnviroAfrica, should be read as part of our client's objection to the amended draft basic assessment report.
6. Kindly confirm as a matter of urgency whether or not the EAP has been instructed as per the request in paragraph 4 above.
7. A copy of this letter will be sent to the EAP, Mr Bruwer of EnviroAfrica with the request that:
 - a. this letter be placed on the competent authority's file;
 - b. we be furnished with a copy of the notification to Province, requested in paragraph 4 above, alternatively with written confirmation that our letter of 21 October 2013 is placed on the competent authority's file as an objection to the implementation of any of the alternatives entailing the construction of an amphitheatre.
8. Kindly confirm as a matter of urgency whether you will be instructing the EAP to notify the competent authority as per our request in paragraph 4 above.

Yours faithfully
DU PLESSIS HOFMEYR MALAN INC.



Per:
C J HOFMEYR



Navrae
Enquiries H van der Stoep (Senior Town Planner)

Leërvanwysing
File Reference: Piet se Bos

Datum
Date 12 February 2014

TOWN PLANNING / STADSBEPLANNING
HERMANUS

Seetuin Trust
c/o DM Hoogenhout
21 Jonkershoek Drive
STELLENBOSCH
7600

REGISTERED LETTER

Dear Sir / Madam

PIET SE BOS MEETING DATED 18 FEBRUARY 2014

Please find attached the Verbatim minutes as well as a summarized version.

A proposed amendment to the BAR which will entail rehabilitation of the wetland, no amphitheater and a scaled down version of the proposed restaurant on the Nautilus site. The area on which the amphitheater would have been located will be developed as a braai and picnic area.

The proposed amendment with relevant plans will be circulated to all the registered parties for comments before the final document is submitted to the Department of Environmental Affairs and Development Planning.

Yours faithfully


S MÜLLER
DIRECTOR: INFRASTRUCTURE AND PLANNING

D M Hoogenhout
21 Jonkershoek Road
Stellenbosch
7600

Telephone : (O) 021 886 6804
(H) 021 883 8986
(M) 082 646 9044
Fax: 021 882 9491
Email : dmhoogenhout@gmail.com

10 March 2014

Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200
(email : cgroenewald@overstrand.gov.za)

Dear Sir

**PROPOSED UPGRADE OF PIET SEBOS, HERMANUS
DEA&DP REFERENCE NUMBER: 16/3/1/1/E2/14/2026/13**

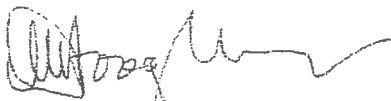
We were pleased to read in the local media that the Municipality has decided not to pursue further the development of an amphitheatre at Piet-se-Bos. In Mr Müller's letter, dated 12 February 2014, to all interested and affected parties he indicated that a "proposed amendment" to the Final BAR that "will entail rehabilitation of the wetland, no amphitheatre and a scaled down version of the proposed restaurant on the Nautilus site" will be circulated to all registered interested and affected parties and we are eagerly awaiting this document.

The Grotto Beach Action Group would like to close the book on the amphitheatre and would be pleased to receive your written confirmation that the Municipality has in fact taken a decision not to go ahead with the development of the amphitheatre. Kindly provide us also with a copy of the letter to the Department of Environmental Affairs and Development Planning, confirming that the amphitheatre component is withdrawn from the original development proposal.

We look forward to hearing from you.

We thank you for the minutes of the public meeting held on 18 January 2014 which were attached to Mr Müller's letter. We may comment under separate cover on the summarized minutes and the proposed plan to erect a restaurant on the Nautilus site.

Yours faithfully



D M HOOGENHOUT

- Copies to :
1. Ms H van der Stoep (Overstrand Municipality)
(email : hvdstoep@overstrand.gov.za)
 2. Mr C A Bruwer (Enviro Africa) (Fax : 086 513 2141)
 3. The Head of the Department: Western Cape Department of
Environmental Affairs and Development Planning
(email : Pieter.vanZyl@pgwc.gov.za)
 4. Mr Carel Hofmeyer (email : carel@dhmlaw.co.za)

Letesha Korasie

From: Carel Hofmeyr
Sent: 08 October 2014 11:36 AM
To: Letesha Korasie
Subject: FW: Piet se bos Hanneen se epos

From: D M Hoogenhout [mailto:dmhoogenhout@gmail.com]
Sent: Wednesday, October 01, 2014 11:32 AM
To: Carel Hofmeyr
Subject: Fwd: Piet se bos Hanneen se epos

Hi Carel,
Hier is Hanneen-vd Stoep se epos van 11 Maart en my antwoord van 22 Maart nadat ek en jy dit bespreek het.
Beste groete

D M (Niel) Hoogenhout
dmhoogenhout@gmail.com

Begin forwarded message:

From: D M Hoogenhout <dmhoogenhout@gmail.com>
Subject: Re: Piet se bos
Date: 22 March 2014 at 2:44:56 PM SAST
To: Hanneen van der Stoep <hvdstoep@overstrand.gov.za>
Cc: Coenie Groenewald <cgroenewald@overstrand.gov.za>, Kai Albrecht <kha@kfa.co.za>, Laura & Pierre du Toit <lauradt@telkomsa.net>, Carel Hofmeyr <carel@dhmlaw.co.za>

Dear Ms Van der Stoep

Thank you for your email of 11 March 2014. We are glad to hear that the development of the amphitheatre will not go ahead and that the Municipality is in the process of amending the BAR to reflect that. We accept that until the amended BAR is made available for comment the public participation process relating to the redevelopment of Piet-se-Bos is suspended.

We look forward to receiving the amended BAR.

Best regards,

D M (Niel) Hoogenhout
dmhoogenhout@gmail.com

On 11 Mar 2014, at 1:53 PM, Hanneen van der Stoep <hvdstoep@overstrand.gov.za> wrote: