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The Proposed Development of a Residential Estate and Associated Infrastructure on Erf 252 and Erf 298, Raithby, Stellenbosch Registration Division

COMMENTS & RESPONSE REPORT

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1. INTRODUCTION

This Comments and Response (C&R) Report provides the comments received during the Public Participation Process (PPP) as required in terms of Section 41(2) of the EIA Regulations, 2014 (as amended).

2. PUBLIC PARTICIPATION PROCESS

Two rounds of public consultation and authority review will be undertaken as part of this Basic Assessment process. The first round was carried out as part of the pre-application phase(done). During the pre-application Basic Assessment (BA) phase, the pre-application Basic Assessment Report (BAR) was made available for public consultation and authority review. The second round will be undertaken as part of the statutory process. During the statutory process, the draft BAR will also be made available for public consultation and authority review.

2.1. Pre-Application PPP (Completed)

The pre-application BAR was made available for a 30-day commenting period (Thursday, 19 November 2020 to Monday, 11 January 2021) to potential I&APs, state departments and authorities with jurisdiction in the area.

To ensure that reasonable opportunity was provided for public participation during the current COVID-19 pandemic the following methods to give notice to potential I&APs were followed as part of this BA process.

The intention was to notify all potential I&APs, owners, and occupiers of land adjacent to the site. Notifications were sent to all potential I&APs via email or post to those with email or postal addresses.

Written notifications were sent via email to the owner or person in control of the land, and the occupiers of the site.

Written notifications were sent via email to the municipal ward councillor and any organisation of ratepayers that represent the community in the area.

The Stellenbosch Local Municipality, any organ of state having jurisdiction in respect of any aspect of the activity, and any other party as required by the competent authority, DEA&DP, were notified via email of the proposed development and the availability of the pre-application BAR for their comment.

Refer to the proof of written notifications sent included under **Appendix F3** of the BAR.

An advertisement of the proposed development was placed in the Distrikspos newspaper. Refer to the proof included under **Appendix F4** of the BAR.

A notification board was fixed on the fence of the site. Refer to the proof included under **Appendix F5** of the BAR.

An additional notice board was fixed at a shop called Raithby Stores (13 Watson Way, Raithby, 7130). Refer to the proof included under **Appendix F5** of the BAR.

The pre-application BAR was made available on Doug Jeffery Environmental Consultants' company website (www.dougjeff.co.za).

The pre-application BAR was provided to relevant State Departments and Organs of State. Their comment was requested in terms of Section 24O of NEMA. Refer to the proof included under **Appendix F3** of the BAR.

All comments received from I&APs, state departments and organs of state on the pre-application BAR are included under **Appendix F6** of the BAR.

All comments received during this commenting period were responded to in the comments and response (C&R) report that is included under **Appendix F7** of the BAR.

The draft BAR will be circulated to registered I&APs, Organs of State and State Departments for a further 30-day commenting period in the statutory process.

2.2. Statutory PPP (Completed)

After submission of the application for EA, registered I&APs and authorities had the opportunity to comment on the draft BAR. No extensions were allowed during the commenting period as a result of these strict timeframes. Below is a brief summary of the PPP undertaken as part of the statutory process.

The draft BAR was made available for a 30-day commenting period (Thursday, 3 June 2021 to Monday, 5 July 2021) to registered I&APs, state departments and authorities with jurisdiction in the area.

Registered I&APs, state departments and authorities with jurisdiction in the area, were notified in writing of the availability of the draft BAR. Refer to the proof of written notifications sent included under **Appendix F3** of the final BAR.

All comments received during the 30-day comment period were included in the final BAR (see **Appendix F6** of the final BAR). All comments received were responded to in this C&R report.

The final BAR will be submitted to the DEA&DP, with all comments received and the responses thereto, for their consideration and decision-making process.

3. COMMENTS & RESPONSE

3.1. Comments & Response on Pre-Application BAR

The pre-application PPP was undertaken from **Thursday, 19 November 2020 to Monday, 11 January 2021**.

All comments received during the pre-application PPP were included and responded to in the following table.

3.1.1. Comments from Interested and Affected Parties

The table below summarises all comments received from I&APs. Refer to **Appendix F6** of the BAR for the detailed comments received from I&APs on the pre-application BAR.

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
10 January 2021	1. The additional pressure on the very outdated and unreliable Eskom supply in our area.	Alfred and Linda Haas	It is for this reason the main supply to the development has been taken from a secure point some 600 m away. The supply is also an underground cable and does not make use of the overhead lines in the area.	De Villiers & Moore Consulting Engineers: Electrical Mechanical Energy (DVM)
	2. Additional heavy construction vehicles accessing the proposed site during the building phase using the Raithby turnoff from Winery Road to access the west side of Raithby.		Construction traffic is temporary – routes can be determined to eliminate, for example, right-turn movements from Winery Road towards Raithby.	ICE Group (Traffic Engineers)
	3. Additional traffic (approx. 150 cars per day in each direction) using the narrow Raithby Road to join Winery Road (from west of Raithby village down past Firgrove Farm) with its very dangerous corner, no pedestrian footpath, void of road markings, limited lighting and blind entrance and exit from Erf situated immediately beside the stop sign.		It is not expected that all trips generated by the proposed development would travel via the one access to Raithby only – trips are expected to distribute between the two accesses to Winery Road. It is not clear to which access is referred. The proposed development access is not situated immediately beside a stop sign. Issues with existing accesses should be resolved between the property owners and Municipality.	ICE Group

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>4. Additional strain on the existing waste water plant in Raithby- some other dwellings in the area are not even connected.</p>		<p>This has been addressed in the civil engineering services report (see Appendix L2 of the BAR). The existing Waste Water Treatment will be upgraded to accommodate the flow from the development. Also refer to the confirmation from Stellenbosch Municipality (see Appendix E2 of the BAR).</p>	<p>EKCON Engineers</p>
	<p>5. Additional strain on the fresh water supply. The village of Raithby has been subject to low water pressure for many years. Here again, some other dwellings in the area are not even connected to municipal water.</p>		<p>This has been addressed in the civil engineering services report (see Appendix L2 of the BAR). Additional reservoir capacity and upgrade to the supply has been procured from City of Cape Town and will provide sufficient flow and pressure to the development and existing township. Also refer to the confirmation from Stellenbosch Municipality (see Appendix E2 of the BAR).</p>	<p>EKCON Engineers</p>
	<p>6. Limited schooling, shopping and leisure facilities in the area within walking distance of the proposed development. Here again resulting in additional traffic in both directions of Winery Road.</p>		<p>Raithby currently does not have the residential / population thresholds to support e.g. further schools and higher levels of business uses. Increasing the resident numbers of the settlement will however generate new opportunities in this regard. This will be to the benefit of all the residents of Raithby and surrounding rural / agricultural communities.</p> <p>It should be noted that the existing school and church are regarded as being within walking distance of the development site, being located approximately 750 m and 860 m respectively from the development.</p>	<p>Planning Partners</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	7. Subdivision of existing agricultural land outside the approved urban edge of Raithby.		As indicated by the approved Stellenbosch Municipal Spatial Development Framework (SMSDF), the property is located within the urban edge of Raithby and specifically demarcated for the purposes of "Mixed Use Community and Residential Infill".	Planning Partners
	8. Re-zoning of existing agricultural land into residential area.		Please refer to the preceding comment regarding the status of the property as contained in the approved SMSDF. Notwithstanding the above, it should also be noted that the agricultural land capability study conducted by Agrimotion Consulting found that the property is not a sustainable agricultural unit nor an economically viable agricultural unit.	Planning Partners
10 January 2021	The new development has raised a major concern, not only because of the endangered Renosterveld that is going to be removed, but also because of the size of the development which is going to change the quiet village of Raithby entirely. Here are our concerns:	Hannu & Melanie Garny	Endangered Renosterveld is not going to be removed. The botanical assessment found <i>inter alia</i> that: <ul style="list-style-type: none"> • The property shows clear signs of having been cultivated in the past; • The remains of exotic fodder lupins, as well as many other exotic weeds, now inhabit the site; • Only two indigenous species of note were recorded namely <i>Stoebe plumosa</i> (slangbos) and <i>Helichrysum pandurifolium</i> (ear-leaf strawflower). These species colonise disturbed sites as pioneer species 	Planning Partners

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
			<p>in secondary regrowth after disturbance and are therefore good indicators of previous disturbance;</p> <ul style="list-style-type: none"> Based on the field observations it was concluded that the property is entirely transformed and although now lying fallow is not showing any signs of reverting to a natural condition; The development of the property would not negatively impact any natural plant community. 	
	1. How is the existing infrastructure going to accommodate such a huge development?		The has been addressed in the civil engineering services report included under Appendix L2 of the BAR.	EKCON Engineers
	2. Are the roads leading into the village from Winery Road (Firgrove Side) that are too narrow for two vehicles to pass each other comfortably going to be widened?		Road widening of existing public roads are not considered necessary as result of the proposed development.	ICE Group
	3. Are the water/sewerage connections going to be upgraded?		This has been addressed in our civil engineering services report included under Appendix L2 of the BAR. The existing surrounding infrastructure is adequate for the development to connect to. The bulk supply to the water reticulation system will be upgraded as well as the Waste Water Treatment works. Also refer to the confirmation from Stellenbosch Municipality (see Appendix E2 of the BAR).	EKCON Engineers

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>4. The erf sizes are rather small compared to average erf sizes in Raithby.</p>		<p>The Western Cape Provincial Spatial Development Framework (PSDF) and SMSDF promote:</p> <ul style="list-style-type: none"> • Higher densities; • A shift from a suburban to urban development model; • More compact settlement footprints; • Compaction as opposed to sprawl; • Mixed-use as opposed to mono-functional land uses; • Thresholds for entrepreneurship development. <p>Land development should therefore be spatially compact, efficient and resource-frugal. More compact settlement footprints minimise environmental impacts, reduce the costs and time impacts of travel and enhance financial sustainability in relation to the provision and maintenance of infrastructure, facilities and services.</p> <p>The PSDF also notes that by prioritising a more compact urban form through investment and development decisions, settlements in the Western Cape can become more inclusionary, widening the range of opportunities for all.</p> <p>The proposed development concept is directed at providing a mix of residential types, which will diversify the residential mix and products offered</p>	<p>Planning Partners</p>

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			<p>by Raithby. This will assist in diversifying the market segments that the proposed development and town will be able to serve.</p> <p>Large residential properties, as found in a number of locations within Raithby, are no longer regarded as sustainable for achieving growth management objectives.</p> <p>However, the proposed detached dwellings, representing the lowest residential density type, purposefully forms the interface with rural and agricultural properties located towards the northwest, north and northeast. Further, four detached dwelling erven form the interface with Watson Way to reflect the conventional residential topology along Watson Way further to the east.</p>	
	5. Are there plans for a different layout allowing for more spacious plots and less cluttered residential areas?		<p>Alternatives have been considered (including lower density development) during the process deriving at the proposed development concept (please refer to the Planning Background / Need and Desirability report included under Appendix L4 of the BAR).</p>	Planning Partners
	6. What is going to happen to the wildlife that has been re-introduced to the area?		<p>The proposed development is not expected to impact on any animal species.</p>	DJEC
	7. What is the time frame of the building phases?		<p>The construction of roads and civil and electrical services should not take longer than a year. The construction of top structures will be undertaken in</p>	Annandale Road Properties

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>8. How will the pollution be dealt with? Noise and dust?</p> <p>9. Mitigation of security risks by workers and deliveries coming in and out of the village and inevitably increasing opportunities for crime?</p>		<p>as short as possible timeframe thereafter. This will not only be to the benefit of the surrounding properties, but is also in the best interest of the developer and the new residents of the development. An accurate time for the completion of top structures can however not be provided at this stage.</p> <p>Mitigation measures to deal with dust and noise nuisance are provided in the Environmental Management Programme (EMPr) included under Appendix H of the BAR. The EMPr must be implemented during the construction phase of the proposed development.</p> <p>There will be a Contractor's Code of Conduct with disciplinary steps and penalties should the code of conduct be breached.</p> <p>Further to note, as the site cannot be left without appropriate security, after hour security will be implemented. The construction of the proposed gate house and perimeter fencing and walling will form part of the first phase of the development, which will further improve security concerns.</p> <p>Section 11.2.19 of the EMPr (Appendix H of the BAR) provides management actions that deals with safety and security during the construction</p>	<p>DJEC</p> <p>Annandale Road Properties</p> <p>DJEC</p>

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	<p>Lastly, if the development is approved, we request a high wall bordering Raithby erf 288 plus 50m onwards along the border to the adjoining wine farm.</p>		<p>phase. These measures must be implemented and adhered to by the Contractor.</p> <p>A solid wall is proposed between the proposed development and Erf 288 (please refer to Annexure H: Proposed Landscape Concept as contained in the Planning Background / Need and Desirability report included under Appendix L4 of the BAR). Visually permeable fencing (clearvu / palisade) is proposed along most of the interface with farming properties to mitigate the visual impact of the development.</p> <p>It is noted that the commenter has requested that a wall be constructed between his property (Erf 288) and the proposed development. Such a wall is proposed.</p>	<p>Planning Partners</p> <p>Annandale Road Properties</p>
<p>8 January 2021</p>	<p>1. I refer to your e-mail concerning the above which was forwarded to the Stellenbosch Interest Group (SIG) on 18 November 2020.</p>	<p>Stellenbosch Interest Group</p>		
	<p>2. In principle the SIG is not opposed to the proposed densification of development on Erf 252 Raithby. The SIG, however, considers the late inclusion of Erf 298 Raithby into the urban edge of the approved November 2019 Municipal Spatial Development Framework (MSDF) to be unfortunate and</p>		<p>The drafting and approval of the SMSDF followed its own statutory process by the Stellenbosch Municipality and its appointed consultants. It was not under the control of the applicant or its consultants.</p> <p>It is however noted in the SMSDF <i>status quo</i> (2018) that the Stellenbosch municipal area has a current housing need of more than 25 000 housing units.</p>	<p>Planning Partners</p>

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	<p>counter-productive to the principles contained in the MSDF.</p>		<p>This need includes all socio-economic groups. To put this into perspective, the current housing stock in the municipal area would need to be doubled to meet this demand. Raithby (and Erven 252 and 298) has a modest, but valuable role to play in addressing this need.</p>	
	<p>3. On page 97 of the approved MSDF the following is stated concerning Raithby; “the focus of the MSDF is to retain the unique characteristics of the settlement.” In Figure 47 which depicts the Concept Plan for Raithby (also on page 97) Erf 298 is excluded from the area designated for development. Furthermore, on page 98 of the approved MSDF it is stated that; “No significant new development is envisaged in Raithby Village.” These indications are in line with the core principles and policies contained in the MSDF which can be summarised as follows:</p> <ul style="list-style-type: none"> • maintain and grow our natural assets; • respect and grow our cultural heritage; • direct growth to areas of less natural and cultural significance as well as movement opportunity; • clarify and respect the different roles and functions of settlements; 		<p>Please refer to the preceding response.</p> <p>Further, as indicated by the approved SMSDF, the property is <u>located within the urban edge of Raithby and specifically demarcated for the purposes of “Mixed Use Community and Residential Infill”</u>.</p> <p>It is suspected that the SIG is referring to a previous, superseded SMSDF or a superseded draft. The SMSDF approved by the Stellenbosch Council on 11 November 2019 is the statutory SMSDF.</p>	<p>Planning Partners</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<ul style="list-style-type: none"> • clarify and respect the roles and functions of different elements of the movement structure; • ensure balanced, sustainable communities; and • focus collective energy on critical catalytic projects. 			
	<p>4. In the opinion of the SIG, based on the seven principles above and five other very well-defined policy statements in the MSDF (quoted below), development proposals that do not conform to these principles and policy statements should not be approved. One cannot have principles and policies and then adjust them for different situations.</p> <p>“Even if difficult, it is a matter of now or never. We cannot behave and live like before. We cannot afford to lose more nature and agricultural land, develop at low densities, and prioritise building roads for private cars more than public transport. If we do that, the system will fail. Material wealth will not assist.</p> <p>“Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects.”</p>		<p>Please refer to the two preceding responses. Also refer to the response given above regarding development form as promoted by the PSDF and SMSDF (e.g. spatially efficient, sustainable development).</p> <p>The development proposal has followed an integrated planning process involving a multi-disciplinary project team. The development proposal has given due consideration to inter alia authority directives and policy, the surrounding environment, the biophysical characteristics of the site, visual and heritage considerations.</p> <p>The proposed development complies with the principles of the PSDF and SMSDF.</p>	<p>Planning Partners</p>

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	<p>“Containment of settlements to protect nature / agricultural areas and enable public and non-motorized transport and movement.”</p> <p>“A focus on public and non-motorized transport and movement.”</p> <p>“Allow future opportunity to build on existing infrastructure investment.”</p>			
	<p>5. The reason for emphasizing the above principles and policy statements has to do with the fact that policy has now progressed from, simplistic statements that land is either within or outside the urban edge, to a more reasoned level of policy, based on principles of sustainable development. Elements or parts of the approved MSDF cannot accordingly be viewed in isolation or simplistically. In cases such as this, where the proposed development does not comply with the above-mentioned principles and policies that is a matter of fact and the development in question cannot be supported. Please note that that the proposed development of Erf 298 does not comply with any of the five aforementioned policy statements. In the opinion of the SIG there is accordingly no basis for including Erf 298 in the urban edge. If the</p>		<p>Please refer to the three preceding responses.</p>	<p>Planning Partners</p>

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	<p>development of Erf 298 is approved it will set an unfortunate precedent, defeating the principles and policies contained in the MSDF.</p>			
	<p>6. A few years ago, Mr Paul Mann, a former traffic consultant to Stellenbosch Municipality stated during a public lecture in the Town Hall that the unique environmental amenity of Stellenbosch and its surroundings was being eroded. He described this process as, "Death by a thousand cuts" whereby each unfortunate approval contributed to the decline in the overall amenity of the sensitive landscape.</p>		<p>The development proposal has followed an integrated planning process involving a multi-disciplinary project team. The development proposal has given due consideration to <i>inter alia</i> authority directives and policy, the surrounding environment, the biophysical characteristics of the site, visual and heritage considerations.</p>	<p>Planning Partners</p>
	<p>7. In the light of the above-mentioned comments it is trusted that the proposed development of Erf 298, Raithby will not be proceeded with.</p>		<p>Please refer to the preceding responses in this regard.</p>	<p>Planning Partners</p>
<p>11 January 2021</p>	<p>We hereby Oppose to the above mentioned proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. Re-zoning of existing Agricultural land into Residential. 	<p>Arthur & Patricia Sturrock</p>	<p>As indicated by the approved SMSDF, the property is located within the urban edge of Raithby and specifically demarcated for the purposes of "Mixed Use Community and Residential Infill".</p> <p>Notwithstanding the above, it should also be noted that the agricultural land capability study</p>	<p>Planning Partners</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>2. Subdivision of existing Agricultural land outside the approved urban edge of Raithby.</p> <p>3. In 2015 we applied for approval for an additional Building on our property and were advised that as we were zoned as Agricultural, this was not at all possible and that there was no possibility of Agricultural property being rezoned.</p> <p>4. We specifically purchased our property as we wanted to reside in a Peaceful Agricultural Environment with Large Erven.</p>		<p>conducted by Agrimotion Consulting found that the property is not a sustainable agricultural unit nor an economically viable agricultural unit.</p> <p>Please refer to the preceding responses in this regard.</p> <p>It is not clear what the status of the referenced property is/was at the time nor the context of the 'advice' received. All applications need to be evaluated and considered based on merit.</p> <p>Noted. A peaceful agricultural environment around Raithby will remain. It should be noted that the Stellenbosch municipal area has a large housing need. Raithby (and Erven 252 and 298) has a modest, but valuable role to play in addressing this need. As indicated in the approved SMSDF, the property is located within the urban edge of Raithby and specifically demarcated for the purposes of "Mixed Use Community and Residential Infill".</p> <p>As indicated in preceding responses, large residential properties, as found in a number of locations within Raithby, are no longer regarded as</p>	<p>Planning Partners</p> <p>Planning Partners</p> <p>Planning Partners</p>

