



DRAFT AMENDMENT ENVIRONMENTAL IMPACT REPORT

for

SKULPIESBAAI ESTATE

On

ORIGINALLY PORTION 51/FARM 485,
HESSEQUA MUNICIPAL DISTRICT
ERVEN 4601, 4602, 4718, 4719, 4599 & 4600

In terms of the

National Environmental Management Act (Act No.
107 of 1998, as amended) & 2014 Environmental
Impact Regulations

Prepared for Applicant: Wonderdeals (Pty) Ltd.

Date: 11 August 2025

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PURPOSE OF THIS REPORT:
STAKEHOLDER REVIEW AND COMMENT
APPLICANT:
Wonderdeals (Pty) Ltd
CAPE EAPRAC REFERENCE NO:
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16/3/3/6/7/5/D5/8/0026/25
SUBMISSION DATE:
11 August 2025

DRAFT ENVIRONMENTAL IMPACT REPORT

in terms of the

National Environmental Management Act, 1998 (Act No. 107 of 1998 as amended) & Environmental Impact Regulations 2014 (as amended)

SKULPIESBAAI ESTATE

Previously Portion 51/Farm 485 for Erven 4601, 4602, 4718, 4719, 4599 & 4600

Submitted for:

Stakeholder Review & Comment

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REPORT DETAILS

Title:	Draft Environmental Impact Report – Skulpiesbaai Estate
Purpose of this report:	This report provides information on the visual assessment potentially associated with the partial amendment of Condition 8 of the Environmental Authorisation issued to Skulpiesbaai on 21 January 2013 (Ref: number: M/3/6/5) The Draft Environmental Impact Report is available for a 30-day commenting period extending from 12 August 2025 – 13 September 2025.
Prepared for:	Wonderdeals (Pty) Ltd
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REGULATORY FRAMEWORK

An environmental authorisation may be amended by following the process prescribed In Regulations 31 of the NEMA Regulations, if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level or change in the nature of impact, where such level or change in nature of impact was not (a) not assessed and included in the initial (2012) application for environmental authorisation, or (b) if an impact was not taken into consideration in the initial environmental authorisation; and the change does not, on its own, constitute a listed or specified activity.

The Regulations stipulating a Part 2 Amendment specifically focus on the following:

- assessment of all impacts related to the proposed change;
- advantages and disadvantages associated with the proposed change;
- measures to ensure avoidance, management and mitigation of impacts associated with such proposed change and
- any changes to the EMPr.

Unlike the initial application for environmental authorisation that necessitated the consideration and assessment of a wide variety of potential impacts, this amendment application focus on the possible change in **landscape/character/visual impacts**. All other impacts are assumed to be similar and therefore need not be re-assessed as part of this amendment investigation.

This Part 2 Amendment Assessment report includes a Visual Impact Assessment (VIA) to determine the level of, as well as significance of potential impacts associated with the proposed partial amendment of Condition 8 of the Environmental Authorisation (EA).

THE SIX ERVEN ON SKULPIESBAAI ESTATE

The Appeal Environmental Authorisation (EA) for Skulpiesbaai Estate, authorised 152 single residential erven in total. Specifically **Condition 8** of the EA stipulated that all erven has a height restriction 5 metres.

Several of the approved erven have been developed, however the Holder of the EA identified six (6) erven that are still vacant, for which they want this Condition (partially) amended to allow a height restriction deviation to 7.5m for the following six (6) erven 4718, 4719, 4599, 4560, 4601 & 4602.

OUTCOME OF THE SPECIALIST VISUAL IMPACT ASSESSMENT

The visual specialist considered the potential change in landscape / character should the identified six (6) erven be permitted the height deviation from 5m to 7.5m, taking into account the applicable Specialist Guideline Series, previous Visual Impact Assessments for the development, as well as the updated Architectural Guidelines for the Estate.

The specialist determined that **only four (4) erven** can be considered for the height deviation from 5m to 7.5.

The specialist recommends that the 5m height restriction remains in place for erven 4601 and 4602 to ensure that visual receptors, mostly properties in the neighbouring Bosbokduin Development, are not detrimentally affected.

CONTENTS OF AN ENVIRONMENTAL IMPACT REPORT

Appendices 31 - 33 of Regulation 982 of the 2014 EIA Regulations contains the required contents of an amendment assessment report. This report complies with the minimum information requirements detailed in this Regulation.

STAKEHOLDER ENGAGEMENT PROCESS

This draft EIR is made available to stakeholders in accordance with the approved Public Participation Plan. The availability of this report has been advertised in the *SuidKaap Forum* (Friday, 8 August 2025), site notices have been placed at the entrance to the Estate, immediate neighbouring property owners/residential estate governing bodies have been notified, relevant Organs of State, as well as mandated State Departments, received notification of this document for review and comment.

The commenting period extends from 12 August 2025 – 13 September 2025. All submissions received during this period will be considered and reflected in the updated Final Environmental Impact Report to make sure the decision-making authority has access to and is aware of the comments received from stakeholders.

To meet the 90-day regulatory timeframe for submission of the Final Environmental Impact Report, this DEIR must be updated with comments received and submitted to the Competent Authority no later than 29 September 2025.

ORDER OF REPORT

Report Summary

Draft Environmental Impact Report – Main Report

Appendix A : Location, Topographical Plans

Appendix B : Visual Impact Assessment Report 2025

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SUMMARY

I. INTRODUCTION

Cape EAPrac has been appointed by **Wonderdeals (Pty) Ltd**, hereafter referred to as the Holder, as the independent Environmental Assessment Practitioner (EAP), to facilitate Amendment Assessment reporting process required in terms of the National Environmental Management Act (NEMA, Act 107 of 1998) for the proposed **partial amendment of Condition 8** of the **Environmental Authorisation (EA)** for the Skulpiesbaai Estate, Stilbaai (Hessequa Municipal District). Wonderdeals (Pty) Ltd is the Holder of the EA for this development.

The development obtained authorisation on 21 January 2013 following an appeal process in which the Minister confirms the approval for a total of 152 Single Residential erven. The EA contains several Conditions of Approval of which **Condition 8** stipulated a **five (5) metre height restriction** for all erven.

At the time of the original environmental assessment, the site was vacant (no development) and vegetation cover included invasive alien vegetation, both factors influences a site's perception of landscape. This original of the 5m height restriction stems from the character of the landscape and surrounding developments, the natural setting of erven within the remaining natural open space areas, the natural slope of the property seawards, as well as surrounding developments.



Figure 1: Skulpiesbaai Estate located in West-Stilbaai on the urban fringe between Bokmakierie Estate (North) and Bosbokduin Estate) South.

The Holder identified six (6) vacant erven within the Estate they would like to have the 5m height restriction relaxed to allow for 7.5m structures. The Holder submits that single residential erven are typically allowed as

single or double-storey structures and they motivate that making allowance for an additional 2.5m height increase for these six erven, will optimise their views considering their location in the landscape, as well as make them more attractive to buyers who does not necessarily have a preference for single level homes.

The six (6) erven identified are indicated in Figure 2 below and are registered as erven **4601, 4602, 4718, 4719, 4599 & 4600** on the Surveyor General (SG) map for the development.

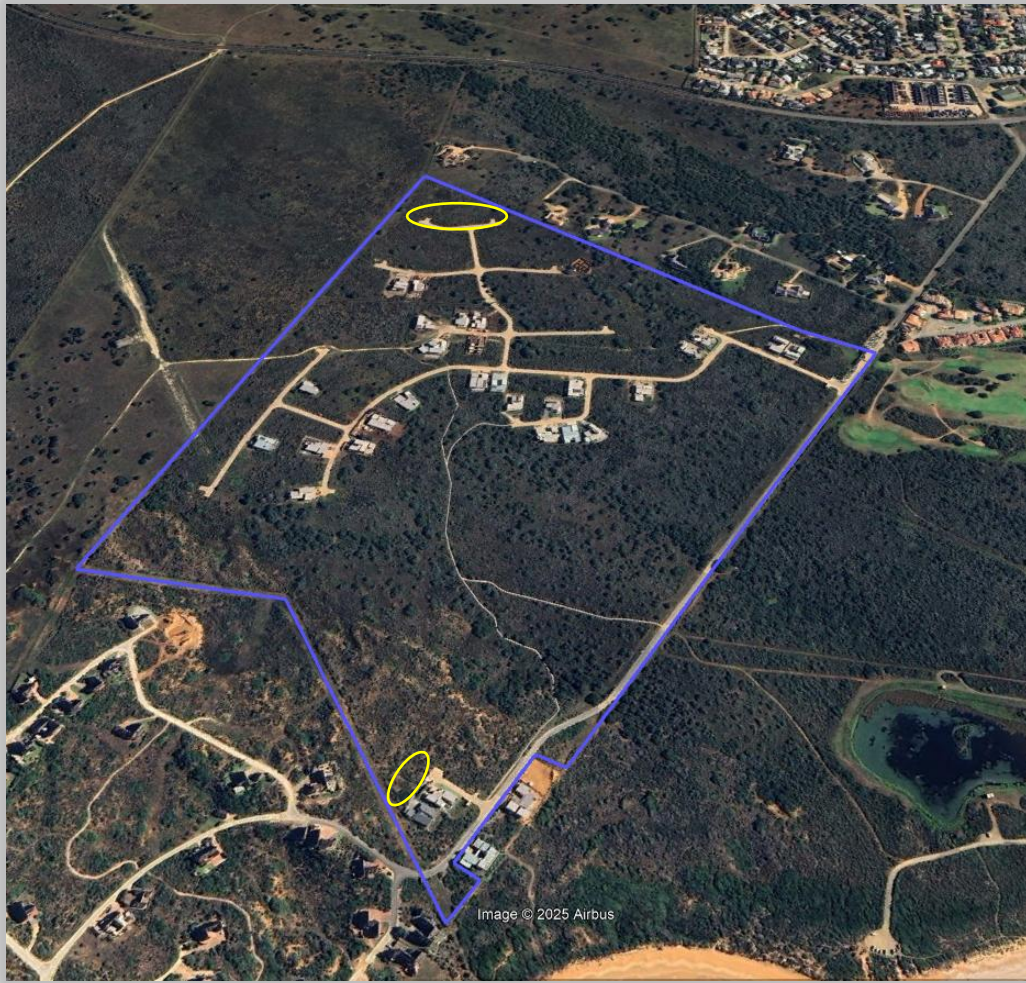


Figure 2: Indicative location of the six erven on Skulpiesbaai Estate.



Figure 3: Approved site plan for Skulpiesbaai Estate indicating the location of the identified six (6) erven.

It is noted that the proposed height increase for these six (6) erven was considered by the Skulpiesbaai Home Owners Association (HOA) previously (approved 28 January 2021) and the Architectural Guidelines for the Estate amended accordingly.

Despite this allowance being made for the height increase on the six erven in the Architectural Guidelines, building plans cannot be considered by Hessequa Municipality until such time as the EA is not also amended, since non-compliance with the conditions of approval of the EA, constitutes an offense in terms of the National Environmental Management Act (NEMA, as amended, Act No 107 of 1998).

II. RECOMMENDATION OF THIS DRAFT ENVIRONMENTAL REPORT

The six erven, where a height increase is being sought, are in areas *previously assessed* (2012) and given visual impact ratings of HIGH negative, *without mitigation*. However, the development was approved, with mitigation measures including colour schemes, roof fragmentation, orientation, landscaping, coverage limits, *as well as* the 5m height restriction. The introduction of all of these mitigation measures combined, reduced the (visual) impact significance to MEDIUM-HIGH negative for properties overlooking these development nodes.

The independent visual specialist confirms that visual intrusion on south facing sea views from existing houses along the northern boundary of Skulpiesbaai Estate, overlooking the northern four (4) erven, will be interrupted once the four vacant erven are developed (with the stipulated five (5) metre height restriction). Put differently, even if the height restriction relaxation to 7.5m is not permitted, the houses located behind these four northern node erven, will still experience high-medium negative visual intrusion irrespective.

The specialist reiterates that it is not only the height restriction (of 5m) that forms part of the visual mitigation spectrum, since colour, roof fragmentation, landscaping and orientation of these houses all help to reduce the visual intrusion overall and whilst height is one of the mitigating factors, none of the other mitigating factors will

be affected. It is for this reason, that two of the four northern erven can be considered for the height restriction relaxation.

The visual specialist deems the viewshed from the northern adjacent properties towards Morris Point and Shelly Beach to be more sensitive, when compared to view across Bosbokduin and further towards the West.

- For this reason, it is the recommendation of the visual specialist that the height restriction for **Erven 4601 & 4602 not be relaxed** to 7.5m and that the status quo height restriction of 5m remain in place for these two (2) erven.
- The other four (4) erven, namely **4718, 4719, 4599 & 4560** can however be considered to a relaxation of their height restrictions from 5m to 7.5m without increasing the level or significance of visual intrusion or impact to receptors.

Comments received in response to this Amendment application process, will be considered and where necessary responded to by the visual specialist and environmental practitioner prior to the final Assessment Report submission to the DEADP..

III. ENVIRONMENTAL LEGISLATIVE REQUIREMENTS

The current assessment is being undertaken in terms of the **National Environmental Management Act** (NEMA, Act 107 of 1998)¹ and Environmental Regulations. The Regulations makes provision for the assessment of impacts that are potentially detrimental to the environment/receptors insofar as changes to the Environmental Authorisation (Regulation 31 - 33).

This amendment assessment process includes public participation to allow stakeholders the opportunity to review the application and provide comment to inform decision-making. Furthermore, the assessment is being informed by an independent specialist (visual) assessment to ensure compliance with the applicable Departmental Guideline series.

IV. AMENDMENT ALTERNATIVES

- The Environmental Authorisation (EA) for Skulpiesbaai Estate is a valid approval. This amendment application process relates *only* to Condition 8 of the EA and specifically *only* to the option of increasing the height from 5m to 7.5m on six (6) erven of the total approved 152 erven which is the Holder's **PREFERRED ALTERNATIVE 1**.
- The recommended alternative as per the independent visual specialist is to limit the amendment to Erven 4718, 4719, 4599 & 4560 only. Thus erven Erf 4601 & 4602 to not be considered for this height increase. This is submitted as **ALTERNATIVE 2**.
- The existing rights associated with the EA i.e. all erven with 5m height restriction is the **STATUS QUO / (NO-CHANGE) ALTERNATIVE 3**.

V. IMPACT SUMMARY AND STATEMENT

The key visual impact associated with the different alternatives is summarised as follows and considering that there is no substantive increase in impact significance between the visual intrusion ratings of Alternative 2 and 3, the Alternative 2 can be considered for approval through means of an Amendment of the EA Condition 8. Alternative 1 however is not supported.

¹ The Minister of Water and Environmental Affairs promulgated new regulations in terms of Chapter 5 of the National Environmental Management Act (NEMA, Act 107 of 1998), viz, the Environmental Impact Assessment (EIA) Regulations 2014 (as amended). These regulations came into effect on 08 December 2014 and replace the EIA regulations promulgated in 2006 and 2010.

ALTERNATIVE 1 (six erven increase to 7.5m height restriction)	HIGH NEGATIVE
ALTERNATIVE 2 (four erven increase to 7.5m height restriction)	MEDIUM HIGH NEGATIVE
ALTERNATIVE 3 (status quo, no height increase)	MEDIUM HIGH NEGATIVE

VII. CONCLUSIONS & RECOMMENDATIONS

Cape EAPrac is of the opinion that the information contained in the Draft Environmental Impact Report and the documentation attached is sufficient to allow the general public and key stakeholders (including the competent authority) to apply their minds to the potential negative and/or positive impacts associated with the development, in respect of the amendment applied for.

On condition that Erven Erf 4601 & 4602 retain the original 5m height restriction, there is no substantive difference in impact significance between the Status Quo Alternative 3 (when all the houses are built at 5m height only) and Alternative 2 (when only Erven 4718, 4719, 4599 & 4560 may increase heights to 7.5m). It therefore follows that **Alternative 2** can be considered for approval by the Competent Authority.

DRAFT ENVIRONMENTAL IMPACT REPORT

1 INTRODUCTION

Cape EAPrac has been appointed by Wonderdeals (Pty) Ltd, hereafter referred to as the Holder of the Environmental Authorisation (EA), as the independent Environmental Assessment Practitioner (EAP), to facilitate the amendment application reporting process required in terms of the National Environmental Management Act (NEMA, Act 107 of 1998) partially adjusting **Condition 8** of the EA.

Condition 8 reads as follows:

8. The height of all units must be restricted to 5m measured from natural ground level to the apex of the roof and all units must be designed with suitable materials and colour schemes.

The Holder wishes to amend this Condition to enable Erven 4601, 4602, 4718, 4719, 4599 & 4560 to deviate from this height restriction to allow a 2.5m increase to a maximum of 7.5m.

The Environmental Regulations distinguish between a so-called Part 1 (non-substantive) Amendment process and a Part 2 (substantive) Amendment process. A Part 1 Amendment is for administrative changes mostly and does not typically include studies or public participation, whereas a Part 2 Amendment application process may include specialist studies and requires public participation.

The purpose of the **Draft Amendment Environmental Impact Report** (DEIR) is to consider and assess the impacts of change for the six identified erven within Skulpiesbaai. The information is herewith presented to potential Interested and Affected Parties (I&AP's), organs of state, state departments and the competent authority for review and comment.

In compliance with Chapter 6 of the 2014 EIA regulations (as amended), the Draft EIR is made available for a period of 30-days, extending from **12 August – 13 September 2025**.

All comments received on the Draft EIR will be considered, responded to in the Comments & Response Report and incorporated into the Final EIR that must be submitted to Provincial Department of Environmental Affairs & Development Planning (DEA&DP) for consideration and decision-making.

1.1 RECOMMENDATION OF THE ENVIRONMENTAL IMPACT REPORT

The relaxation of the 5m height restriction to allow 7.5m maximum height on these six erven will not impact beyond the Estate boundary, apart from some of the properties immediately adjacent to the North and South of Skulpiesbaai with views either to the North or South.

Having considered the outcome of the Visual Impact Assessment (VIA) undertaken as part of the amendment investigation, it is submitted that these specific erven are located within areas on the Skulpiesbaai Estate, that already fall within an area-of-influence, that will (once developed) result in medium-high visual intrusion on the views of immediate neighbouring properties irrespective of having a 5m or a 7.5m height restriction. This stems from the original VIA investigation done as part of the original (2012) environmental impact assessment process.

Despite the 5m heights for houses on these erven having an anticipated Medium-High negative visual impact already (as approved), the visual specialist finds that increasing the visual impact beyond this already assessed rating, would not be acceptable.

In this instance it is specifically **erven 4601 and 4602** that are likely to cause an increased visual impact rating to High negative. For this reason, the recommendation of this assessment is that the **roof heights** for units on **Erven 4601 and 4602** be **retained at 5m**, whilst the proposal of increasing roof heights to 7.5m on **Erf 4599** must be measured from the **lowest point on that erf** (namely the access road in the south-eastern corner), the 7.5m roof height on the building on **Erf 4560** must be measured from the

lowest natural-ground-level (ngl) point on that site, whilst roof forms for erven 4718, 4719, 4599 & 4560 must be **fragmented** and no more than 25% of any roof area may be on a continuous plane, with **dark roof colours** i.e. dark grey.

With these recommendations/mitigation measures in place, the visual impact associated with an allowance to a 7.5m roof height (specifically for erven 4718, 4719, 4599 & 4560 only) will not increase beyond the originally assessed Medium-High negative which is deemed acceptable and can therefore be considered for authorisation.

1.1 RECOMMENDED MITIGATION MEASURES

The following additional mitigation measures are recommended by the visual specialist in addition to all of the documented mitigation measures from the CnDV Visual Impact Assessment from the original EIA, that has been captured in the Architectural Guidelines:

- the 7,5m roof height on Erf 4599 must be measured from the lowest point on that site, namely the access road in south eastern corner;
- the 7,5m roof height on Erf 4600 must be measured from the lowest natural ground level (ngl) point on that site;
- the 7,5m roof height on Erven 4718 and 4719 must be measured from the lowest point on the respective erven;
- the roofs for these units must not be monolithic but articulated, (as per the guidelines);
- the roof colour must be dark grey, unlike some of the existing roofs on units on site - to this end the Architectural guidelines must be revised accordingly.

1.2 ASSUMPTIONS & LIMITATIONS

This section provides a brief overview of *specific assumptions and limitations* having an impact on this amendment application process:

- It is assumed that the information on which this report is based (specialist studies and project information, as well as existing information) is **correct, factual and truthful**.
- The proposed development is **in line** with the statutory planning guidelines for Single Residential zoning, most notably the local Spatial Development Plan, and thus it is assumed that issues such as the cumulative impact of development in terms of character of the area and its resources, have been taken into account during the strategic planning for the area.
- It is assumed that all the relevant **mitigation and management measures** specified in this report will be implemented in order to ensure that impacts do not increase beyond the authorised level of impact.
- It is assumed that Stakeholders and Interested and Affected Parties notified of the availability of the DEIR will provide **comments within the designated 30-days** review and comment period, so that these were able to be included in the Final Environmental Impact Report to be timeously submitted to the competent authority for consideration and decision making.

1.2.1 Assumptions and Limitations of Visual Specialist

- The visual impact report is based on a site visit at which time weather conditions were overcast resulting in some unclear photography, particularly from a distance.
- Due to the timing of the process, access to the potentially affected private parties was not possible so accurate photographs from all neighbouring properties were not taken to assess potential impact.
- Instead a 2-D study of view cones and cross sections was made.
- In the case of the north western neighbour, a photograph taken for the 2009 VIA by CNDV was used to indicate more accurately the potential impact from that point.

2. PROPOSED AMENDMENT

The 2024/2025 Hessequa Spatial Development Framework (SDF) includes the so-called 'urban-edge' for Stilbaai. The urban edge runs along the western boundary of Skulpiesbaai, as such the development is deemed to fall within an 'urban area' as per the Environmental Regulations.

The SDP includes parameters for different types of development within Stilbaai, notably for Low-Density Development. Skulpiesbaai falls within this category, with a low density of houses, set within an open space area.

The SDF notes that double-storey dwellings are permitted within so-called low-density developments, but at the same time it acknowledge that restrictions with respect to height and scale, can be implemented.



Figure 4: Location of Skulpiesbaai Estates (GREEN) within the urban edge of Stilbaai with the yellow arrows indicating the location of the six erven (Source: 2024/2025 SDP as adopted by Council).

Below extract from the 2024/2025 SDP referencing height limitations for low-density developments similar to Skulpiesbaai.

3.3.5.16.4 Development Height

Height Limitation: A maximum of two storeys will be permitted across developments, maintaining a low profile that integrates with the natural surroundings.

The Holder of the EA is applying for a partial amendment of Condition 8 of their Environmental Authorisation (EA) to allow deviation from the stipulated 5m height restriction for Erven 4601, 4602, 4718, 4719, 4599 and 4560.

The recommendation from the visual specialist is that only erven 4718, 4719, 4599 and 4560 be considered since a height increase on these four (4) erven will no result in an increase in the original Medium-High visual impact rating.

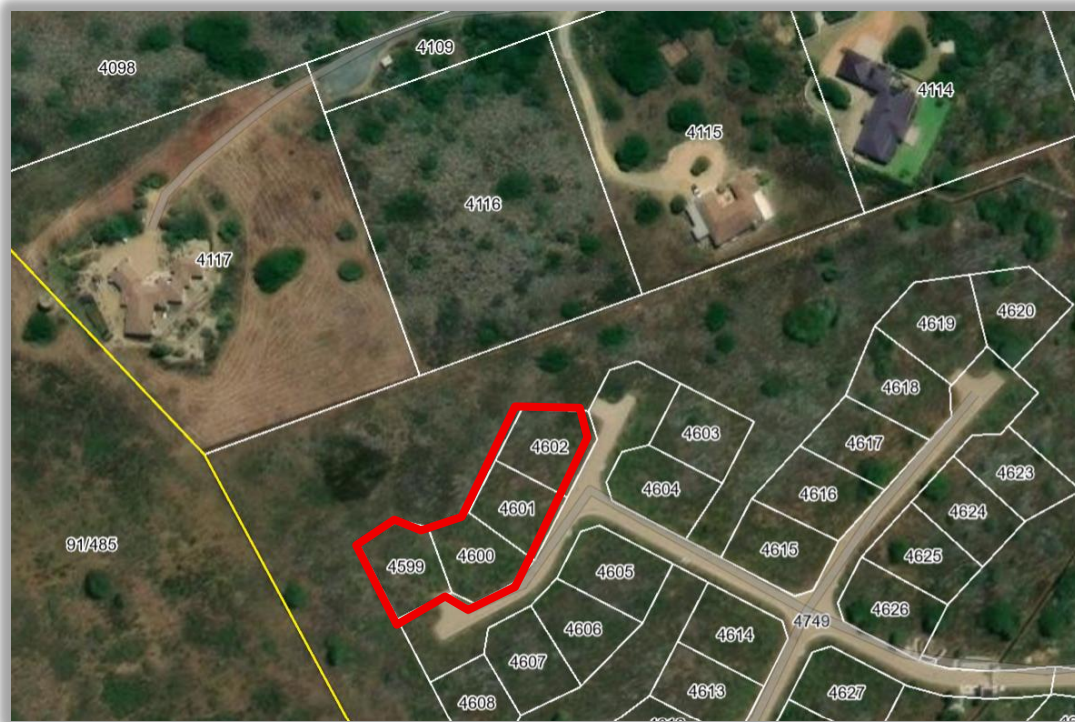


Figure 5: Location of Erven 4599, 4600, 4601 & 4602 within Skulpiesbaai.

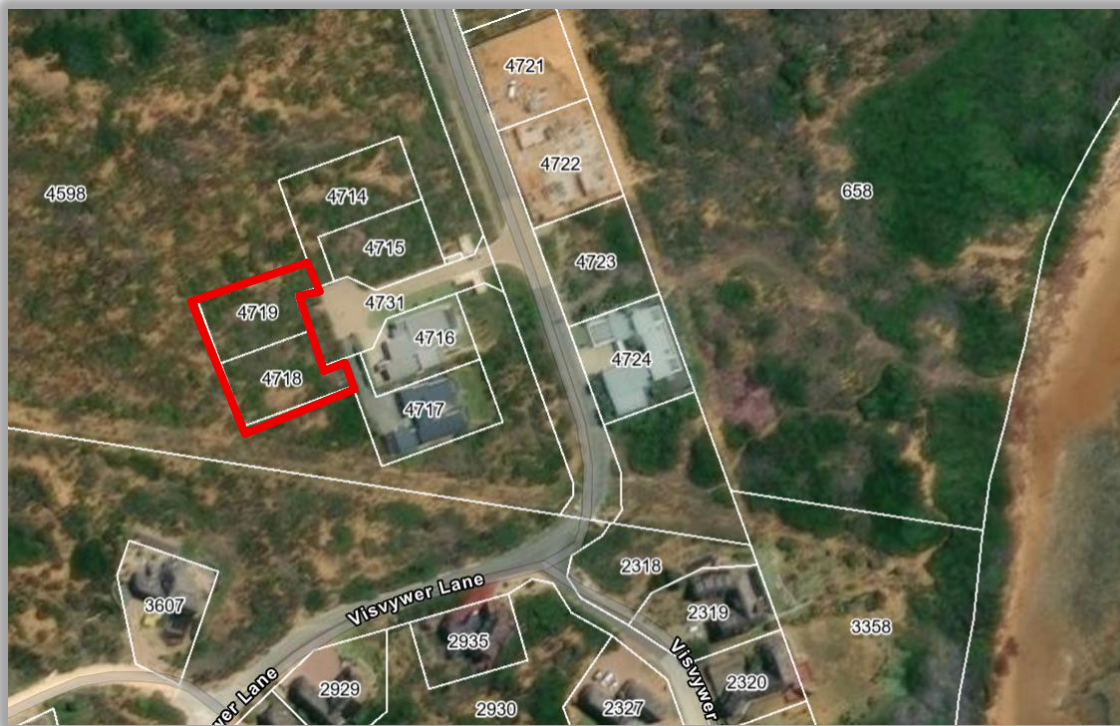


Figure 6: Location of erven 4718 & 4719 within Skulpiesbaai.

2.1 PROJECT NEED AND DESIRABILITY

In keeping with the requirements of an integrated Environmental Impact process, the DEA&DP *Guidelines on Need and Desirability (2010 & 2011)*² were referenced to provide the following estimation of the activity in relation to the broader societal needs. The concept of need and desirability can be explained in terms of its two components, where *need* refers to *time*, and *desirability* refers to *place*. Questions pertaining to these components are answered in the Sections below.

2.1.1 Need (time)

In accordance with the guidelines on need and desirability, a project should be able to answer a series of questions to demonstrate 'need'. These are highlighted in the table below:

Table 1: Project Need Analysis

Need	Discussion	
Is the land use considered within the timeframe intended by the existing approved Spatial Development Framework (SDF)? (i.e., is the proposed development in line with the projects and programmes identified as priorities within the credible IDP?	Yes	Skulpiesbaai Estate is located within the urban edge, as well as urban area of Stilbaai-West. The SDP does make allowance for low-density developments, such as typical eco-estates similar to Skulpiesbaai, Bosbokduin, Bokmakierie, to have double-storey structures.
Should the development occur here at this point in time?	Yes	Only for erven 4718, 4719, 4599 & 4560 where a 2.5m increase in roof height will not result in an increase (of impact) beyond the originally assessed significance and rating of Medium-High.
Does the community / area need the activity, and the associated land use concerned?	Partially	Potential buyers of these erven have indicated that they prefer a double-storey (max height 7.5m) house. Numerous houses on surrounding estates have either double-volume or double-storey houses already. Provision is made to limit the erven to only four (4) on the Estate. Cognisance must be given to how such height increase is perceived by immediate neighbouring property owners.
Are the necessary services with adequate capacity currently available?	Yes	Skulpiesbaai Estate is an approved residential development with already installed services and allocations. The requested increase in height for a select number of erven on the Estate does not impact on services demand and therefore has no impact on services availability.
Is this development provided for in the infrastructure planning of the municipality?	Yes	Skulpiesbaai Estate is an approved residential development with already installed services and allocations. The requested increase in height for a select number of erven on the Estate does not impact on municipal services/infrastructure planning.
Is this project part of a national programme to address an issue of national concern or importance?	No	Skulpiesbaai Estate is a private residential development with a Private Home Owners Association and private development entity.

² The Western Cape Guidelines were considered in this regard, as no guidelines are available for the Free State Province.

