



01 March 2023

BASIC ASSESSMENT REPORT

**THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND
THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS.**

NOVEMBER 2019

(For official use only)	
Pre-application Reference Number (if applicable):	
EIA Application Reference Number:	
NEAS Reference Number:	
Exemption Reference Number (if applicable):	
Date BAR received by Department:	
Date BAR received by Directorate:	
Date BAR received by Case Officer:	

GENERAL PROJECT DESCRIPTION

(This must include an overview of the project including the Farm name/Portion/Erf number)

The proposal is to develop a small exclusive beachfront security estate on Portion 66 and 67 of Farm Brakkloof 443, Plettenberg Bay. The proximity to the beach and the views over the bay will secure high property values as there are very few beachfront properties left in the area. The development concept includes 9 residential stands that vary between $\pm 1319\text{m}^2$ and $\pm 1987\text{m}^2$ in size. There will be some designated communal open space that will be rehabilitated with natural indigenous vegetation. The property will be fenced and gated, however access to the frontal / coastal beach walking trail will not be denied. The development will be controlled by a Homeowners Association and the design of houses will be subject to architectural design guidelines that will ensure an aesthetically pleasing development that blends in with the surroundings.

IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THIS BASIC ASSESSMENT REPORT

1. **The purpose** of this template is to provide a format for the Basic Assessment report as set out in Appendix 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) in order to ultimately obtain Environmental Authorisation.
2. The Environmental Impact Assessment ("EIA") Regulations is defined in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") hereinafter referred to as the "NEMA EIA Regulations".
3. The required information must be typed within the spaces provided in this Basic Assessment Report ("BAR"). The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided.
4. All applicable sections of this BAR must be completed.
5. Unless protected by law, all information contained in, and attached to this BAR, will become public information on receipt by the Competent Authority. If information is not submitted with this BAR due to such information being protected by law, the applicant and/or Environmental Assessment Practitioner ("EAP") must declare such non-disclosure and provide the reasons for believing that the information is protected.
6. This BAR is current as of **November 2019**. It is the responsibility of the Applicant/ EAP to ascertain whether subsequent versions of the BAR have been released by the Department. Visit this Department's website at <http://www.westerncape.gov.za/eadp> to check for the latest version of this BAR.
7. This BAR is the standard format, which must be used in all instances when preparing a BAR for Basic Assessment applications for an environmental authorisation in terms of the NEMA EIA Regulations when the Western Cape Government Department of Environmental Affairs and Development Planning ("DEA&DP") is the Competent Authority.
8. Unless otherwise indicated by the Department, one hard copy and one electronic copy of this BAR must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department. Reasonable access to copies of this Report must be provided to the relevant Organs of State for consultation purposes, which may, if so indicated by the Department, include providing a printed copy to a specific Organ of State.
9. This BAR must be duly dated and originally signed by the Applicant, EAP (if applicable) and Specialist(s) and must be submitted to the Department at the details provided below.
10. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations, any subsequent Circulars, and guidelines must be taken into account when completing this BAR.
11. Should a water use licence application be required in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"), the "One Environmental System" is applicable, specifically in terms of the synchronisation of the consideration of the application in terms of the NEMA and the NWA. Refer to this Department's Circular EADP 0028/2014: One Environmental Management System.
12. Where Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA") is triggered, a copy of Heritage Western Cape's final comment must be attached to the BAR.
13. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Tool Report. The screening tool report must be attached to this BAR.

14. Where this Department is also identified as the Licencing Authority to decide on applications under the National Environmental Management: Air Quality Act (Act No. 29 of 2004) ('NEM:AQA"), the submission of the Report must also be made as follows, for- Waste Management Licence Applications, this report must also (i.e., another hard copy and electronic copy) be submitted for the attention of the Department's Waste Management Directorate (Tel: 021-483-2728/2705 and Fax: 021-483-4425) at the same postal address as the Cape Town Office.