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	<p>5. The current Outdated and Unreliable Raithby Infrastructure:</p> <ul style="list-style-type: none"> • Eskom • Raithby Waste Water Treatment Works • Supply of Municipal Drinking Water • Rural Road Infrastructure • Limited Schooling Shopping & Leisure Facilities, <p>cannot cope with Present demands, let alone the Additional demands from the above proposed development.</p> <p>6. Some current Raithby dwellings are not even connected to the above Infrastructure.</p>		<p>sustainable for achieving growth management objectives.</p> <p>It is for this reason the main supply to the development has been taken from a secure point some 600 m away. The supply is also an underground cable and does not make use of the overhead lines in the area.</p> <p>The water supply and Waste Water Treatment Works have been addressed in the civil engineering services report (see Appendix L2 of the BAR). Both systems will be upgraded for the development.</p> <p>Raithby currently does not have the residential / population thresholds to support e.g. further schools and higher levels of business uses. Increasing the resident numbers of the settlement will however generate new opportunities in this regard. This will be to the benefit of all the residents of Raithby and surrounding rural / agricultural communities.</p> <p>This is not a consideration for this development, each property can apply to connect to the municipal infrastructure.</p> <p>Not sure what is meant by this statement but it is possible to apply to Eskom to have connected</p>	<p>DVM</p> <p>EKCON Engineers</p> <p>Planning Partners</p> <p>EKCON Engineers</p> <p>DVM</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>7. The village of Raithby has been subject to low water pressure for many years.</p> <p>8. The resulting Additional Traffic (approx. 150 cars per day in each direction) is unacceptable in the Raithby Environment.</p> <p>9. The Current Infrastructure and Environment cannot cope with Heavy Construction Vehicles accessing the proposed site during the building phase.</p>		<p>Refer to the civil engineering services report included under Appendix L2 of the BAR. A new connection from the City of Cape Town Faure reservoir is proposed which will increase the pressure, supply and storage capacity for the Raithby township.</p> <p>Available traffic volumes indicates that there is sufficient capacity for the proposed development.</p> <p>It is not clear on what information regarding the current infrastructure this comment is based. Construction traffic will be temporary.</p>	<p>EKCON Engineers</p> <p>ICE Group</p> <p>ICE Group</p>
<p>11 January 2021</p>	<p>Having read through the documents provided by the applicant concerning the proposed development "Newlands Estate" on Erf 252 and Erf 298 Raithby, I hereby submit my comments as an interested and affected party. I use the terms "you" and "your" to refer to the developers.</p> <p>My property, Erf 289, is immediately adjacent to the proposed development. It will therefore affect me directly, as well as more generally in term of its likely impact on the village of Raithby.</p>	<p>Patrick Cockayne</p>	<p>Your comments are noted.</p>	<p>DJEC</p>
	<p>Direct impact on me personally</p>			

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>I purchased and developed my property precisely because it was outside the urban edge, and zoned agricultural and part of a quiet village. Stellenbosch Municipality allowed me to build only one dwelling on my erf of approximately 2 650 square meters. I was also permitted to erect a fence of no more than 1.2 metres high. I accepted these restrictions because they meant that others developing in the area would similarly be restricted and hence to a large extent the rural nature of the area would likely be preserved. The subsequent pushing out of the urban edge and now your plan to re-zone and subdivide your erven and construct over 100 units, including 2-storey apartment blocks and, immediately adjacent to my property, a row of terraced houses, represents a complete departure from the rural nature of the area and the lifestyle choices that this affords.</p> <p>I contend that the rezoning of Erf 252 and 298 and the building of "Newlands Estate" will entail high levels of noise and dust pollution during the building phase that will directly affect my health and well-being. There will also be significant visual impairments. Currently I look out over a field. Once you commence building, I will be looking at a large construction site for an as yet</p>		<p>As indicated in the approved SMSDF, the property is located within the urban edge of Raithby and specifically demarcated for the purposes of "Mixed Use Community and Residential Infill". The Stellenbosch municipal area has a large housing need. Erven 252 and 298 have a modest, but valuable role to play in addressing this need.</p> <p>As indicated in preceding responses, large residential properties, as found in a number of locations within Raithby, are no longer regarded as sustainable for achieving growth management objectives.</p> <p>The development proposal has given due consideration to <i>inter alia</i> authority directives and policy, the surrounding environment, the biophysical characteristics of the site, visual and heritage considerations.</p> <p>The Visual Impact Assessment (VIA) has <i>inter alia</i> found that the character of the local landscape and townscape is deemed to be able to accommodate this change, which is the extension of the residential built form. Further, that the local visual sensitivity is assessed as low. The existing residential neighbours are sensitive receptors, however concerns have been addressed under 'Mitigation'.</p>	<p>Planning Partners</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>unknown period of time, and once completed what is now open veld will be a gated settlement that in no way acknowledges a respectful relationship to Raithby. Nor to the natural environment. Currently the veld is habitat for a variety of wildlife including small buck, owls, and Blue Cranes and many raptors. Further I do not accept your claim that this is unproductive land that cannot be farmed or even left open. I am aiming to micro farm on my land (fruit, nuts, organic vegetables), and there is important commercial farming taking place to the south west, west and north west of your property and no reason why the same could not be true for the land you propose to build on.</p>		<p>The Heritage Impact Assessment (HIA) has <i>inter alia</i> found that proposal could blend in with care and be moderately appropriate provided the interfaces with adjacent land uses are addressed with care. With mitigation, the development impact could be viewed as moderate-low.</p> <p>It should be noted that the recommended mitigation measures regarding the interfaces with adjacent land uses, as recommended by the visual and heritage impact consultants, have been implemented by the project town planner, architect and landscape architect, to the satisfaction of the visual and heritage impact consultants.</p> <p>It is acknowledged that the landscape and townscape character of Erf 289 will change if the proposed development is authorized, and actioned. A wall and tree planting is proposed along the west boundary of Erf 289 to mitigate the impact.</p> <p>The construction program is not yet known but it would be limited in duration (not open-ended), as stated in the agreed mitigation measures.</p> <p>There will be restrictions placed upon the times and duration of the use of the road off Wagner Road during the construction period. If it is used, the</p>	<p>Karen Hansen (Visual Specialist)</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
			mitigation measures state that noise and dust will be controlled.	
	<p>Your proposal speaks of 3 phases of development with work immediately adjacent to my property scheduled for phase 2. You do not, in the documents I have seen, put a time frame to these stages but I assume it will be years of significant disruptions to my peace, tranquillity and physical and mental wellbeing. Your proposal is imprecise about the type and height of wall you will build along my perimeter so I cannot determine the extent to which you aim to mitigate these damaging impacts by physically shielding my property and other adjacent properties from the likely negative impacts.</p>		<p>A solid wall is proposed between the proposed development and Erf 289 (the commenter's property). The construction of this wall will form part of the first phase of the development.</p> <p>There will be a Contractor's Code of Conduct with disciplinary steps and penalties should the code of conduct be breached.</p> <p>A solid wall is proposed between the proposed development and Erf 289, the commenter's property (please refer to Annexure H: Proposed Landscape Concept as contained in the Planning Background / Need and Desirability report). This will assist in mitigating impacts by physically shielding Erf 289, as proposed by the comment.</p>	<p>Annandale Road Properties</p> <p>Planning Partners</p>
	<p>Further, although it is stated that the roadway that is indicated on the plan and that you say will be an emergency secondary entrance/exit to your development, on the south east side of my property, there is no guarantee that it will not in fact be used extensively during the building phase, adding a further nuisance to me and my neighbours, in terms of noise, visual impairment and general disturbance. The same could be true even upon completion of the project.</p>		<p>The emergency access is to remain locked and only be used as alternative access when an emergency occurs that results in the main access not being available.</p>	<p>ICE Group</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>It is not unreasonable for me to assume that the presence of an extensive building site next to my property will pose a significantly increased security risk to me and my neighbours, by virtue of the number of building contractors and workers who will be accessing the development. This is I believe a commonly observed phenomenon and one I have had direct personal experience of. Your proposal makes no mention of how this increased risk will be managed.</p>		<p>There will be a Contractor's Code of Conduct with disciplinary steps and penalties should the code of conduct be breached.</p> <p>Further to note, as the site cannot be left without appropriate security, after hour security will be implemented. The construction of the proposed gate house and perimeter fencing and walling (which includes the proposed portion of wall along Erf 289) will form part of the first phase of the development, which will further improve security concerns.</p>	<p>Annandale Road Properties</p>
	<p>Even upon completion of your project, the presence of such a large number of dwelling units adjacent to me will see a big increase in traffic and human activity with an attendant huge increase in noise and busy-ness. You do somewhat acknowledge this but do not clearly spell out how it can be successfully mitigated. It will represent an irrevocable alteration to the quality of life that currently exists and on the basis of which I purchased and developed my property.</p>		<p>As mentioned by Planning Partners, the approved SMSDF, the property is located within the urban edge of Raithby and specifically demarcated for the purposes of "Mixed Use Community and Residential Infill". The Stellenbosch municipal area has a large housing need. Erven 252 and 298 have a modest, but valuable role to play in addressing this need.</p> <p>As indicated in preceding responses, large residential properties, as found in a number of locations within Raithby, are no longer regarded as sustainable for achieving growth management objectives.</p> <p>The development proposal has given due consideration to <i>inter alia</i> authority directives and policy, the surrounding environment, the</p>	<p>DJEC</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
			biophysical characteristics of the site, visual and heritage considerations.	
	<p>Impact on Raithby</p> <p>You present your proposed development as something positive for Raithby, or rather, for Stellenbosch, as you will be fulfilling the densification aim of the municipality's broad planning framework. However, why you should choose to undertake a development of this density in a village such as Raithby is unclear. There are surely other places (I am thinking of the mass developments along the N2 around Firgrove and Macassar) far more appropriate, closer to transport networks and employment, and where there already exist large scale developments like the one you propose, and where one additional project would not negatively impact existing settlement of a very different kind ... i.e. a village.</p>		As indicated in the approved SMSDF, the property is located within the urban edge of Raithby and specifically demarcated for the purposes of "Mixed Use Community and Residential Infill". The Stellenbosch municipal area has a large housing need. Erven 252 and 298 have a modest, but valuable role to play in addressing this need. The proposal is consistent with the directives of the SMSDF.	Planning Partners
	There is a strong sense of community and mutual respect here. You must be aware that Raithby was established with a grant from an aristocrat and philanthropist in Raithby, England, through the Methodist church, to purchase this land and hand it over to freed slaves following the abolition of slavery in the British Empire in 1834.		It should be noted that the proposed development concept is directed at providing a mix of residential types, which will diversify the residential mix and products offered by Raithby. This will assist in diversifying the market segments that the proposed development and town will be able to serve.	Planning Partners

