

**COMMENT AND RESPONSES REPORT**  
**ARCH ROCK, PORTION 5 OF FARM 296, KEURBOOMSTRAND - BASIC ASSESSMENT**

**DEA&DP REF: 16/3/3/1/D1/6/0000/22**

**PUBLIC PARTICIPATION PROCESS**

A Draft Basic Assessment Report was made available for public comment as part of the public participation for the proposed re-furbishment / alteration of the existing resort units on the property as the units are outdated and old. The refurbishment is expected to reduce the throughput capacity of the facility which currently accommodates 26 pax in 10 chalets, to 22 pax in 8 chalets. The new units will be placed on the same footprints of the old units, although there is some overlap due to configuration.

The new units will not require any changes to building lines or heights that are currently in effect. The three sea facing units will make use of the same frontal position as the current units. The lawns in front of the old sea facing units will be rehabilitated to coastal dune vegetation. The resort its current configuration commenced circa 1991, is located in an established township area and will remain a resort.

The Basic Assessment Application was submitted to the provincial Department of Environmental Affairs & Development Planning (DEA&DP) as the competent authority for this application. A 30 day comment period extended from the **21 February to 23 March 2022**. All comments received during this period have been collated and will be included in the Final Basic Assessment Report to be submitted to the competent authority. The comments captured in this table are copied from the original submissions.

<b>COMMENT / ISSUES</b>		<b>RESPONSES</b>
<b>Read Family Trust - Neighbour</b>		
	Automatically registered as an I&AP.	Registered 19 January 2022
<b>Abrahams, Carlo - Breede Gouritz Catchment Management (BGCMA)</b>		
	Automatically registered as an I&AP.	Registered 10 February 2022
<b>Bachle, Volker - Neighbour</b>		
	Automatically registered as an I&AP.	Registered 19 January 2022
<b>Bekko, leptieshaam - DEA&amp;DP: Coastal Management Unit</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021
<b>Engle, Eugene - Department of Health</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021
<b>Heyns, GT - Neighbour</b>		
	Automatically registered as an I&AP.	Registered 19 January 2022
<b>Kamkam, Jessica - Ward Councillor</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021

COMMENT / ISSUES		RESPONSES
<b>Koen, Melanie - Department of Forestry</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021
<b>Layman, Brandon - Department of Agriculture</b>		
	Automatically registered as an I&AP.	Registered 15 February 2022
<b>Liddle, Mercia - DEA&amp;DP: Coastal Management Unit</b>		
	Request registration as an I&AP.	Registered 05 April 2022
<b>Luttig, Pieter - Keurboomstrand Property Owners Association</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021
<b>Mbambo, Thandeka - DFFE: Oceans &amp; Coasts</b>		
	Automatically registered as an I&AP.	Registered 08 March 2022
<b>DFFE Oceans &amp; Coasts EIA</b>		
	Automatically registered as an I&AP.	Registered 10 February 2022
<b>DRAFT BASIC ASSESSMENT REPORT</b>		
	The Department of Forestry, Fisheries, and the Environment (DFFE) Oceans & Coasts (O&C) Branch appreciates the opportunity granted to comment on the Draft Basic Assessment Report for Arch Rock on Remainder Portion 5 of Erf 296, Keurboomstrand. This Branch has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICM Act").	
	1. The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and the economic, social, and aesthetic value of coastal zones are maintained to ensure that people, properties, and economic activities are protected against the impacts of dynamic coastal processes.	<b>Cape EAPrac:</b> Thank you for your participation in this process.
	2. Guided by the principles of integrated coastal management, this Branch continues to strive for environmental sustainability and socially justified sharing of benefits derived from a resource-rich coastal area without compromising the ability of future generations to access those benefits.	

COMMENT / ISSUES		RESPONSES
	<p>3. Based on practical knowledge and experience in the application of environmental legislation, the assessment of associated impacts, this Branch <b>concludes that it is in support of the competent authority to grant environmental authorisation</b> for the proposed redevelopment of Arch Rock resort on Portion 5 of 296 Keurboomstrand.</p>	<p><b>Cape EAPrac:</b> Your support is duly noted.</p>
	<p><b>4. Conditions and Recommendations for the Attention of the EAP and CA:</b></p>	
	<p>4.1 This Branch notes that the proposed redevelopment comprises the construction of three new cottages on approximately the same footprints as the existing units. From a coastal erosion perspective, setting back the new units from the seafront represents a risk-averse approach that is recommendable. There is, however, no setback limit within the property that can be guaranteed safe. The recommendation is therefore to construct as far back as reasonably possible within the framework of the wider redevelopment goals.</p>	<p><b>Cape EAPrac:</b> The development will not extend seawards of the edge of the current footprints of the sea facing chalets. The coastal specialists assessed the potential risk and determined it to be acceptable i.e. low risk. Furthermore the foredune remains intact with no vegetation removal or construction taking place. The beach access will be retained in its current location. Given that the current position of the existing chalets will not move seawards as a result of the re-development, plus the utilisation of piling support for these units as further mitigation, no additional risk is introduced and therefore the proposal is deemed to be within the framework of the wider redevelopment goals and adheres to risk-averse principles.</p>
	<p>4.2 It is recommended that the foundations of the new beachfront cottages are designed to remain stable in the event of failure of the beach-facing slope due to coastal erosion. As an approach to address this, the applicant can review the recommendation of piled foundation supports which are integrated into the structural design of the building to ensure long-term stability and protection from the coastal interface.</p>	<p><b>Cape EAPrac:</b> Agreed, the beachfront cottages will be constructed using piling foundations to ensure stability is retained.</p>
	<p>4.3 The vegetation covering the steep beachfront slope offers considerable erosion protection. Care should be taken to limit damage to this vegetation during construction activities and future use.</p>	<p><b>Cape EAPrac:</b> Agreed. The vegetation on the slope will be retained (not removed) and is a designated no-go area for both construction and operation.</p>

COMMENT / ISSUES	RESPONSES
<p>4.4 Further to this, protection measures to increase public safety need to be considered for steep seaward facing Unit 1. Unlike units 2 and 3, the dune cordon/bank is steep, slopes downwards, and is currently at different elevations. This would present a safety risk of injuries for older visitors and/or children, it is recommended that the applicant explores the option of designing wooden/timber poles around the boardwalk or near the toe of the dune as a safety measure and to limit the trampling on the vegetation.</p>	<p><b>Malherbe Rust Architects (MRA):</b> The Applicant will ensure that a handrail is designed on both sides of the boardwalk steps down to the embankment to the beach. The Applicant will also place two resting seats in the rail on either side to assist elderly people.</p> <p><b>DVH Engineers:</b> MRA (architects) will be assisted by the engineers in designing the handrails and steps to ensure that they are structurally sound.</p> <p><b>Cape EAPrac:</b> Installation of handrails with resting seats will be on the footprint of the existing steps. No additional infrastructure/structures will be constructed on or near the toe of the dune. Additional signage will be placed within the resort to advocate against trampling of dune vegetation.</p>
<p>4.5 A specialist dune vegetation assessment and management plan are recommended to ensure that suitable indigenous species are present to provide optimum bank stabilisation.</p>	<p><b>Cape EAPrac:</b> The dune vegetation will not be disturbed during construction and operation. The existing vegetation on the slope is indigenous and no further planting is envisaged. There are two Manatok trees located at the side of the current buildings which must be removed as part of invasive alien vegetation management on the resort. A botanical report is included with the Basic Assessment and no additional specialist studies are deemed necessary in this regard. The Environmental Management Plan addresses recommendations for management of the vegetated dune and alien vegetation.</p>
<p>4.6 This Branch notes and concurs with the recommendations by the coastal engineer that although a revetment is not a preferred solution for this property in the current situation, could be considered in the future should increasing erosion problems become evident. Provision for this should be made in the maintenance management plan for inclusion and consideration by the competent authority.</p>	<p><b>Cape EAPrac:</b> The Basic Assessment did not consider the implementation of a revetment given that the timing for the need of such a structure is difficult to predict. Should a revetment be required in the future, it is recommended that any assessment as per future legislation will have to be undertaken.</p>

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	<p>4.7 The Coastal Vulnerability Index and DEA&amp;DP erosion risk lines indicate that significant parts of the property may be at high risk of coastal erosion. However recent historical trends at the site, which is protected to some extent by the presence of a nearshore rocky reef, indicate relatively low coastal erosion risk at present. While this might be the case, adequate measures need to be undertaken to ensure that this property is protected from dynamic coastal processes.</p>	<p><b>Cape EAPrac:</b> The protection and monitoring of the dune slope will continue by the applicant. No construction may take place seaward of the edge of the existing chalets. No stormwater discharge or removal of vegetation may take place on the slope. The dune must remain vegetated and intact. The front redeveloped units will have pilling support as additional measures to protect against coastal processes. The three sea facing units will not extend seawards of the existing footprints.</p>
	<p>4.8 The applicant is made aware of the increasing risk of property damage due to extreme coastal events. Adequate mitigation measures need to be exercised to mitigate the long-term, cumulative, and unintended impacts.</p>	<p><b>Cape EAPrac:</b> Agreed. The mitigation measures and management have been included in the EMPr and where necessary, as items to include in any authorisation.</p>

COMMENT / ISSUES	RESPONSES
<p>4.9 This Branch notes that no geotechnical reports for the site have been provided. It is recommended that a formal geotechnical investigation be conducted before the commencement of detail design and tendering. This will confirm the existence of near-surface bedrock, the suitability of excavated material as fill material, and the depth of the groundwater table and shed further light on the extent of the erosion risk measures that need to be undertaken.</p>	<p><b>Cape EAPrac:</b> Duly noted. A Geotechnical Study was undertaken by Kantey &amp; Templary (dated November 2021). The findings are as follows:</p> <ul style="list-style-type: none"> <li>• The Arch Rock subsoil profile comprises, for the most part, transported fine to medium grained windblown and colluvial sands, generally of medium dense consistency. The sand is underlain at 6-8m depth by bedrock presenting as medium hard to hard rock quartzitic sandstone and shale.</li> <li>• The upper profile contains up to 800mm of organic rich compressible soils.</li> <li>• Hard rock quartzitic sandstone boulders, cobbles and gravel occur within the sandy profile down to depths of about 2,0m.</li> <li>• Founding conditions for the bulk of the site are such that spread footings dimensioned not to exceed a maximum permissible bearing pressure of 175 kPa may be used for the new structures. Founding is possible within the upper 1,0m of the subsoil profile.</li> <li>• The buildings along the embankment facing the sea will, due to the presence of low strength soils and the risk of slope instability, have to be piled.</li> <li>• Piling options should be finalised in consultation with a specialist geotechnical contractor and his design engineers.</li> </ul> <p><b>Malherbe Rust Architects (MRA):</b> The Civil engineer is appointed and had the geotech undertaken to establish all soil conditions before any construction takes place.</p> <p><b>DVH Engineers:</b> All new proposed buildings will be founded and supported on recommendations and in accordance to the geotechnical investigation. Inland building founded below the organic rich soils and buildings located near the embankment will be supported on piles.</p>

COMMENT / ISSUES		RESPONSES
28-Mar-22	4.10 This Branch reiterates the need for understanding the depth of bedrock below the site, specifically as it relates to the units that are 100m from the highwater mark as this significantly affects the coastal erosion risks and will influence the design of the foundations of the new beachfront cottages to ensure stability in the event of shoreline erosion.	<p><b>Cape EAPrac:</b> Almost the entire property is located within 100m of the high water mark of the sea. The geotechnical report recommended different foundation requirements for the beachfront units and the rest of the structures proposed for the property. The design has specifically been informed by the geotechnical investigation that considered the underlying geology of the site.</p> <p><b>Malherbe Rust Architects (MRA):</b> : The design specifications are noted and will be addressed by the Civil engineer in their final design.</p> <p><b>DVH Engineers:</b> The units located on the embankment i.e. sea facing units, will be supported on piles as per recommendation of geotechnical report and Oceans &amp; Coast.</p>
	4.11 While there is little evidence that suggests that this area is at risk from coastal erosion, it is crucial to note that the effects of climate change (including sea-level rise and increased storm intensity) potentially increase the coastal risk to beachfront properties in this area.	<p><b>Cape EAPrac:</b> The various models have identified potential risk zones and the coastal engineer has confirmed that the development (even with redevelopment) is at a very low risk of coastal flooding/erosion. Climate change has been considered with provision for pilling as part of the design and the management recommendations for not disturbing the foredune. The Coastal Viewer further confirms that the remainder of Portion 5 Erf 296 is situated beyond the moderate risk zone and is within the low-risk zone for coastal erosion.</p>
	4.12 The Coastal Vulnerability Risk Index and the DEA&DP erosion risk lines indicate that significant parts of the property may be at high risk of coastal erosion. The Keurboomstrand Beach sand erodes and accretes intermittently over time and appears to be currently “dynamically stable.” The Coastal Viewer further confirms that the remainder of Portion 5 Erf 296 is situated beyond the moderate risk zone and is within the low-risk zone for coastal erosion.	<p><b>Cape EAPrac:</b> So noted.</p>
	4.13 To further reduce the potential risks to the public property associated with failure of the existing wall, all excavations, and construction-related activities should be setback landwards, away from the seaward facing of Remainder of Portion 5 of Erf 296. No excavation, digging, or removal of sand should be undertaken within 3m of the toe of the bank to prevent structural failure.	<p><b>Cape EAPrac:</b> So noted. The closest point of the front units are beyond 3m from the toe of the front dune. All excavations to be undertaken in accordance with the EMP.</p> <p><b>Malherbe Rust Architects (MRA):</b> Noted</p>

COMMENT / ISSUES	RESPONSES
<p>4.14 No stormwater runoff (or other runoff, e.g., swimming pool backwash water) must be allowed to concentrate onto the steep seaward slope where it can contribute to erosion problems. Runoff from the roof of the new proposed buildings should be planned around the existing formal stormwater drainage system (if present) or directly infiltrate into soft landscaped areas surrounding the building (in such a way that it is not likely to form an erosion channel).</p>	<p><b>Cape EAPrac:</b> Agreed. The vegetation on the slope will be retained and is a designated no-go area for both construction and operation.</p> <p><b>Malherbe Rust Architects (MRA):</b> The stormwater design runoffs will be designed to disperse the rainwater runoffs and not concentrate these into single points.</p> <p><b>DVH Engineers:</b> No formal stormwater system was planned and therefore stormwater will not be concentrate to specific points. Internal roads shall be constructed out of permeable surfaces and the thatch roofs will not receive gutters. Roof run-off will be disbursed into landscaping.</p>
<p>4.15 The Terrestrial and Biodiversity Compliance Statement outlines that various protected and indigenous trees occur at the property with gardens beds and lawns surrounding the chalets. The applicant should note that a permit from Forestry Western Cape should be acquired to relocate, remove or prune Protected trees within the development footprint. This Branch strongly maintains that all protected trees that are found on site should be built into the architectural design for the site and, as far as possible be retained.</p>	<p><b>Cape EAPrac:</b> There is no intention to remove any protected trees and the tree clumps identified on site have been retained in the proposed new layout.</p>
<p>4.16 Construction and operational management of the development must ensure that the Milkwood Trees are not impacted by proposed construction activities at all development stages.</p>	<p><b>Cape EAPrac:</b> Agreed, there is no intention to remove any Milkwoods from the site.</p>
<p>4.17 Only indigenous plant species should be used in the landscaped areas of the redevelopment.</p>	<p><b>Cape EAPrac:</b> Agreed, only locally indigenous vegetation will be used in the landscaping of the site.</p>
<p>4.18 In line with the Bitou Municipality Spatial Development Framework (Keurbooms River Draft SDF), this development should be subject to strict urban design, architecture and adhere to relevant land-use guidelines.</p>	<p><b>Cape EAPrac:</b> The application will be subject to any municipal planning requirements.</p> <p><b>Malherbe Rust Architects (MRA):</b> The design of the units are vernacular styled cottages with English doors and shutters that will refer to the 'sea cottages' with a modern elements to a lesser scale and degree.</p>



COMMENT / ISSUES	RESPONSES
<p>4.19 The potential security and safety impacts associated with the presence of construction workers and other impacts associated with noise, dust, and safety impacts associated with construction-related activities and the movement of heavy vehicles were identified as key socioeconomic issues associated with this development proposal. While most of these impacts are unavoidable, the onus lies with the applicant to ensure that the construction activities result in a minimal disturbance to neighbouring.</p>	<p><b>Cape EAPrac:</b> The recommendations provided by the socio-economic specialist related to potential safety and security have been included in the Environmental Management Programme and must be implemented.</p>
<p>4.20 The construction and operational plan should not clash with the residential land use of this neighbourhood. The construction schedule/operational plan/ times be communicated and, if possible, avoid holiday periods. As far as possible, the construction schedule should be available to neighbour properties to ensure that they are aware of the proposed activities and that they can make adequate means to mitigate noise and impacts.</p>	<p><b>Cape EAPrac:</b> Agreed. Construction activities must accommodate neighbouring landowners and developments. These recommendations have been included in the EMPr.</p>
<p>4.21 Construction work should be restricted to weekday working hours between 08h00- 17h00. This Branch further stresses that the responsibility to keep noise levels within reasonable limits and hours lies with the applicant and appointed building contractor.</p>	<p><b>Cape EAPrac:</b> Agreed. Construction activities must accommodate neighbouring landowners and developments. These recommendations have been included in the EMPr.</p>
<p><b>5. Specific Considerations for Inclusion in the Environmental Management Plan (EMP)</b></p>	
<p>5.1 Should there be any archaeological evidence on-site, work should cease immediately, and the case reported to Heritage Western Cape for a professional investigation.</p>	<p><b>Cape EAPrac:</b> This item has been included in the EMPr.</p>
<p>5.2 Clearing must be preceded by a plant search-and-rescue operation by a botanist, to remove any scarce, significant, or useful indigenous species that can be transplanted on the property post-construction.</p>	<p><b>Cape EAPrac:</b> So noted.</p> <p><b>Malherbe Rust Architects (MRA):</b> Agreed.</p>
<p>5.3 No wastewater containing harmful chemicals should be released on-site, to avoid contamination of the sand/soil.</p>	<p><b>Cape EAPrac:</b> Agreed and included in the EMPr.</p>
<p>5.4 Ensure drainage and runoff are controlled to prevent erosion and soil loss. Install contour berms where erosion has occurred to ensure that no new erosion pathways are formed.</p>	<p><b>Cape EAPrac:</b> Erosion management is included in the EMPr. No drainage or runoff may be discharged on the seawards slope.</p>

COMMENT / ISSUES		RESPONSES
5.5 Best practice Rainwater harvesting should be implemented to mitigate impacts.		<b>Cape EAPrac:</b> Agreed, rainwater harvesting is recommended for building that do not have thatched roofs.  <b>Malherbe Rust Architects (MRA):</b> Underground storage tanks under the cottages are planned.
5.6 Access to sensitive areas outside the developmental footprint must be controlled using signage during construction. The appointed Environmental Control Officer should ensure that all No-Go areas are demarcated.		<b>Cape EAPrac:</b> Agreed. No go areas will be demarcated prior to construction.
Kindly note that the Department reserves the right to revise its comments and request further information based on any additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.		
<b>Read, GA - Neighbour</b>		
Automatically registered as an I&AP.		Registered 19 January 2022
<b>Read, GO - Neighbour</b>		
Automatically registered as an I&AP.		Registered 19 January 2022
<b>Read, Justine - Neighbour</b>		
Request registration as an I&AP.		Registered 19 January 2022
<b>Schliemann, Chris - Bitou Municipality</b>		
Automatically registered as an I&AP.		Registered 11 October 2021
<b>Simons, Megan - CapeNature</b>		
Automatically registered as an I&AP.		Registered 11 October 2021
<b>DRAFT BASIC ASSESSMENT REPORT</b>		
CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.		