Atmospheric Emissions Licence Applications, this report must also be (i.e., another hard copy and electronic copy) submitted for the attention of the Licensing Authority or this Department's Air Quality Management Directorate (Tel: 021 483 2888 and Fax: 021 483 4368) at the same postal address as the Cape Town Office.

DEPARTMENTAL DETAILS

CAPE TOWN OFFICE: REGION 1 and REGION 2 (Region 1: City of Cape Town, West Coast District) (Region 2: Cape Winelands District & Overberg District)	GEORGE OFFICE: REGION 3 (Central Karoo District & Garden Route District)
<p>BAR must be sent to the following details:</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 1 or 2) Private Bag X 9086 Cape Town, 8000</p> <p>Registry Office 1st Floor Utilitas Building 1 Dorp Street, Cape Town</p> <p>Queries should be directed to the Directorate: Development Management (Region 1 and 2) at: Tel: (021) 483-5829 Fax (021) 483-4372</p>	<p>BAR must be sent to the following details:</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530</p> <p>Registry Office 4th Floor, York Park Building 93 York Street George</p> <p>Queries should be directed to the Directorate: Development Management (Region 3) at: Tel: (044) 805-8600 Fax (044) 805 8650</p>

MAPS

Provide a location map (see below) as Appendix A1 to this BAR that shows the location of the proposed development and associated structures and infrastructure on the property.	
Locality Map:	<p>The scale of the locality map must be at least 1:50 000. For linear activities or development proposals of more than 25 kilometres, a smaller scale e.g., 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; and • a linear scale. <p>For ocean based or aquatic activity, the coordinates must be provided within which the activity is to be undertaken and a map at an appropriate scale clearly indicating the area within which the activity is to be undertaken.</p> <p>Where comment from the Western Cape Government: Transport and Public Works is required, a map illustrating the properties (owned by the Western Cape Government: Transport and Public Works) that will be affected by the proposed development must be included in the Report.</p>

Provide a detailed site development plan / site map (see below) as Appendix B1 to this BAR; and if applicable, all alternative properties and locations.	
Site Plan:	<p>Detailed site development plan(s) must be prepared for each alternative site or alternative activity. The site plans must contain or conform to the following:</p> <ul style="list-style-type: none"> • The detailed site plan must preferably be at a scale of 1:500 or at an appropriate scale. The scale must be clearly indicated on the plan, preferably together with a linear scale. • The property boundaries and numbers of all the properties within 50m of the site must be indicated on the site plan. • On land where the property has not been defined, the co-ordinates of the area in which the proposed activity or development is proposed must be provided. • The current land use (not zoning) as well as the land use zoning of each of the adjoining properties must be clearly indicated on the site plan. • The position of each component of the proposed activity or development as well as any other structures on the site must be indicated on the site plan. • Services, including electricity supply cables (indicate aboveground or underground), water supply pipelines, boreholes, sewage pipelines, storm water infrastructure and access roads that will form part of the proposed development must be clearly indicated on the site plan. • Servitudes and an indication of the purpose of each servitude must be indicated on the site plan. • Sensitive environmental elements within 100m of the site must be included on the site plan, including (but not limited to): <ul style="list-style-type: none"> ○ Watercourses / Rivers / Wetlands ○ Flood lines (i.e., 1:100 year, 1:50 year and 1:10 year where applicable); ○ Coastal Risk Zones as delineated for the Western Cape by the Department of Environmental Affairs and Development Planning ("DEA&DP"); ○ Ridges; ○ Cultural and historical features/landscapes; ○ Areas with indigenous vegetation (even if degraded or infested with alien species). • Whenever the slope of the site exceeds 1:10, a contour map of the site must be submitted. • North arrow <p>A map/site plan must also be provided at an appropriate scale, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred and alternative sites indicating any areas that should be avoided, including buffer areas.</p>
Site photographs	<p>Colour photographs of the site that shows the overall condition of the site and its surroundings (taken on the site and taken from outside the site) with a description of each photograph. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide a recent aerial photograph. Photographs must be attached to this BAR as Appendix C. The aerial photograph(s) should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Please note that the above requirements must be duplicated for all alternative sites.</p>
Biodiversity Overlay Map:	<p>A map of the relevant biodiversity information and conditions must be provided as an overlay map on the property/site plan. The Map must be attached to this BAR as Appendix D.</p>
Linear activities or development and multiple properties	<p>GPS co-ordinates must be provided in degrees, minutes and seconds using the Hartebeeshoek 94 WGS84 co-ordinate system.</p> <p>Where numerous properties/sites are involved (linear activities) you must attach a list of the Farm Name(s)/Portion(s)/Erf number(s) to this BAR as an Appendix.</p> <p>For linear activities that are longer than 500m, please provide a map with the co-ordinates taken every 100m along the route to this BAR as Appendix A3.</p>