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>Many of the current residents are the successors to those early beneficiaries. This history is important ... and the irony of your intent to build a gated village of "Cape vernacular" houses physically isolated from the rest of the community does not escape me.</p> <p>The village has retained a sense of uniqueness. It is one of only a very few settlements where people almost always greet one another when passing by. Most children and youth in the village also treat visitors and residents alike with respect and courtesy. There is a discernible sense of pride in Raithby's difference.</p>		<p>The HIA does refer to this history. It specifically includes development indicators as follows:</p> <ol style="list-style-type: none"> 1. Mission towns in SA are of great historical social significance, providing shelter and viable land for subsistence agriculture at a time when land was almost entirely alienated for white usufruct. Residence on mission land was not however without complication. It is important that development in Raithby does not compound historical inequalities, respects the local community and does not exclude. 2. The clear structure, pattern and context of the historical settlement should not be eroded. In particular, the garden plots and links to residences, and the core civic area must be retained as an essential feature of the settlement and as indicative of its historical origins as a mission settlement. <p>The proposed development is residential in character but differs from other new estate development in the area in that it offers a variety of cost and lifestyle opportunities, from apartments to town houses to small single residential opportunities. It is assumed this will facilitate a mixed income profile more in keeping with the existing community rather than attracting only high income residents from outside the community.</p>	<p>Cindy Postlethway (Heritage Specialist)</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
			<p>Moreover, the current population in Raithby does not provide the thresholds to support higher levels of business uses. It is also functionally isolated. Hence the continued dormitory town profile. Increasing the number of residents in the settlement will support local businesses and may generate opportunities for new businesses and services. The likelihood of negative impacts are therefore assessed as low.</p> <p>The site has never formed part of the historic core of Raithby and is peripheral in character. "The site can be seen from parts of the village; visual signposts to signal its exact location are few, but local trees assist with placing the site in the landscape. Its significance can be measured by its spatial relationship with the village and its degree of visual exposure. The significance of much of the local area is somewhat constrained by folds in the landscape and the trees.</p> <p>The development site is located close to the western edge of the village, but there is no sense of a 'gateway' where 'arrival' could be experienced." (VIA)</p> <p>There is no direct impact upon existing historic settlement structure. Impacts are therefore assessed as low.</p>	

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>It is also a very quiet village with low traffic flows and where children play in the street. You claim that existing infrastructure will be adequate to cope with the increased demand and usage. But this is surely not the case for the road, in particular at the entrance to the village on Watson Way coming from Firgrove side. It is impossible for two vehicles to pass at one point in the dip at the entrance to the village. Assuming that each unit in your development will have at least one car we are looking at an increase of traffic volume by over one hundred vehicles, a significant increase in traffic for the village and one additional way your development will impact negatively on village life.</p>		<p>Narrowed sections of road act as traffic calming.</p>	<p>ICE Group</p>
	<p>You must have noted that most properties here either have no wall or fence at all, or at least only the most modest of fences – a clear indication both of community and of the relative lack of crime. Your proposed development is not the first in Raithby in recent years, but it is the first one on the scale you propose. I contend that because of the size of your development it poses a significant threat to the way of life and well-being of this community and I can see no countervailing advantage to the people of Raithby. In fairness, you in fact make no claim in this regard.</p>		<p>Security concerns by homeowners are valid concerns and should not be trivialised or dismissed. Arguably, South Africans desire a scenario where fences will no longer be needed, but this is unfortunately not the daily reality. It should however be noted that a combination of visually permeable fencing and walling is proposed. Portions of visually permeable fencing (clearvu / palisade) are specifically proposed along Watson Way where the development forms an interface with the public realm. Further, substantial permeable fencing is proposed along the interface with farming properties. It should be noted that solid walling has specifically been</p>	<p>Planning Partners</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
			<p>requested by some directly adjacent property owners (including the commenter).</p> <p>The contention that the proposed development poses a significant threat to the way of life and well-being of the community is unfounded.</p>	
	<p>Conclusion</p> <p>In summary, I believe for both myself and the village of Raithby that the proposed development brings no obvious benefit but rather disruption, pollution and an intrusion of something quite foreign to this place and the way people choose to live here. I would prefer the development not take place at all. If it does take place, I would wish that the density be substantially reduced, more in keeping with the density that pertains in the rest of the village. I also need more information on how you intend to address the negative aspects I have referred to above. For me personally I need to know that you will build a wall of sufficient height on my western boundary and southern boundary (your proposed secondary entrance exit road) to screen me from the building operations, traffic and general disturbance during and after construction and to provide privacy and some degree of security on our common boundary. I</p>		<p>Please refer to the preceding responses. Also refer to the response given above regarding development form as promoted by the PSDF and SMSDF (e.g. spatially efficient, sustainable development).</p> <p>It is noted that the commenter has requested that a wall be constructed between his property (Erf 289) and the proposed development. Such a wall is proposed.</p> <p>It is further noted that the commenter requests that a wall be constructed along his southern property boundary. Although along a public road and located outside of the proposed development, Annandale Road Properties is willing to construct a wall along both sides of the secondary entrance / exit road (i.e. along Erf 289 and Erf 150) to screen these properties from building operations, traffic, general disturbance during and after construction and to provide privacy and some degree of security.</p>	<p>Planning Partners</p> <p>Annandale Road Properties</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	<p>would also need to know that there will be a liaison mechanism put in place to respond timeously to problems that will inevitably arise in the friction between your activities and our lives.</p>		<p>Section 8.3 of the EMPr (Appendix H of the BAR) makes provision for any complaints received from communities, stakeholders and individuals to be recorded. All complaints received must be responded to by the appointed contractor. The Contractor's written response will include a description of any corrective action to be taken and must be signed by the Contractor and affected party.</p>	<p>DJEC</p>
<p>12 January 2021</p>	<p>1. Electricity Presently Eskom supply to the area is under maintained and require upgrade for Raithby area.</p> <p>2. Water and sanitation Water supply is frequently interrupted with long delays to repair.</p> <p>Sanitation: A massive new sanitation of sewerage infrastructure is needed.</p> <p>3. Light pollution The character of the area to maintained so that area does not disturb neighbouring farm with massive lights shining all night.</p>	<p>Eckehardt Ficinus</p>	<p>It is for this reason the main supply to the development has been taken from a secure point some 600 m away. The supply is also an underground cable and does not make use of the overhead lines in the area.</p> <p>We cannot comment as to the efficiency of council to do repairs/maintenance on the existing reticulation, however as per our civil engineering services report (Appendix L2 of the BAR), the water network will be upgraded with an additional supply from the City of Cape Town Faure reservoir.</p> <p>The comment refers to lighting within the proposed residential estate; this matter has been addressed in the required mitigation measure, which is as follows:</p>	<p>DVM</p> <p>EKCON Engineers</p> <p>Karen Hansen (Visual Specialist)</p>

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
	4. No alcohol licence for the club house.		<p><i>Security lighting should be designed to respond only to public and private safety, and to reduce light pollution. Illuminating the driveways should be avoided. These measures are to reduce the visual impact of lighting at night.</i></p> <p>Applications for the sale of alcohol follows a statutory process, including public participation. Should a licence be required/desired for the sale of alcohol at the proposed clubhouse in future, the necessary application will need to be submitted. Any application will be evaluated and considered based on merit, together with abovementioned public participation.</p>	Annandale Road Properties
	5. No commercial fast-food business's to be allowed nor a petrol station.		No commercial fast-food business and/or petrol station are proposed.	Planning Partners
	6. Road access to be uplifted with dedicated cycle paths. Speed bumps required.		As discussed in the TIS (Appendix G5 of the BAR), speed humps exist to both sides of the proposed access. By raising the access-intersection as suggested, the existing speed humps will be situated too close for the raised intersection to be effective as traffic calming measure. Cycle paths do not currently exist in the vicinity, thus the provision of cycle paths at the proposed development access would not tie in with any further routes.	ICE Group

DATE	COMMENT	I&AP	RESPONSE	RESPONDENT
11 January 2021	<p>Na versoek is ons as Rabie familie (Erf 123 The Oaks, Watsonweg, Raithby) se kommentaar as volg.</p> <p>Graag wil ons weet waarom ons bure nie 'n dergelike kennisgewing ontvang het nie.</p>	Kelvin Rabie	Alle direk aangrensende grondeienaars is skriftelik in kennis gestel van die voorgestelde ontwikkeling. Die bewys van kennisgewing sal onder Aanhangsel ingesluit onder Aanhangsel F3 van die konsep Basiese Asseseringsverslag ("draft BAR") ingesluit word.	DJEC
	<p>Ons versoek graag planne t.o.v huidige voorgenome ontwikkeling en of uitbreiding op erf 298 en erf 258.</p> <p>Ons vra 'n plan en waaroor dit gaan en wie dit geïnisieer het om te kan vas stel hoe ons geaffekteer gaan word in die toekoms.</p>		<p>Die vooraansoek Basiese Asseseringsverslag is op 11 Januarie 2021 per e-pos aan Mnr Rabie gestuur soos versoek.</p> <p>Die 'Planning Background / Need and Desirability' verslag sluit informasie in oor die voorgestelde ontwikkeling, wie die grondeienaar/ontwikkelaar is en planne en sketse, bv. Figure 6: Preferred Development Concept', 'Annexure G: Proposed Architectural Design Guidelines' en 'Annexure H: Proposed Landscape Concept'.</p>	<p>DJEC</p> <p>Planning Partners</p>
	Met ander woorde waar inry en uitloop paaie gaan wees van binne verkeer waar die behuising aangebring gaan word onder andere.		Access to the proposed development will be to/from Watson Way, to the southwest of its intersection with Wagner Street – please refer to the TIS for detail/discussion as requested.	ICE Group

3.1.2. Comment from Authorities and Organs of State

The table below summarises all comments received from authorities and organs of state and the responses thereto. Refer to **Appendix F6** of the BAR for the detailed comments received from authorities and organs of state.