COMMENT / ISSUES	RESPONSES
<p>According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017) property is outside the extent of Critical Biodiversity Areas but has natural (Ecological Support Areas (ESA 1: Terrestrial). The WCBSP mapped the following features:</p> <ul style="list-style-type: none"> <li>• Indigenous Forest Type</li> <li>• Coastal Habitat Type</li> <li>• Foredune</li> <li>• Garden Route Shale Fynbos (EN)</li> <li>• South Outeniqua Sandstone Fynbos (VU)</li> <li>• Eastern Fynbos Renosterveld Shale Fynbos Floodplain Wetland</li> <li>• Coastal resource protection-Eden</li> <li>• Watercourse protection- South Eastern Coastal Belt</li> </ul>	<p><b>Cape EAPrac:</b> Only the area from the highwater mark is mapped as an ESA 1, the rest of the property is shown as No Natural Areas (NNA).</p>
<p>According to Mucina and Rutherford 2006 and the WCBSP (Pool-Stanvliet et al. 2017) the mapped vegetation unit for the property is Vulnerable Garden Route Shale Fynbos as listed in the 2011 NEM:BA threatened ecosystems gazette. In the updated National Biodiversity Assessment, the vegetation will be listed as Least Concerned Goukamma Dune Thicket and Garden Route Shale Fynbos is mapped to the south (Skowno et al. 2018).</p>	<p><b>Cape EAPrac:</b> Agreed, the mapped vegetation according to the 2018 assessment for the property is Goukamma Dune Thicket (LC). Please note that there is no Garden Route Shale Fynbos shown on the maps (see the Biodiversity Plans in Appendix D).</p>
<p>Coastal ecosystems are ecological infrastructures that provides a range of regulatory services to coastal communities. The foredunes play an essential role in providing physical buffering against sea storm surges and other potential climate change related impacts. Therefore, they should be in a functional near-natural state. Furthermore, the property forms part of a coastal corridor, which is an important ecological infrastructure. This coastal corridor has been disturbed overtime. As these areas are important corridors to maintain landscape connectivity it is crucial that no further disturbances occur, and that the area must be restored to improve connectivity and reduce landscape fragmentation.</p>	
<p>CapeNature reminds the applicant to obtain comments from the Department of Forestry, Fisheries and Environment (DFFE) if any listed protected tree species or indigenous forest will be disturbed. CapeNature will not object to the findings\recommendations as DFFE is a custodian of forestry resources in South Africa.</p>	<p><b>Cape EAPrac:</b> The DFFE was requested to comment on the application. The protected trees located on the property have been identified as sensitive areas and have been incorporated into the layout. There will not be any removal of protected tree species. In the event that any pruning of the trees is required, such an application will be submitted to DFFE.</p>

COMMENT / ISSUES		RESPONSES
07-Apr-22	CapeNature recommends that all topsoil stockpiles be less than 1.5m in height and have adequate signage to illustrate which are topsoil and subsoil for rehabilitation purpose. Furthermore, caution must be applied to ensure that the topsoil is not contaminated. Areas susceptible to erosion or bare soil should be protected by installing the necessary temporary structures.	<b>Cape EAPrac:</b> Duly noted, stockpile and erosion management requirements have been included in the EMPr.
	The proposed site within the erosion risk zones of the draft Eden Coastal Management Line (see fig.1 and table 1). These zones are areas within the flood risk zones of estuaries and littoral active zones. This zone demarcates the area in which development will either be prohibited or controlled. This is done in order to achieve the objectives as set in section 25 of ICM Act, as amended, or coastal management objectives.	<b>Cape EAPrac:</b> A vast majority of Keurboomstrand is located within the Coastal Management zone as identified by DEA&DP (2018). This is the reason that the EIA process was undertaken. The Coastal Engineer has confirmed that there is a low risk of coastal erosion / flooding. This has been confirmed by the DFFE: Oceans & Coasts branch. The retention of the coastal vegetation and foredune is a requirement to ensure that this status is continued.
	<p>In terms of the Sea Shore Act, 1935 (Act No. 21 of 1935) a lease agreement is required from CapeNature for any structure's seawards or on the High-Water Mark of the Sea on state-owned land. Please note that in terms of section 3(5) of the Sea-Shore Act, 1935 (Act No 21 of 1935)</p> <p><i>"Before any lease is entered into under subsection (1) or any permit is granted under subsection (2), the Minister shall, at the expense of the person with or to whom it is proposed to enter into such lease or to issue such permit, cause a notice to be published in the Gazette and in not less than one newspaper circulating in the neighbourhood wherein the portion of the sea-shore or the sea concerned is situated, wherein-</i></p> <p><i>(a) the proposal to enter into the lease or to issue the permit is made known;</i></p> <p><i>(b) the place where and the times at which full particulars of the proposed lease or permit will be open for inspection are specified; and</i></p> <p><i>(c) it is specified that objection to the proposed lease or permit may be lodged with a person specified in the notice, before a date so specified, which shall be not less than 30 days after the date on which the notice is published ."</i></p>	<b>Cape EAPrac:</b> No structures will be constructed seawards of or on the high water mark of the sea.