ACRONYMS

DAFF:	Department of Forestry and Fisheries
DEA:	Department of Environmental Affairs
DEA& DP:	Department of Environmental Affairs and Development Planning
DHS:	Department of Human Settlement
DoA:	Department of Agriculture
DoH:	Department of Health
DWS:	Department of Water and Sanitation
EMPr:	Environmental Management Programme
HWC:	Heritage Western Cape
NFEPA:	National Freshwater Ecosystem Protection Assessment
NSBA:	National Spatial Biodiversity Assessment
TOR:	Terms of Reference
WCBSP:	Western Cape Biodiversity Spatial Plan
WCG:	Western Cape Government

ATTACHMENTS

Note:The Appendices must be attached to the BAR as per the list below. Please use a ✓(tick) or ax (cross) to indicate whether the Appendix is attached to the BAR.

The following checklist of attachments must be completed.

APPENDIX			✓(Tick) or x (cross)
Appendix A:	Maps		
	Appendix A1:	Locality Map	✓
	Appendix A2:	Coastal Risk Zones as delineated in terms of ICMA for the Western Cape by the Department of Environmental Affairs and Development Planning	✓
	Appendix A3:	Map with the GPS co-ordinates for linear activities	
Appendix B:	Appendix B1:	Site development plan(s)	✓
	Appendix B2	A map of appropriate scale, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffer areas;	✓
Appendix C:	Photographs		✓
Appendix D:	Biodiversity overlay map		✓
Appendix E:	Permit(s) / license(s) / exemption notice, agreements, comments from State Department/Organs of state and service letters from the municipality.		
	Appendix E1:	Final comment/ROD from HWC	✓
	Appendix E2:	Copy of comment from Cape Nature	✓
	Appendix E3:	Final Comment from the DWS	✓
	Appendix E4:	Comment from the DEA: Oceans and Coast	x
	Appendix E5:	Comment from the DAFF	✓
	Appendix E6:	Comment from WCG: Transport and Public Works	✓
	Appendix E7:	Comment from WCG: DoA	✓
	Appendix E8:	Comment from WCG: DHS	x
	Appendix E9:	Comment from WCG: DoH	✓

	Appendix E10:	Comment from DEA&DP: Pollution Management	x
	Appendix E11:	Comment from DEA&DP: Waste Management	x
	Appendix E12:	Comment from DEA&DP: Biodiversity	x
	Appendix E13:	Comment from DEA&DP: Air Quality	x
	Appendix E14:	Comment from DEA&DP: Coastal Management	x
	Appendix E15:	Comment from the local authority	✓
	Appendix E16:	Confirmation of all services (water, electricity, sewage, solid waste management)	✓
	Appendix E17:	Comment from the District Municipality	✓
	Appendix E18:	Copy of an exemption notice	x
	Appendix E19	Pre-approval for the reclamation of land	x
	Appendix E20:	Proof of agreement/TOR of the specialist studies conducted.	x
	Appendix E21:	Proof of land use rights	✓
	Appendix E22:	Proof of public participation agreement for linear activities	x
Appendix F:	Public participation information: including a copy of the register of I&APs, the comments and responses Report, proof of notices, advertisements and any other public participation information as is required.		✓
Appendix G:	Specialist Report(s)		✓
Appendix H:	EMPr		✓
Appendix I:	Screening tool report		✓
Appendix J:	The impact and risk assessment for each alternative		✓
Appendix K:	Need and desirability for the proposed activity or development in terms of this Department's guideline on Need and Desirability (March 2013)/DEA Integrated Environmental Management Guideline		✓
Appendix.....	Any other attachments must be included as subsequent appendices		x