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
23 November 2020	The above document, received via e-mail on 18 November 2020, refers. This Department, in principle, has no objection to the proposed development. The relevant property is included in the urban edge of Raithby and earmarked for urban development. The relevant property is also not recognized to contain any environmental features of ecological significance.	Stellenbosch Municipality	It is noted that the Department, in principle, has no objection to the proposed development. Further, that it is confirmed that the property is included in the urban edge of Raithby and earmarked for urban development. The relevant property is also not recognized to contain any environmental features of ecological significance.	Planning Partners (Town and Regional Planners)
	One aspect that must be taken into consideration is that the proposed development borders cultivated agricultural land. The development of houses, especially along the fringes of the property, must be done in a manner that is conscious of agricultural practices that might be regarded as nuisance, whether in terms of air quality (application [spraying] of fertilizer or pesticides) or noise (noise from farm-vehicles and -implements, especially when farming activities occur late at night or early-mornings). The proposed development should make provision in the form of landscaping, set-back		<p>Noted.</p> <p>The proposed development has made provision in the form of inter alia landscaping and set-back lines to mitigate any potential disturbances.</p> <p>In this regard, it should be noted that substantial landscaping is proposed. This includes tree planting and other vegetation planting along the perimeter of the site. A formal open space strip is also provided between the perimeter of the site and residential units, aiding in setting residential units back from the boundary of the site. Further, the lowest proposed residential density type is purposefully placed to form the interface with rural</p>	Planning Partners

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	lines and/or other measures to mitigate any of these potential disturbances.		and agricultural properties located towards the northwest, north and northeast.	
	This writing is prepared in response to the invitation to comment on the above report submitted in terms of the National Environmental Management Act, 107 of 1998. It should not be seen as an approval in any form. The Municipality will consider the proposed development's land use application once submitted.		<p>Comment is noted.</p> <p>It should be noted that the required land use applications have been submitted to all relevant authorities, inclusive of the required application in terms of the Stellenbosch Municipality Land Use Planning By-Law, 2015.</p>	<p>Doug Jeffery Environmental Consultants (DJEC)</p> <p>Planning Partners</p>
30 November 2020	<p>Thank you for providing CapeNature with an opportunity to comment on the pre-application Basic Assessment Report for this application. We have taken note of the following:</p> <ul style="list-style-type: none"> • The development footprint does not contain any watercourses or wetlands; • The site was historically cultivated and although some pioneer vegetation is on the site it is not representative of the original vegetation which would have occurred on site (Swartland Granite Renosterveld) and has stands of alien trees (port jacksons) – this has been 	Cape Nature	<p>This is correct.</p> <p>This is correct.</p>	<p>DJEC</p> <p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>confirmed by the botanical specialist, aerial imagery and in-house knowledge of the area;</p> <ul style="list-style-type: none"> The site has not been determined as a CBA1 or CBA 2 area. <p>We therefore do not object to the proposed development providing all water, stormwater, sewerage and other services are confirmed prior to construction commencing. Unless there are significant changes to the proposal, there is no need to involve CapeNature in this process further.</p>		<p>This is correct.</p> <p>Comment is noted. Services capacity confirmation letters is included under Appendix E2 of the draft Basic Assessment Report (BAR).</p>	<p>DJEC</p> <p>DJEC</p>
<p>4 December 2020</p>	<ol style="list-style-type: none"> The pre-application BAR and supporting documentation received by this Directorate via electronic mail correspondence on 18 November 2020 and the acknowledgement thereof dated 30 November 2020, refer. The proposed development will comprise the following: <ol style="list-style-type: none"> Approximately 116 residential units consisting of the following typologies: <ol style="list-style-type: none"> A total of 32 conventional detached residential dwellings with residential erven ranging between approximately 400m² 	<p>Department of Environmental Affairs and Development Planning ("DEA&DP"): Development Management</p>	<p>This is correct.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>and 1080m² and zoned Multi-Unit Residential Zone;</p> <p>2.1.2.A total of 30 Semi-detached residential dwellings of approximately 170m² in extent; and</p> <p>2.1.3.A total of 54 apartments units made up of five (5) two-storey detached buildings with a minimum of 108 parking bays;</p> <p>2.2. A Club House</p> <p>2.3. Open space / landscaping;</p> <p>2.4. A stormwater attenuation pond with an attenuation volume of at least 86m³ is proposed at the approximate mid-point of the northern boundary and a second stormwater attenuation pond is proposed next to the main entrance to the proposed development to attenuate the peak flows to the pre-development run-off. The total attenuation volume required is 285m³;</p> <p>2.5. Electrical infrastructure;</p> <p>2.6. A refuse room is proposed at the main access, with an accompanying</p>			

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>embayment along the northern side of Watson Way; and</p> <p>2.7. Two entrance lanes are proposed at the main entrance to the site. A visitor entrance lane will be approximately 4m wide to allow for emergency vehicles to enter/exit the site and the residents' entrance lane will be approximately 3m wide. Stacking of approximately 27m in length is proposed up to the intersection with Watson Way. A second emergency access/exit is proposed over Erf 290 and Wagner Street to the southeast.</p>			

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>3. Applicable listed activities</p> <p>3.1. The applicability of Listed Activity 27 of Listing Notice 1 and Listed Activity 12 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) must be confirmed, as the Botanical Statement (dated 23 November 2016) indicated that the site was historically cultivated and is entirely transformed from its natural state. However, the Botanical statement only refers to Erf 298. It is presumed that erf 252 contains indigenous vegetation.</p>		<p>As stated under Section B (1) of the pre-application BAR, Erf 252 is built-up and contains three dwellings and related outbuildings. Erf 252 contains no natural vegetation and for this reason Listed Activity 27 of Listing Notice 1 and Listed Activity 12 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) will not be triggered by the proposed development.</p>	<p>DJEC</p>
	<p>3.2. Page 27 of the draft BAR indicates that internal roads will be 5.5m wide. The applicability of Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) must be confirmed.</p>		<p>Even though the site is located outside urban area and the proposed internal roads will be 5.5 m wide, the site contains no indigenous vegetation and the proposed development will therefore not trigger Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).</p>	<p>DJEC</p>
	<p>3.3. Page 10 of the draft BAR stipulates that no agricultural activities have taken place on the site within the past 26 years. The applicability of Activity 28 Listing Notice 1 of the EIA Regulations, 2014 (as amended) must also be confirmed.</p>		<p>We cannot confirm that Erf 298 has not been used for agricultural purposes prior to 2005. However, it is highly likely that Erf 298 could have been used for, at least, livestock grazing after 2005.</p> <p>Erf 252 is already developed for residential purposes.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>3.4. You are hereby advised that only those listed activities applied for in terms of the EIA Regulations, 2014 (as amended) will be considered for authorisation. The onus is on the proponent to ensure that the above applicable Listed Activities are applied for and assessed as part of the pre-application and the formal EIA application process. Failure to include any applicable Listed Activity may invalidate the application.</p>		<p>Noted.</p>	<p>DJEC</p>
	<p>4. Specialist studies/statements</p> <p>4.1. It is noted that the Botanical statement (dated 23 November 2016) only considered the vegetation on Erf 298. An updated study is required that assess both sites. It also noted that the vegetation to be removed is classified as a critically endangered vegetation type. A specialist study would be required in this regard.</p>		<p>As stated under Section B (1) of the pre-application BAR, Erf 252 is limited in extent, built-up and contains three dwellings and related outbuildings. This erf contains no natural vegetation. The need for an updated study is superfluous in our opinion.</p>	<p>DJEC</p>
	<p>4.2. Further, the Land Capability study (dated February 2017 and compiled by Agrimotion) considered the land capability of Erf 298 only. An updated</p>		<p>Again as stated under Section B (1) of the pre-application BAR, Erf 252 is limited in extent built-up and contains three dwellings and related outbuildings. The need for an updated Land Capability study is superfluous in our opinion.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>study is required and must be included in the final BAR.</p> <p>5. In addition to the above, the following must be included in the BAR:</p>			
	<p>5.1. Confirmation that the local authority has sufficient spare, unallocated capacity to provide services such water, solid waste management, stormwater and treatment and disposal of sewage for the proposed development must be obtained. Confirmation that sufficient spare, unallocated capacity to provide electricity to the proposed development must be obtained from Eskom.</p>		<p>Services capacity confirmation letters is included under Appendix E2 of the draft BAR.</p>	<p>DJEC</p>
	<p>5.2. The duly dated and signed declarations as completed by all the specialists who conducted a specialist study as part of the EIA process.</p>		<p>All declarations will be included in the BAR.</p>	<p>DJEC</p>
	<p>5.3. A final comment from Heritage Western Cape regarding the HIA assessment.</p>		<p>Final comment from HWC will be included in the BAR.</p>	<p>DJEC</p>
	<p>6. The Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.</p>		<p>Noted.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
21 December 2020	<p>1. PURPOSE</p> <p>To respond to a request for comments on the Pre- Application Basic Assessment Report (BAR) submitted to the Directorate: Waste Management on 18 November 2020, in terms of the National Environmental Management Act (Act No. 107 of 1998), as amended (NEMA) and the NEMA Environmental Impact Assessment Regulations, 2014 (as amended).</p> <p>2. BACKGROUND</p> <p>Doug Jeffery Environmental Consultants (Pty) Ltd. was appointed by the applicant, Annandale Road Properties (Pty) Ltd. to undertake a Basic Assessment for the proposed residential development on Erf 252 and Erf 298, Raithby, Stellenbosch registration division. The proposed residential estate will consist of a total of 116 residential opportunities that consist of variety of residential options (group housing and flats) arranged around a large, central open space as well as other connected open spaces and landscaped areas.</p>	DEA&DP: Waste Management Planning	This is correct.	DJEC