2.1.2 Desirability (place)

In accordance with the guidelines on need and desirability, a project should be able to answer a series of questions to demonstrate desirability. These are highlighted in the table below:

Table 2: Project Desirability Analysis

Desirability	Discussion	
Is the development the best practicable environmental option for this land / site?	Yes	The recommended alternative of only four erven, namely erven 4718, 4719, 4599 & 4560 will not increase the level of visual impact beyond what it is deemed to be to the existing Environmental Authorisation and VIA compiled by CNdV in 2012. Increasing the height from 5m to 7.5m on these four erven can therefore be considered.
Would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF?	No	Increasing the height of erven zoned Single Residential, within a low-density development, within the urban edge of Stilbaai, does not compromise the IDP or SDP. It may not however be considered unless the EA is amended accordingly and the mitigation measures implemented.
Would the approval of this application compromise the integrity of the existing approved environmental management priorities for the area?	Unlikely	The recommendation by the visual specialist eliminates two of the six erven identified by the Holder as being locations where an increased height allowance has the potential to also increase the visual impact rating to High negative, whereas the remaining four erven with a height increase will not increase the visual impact rating beyond the level it was originally assessed to have at 5m height restrictions.
Do location factors favour this land use at this place?	Yes	Erven 4718 and 4719 are located in a low lying area of the site from where a double-storey (maximum 7.5m) will not compromise the views of existing erven adjacent to, or in close proximity to these erven. Erven 4599 and 4560 are also at a lower ground level when compared to adjacent erven to the North and an increase in their roof height will not compromise views of higher lying adjacent properties to the North especially.
How will the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas?	None	An increase of 2.5m on a single residential house, within an urban environment, without increasing footprint or coverage, will have no impact on sensitive or cultural landscapes.
How will the development impact on people's health and wellbeing?	Partially	Properties that overlook the erven will experience visual intrusion of (mostly) their views of the ocean/Shelly Beach/Morris Point. However, the mitigation measures recommended by the visual specialist, combined with the fact that the erven in question are situated on average 5-7m lower when compared to properties overlooking them, are sufficient to allow the Department to consider the deviation from 5m to 7.5m for erven 4718, 4719, 4599 and 4560 respectively.
Will the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	Unlikely	The visual impact assessment clearly considered the 'bench mark' of the potential for visual intrusion on surrounding/neighbouring properties when making a recommendation. It was found that the deviation for only erven 4718, 4719, 4599 and 4560 will not increase the level of visual impact beyond the original impact rating of Medium-High negative and as such can be considered. Erven 4601 and 4602 however will result in an increase of visual impact beyond the scope of the original approval and therefore must retain the 5m height restriction.

3. VISUAL IMPACT ASSESSMENT

The VIA considers the following key criteria in terms of this amendment in accordance with the same criteria previously used by CnDV for the 2012 VIA to ensure consistency, namely visibility of the proposed development, viewsheds of the affected areas, zone of visual influence, visual absorption capacity of the area, compatibility with the surrounding landscape, compatibility with the surrounding landscape and developments, intensity of the visual impact, duration of the visual impact which culminates in the overall significance of the visual impact.

The specialist submits that prior to mitigation i.e. the Holder's Preferred Alternative 1 will obscure more views from neighbours directly overlooking these erven, specifically the northern node. The potential cumulative impacts associated with **Alternative 1** will be additive in nature and high in significance. Simply stated the proposed height increase of all six properties will have a significant cumulative impact resulting from higher buildings obscuring more than 50% of views.



Figure 7: Figure from VIA indicating how erven 4601 & 4602 will obscure more than 50% of the primary views from the directly adjacent, north westerly neighbouring properties.

With **Alternative 2** (recommended alternative) allowing for only four (4) of the original six (6) erven, two in the northern node and two in the southern node, the view from these most affected northern properties will not be affected to the same extent. Similarly their distant ocean views to the West will remain unaffected.

Therefore the large view cone between Morris Point and Bosbokduin's western boundary that would be affected under **Alternative 1**, would be reduced to status quo levels under **Alternative 2** (only four units, two in the northern node and two in the southern node only).



Figure 8: Visual zone of the closest southern property in Bosbokduin Estate overlooking erven 4718 & 4719 with less visual impact due to orientation and difference in elevation.

With the elevation difference between the Bosbokduin properties and Erven 4718 & 4719, there is enough contour level difference. With the increased roof height from 5m to 7.5m on these two properties, their new roof height would be at 37.5m above MSL which would mean that views over these dwellings will not impact substantially on the properties, similar to them retaining their 5m roof heights and therefore little visual impact is expected in this instance.

The impacts have been considered both in terms of construction, as well as operational impacts and are summarised in the following tables:

	5m high buildings	7,5m high buildings
PHASE: CONSTRUCTION		
Nature of impact:	Cleared of natural vegetation and visual scarring as a result of subsoil being exposed and increase of traffic and people and activity that will affect the Sense of place - negative	
Extent: of Impact	Local	
Duration of impact	Temporary	
Intensity	Medium, where the affected environment is altered, but cultural and social functions and processes continue, albeit in a modified way	
Probability of occurrence:	Definite	
Significance rating of impact prior to mitigation	High	
Degree to which the impact may cause irreplaceable loss of resources	Moderate to High	
Degree to which the impact can be reversed:	Moderate	
Degree to which the impact can be mitigated:	Moderate	
Proposed mitigation:	As per CNdV VIA Mitigation measures 5.9 Construction Period	
Significance rating of impact after mitigation	Medium	
Cumulative impact prior to mitigation	Medium	
Cumulative impact post mitigation	Medium	
Consequence Significance	Insignificant	

	5m high buildings	7,5m high buildings
PHASE: OPERATION - North Western Erven (4599, 4600, 4601, 4602)		
Nature of impact:	Visual Intrusion on/obstruction of Ocean views – negative	
Extent: of Impact	Local: limited to the immediate surroundings	
Duration of impact	Permanent - where time will not mitigate the impact	
Intensity	High, where the affected environment is altered, cultural and social functions and processes are significantly	
Probability of occurrence:	Definite	
Cumulative impact prior to mitigation	Moderate to High	Moderate - High
Significance rating of impact prior to mitigation	High negative – the impact will have significant effects and require mitigation measures to achieve an accepted level of impact	Higher negative – the impact will have significant effects and will require significant mitigation measures to achieve an accepted level of impact
Degree to which the impact may cause irreplaceable loss of resources - views	Moderate to High	High
Degree to which the impact can be reversed:	Partly reversible – the impact is reversible but more intense mitigation measures are required	Partly reversible - the impact is reversible but more intense mitigation measures are required
Degree to which the impact can be	Moderate	Moderate
Proposed mitigation:	As per CNDV VIA 2009 mitigation measures	Retain 5m roof height on Erven 4601 and 4602 On Erven 4599 and 4600, the roof height level must be taken from the lowest existing ground level namely at the eastern access point of Erf 4599 and the lowest ngl on Erf 4600
Significance rating of impact after mitigation	High - Medium	High - Medium
Cumulative impact post mitigation	Medium negative – the impact will have moderate negative effects	
Consequence Significance	The project has been approved on this significance so probably no significance	

	5m high buildings	7,5m high buildings
PHASE: OPERATION - South eastern Erven 4718 and 4719		
Nature of impact:	Visual Intrusion on/obstruction of Ocean views – negative	
Extent: of Impact	Local: limited to the immediate surroundings	
Duration of impact	Permanent - where time will not mitigate the impact	
Intensity	High, where the affected environment is altered, but cultural and social functions and processes are affected but continue in a modified way	
Probability of occurrence:	Definite	
Cumulative impact prior to mitigation	Low	
Significance rating of impact prior to mitigation	High negative – the impact will have significant effects and require mitigation measures to achieve an accepted level of impact	Higher negative – the impact will have significant effects and will require significant mitigation measures to achieve an accepted level of
Degree to which the impact may cause irreplaceable loss of resources	Moderate - Low	Moderate to Low
Degree to which the impact can be reversed:	Partly reversible – the impact is reversible but more intense mitigation measures are required	Partly reversible - the impact is reversible but more intense mitigation measures are required
Degree to which the impact can be	Moderate	Moderate
Proposed mitigation:	As per CNDV VIA 2009 mitigation measures	The 7,5m roof height must be measured for the lowest ngl on these erven The roof colour must be dark charcoal The roofs cape must be articulated
Significance rating of impact after mitigation	High - Medium	High - Medium
Cumulative impact post mitigation	Low negative – the impact will have moderate negative effects	
Consequence Significance	The project has been approved on this significance so probably no significance	

3.1 CONSIDERATION OF ALTERNATIVES

The Holder's preferred alternative is to have the deviation in height restrictions apply to all six (6) identified erven, namely Erven 4601, 4602, 4718, 4719, 4599 and 4560.