SECTION A: ADMINISTRATIVE DETAILS

Highlight the Departmental Region in which the intended application will fall	CAPE TOWN OFFICE:		GEORGE OFFICE:
	REGION 1 (City of Cape Town, West Coast District)	REGION 2 (Cape Winelands District & Overberg District)	REGION 3 (Central Karoo District & Garden Route District)
Duplicate this section where there is more than one Proponent Name of Applicant/Proponent: Name of contact person for Applicant/Proponent (if other): Company/ Trading name/State Department/Organ of State: Company Registration Number: Postal address: Telephone: E-mail:	ATHINA DEVELOPMENT (PTY) LTD		
	Kyle Powter		
	ATHINA DEVELOPMENT (PTY) LTD		
	2018/081918/07		
	1 st Floor, Dean Street Arcade, Main Street		
	Newlands		Postal code:7700
	()		Cell:082 505 1770
	kylepowter1@gmail.com		Fax: ()
	Eco Route		
	Janet Ebersohn		
P.O. Box 1252			
Sedgefield		Postal code:6573	
()		Cell:082 55 77 122	
janet@ecoroute.co.za		Fax: 086 402 9562	
Bsc.Hons. Environmental Management			
2019/1286			
Mantevrede Trust (IT2477/96)			
Daniel Jacobus Dercksen			
20 Fitchat Street			
Knysna		Postal code:6571	
(044) 382 0473		Cell:082 855 2244	
daan@dercksens.co.za		Fax: ()	
Seven Falls Trading 101 (Pty) Ltd			
Renate du Rand			
TH14, Long Street, Thesen Harbour Town, Thesen Islands			
Knysna		Postal code:6571	
(044) 382 4331		Cell:081 821 3034	
renated@realnet.co.za		Fax: ()	
Same as Landowners above			
		Postal code:	
()		Cell:	
		Fax: ()	
Bitou Municipality			
Chris Schliemann			
P.O. Box 255			
Plettenberg Bay		Postal code:6600	
(044) 501 3324		Cell:083 628 4001	
cschliemann@plett.gov.za		Fax: 086 659 7954	

SECTION B: CONFIRMATION OF SPECIFIC PROJECT DETAILS AS INCLUDED IN THE APPLICATION FORM

1.	Is the proposed development (please tick):	New	<input checked="" type="checkbox"/>	Expansion	
2.	Is the proposed site(s) a brownfield or greenfield site? Please explain.				
Greenfield, the development is on a farm portion.					
3.	For Linear activities or developments				
3.1.	Provide the Farm(s)/Farm Portion(s)/Erf number(s) for all routes:				
3.2.	Development footprint of the proposed development for all alternatives.				m ²
3.3.	Provide a description of the proposed development (e.g. for roads the length, width and width of the road reserve in the case of pipelines indicate the length and diameter) for all alternatives.				
3.4.	Indicate how access to the proposed routes will be obtained for all alternatives.				
3.5.	SG Digit codes of the Farms/Farm Portions/Erf numbers for all alternatives				
3.6.	Starting point co-ordinates for all alternatives				
	Latitude (S)	°	'	"	
	Longitude (E)	°	'	"	
	Middlepoint co-ordinates for all alternatives				
	Latitude (S)	°	'	"	
	Longitude (E)	°	'	"	
	End point co-ordinates for all alternatives				
	Latitude (S)	°	'	"	
	Longitude (E)	°	'	"	
Note: For Linear activities or developments longer than 500m, a map indicating the co-ordinates for every 100m along the route must be attached to this BAR as Appendix A3.					
4.	Other developments				
4.1.	Property size(s) of all proposed site(s):				16909.97m ² 8658.85m ²
4.2.	Developed footprint of the existing facility and associated infrastructure (if applicable):				±300m ²
4.3.	Development footprint of the proposed development and associated infrastructure size(s) for all alternatives:				15216.98m ²
4.4.	Provide a detailed description of the proposed development and its associated infrastructure (This must include details of e.g. buildings, structures, infrastructure, storage facilities, sewage/effluent treatment and holding facilities).				
<p>Portion 66 (16909.97m²) and 67 (8658.85m²) of the Farm Brakkloof 443 measure ±2.56ha in total and are some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature Reserve. The properties have been earmarked for urban development for the past 40 years in various Structure Plans, Guide Plans, and Spatial Development Frameworks. Presently, the Spatial Development Framework for Bitou 2017, like all the preceding spatial plans, also earmarks the site as urban land within the urban edge, where residential development is encouraged.</p> <p>Portion 66 was rezoned in 1989 from "Agriculture" to "Subdivisional Area" and subdivided into 11 "Single Residential" erven with average erf sizes of approximately ±1020m² and 2 open space erven. These development rights were never implemented and have lapsed. Presently, the site contains a dwelling house that does not have approved building plans. The house has never been occupied and will be demolished. Portion 67 of 433 is vacant and undeveloped.</p>					