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>3. DISCUSSION AND RECOMMENDATIONS</p> <p>The Directorate: Waste Management has the following comments / recommendations with respect to the proposed activity.</p> <p>3.1. WASTE MANAGEMENT</p> <p>The applicant must follow the waste management hierarchy for the management of all waste streams during the Construction and Operational phase. The Stellenbosch Municipality is experiencing serious constraints with regards to the landfill airspace capacity. Therefore, concerted efforts should be made to work with the municipality to reduce waste generation. Adequate measures should be in place especially during the Construction phase, to as far as possible prevent the generation of Construction waste.</p>		<p>This comment is noted.</p> <p>In the case of the proposed development, an integrated waste management system will be adopted, which includes waste minimisation, waste recycling and the proper storage and disposal of waste, which does not impact of the health of the environment and human health.</p> <p>The waste management hierarchy will also be implemented to prevent waste as far as possible followed by reuse, recycling, recovery and as a last option, safe disposal.</p> <p>Waste management is dealt with in the Environmental Management Programme (EMPr) included under Appendix H of the BAR.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>Regarding Page 59 of 76 of the Draft Environmental Management Plan, sub-heading Construction Rubble/Waste, the applicant must manage building rubble correctly. Disposal of builder's rubble especially in high volumes and large quantities should be avoided at all cost and should be the last resort. Further to that the correct terminology should be used when referring to a waste classification e.g. Construction and Demolition Waste/ Construction Waste/ Builder's Rubble.</p> <p>Emergency incidents that fall within the definition of section 30(1)(a) of the National Environment Management Act (NEMA), Act 107 of 1998, must be dealt with as the section requires and the responsible person must ensure containment and notify, Mr Shaun Minnies, from the Cape Winelands District Municipality on Tel: [REDACTED] [REDACTED] and Schalk Van der Merwe: Environmental Planner on Tel: [REDACTED] [REDACTED] [REDACTED] or Tammy Leibrandt Environmental Manager on Tel: [REDACTED]</p>		<p>Comment is noted. The EMPr was updated accordingly.</p> <p>Comment is noted.</p>	<p>DJEC</p> <p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>. The Stellenbosch Municipality also has a 24-Hour Emergency line: Tel: 021 808 8890. At the Provincial Government you may contact Simon Botha, Deputy Director, Sub-directorate: Remediation and Emergency Incident Management at the Department Environmental Affairs and Development Planning on 021 483 0752/ 2571 or Email: [REDACTED];</p> <p>The applicant must ensure that the management actions stated on <i>Page 58-60 of 76 of the Draft Environmental Management Plan</i> is adhered to in terms of:</p> <ul style="list-style-type: none"> • Enclosure of the proposed temporary waste storage area to prevent and control windblown litter; • Access control management and maintenance of cleanliness in and around the proposed temporary waste storage area; 		<p>Comment is noted. The EMPr will be updated accordingly.</p> <p>Noted. The EMPr was updated accordingly.</p> <p>Noted. The EMPr was updated accordingly.</p>	<p>DJEC</p> <p>DJEC</p> <p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<ul style="list-style-type: none"> • Vector and nuisance management of the proposed temporary waste storage area; • The applicant should consider the skip option as opposed to covering of the floor with DPC plastic as a preventative measure for possible soil contamination. DPC plastic will not remain intact during operations and constant movement; • The applicant must adhere to regular waste removal (at least once per week) during the Construction and Operational phase for this development; • Waste receptacles should facilitate separation at source, therefore separate waste receptacles should be provided for recyclable and non-recyclable waste. <p>The applicant must provide proof of confirmation of municipal services for waste management and water supply in the Final BAR.</p>		<p>Noted. The EMPr was updated accordingly.</p> <p>Noted. The EMPr was updated accordingly.</p> <p>Noted. The EMPr will be updated accordingly.</p> <p>Noted. The EMPr will be updated accordingly.</p> <p>Noted. Services capacity confirmation letters is included under Appendix E2 of the draft BAR.</p>	<p>DJEC</p> <p>DJEC</p> <p>DJEC</p> <p>DJEC</p> <p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>3.2. DUST CONTROL</p> <p>Regular maintenance of access roads and low speed limits must be undertaken to minimize dust pollution during the Construction phase.</p> <p><i>A grey water system should be implemented for maintenance of access roads and dust suppression.</i></p> <p>3.3. RECORD KEEPING</p> <p>The Environmental Practitioner must keep a Complaints and Incidents register during the Construction phase.</p> <p>The Environmental Practitioner must ensure all material data sheets of chemicals utilized on site is kept in the site office.</p> <p>The applicant must ensure that safe disposal certificates of all disposed contaminated products, waste or residues, which have been generated during construction of this development, is kept on file.</p>		<p>Noted. The EMPr was updated accordingly.</p> <p>Noted. The EMPr was updated to recommend the use of a grey water system for maintenance of access roads and dust suppression, if possible.</p> <p>Noted and agreed. This requirement is included under Section 9.1 of the EMPr.</p> <p>Noted and agreed. This requirement is included under Section 9.1 of the EMPr.</p> <p>Noted and agreed. This requirement is included under Section 9.1 of the EMPr.</p>	<p>DJEC</p> <p>DJEC</p> <p>DJEC</p> <p>DJEC</p> <p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>The Department reserves the right to revise initial comments and request further information based on new information received.</p>		<p>Comment is noted.</p>	<p>DJEC</p>
<p>11 January 2021</p>	<p>1. The D: PCM takes cognisance of the Civil Engineering Services Report compiled by Ekcon (undated) and notes that the Stellenbosch Municipality has indicated there may be capacity constraints at the Raithby Wastewater Treatment Works (WWTW), which has insufficient capacity to treat the additional load generated by the development, but that an upgrade to the WWTW may be required. It is noted that consultation has been underway with respect to the potential upgrade, and that development contributions may adequately cover the cost thereof, thereby allowing for sufficient capacity at the WWTW. However, as the Civil Engineering Services Report is undated, and the detail and cost estimate for the WWTW provided by Becon Watertech is dated July 2019, it is requested that updated written confirmation of the current situation and proposed upgrade and timeframe is provided by the Stellenbosch Municipality.</p>	<p>DEA&DP: Pollution and Chemicals Management</p>	<p>Noted. An updated capacity confirmation letter will be included under Appendix E2 of the draft BAR.</p>	<p>DJEC</p>
	<p>It is recommended that the BAR should include an explanation of how the development, and subsequent discharge of effluent, will take this service constraint into account, in order to prevent excessive strain on basic services and bulk infrastructure and the potential for</p>		<p>Noted an explanation will be included in the draft BAR. An updated capacity confirmation letter will also be included under Appendix E2 of the draft BAR.</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>significant pollution. It is recommended that occupation of the development is permitted once written confirmation of sufficient service capacity from the municipality is provided, or where upgrades are in process, a timeframe for such and the proposed interim measures.</p>			
	<p>2. It is noted that the existing Raithby reservoir currently has insufficient storage capacity to supply Raithby and the proposed development, but that the Stellenbosch Municipality has acquired additional capacity from the Faure service reservoir from City of Cape Town. As it is indicated that this will be sufficient to accommodate the proposed development, written confirmation thereof is required, along with confirmation of the timeframe applicable to the proposed augmentation and additional detail on its implementation.</p>		<p>The Stellenbosch Municipality confirmed in the letter dated 1 December 2020 (to be included under Appendix E2 of the draft BAR) that <i>“the criteria for total reservoir volume used in the Stellenbosch Water Master Plan is 48 hours of the AADD (of the reservoir supply zone). The existing Raithby reservoir currently has insufficient storage capacity; however the storage capacity that has been acquired from the CoCt’s Faure service reservoir will be sufficient to accommodate the proposed development”</i>.</p>	<p>DJEC</p>
	<p>3. Given the above, along with mention in the Civil Engineering Services Report of investigation of “alternative water sources”, water efficiency must be a focus area. It is recommended that the potential for using grey water systems for flushing and irrigation of open space and landscaped areas, such as lawns and gardens, is considered.</p>		<p>The potential for using grey water systems for irrigation of open space and landscaped areas, such as lawns and gardens, will be investigated and considered if viable.</p>	<p>Planning Partners</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>4. Section 11.2.9 of the Environmental Management Programme (EMPr) details "Dust Control". Please note that the use of potable water for dust suppression is not supported, particularly given recent drought conditions.</p>		<p>Noted and agreed. It is emphasised in the EMPr that the use of potable water for dust suppression is not supported.</p>	<p>DJEC</p>
	<p>5. Section 11.2.17 on page 67 of the EMPr refers to notification of the City of Cape Town in the event of an emergency incident. As the site is located within the Stellenbosch Municipality, please amend accordingly.</p>		<p>Noted. This mistake was corrected in the EMPr.</p>	<p>DJEC</p>

3.2. Comments & Response on the Draft BAR

The statutory PPP was undertaken from **Thursday, 3 June 2021** until **Monday, 5 July 2021**.

All comments received on the draft BAR were included and responded to in the following table.

3.2.1. Comments from Interested and Affected Parties

The table below summarises all comments received from registered I&APs. Refer to **Appendix F6** of the BAR for the detailed comments received from I&APs.

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
05 July 2021	1. I refer to your e-mail concerning the above which was forwarded to the Stellenbosch Interest Group (SIG) on 2 June 2021, calling for comment on or before 5 July 2021.	Stellenbosch Interest Group (SIG)		
	2. In principle the SIG is not opposed to the proposed densification of development on Erf 252 Raithby. The SIG, however, considers the late inclusion of Erf 298 Raithby into the urban edge of the approved November 2019 Municipal Spatial Development Framework (MSDF) to be most unfortunate and counterproductive. This is especially so in relation to the principles contained in the MSDF. How this happened, including the rather elastic way the urban edge has been adjusted, remains something of a mystery and calls into question an otherwise sound planning document.		<p>The drafting and approval of the Stellenbosch MSDF is a process managed by the Stellenbosch Council and other relevant authorities.</p> <p>The cyclical revision of the MSDF has followed a separate process as prescribed by the relevant legislative instruments, led by the Stellenbosch Council and its appointed consultants.</p>	Planning Partners
	3. On page 97 of the approved MSDF the following is stated concerning Raithby; <i>“the focus of the MSDF is to retain the unique characteristics of the settlement.”</i> In Figure 47 which depicts the Concept Plan for Raithby (also on page 97) Erf 298 is excluded from the area designated for development. Furthermore, on page 98 of the approved MSDF it is stated that; <i>“No significant new</i>		<p>The character of Raithby and the surrounding environment has received due consideration by the proposals and specialist consultants. A Visual Impact Assessment (VIA) and a Heritage Impact Assessment (HIA) were inter alia undertaken. The HIA states that <i>“Ultimately, the proposal is for a residential development within a mainly residential village and given the limited visual impacts, could blend in with care and be <u>moderately appropriate</u></i></p>	Planning Partners

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p><i>development is envisaged in Raithby Village.</i>" These indications are in line with the core principles and policies contained in the MSDF which can be summarised as follows:</p> <ul style="list-style-type: none"> • maintain and grow our natural assets; • respect and grow our cultural heritage; • direct growth to areas of less natural and cultural significance as well as movement opportunity; • clarify and respect the different roles and functions of settlements; • clarify and respect the roles and functions of different elements of the movement structure; • ensure balanced, sustainable communities; and • focus collective energy on critical catalytic projects. 		<p><i>provided the interfaces with adjacent land uses are addressed with care. With mitigation, the development impact could be viewed as <u>moderate-low</u>.</i>"</p> <p>Further, as indicated above, the application was assessed by Heritage Western Cape [by both the Impact Assessment Committee (IACom) and the Heritage Officer Meeting (HOMs)]. HWC supported the HIA "as the proposal will not impact upon on heritage resources of significance." HWC endorsed the HIA.</p> <p>The statement that Figure 47 of the Stellenbosch MSDF excludes Erf 298 from the area designated for development is incorrect. This incorrect assertion may be due to the fact that Figure 47 is a conceptual plan. This incorrect statement is also evident when Figure 48: Raithby Plan on page 99 of the MSDF is consulted. The Raithby Plan clearly indicates the whole site as located within the urban edge and Erf 298 specifically designated as "Mixed Use Community and Residential Infill".</p>	
	<p>4. In the opinion of the SIG, based on the seven principles above and five other very well-defined policy statements in the MSDF (quoted below), development proposals that do not conform to these principles and policy statements should not be approved. One cannot have principles and policies and then wilfully abandon them for different situations.</p>		<p>As stated previously, the drafting and approval of the Stellenbosch MSDF by the Stellenbosch Council and other relevant authorities were not under the control of the applicant or the consultants of this application. The cyclical revision of the MSDF has followed a separate process, led by the Stellenbosch Council and its appointed consultants.</p>	<p>Planning Partners</p>