Alternative 1 (Holder's preferred alternative):

ANTICIPATED OVERALL IMPACT INCREASES FROM MEDIUM-HIGH NEGATIVE, TO **HIGH NEGATIVE**.

The visual specialist however does not support the Holder's preferred alternative due to reasons associated with an increased visual impact linked to erven 4601 and 4602 especially. The alternative of only considering four (4) of the original six (6) erven is therefore the recommended alternative.

Alternative 2 (Recommended alternative):

ANTICIPATED OVERALL IMPACT FOR THE FOUR SPECIFIC ERVEN, REMAINS SIMILAR TO THE AUTHORISED IMPACT RATING OF **MEDIUM-HIGH NEGATIVE**.

In the event that none of the six erven are permitted this height deviation, the Status Quo (or No-Change) alternative remains the baseline against which the amend/change must be assessed.

Alternative 3 (Status Quo):

ORIGINAL IMPACT RATING OF **MEDIUM-HIGH NEGATIVE** FOR ALL SIX PROPERTIES REMAIN UNCHANGED.

3.1.1 Comparison of alternatives

According to the visual impact assessment the **scenic resources** of the area can be described as low density residential, natural and rural and are therefore **Highly** rated.

The **Viewshed** remains unchanged in spite of the proposed higher roofs while the **Visibility** of the proposed higher roof on Erf 4599 has a slight chance of being seen from direction Jongensfontein. **Views** from the neighbouring house in the north west will be impacted while views from the closest house on Bosbokduin Estate will be less affected.

The **Visual Absorption Capacity** of the site is high with the exception of the developments to the south and north which are not shielded and will be affected by the proposed height increase on the adjacent erven.

The **Visual Intrusion** will remain **MODERATE** as it partially fits into the surroundings to the south but will be clearly noticeable to the north. The expected **Visual Impacts** are tabled below including significance before and after mitigation:

Table 3: Alternative comparison as per the VIA.

5m height		7,5m height	
Significance before mitigation	Significance after mitigation	Significance before mitigation	Significance after mitigation
<u>Construction Phase - Visual scarring during construction</u>			
High(-)	Medium (-)	High(-)	Medium (-)
<u>Operations Phase - Visual intrusion and obscuring of ocean views from Northern neighbours</u>			
High (-)	High - Medium (-)	High (-)	High - Medium (-)
<u>Operations Phase - Visual intrusion and obscuring of views from Bosbokduin neighbours</u>			
High (-)	High - Medium (-)	High (-)	High - Medium (-)

The table below reflects the key environmental advantages and disadvantages of the three alternative (i.e., keep to the existing 5m height restrictions on all erven, only permit four erven to have increased roof heights or allow all six erven to have increased roof heights)³.

Table 4: Potential issues associated with the different alternatives.

Alternative	Preference	Reasons (incl. potential issues)
Alternative 1: Increase roof height of six erven from 5m to 7.5m	Preferred alternative by the Holder	- This height increase has already been approved internally by the Skulpiesbaai HOA (2021);

³ The comparative assessment of the EGI alternatives is not included in this report, as these are being assessed as part of a separate Basic Assessment Process.

Alternative	Preference	Reasons (incl. potential issues)
		<ul style="list-style-type: none"> - The Estate's Architectural Guidelines has been adopted accordingly to allow for this deviation; - Potential buyers of the six properties will be more likely to invest with the increased height allowance; - Increased visual intrusion noted especially for properties location North of Erven 4601 and 4602. - Impact rating expected to increase from Medium-High negative to High negative.
Alternative 2: Permit only erven 4718, 4719, 4599 & 4560 to have increased roof heights from 5m to 7.5m.	Recommended to the DEIR/VIA	<ul style="list-style-type: none"> - This height increase has already been approved internally by the Skulpiesbaai HOA (2021) – subsequent adjustment to exclude Erven 4601/4602 required; - The Estate's Architectural Guidelines must be updated to exclude Erven 4601 & 4602; - Potential buyers of the four properties will be more likely to invest with the increased height allowance; - Impact rating expected to remain similar to the Status Quo as approved namely Medium-High negative.
Alternative 3: No change in the height restriction, remains at 5m as per the Environmental Authorisation Condition 8	Least preferred	<ul style="list-style-type: none"> - Visual intrusion rating is similar to that of Alternative 4 at 5m height.

4. LEGISLATIVE AND POLICY FRAMEWORK

The legislation that is relevant to this study is briefly outlined below. These environmental requirements are not intended to be definitive or exhaustive but serve to highlight key environmental legislation and responsibilities only.

4.1 NATIONAL LEGISLATION

This section deals with nationally promulgated or nationally applicable legislation associated with the proposed residential development within an urban area.

4.1.1 The Constitution of the Republic of South Africa

The Constitution of the Republic of South Africa (Act 108 of 1996) states that, everyone has a right to a non-threatening environment and that reasonable measures are applied to protect the environment. This includes preventing pollution and promoting conservation and environmentally sustainable development, while promoting justifiable social and economic development.

The Constitution and Bill of Rights provides that:

Everyone has the right:

- to an environment that is not harmful to their health or well-being; and
- to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures:
 - prevent pollution and ecological degradation;
 - promote conservation; and
 - secure, ecologically sustainable development and the use of natural resources while promoting justifiable economic and social development.

The National Environmental Management Act, NEMA (discussed below) is the enabling legislation to ensure this primary right is achieved.

4.1.2 National Environmental Management Act (NEMA)

The current amendment assessment is being undertaken in terms of the **National Environmental Management Act** (NEMA, Act 107 of 1998)⁴. This Act makes provision for the identification and assessment of activities that are potentially detrimental to the environment, and which require authorisation from the competent authority (in this case, the Provincial Department of Environmental Affairs & Development Planning) based on the findings of an Amendment Assessment.

The proposed amendment of a Condition of Approval does not imply further approval in terms of any so-called 'listed activities'. The Regulations do however stipulate that a change in scope/nature of impacts must be considered and assessed accordingly to ensure compliance. To this end **Regulations 31 – 33** must be complied with its procedure associated with a **Part 2 Amendment**.

4.2 REGIONAL AND MUNICIPAL LEGISLATION

This section deals with regionally and municipally promulgated or regionally or municipally applicable legislation associated with the proposed amendment.

1. Hessequa Spatial Development Framework (SDF, 2024/2025)

The main purpose of the SDF is to guide the form and location of especially future physical development within a municipal area in order to address spatial planning in a sustainable manner.

The Skulpiesbaai Estate is located within the urban edge of Stilbaai as defined and adopted by the Hessequa Municipality in their 2024/2025 SDF. The SDF supports low-density development along the 'urban fringes' and Skulpiesbaai Estate conforms to this description with large open space areas.

The SDF makes allowance for two-storey structures in so-called 'low density developments', however the SDF also acknowledges that height restrictions may be applicable.

2. Hessequa Zoning Scheme Regulations (2023)

Amongst others, the zoning scheme details criteria for specific land use / zoning typologies within a Municipal area. For the 'single residential' zoning, this scheme recommends structures not exceed two storey's height.

It defines 'storey' as *".....that portion of a building between the surface of any floor and the surface of the next floor above; or, if there is no floor above the ceiling, then up to the ceiling; provided that, unless the contrary appears clearly from the provisions of this By-law.....any storey which is greater than 4 metres, measured from the finished floor level to the finished floor level of the storey above, or to the ceiling in the case of a top storey, but equal to or less than 6,5 metres in height is, for the purpose of the height measurement, regarded as two storeys, and every additional 4 metres in height or portion thereof, is regarded as an additional storey"*.

5. SITE DESCRIPTION AND ATTRIBUTES

The following sections provide a description of the natural environment/landscape and built environment context of the Skulpiesbaai Estate and surrounds.