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	Prior to construction the waste, by the areas used for dumping, should be removed from the entire site and not only the development footprint. Removal of waste, generated during the activity, must be disposed at a registered disposal facility. Implement the integrated waste management approach that addresses waste avoidance, reduction, re-use, recycling, recovery, treatment, and safe disposal as a last resort.	<b>Cape EAPrac:</b> Agreed, all waste from the demolition will be disposed of at a registered waste facility. The applicant must provide waste certificates for such disposal. This will be required for the Demolition Certificate to be issued by the local municipality.
	An Environmental Control Officer (ECO) should be appointed to oversee the process and should be present, if possible, during the construction and to identify any harmful activities.	<b>Cape EAPrac:</b> The appointment of an ECO is a requirement of the Basic Assessment Report and the EMPR.
	Any remaining vegetation should be rehabilitated, where possible, and conserved. It is important to protect coastal biodiversity in order to maintain the coastal corridor movement. Thus, the development footprint should be within the disturbed areas and should not result in any further loss to biodiversity.	<b>Cape EAPrac:</b> The site has been landscaped and gardened for decades and has groups / clumps of trees between some of the units. These clumps, particularly those that include protected tree species have been identified as being of high sensitivity and have been incorporated into the new layout. Only locally indigenous vegetation will be allowed for rehabilitation purposes on the site and no clearance of vegetation will take place on the foredune.
<b>Stroh, Lizelle - SACAA</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021
<b>Taljaard, Anje - Bitou Municipality</b>		
	Automatically registered as an I&AP.	Registered 29 June 2021
<b>DRAFT BASIC ASSESSMENT REPORT</b>		
23-Mar-24	The EIA for the redevelopment of Arch Rock Seaside Accommodation on Portion 5 of Farm 296, Keurboomstrand has reference. Please accept the following as comment.	<b>Cape EAPrac:</b> Thank you for your participation in this process.
	1. The redevelopment of existing accommodation units are not objected to in principle.	<b>Cape EAPrac:</b> Duly noted.
	2. The applicant is to take cognisance of the proximity to the coastal area and potential risk that can result due to climate change and coastal erosion. The Municipality absolve themselves of all future liability in this regards and any construction is undertaken at the applicant's own risk.	<b>Cape EAPrac:</b> Duly noted.
	3. The set back of the frontal units as far from the high water mark is supported.	<b>Cape EAPrac:</b> Duly noted.
	4. Please include myself from the Bitou Municipality in all future ECO reporting as detailed in the EMP.	<b>Cape EAPrac:</b> This will be noted and communicated to the applicant.

COMMENT / ISSUES		RESPONSES
	5. It is recommended that a suitable indigenous and endemic plant species list be compiled for use in landscaping and any rehabilitation that might be required.	<b>Cape EAPrac:</b> Agreed and included in the EMPr.
	6. No new access paths to the beach is supported and should be monitored for the lifespan of the proposed redevelopment.	<b>Cape EAPrac:</b> Duly noted.
<b>Van der Merwe, JP - Neighbour</b>		
	Automatically registered as an I&AP.	Registered 19 January 2022
<b>Van der Walt, Cor - Department of Agriculture</b>		
	Automatically registered as an I&AP.	Registered 15 February 2022
<b>DRAFT BASIC ASSESSMENT REPORT</b>		
23-Mar-22	The Draft Assessment Report dated 15 February 2022 has reference.	
	The existing Arch Rock Seaside Accommodation has been purchased by Keurbooms Rock (Pty) Ltd in 2019 and it is their proposal to refurbish / alter the existing resort units as they are outdated. The refurbishment will result in a lower throughput capacity, from 26 pax in 10 chalets to 22 pax in 8 chalets. The majority of the property is located within 100m of the high water mark of the sea.	
	The Western Cape Department of Agriculture: Land Use Management has no objection towards the above application.	<b>Cape EAPrac:</b> Thank you for your participation in this process.
<b>Venter, Frik - Keurbooms Property Owners Association</b>		
	Automatically registered as an I&AP.	Registered 11 October 2021
<b>Viljoen, Nina - Garden Route District Municipality</b>		
	Automatically registered as an I&AP.	Registered 30 June 2021