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p>“Even if difficult, it is a matter of now or never. We cannot behave and live like before. We cannot afford to lose more nature and agricultural land, develop at low densities, and prioritise building roads for private cars more than public transport. If we do that, the system will fail. Material wealth will not assist.”</p> <p>“Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects.”</p> <p>“Containment of settlements to protect nature / agricultural areas and enable public and non-motorized transport and movement.”</p> <p>“A focus on public and non-motorized transport and movement.”</p> <p>“Allow future opportunity to build on existing infrastructure investment”</p>		<p>Notwithstanding the above, it should be noted that the spatial plans contained in the MSDF gives effect to the directives of the Stellenbosch IDP and the principles and policies as contained in the MSDF. As indicated above, the MSDF clearly indicates the site for the purposes of development.</p> <p>It is noted that the commenting party makes broad, sweeping statements, but does not indicate how the spatial plans contained in the approved MSDF do not conform to the principles and policies of the MSDF.</p>	
	<p>5. The reason for emphasizing the above principles and policy statements has to do with the fact that policy has now progressed from simplistic statements that land is either within or outside the urban edge, to a more reasoned level of policy, based on principles of sustainable development. Elements or parts of the approved MSDF cannot accordingly be viewed in isolation or simplistically. In cases such as this, where the</p>		<p>Please refer to the preceding responses in this regard.</p> <p>Further, please note that the Planning Report (Appendix L4 of the BAR) clearly addresses need and desirability issues, including planning directives of the Western Cape Government and Stellenbosch Municipality.</p>	<p>Planning Partners</p>

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p>proposed development does not comply with the above-mentioned principles and policies that is a matter of fact and the development in question cannot be supported. Please note that that the proposed development of Erf 298 does not comply with any of the five afore-mentioned policy statements. In the opinion of the SIG there was and is accordingly no basis for including Erf 298 in the urban edge. If the development of Erf 298 is approved it will set an unfortunate precedent, defeating the principles and policies contained in the MSDF.</p>		<p>It should be emphasised for the purposes of the Draft BAR, which assessed site specific characteristics, that the comment made by the commenting party is a comment on the MSDF. The assessment process for a specific application submitted in terms of NEMA is not the forum to question approved spatial policy and planning directives that have been accepted by the Stellenbosch Municipality.</p> <p>Needless to say, the proposals as presented in the Draft BAR are consistent with the MSDF and the IDP, and comment on the appropriateness or not of spatial policy and planning proposals set out in the MSDF cannot establish a valid basis on which to object to the application.</p>	
	<p>6. In the light of the above-mentioned principles and policies the proposed development of a residential estate on Erf 298 cannot be supported for the following reasons:</p>			
	<p>6.1. Raithby proper consists of only 104 residential erven. In recent years three additional extensions have been established, each of which contain 20 residential erven. Two of these extensions are gated. To now add another gated village with a further 116 dwelling units to this unique settlement will significantly detract from its character and undermine the current sense of community. Suggesting that the</p>		<p>Please refer to the preceding responses in this regard.</p> <p>The potential impact of the proposed development in terms the cultural heritage and the visual character of Raithby has been assessed and the findings are presented in the BAR.</p>	<p>Planning Partners</p>

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p>proposed development equates with the principles of spatial justice and efficiency is difficult to understand.</p>		<p>There need and desirability report sets out how the proposed development responds to the principles of spatial justice and spatial efficiency.</p>	
	<p>6.2.The proposed development of 116 units is likely to generate another 232 motor vehicles, the majority of which will add to the already congested R44. This additional traffic will also contribute significantly to the loss of amenity currently enjoyed by scholars at the Raithby School who use the public open space opposite the school. Pedestrian safety will become an added cause for concern as the new residents' race to destinations north and south of Raithby in motor vehicles.</p>		<p>A discussed in the Traffic Impact Statement (TIS) (see Appendix G5 of the BAR), the proposed 116 units would have the potential to generate 108 peak hour trips. The impact of a residential development is assessed during the weekday AM and PM peak hours.</p> <p>As also discussed/indicated in the TIS (see Appendix G5 of the BAR), adequate traffic calming exists along Watson Way in the vicinity of the proposed development-access. To accommodate scholars crossing the street, a raised pedestrian crossing also exists across Watson Way between the school and public open space referred to.</p>	<p>iCE Group</p>
	<p>6.3.The land surrounding Erf 298 is intensively farmed and produces high quality wines. In this respect there is no reason why Erf 298 cannot be used for the same purpose. As stated above, the inclusion of Erf 298 in the urban edge was unfortunate to say the least. Agricultural development and the associated tourism sector forms one of the key pillars of the Western Cape economy. Once land is lost to agriculture it can never be replaced. If the MSDF is studied comprehensively it will be noted that</p>		<p>The Raithby Plan contained in the Stellenbosch MSDF clearly indicates the whole site as located within the urban edge and Erf 298 specifically designated as "Mixed Use Community and Residential Infill".</p> <p>The land has lain fallow for a significant number of years.</p> <p>The Agricultural Land Capability Study (Appendix G1 of the BAR) concluded that the size of the area together with the fact that no additional irrigation water is allocated to the property imply that Erf 298 cannot be seen as a</p>	<p>Planning Partners</p>

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p>there are many other parcels of land that could be and are being developed in far more efficient locations, closer to places of employment.</p>		<p>sustainable and economically viable agricultural unit. The agricultural land capability study has therefore found that:</p> <ul style="list-style-type: none"> • Erf 298 is not a sustainable agricultural unit; and • Erf 298 is not an economically viable agricultural unit. <p>The Department of Agriculture, Land Reform & Rural Development also had no objection to the proposed rezoning of the Erf 298 and Erf 252 from an agricultural point of view. Refer to Appendix E3 of the Final BAR for the Department of Agriculture, Land Reform & Rural Development's comment.</p>	<p>DJEC</p>
	<p>6.4. As you are aware practically all the vegetation on Erf 298 was destroyed by a devastating fire a couple of months ago. There is accordingly little if any of the indigenous renosterveld to be seen but some remnants are likely to recover. Certainly, if an enterprising farmer were to acquire the property certain areas of renosterveld could be preserved for posterity.</p>		<p>A botanical assessment was undertaken as part of this assessment. This was done before the fire referred to in this comment. The Botanical statement (dated 23 November 2016 and compiled by Bergwind Botanical Surveys and Tours) which refers to Erf 298 states "Based on the field observations it is concluded that the property is entirely transformed and although now lying fallow is not showing any signs of reverting to a natural condition. It is doubtful that natural Swartland Granite Renosterveld would ever return unaided. It is therefore my opinion that development of the property would not negatively impact any natural plant community..."</p>	<p>DJEC</p>

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p>6.5. In the light of the continuing Covid pandemic it is unduly optimistic to state that there is an increasing demand for housing as there are at present many vacant properties in and around Stellenbosch.</p>		<p>The large need for housing, as identified by the Stellenbosch MSDF and its supporting documentation, is not negated by the current Covid pandemic. As a matter of fact Covid19 has emphasised the housing need.</p> <p>The 'Guiding Concept' (October 2018) underpinning the SMSDF notes inter alia the following:</p> <ul style="list-style-type: none"> • Infrastructure backlogs exist; • The need for housing and shelter, both for the lower income groups and those with employment, has not been adequately met; • The Municipality does not have the resources to fundamentally reverse backlogs or negative trends in shelter or infrastructure needs; • Although Stellenbosch has grown, it has been unsuccessful in addressing current and future housing needs. The demand for housing is increasing faster than housing provision. <p>According to the Stellenbosch MSDF status quo (2018), the Stellenbosch municipal area has a housing need of more than 25 000 housing units. This need includes all socio-economic groups. To put this into perspective, the current housing stock in the municipal area would need to be doubled to meet this demand. Raithby has a modest, but valuable role to play in addressing this need.</p>	<p>Planning Partners</p>

DATE	COMMENT	Registered I&AP	RESPONSE	RESPONDENT
	<p>7. A few years ago, Mr Paul Mann, a former traffic consultant to Stellenbosch Municipality stated during a public lecture in the Town Hall that the unique environmental amenity of Stellenbosch and its surroundings was being eroded. He described this process as, "<i>Death by a thousand cuts</i>" whereby each unfortunate or misguided approval contributed to the decline in the overall amenity of the sensitive landscape.</p>		<p>This comment is noted. Cumulative impacts were assessed and addressed in the BAR.</p> <p>This comment is a broad statement and opinion by an individual, that was made in the past. The Stellenbosch Municipality has recently reviewed their MSDF which presents a considered and overarching vision of the future growth path of the municipal area. The proposed development is aligned with this vision. Any decision taken by the relevant authority would therefore be guided by this strategic spatial planning instrument.</p> <p>The comment which appears to reference an ad hoc approach to decision making therefore has no relation to this application. Such a statement cannot be seen to apply to proposals that comply with authority strategies, policies and spatial development frameworks.</p> <p>Notwithstanding the aforementioned, it should be noted that cumulative impacts are assessed as part of all impact assessments.</p>	<p>DJEC</p> <p>Planning Partners</p>
	<p>8. In the light of the above-mentioned comments it is trusted that the proposed development of Erf 298, Raithby will not be proceeded with.</p>		<p>Noted, however as the above responses indicate, the recommendation in the BAR that this development is approved remains as the recommendation.</p>	<p>DJEC</p>

3.2.2. Comment from Authorities and Organs of State

The table below summarises all comments received from authorities and organs of state on the draft BAR and the responses thereto. Refer to **Appendix F6** of the final BAR for the detailed comments received from authorities and organs of state.