⁴ The Minister of Water and Environmental Affairs promulgated new regulations in terms of Chapter 5 of the National Environmental Management Act (NEMA, Act 107 of 1998), viz, the Environmental Impact Assessment (EIA) Regulations 2014 (as amended). These regulations came into effect on 08 December 2014 and replace the EIA regulations promulgated in 2006 and 2010.

5.1 LOCATION & BUILT ENVIRONMENT

The Estate is located along the western edge of Stilbaai-West and along with Bokmakierie and Bosbokduin developments, form the western most edge of the built-up township south of the Jongensfontein Road.

The Estate can be described as an 'eco-estate' type development with a low number/density of units distributed throughout private open space areas.

A number of houses have been built and are occupied on the Estate already.

Directly to the East of the Estate lies the Municipal Golf Course, as well as the Stilbaai Sewage Works and Skulpiesbaai Nature Reserve.

Access to the Estate is by means of a security gate with controlled access requirements.

5.2 VISUAL CONTEXT

The far Northern node of the Estate, borders on large erven within what was known as Bokmakierie Estate at the time of the original EIA process. These erven face primary South to optimise sea views. These erven along the northern boundary of Skulpiesbaai are located at a high point in the landscape, from where the topography slopes down and in a Southern direction.

Using Google Earth as a spatial tool, the elevation can be seen to drop from approximately 77m above mean sea level (MSL) outside the Skulpiesbaai Estate i.e. highest neighbouring property, to 70m above MSL at street level directly below where erven 4601, 4602, 4599 and 4560 are approved.

Apart from Erven 4601 and 4602, this difference in elevation, combined with the general orientation of views from the neighbouring Bokmakierie properties and the visual zone of influence from these properties, is sufficient to consider a roof height increase from 5m to 7.5m for Erven 4599 and 4560 only.



Figure 9: Screenshot of elevation difference between closest neighbouring property to the North overlooking erven 4601, 4602, 4599 and 4560.

For erven 4718 and 4719 located more to the South of the Estate, the topography slopes in a Northerly direction, away from Bosbokduin Estate with the closest properties within Bosbokduin at roughly 36m above MSL down to approximately 30m above MSL to where the two erven within Skulpiesbaai Estate are approved.

This difference in elevation, combined with the general orientation of views from the neighbouring Bosbokduin properties and the visual zone of influence from these properties, is sufficient to consider a roof height increase from 5m to 7.5m for Erven 4718 and 4719.

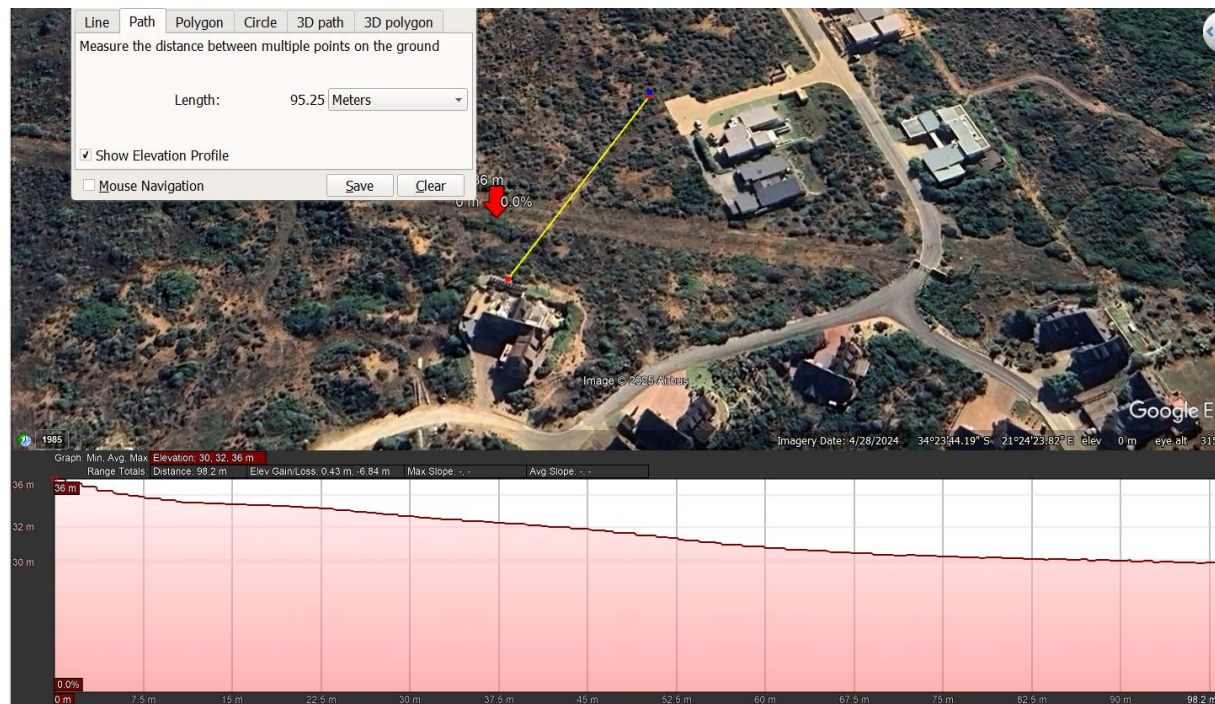


Figure 10: Screenshot of elevation difference between closest neighbouring property to the South overlooking erven 4718 and 4719.

6. PUBLIC PARTICIPATION PROCESS

Section 41 in Chapter 6 of regulation 982 details the public participation process that has to take place as part of an environmental process. The table below provides a quick reference to show how this environmental process has or intends to comply with these legislated requirements relating to public participation.

Table 5: Key dates for Public Participation Actions

Public Participation Action	Date / Date Range
Site Notices Placed.	11 August 2025
Newspaper Advert – Availability of Draft EIR	8 August 2025
Notifications – Availability of Draft EIR.	12 August 2025
Comment Period – Draft EIR.	12 August – 13 September 2025
Consider and response to all comments/submissions through Comments & Response Report	13 September – 25 September 2025
Submit Final EIR with Comments & Responses to DEADP for consideration and decision-making	No later than 29 September 2025
Regulated Requirement	Description

(1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.	Holder of the EA is owner of the Estate and individual land owners as home owners will be notified through the HOA.
The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by -	
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of - (i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and (ii) any alternative site;	Site Notices placed at the northern main entrance to Skulpiesbaai Estate, as well as closest to the southern node of the development.
(b) giving written notice, in any of the manners provided for in section 47D of the Act, to -	
(i) the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	Land owners within the Estate will receive notification of the availability of the DEIR via the HOA communication structure. The application will also be presented at their August Annual General Meeting (AGM).
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	Immediate owners directly adjacent to the North (Bokmakierie Estate), as well as the Bosbokduin HOA and Farm property owner to the West notified. Stilbaai Municipality as the property owner directly to the East also notified in writing of the DEIR.
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	Ward Councillor notified
(iv) the municipality which has jurisdiction in the area;	Hessequa Municipality notified.
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	CapeNature notified.
(vi) any other party as required by the competent authority;	None indicated.
(c) placing an advertisement in - (i) one local newspaper; or (ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	An advert calling for registration of I&APs and notifying of the availability of the DEIR was placed in the <i>SuidKaap Forum</i> on Friday, 8 August 2025. There is no official Gazette for this region.
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken: Provided that this paragraph need not be complied with if an advertisement has been placed in an official Gazette referred to in paragraph (c)(ii);and	Adverts were not placed in provincial or national newspapers, as the potential impacts will not extend beyond the borders of the municipal area.