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
04 June 2021	<p>CapeNature would like to thank you for the opportunity to comment on the Draft Basic Assessment Report for the proposed development. As stated in our comments emailed on 30 November 2020, we have noted the following:</p> <ul style="list-style-type: none"> - The development footprint does not contain any watercourses or wetlands; - The site was historically cultivated and although some pioneer vegetation is on the site it is not representative of the original vegetation which would have occurred on site (Swartland Granite Renosterveld) and has stands of alien trees (port jacksons) – this has been confirmed by the botanical specialist, aerial imagery and in-house knowledge of the area; - The site has not been determined as a Critical Biodiversity Area (CBA 1 or CBA 2). 	CapeNature	CapeNature's remarks are true and correct.	Doug Jeffery Environmental Consultants (DJEC)
	We therefore do not object to the proposed development providing all water, stormwater, sewerage and other services are confirmed prior to construction commencing. In addition, the loss of agricultural land should not lead to agricultural expansion into virgin veld elsewhere.		<p>CapeNature's comment is noted. All water, stormwater, sewerage, and other services will be confirmed prior to construction commencing.</p> <p>The proposed development will not extend beyond the proposed site.</p>	DJEC

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
12 May 2021	<p>This matter was discussed at the Impact Assessment Committee (IACom) meeting held on 14 April 2021.</p> <p>INTERIM COMMENT</p> <p>The Committee supported the pre-application HIA as the proposal will not impact upon on heritage resources of significance.</p>	Heritage Western Cape	HWC's comment is noted.	DJEC
05 July 2021	<p>This matter was discussed at the Heritage Officer Meeting (HOMs) meeting held on 1 July 2021.</p> <p>FINAL COMMENT</p> <p>The Committee endorsed the HIA dated May 2021 prepared Cindy Postlethwayt and the recommendation on page 44 as meeting the requirements of Section 38 (3) with the following conditions:</p> <ol style="list-style-type: none"> 1. The development is substantially in accordance with the layout described in this report as the Preferred Alternative; associated Landscape Concept Plan; and Newlands Estate Design Guidelines, as appended to this Report in Annexure D. 2. The mitigation measures described in this Report are implemented in full in all important respects. 	Heritage Western Cape	The comment is noted. The mitigation measures provided in the Heritage Impact Assessment (Appendix G4 of the final BAR) will become conditions of the Environmental Authorisation, if granted.	DJEC

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
15 June 2021	1. The draft Basic Assessment Report ("BAR") received by the Department via electronic mail correspondence on 1 June 2021, and the acknowledgement of receipt letter dated 2 June 2021, refer.	Department of Environmental Affairs and Development Planning ("DEA&DP"): Development Management		
	2. Applicable listed activities 2.1. It is noted that Activity 27 of LN 1 and Activity 12 of LN3 are being applied for since the proposed development would entail the clearance of an area of approximately 4.8 hectares, containing Swartland Granite Renosterveld vegetation (critical endangered ecosystem).		The statement that the proposed development will trigger Activity 27 of Listing Notice 1 and Activity 12 of Listing Notice 3 is correct. Although there are no remnants of Swartland Granite Renosterveld on site, two indigenous species namely <i>Stoebe plumosa</i> (slangbos) and <i>Helichrysum pandurifolium</i> (ear-leaf strawflower) were recorded on site.	DJEC
	2.2. Page 33 of the comments and response report states " <i>Erf 252 contains no natural vegetation and for this reason Listed Activity 27 of Listing Notice 1 and Listed Activity 12 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) will not be triggered by the proposed development.</i> "		The statement that " <i>Listed Activity 27 of Listing Notice 1 and Listed Activity 12 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) will not be triggered by the proposed development</i> " was worded incorrectly. It should have rather stated that Erf 252 is a built-up site with no indigenous vegetation remaining on this erf. However, the proposed development extends over Erf 252 and Erf 298, so Listed Activity 27 of Listing Notice 1 and Listed Activity 12 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) will be triggered by the proposed development as there are some indigenous plant species on Erf 298	DJEC

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
			that will be cleared as part of the proposed development.	
	2.3. Furthermore page 33 of the comments and response report states <i>“Even though the site is located outside urban area and the proposed internal roads will be 5.5 m wide, the site contains no indigenous vegetation and the proposed development will therefore not trigger Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended).”</i>		The response on page 33 of the Comments and Response Report included in the Draft BAR was incorrect. There are in fact some indigenous vegetation present on Erf 298 (albeit limited). Listed Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended), is therefore triggered by the proposed development.	DJEC
	2.4. In addition to the above, page 33 of the comments and response report states, <i>“We cannot confirm that Erf 298 has not been used for agricultural purposes prior to 2005. However, it is highly likely that Erf 298 could have been used for, at least, livestock grazing after 2005.”</i>		<p>The Planning Report (Appendix L4) states that the erven are zoned Agriculture and Rural Zone in accordance with the provisions of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019, and no agriculture activities have taken place on these properties within the past 26 years.</p> <p>Looking at aerial imagery on Google Earth it is evident that Erf 252 is developed and contains three dwellings and related outbuildings.</p> <p>Erf 298 is undeveloped farmland that has not been farmed for several years. According to the aerial imagery on Google Earth it is clear that no farming took place on this erf since 2005.</p>	DJEC

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>2.5.The Botanical statement (dated 23 November 2016 and compiled by Bergwind Botanical Surveys and Tours) which refers to Erf 298 states <i>“Based on the field observations it is concluded that the property is entirely transformed and although now lying fallow is not showing any signs of reverting to a natural condition. It is doubtful that natural Swartland Granite Renosterveld would ever return unaided. It is therefore my opinion that development of the property would not negatively impact any natural plant community and would therefore not trigger any environmental regulations.”</i></p>		<p>The statement in the Botanical Statement (dated 23 November 2016 and compiled by Bergwind Botanical Surveys and Tours) that the development <i>“would not trigger any environmental regulations”</i> is incorrect given that Erf 298 contains some indigenous vegetation. Activity 27 of Listing Notice 1 and Activity 12 of Listing Notice 3 will be triggered by the proposed development.</p> <p>Notwithstanding the above, the statement by Bergwind Botanical Surveys and Tours that <i>“Based on the field observations it is concluded that the property is entirely transformed and although now lying fallow is not showing any signs of reverting to a natural condition. It is doubtful that natural Swartland Granite Renosterveld would ever return unaided. It is therefore my opinion that development of the property would not negatively impact any natural plant community...”</i> is supported.</p>	<p>DJEC</p> <p>Planning Partners (Town Planners)</p>
	<p>2.6.Based on the above, confirmation must be provided as a matter of urgency whether the proposed development will trigger a listed activity in terms of the EIA Regulations, 2014 (as amended).</p>		<p>It can be confirmed that the proposed development will trigger the following listed activities:</p> <ul style="list-style-type: none"> • Listing Notice 1 - Activities 27 and 28. • Listing Notice 3 - Activities 4 and 12. 	<p>DJEC</p>
	<p>3. Proof of Public Participation conducted 3.1.Please note that proof of the public participation process conducted, and all comments received must be</p>		<p>Proof of the public participation process conducted, and all comments received are included under Appendix F of the final BAR as follow-</p>	<p>DJEC</p>

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	included in the final BAR to be submitted to the Competent Authority.		<ul style="list-style-type: none"> • Proof of the notifications sent - Appendix F3. • Proof of Advertisement - Appendix F4. • Proof of site notices placed - Appendix F5. • Comments received - Appendix F6. • Comments and response report - Appendix F7. 	
	3.2. Please note that proof of the site notice placed, and the date must be included in the final BAR.		Proof of the site notice placed, and the date is included under Appendix F5 of the final BAR.	DJEC
	4. The following information must be included in the final BAR: 4.1. Final comment from Heritage Western Cape;		Final comment from HWC is included under Appendix E1 of the BAR.	DJEC
	4.2. Confirmation from Eskom has sufficient, spare unallocated capacity exist to provide the proposed development with electricity;		The confirmation letter from Eskom is included under Appendix E2 of the final BAR.	DJEC
	4.3. The duly dated and signed declarations as completed by the specialist who conducted a specialist study as The Department awaits the submission of the final BAR for decision-making. Please note that the final BAR must be submitted to the Department via email correspondence or link to download the document.		The duly dated and signed declarations as completed by the specialist are included in the final BAR.	DJEC

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
25 June 2021	The Directorate: Waste Management is satisfied that comments on the Draft Environmental Management Programme dated 20 November 2020 and Appendix H1: Civil Services Report have been adequately addressed.	DEA&DP: Waste Management	Comment is noted.	DJEC
05 July 2021	The Directorate: Pollution and Chemicals Management (D: PCM) acknowledges receipt of the Draft Basic Assessment Report (DBAR) on 2 June 2021. The D: PCM previously commented on the pre-application BAR and is satisfied that the responses provided, as contained in the DBAR, Environmental Management Programme (EMPr) and Comments and Response Report (contained in Appendix F7), largely address the issues and comments raised by this Directorate. It is recommended that the proposed mitigation measures be implemented and strictly adhered to at all times. The D: PCM therefore has no further comment at this stage of the application.	DEA&DP: Pollution and Chemicals Management	Comment is noted. All the proposed mitigation measures must be implemented and strictly adhered to at all times. These measures will also become conditions of the Environmental Authorisation, if granted.	DJEC
01 July 2021	Your e-mail of 2 June 2021 to Ms Grace Swanepoel of this Branch and attached notification letter regarding the Draft Basic Assessment Report for the proposed development on Erven 252 and 298 Raithby refers.	Department of Transport and Public Works: Road Planning	Comments contained in the letter referred to are noted.	iCE Group (Traffic Engineers)

DATE	COMMENT	AUTHORITY/ ORGANS OF STATE	RESPONSE	RESPONDENT
	<p>This Branch is not opposed to the issue of environmental authorisation for the proposed development of 116 residential units on the subject property. It is noted, however, that there are still outstanding issues relating to the potential traffic impacts of the development on the safety and operation of the intersections of Main Road 166 Winery Road with Divisional Road 1039 and Minor Road 4232, which provide access from the subject properties onto the major road network. These were identified in our 14 December 2020 letter to Drakenstein Municipality in response to the land use application. No follow-up on these issues has yet been received.</p>		<p>A right-turn lane at the MR 166/DR 1039 intersection was recommended in the TIS based on safety issues, as well as the Road Access Guidelines (RAG) warrants, which were the right-turn warrant available at the time of compiling the TIS. The said warrant calls for a right-turn lane based on quite a low volume right-turning traffic, therefore additional traffic counts were not considered necessary at the time.</p> <p>Based on the updated warrant as contained in the Access Management Guidelines (AMG 2020), as well as safety concerns, it is still recommended that the provision of a dedicated right-turn lane at the MR 166/DR 1039 intersection be considered to serve the area of Raithby.</p> <p>The 2018 counts referred to are indicated below (update of 2015 volumes provided in the TIS):</p> 	