<p>(e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to -</p> <p>(i) illiteracy;</p> <p>(ii) disability; or</p> <p>(iii) any other disadvantage.</p>	<p>In the even of any stakeholder not being able to communicate in writing or via phone, Cape EAPrac will engage with such individuals in such a manner as agreed on with the competent authority.</p>
<p>(3) A notice, notice board or advertisement referred to in sub regulation (2) must -</p> <p>(a) give details of the application or proposed application which is subjected to public participation; and</p> <p>(b) state -</p> <p>(i) whether procedures are being applied to the application;</p> <p>(ii) the nature and location of the activity to which the application relates;</p> <p>(iii) where further information on the application or proposed application can be obtained; and</p> <p>(iv) the manner in which and the person to whom representations in respect of the application or proposed application may be made.</p>	<p>Compliance.</p>
<p>(4) A notice board referred to in sub regulation (2) must -</p> <p>(a) be of a size at least 60cm by 42cm; and</p> <p>(b) display the required information in lettering and in a format as may be determined by the competent authority.</p>	<p>Compliance.</p>
<p>(5) Where public participation is conducted in terms of this regulation for an application or proposed application, sub regulation (2)(a), (b), (c) and (d) need not be complied with again during the additional public participation process contemplated in regulations 19(1)(b) or 23(1)(b) or the public participation process contemplated in regulation 21(2)(d), on condition that -</p> <p>(a) such process has been preceded by a public participation process which included compliance with sub regulation (2)(a), (b), (c) and (d); and</p> <p>(b) written notice is given to registered interested and affected parties regarding where the -</p> <p>(i) revised basic assessment report or, EMPr or closure plan, as contemplated in regulation 19(1)(b);</p> <p>(ii) revised environmental impact report or EMPr as contemplated in regulation 23(1)(b); or</p> <p>(iii) environmental impact report and EMPr as contemplated in regulation 21(2)(d);</p> <p>may be obtained, the manner in which and the person to whom representations on these reports or plans may be made and the date on which such representations are due.</p>	<p>Public participation process compliance and in accordance with the approved Public Participation Plan.</p>

<p>(6) When complying with this regulation, the person conducting the public participation process must ensure that -</p> <p>(a) information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties; and</p> <p>(b) participation by potential or registered interested and affected parties is facilitated in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application.</p> <p>(7) Where an environmental authorisation is required in terms of these Regulations and an authorisation, permit or licence is required in terms of a specific environmental management Act, the public participation process contemplated in this Chapter may be combined with any public participation processes prescribed in terms of a specific environmental management Act, on condition that all relevant authorities agree to such combination of processes.</p>	<p>All reports that are submitted to the competent authority will be subject to a public participation process. These include:</p> <ul style="list-style-type: none"> - Draft EIR - All specialist reports that form part of this environmental process.
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6.1 REGISTRATION OF KEY STAKEHOLDERS

All participating stakeholders that register as Interested & Affected Parties (I&APs) will have their details added to the Stakeholder Register for this application process. Registered I&APs will be kept informed throughout the remainder of the amendment assessment process.

This DEIR will be updated to reflect all the comments received, including submissions that may include reference to additional alternatives and/or impacts not yet considered in this draft version of the report.

Table 6: Key Authorities automatically registered as part of the Environmental Process

Stakeholders Registered		
Hessequa Municipality	Hendrik Visser	Planning & Environmental Affairs
CapeNature	Rhett Smart	Environmental
Garden Route District Municipality	Administration	Health & Safety
South African Heritage Resources Agency	Free State Provincial Heritage Resources Agency	The South African Square Kilometre Array
Heritage Western Cape	Stephanie-Ann Barnardt	Cultural landscape

The Department in their acceptance of the Public Participation Plan did not highlight any additional stakeholders to be registered for this amendment application process.

6.2 AVAILABILITY OF DRAFT AMENDMENT ENVIRONMENTAL ASSESSMENT REPORT

The Draft EIR is available for a 30-day commenting period extending from 12 August – 13 September 2025⁵.

Electronic copies of the report were available at the following locations:

- Cape EAPrac Website: www.cape-eaprac.co.za under 'Active Projects'.
- Direct download link via both WeTransfer and Dropbox (request to be made in writing)

⁵ Note that the newspaper advert referenced 11 August – 11 September. This commenting period has been adjusted by one-day and all notifications adjusted accordingly to ensure a full 30-day commenting period.

All notifications (including the site notice and advert) make provisions for potential I&APs to contact *Cape EAPrac*, should they not have access to the digital platforms provided. In such instances, *Cape EAPrac* will arrange other suitable mechanisms for them to be able to access the relevant information.

Copies of the newspaper advert, photos of the site notices and copies of the written notifications will be included with the updated Final EIR. Note that the Protection of Private Information Act (POPIA) will be adhered to at all times..

6.3 REMAINDER OF THE AMENDMENT ENVIRONMENTAL ASSESSMENT PROCESS

The following process is to be followed for the remainder of the environmental process:

- Comments received will be considered and responded to via the Comments & Response Report;
- The Draft EIR will be updated with all submissions received;
- The Final EIR will be submitted to the Competent Authority for consideration and decision-making;
- Registered I&APs will be notified of the submission and given access to the final document for information purposes.

7. CONCLUSION AND RECOMMENDATIONS

Cape EAPrac is of the opinion that the information contained in this Draft Environmental Impact Report and the documentation attached, are sufficient to allow the general public and key stakeholders (including the competent authority) to apply their minds to the potential negative and/or positive impacts associated with the amendment in respect of the height restriction deviation applied for.

Impacts associated with the amendment is associated mostly with visual intrusion and therefore a Visual Impact Assessment (VIA) was necessary to inform this amendment application process.

The outcome of the independent visual assessment is that the Holder's preferred alternative (**Alternative 1**) for six (6) erven to have increased roof heights from 5m to 7.5m is **not supported**. The recommended alternative (**Alternative 2**) is submitted to be an acceptable option with only four (4) of the original six (6) to be considered for this height restriction deviation (two erven in the Northern node and two erven in the Southern node). Specifically **erven 4601 and 4602** in the northern node, south of the Bokmakierie Estate development, must **retain the 5m height restriction**, whilst erven 4599 and 4560 (northern node) and erven 4718 and 4719 (southern node) can be considered for such a height restriction deviation subject to **additional mitigation measures** recommended by the visual specialist.

Considering that Alternative 2 will result in the same impact outcome as the Status Quo No-Change Alternative 3, being **Medium-High negative**, it is the finding of this amendment assessment that **Alternative 2** can be considered for authorisation.

8. GENERAL ABBREVIATIONS

AIA	Archaeological Impact Assessment
BGIS LUDS	Biodiversity Geographic Information System Land Use Decision Support
BESS	Battery Energy Storage System
CBA	Critical Biodiversity Area
CDSM	Chief Directorate Surveys and Mapping
CEMPr	Construction Environmental Management Programme
DFFE	Department of Forestry, Fisheries and the Environment
DEA&NC	Department of Environmental Affairs and Nature Conservation
DME	Department of Minerals and Energy
DSR	Draft Scoping Report
EAP	Environmental Impact Practitioner
EHS	Environmental, Health & Safety
EIA	Environmental Impact Assessment
EIR	Environmental Impact Report
EMPr	Environmental Management Programme
ESA	Ecological Support Area
GPS	Global Positioning System
GWh	Giga Watt hour
HIA	Heritage Impact Assessment
I&APs	Interested and Affected Parties
IDP	Integrated Development Plan
IFC	International Finance Corporation
IPP	Independent Power Producer
kV	Kilo Volt
LUDS	Land Use Decision Support
LUPO	Land Use Planning Ordinance

MW	Mega Watt
NEMA	National Environmental Management Act
NEMBA	National Environmental Management: Biodiversity Act
NERSA	National Energy Regulator of South Africa
NHRA	National Heritage Resources Act
NPAES	National Protected Area Expansion Strategy
NSBA	National Spatial Biodiversity Assessment
NWA	National Water Act
PM	Post Meridiem; “Afternoon”
PSDF	Provincial Spatial Development Framework
REIPPPP	Renewable Energy Independent Power Producer Procurement Programme
S.A.	South Africa
SACAA / CAA	South African Civil Aviation Authority
SAHRA	South African National Heritage Resources Agency
SANBI	South Africa National Biodiversity Institute
SANS	South Africa National Standards
SDF	Spatial Development Framework
TOPS	Threatened and Protected Species

9. REFERENCES

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