The proposal is to consolidate the two land portions and to create a small exclusive beachfront security estate. The proximity to the beach and the views over the bay will secure high property values as there are very few beachfront properties left in the area. The development concept includes 9 residential stands that vary between ±1319m² and ±1987m² in size. Five of the stands are along the Eastern boundary overlooking the ocean, while two of the remainder units are at the crest of the property, looking towards the ocean and towards the Whale Rock ridge on the Western side of the property. The last two units will have glimpses of the ocean, but their orientation is mostly towards the Whale Rock ridge towards the West. The entrance driveway will be paved, leading to a security entrance gate and guard house. The driveway is purposely made as short as possible, servicing the entrances to each stand. Access will be directly from Robberg Bay Road (Minor Road 4(a)K).

The present zoning of the property is zoned "Agriculture" in terms of the Plettenberg Bay zoning Scheme and the intention is to apply for the rezoning of the land to "Sub-divisional Area" in the *Planning Process* which would allow for the further subdivision of the land into 9 "Single Residential" erven and 1 communal "Private Open Space" erf.

The development will be controlled by a Homeowners Association and the design of houses will be subject to Architectural Design Guidelines that will ensure an aesthetically pleasing development that blends in with the surroundings. The Architectural Design Manual covers all aspects of the 'look and feel' of the proposed development, to assure that the colour schemes blend in with the landscape, the height restriction fits in with the Local Authority scheme regulations, and that all efforts to make the visual impact on the landscape as minimal as possible.

Residential Dwellings and Stands:

The planned 9 units calculate to a development density of 3.5 unit per ha. This development density has been reduced and is now compatible with surrounding development densities. Each house will be positioned within the pre-defined disturbance area, as per the SDP. The maximum bulk of the homes will be restricted to 850m² per stand, with the exception of outbuildings and garages. All houses are limited to two storeys, up to a maximum height of 8m for the five front (sea row) and 8,5m for the other four units, above natural ground level (NGL). The five units along the sea front will require a setback of 2m at the first-floor level along the East side of the disturbance area. The communal open space will be rehabilitated with natural indigenous vegetation. The property will be fenced and gated, however access to the frontal / coastal beach walking trail, will not be denied.

Fencing:

The property will be fenced with 1,8m high Clearview Fencing. This patent-type fencing is designed to be very unobtrusive and non-evasive, compared to other types of boundary walls or fences. Wherever fences are needed in the development area and on its boundary, it will be necessary to ensure that wildlife can move through the fences to enable their movement across the landscape. CapeNature will be consulted with regards to the methods that can be used to do so, which will include details about construction, materials and frequency of implementation (spacing of permeability). The use of colourful weather-resistant flags on the wire can also be considered.

Access:

The property is situated in the southeastern section of the Bitou Municipality area, adjacent to Robberg Beach. The property can be accessed from the south via Robberg Bay Road (Minor Road 4(a)K). Access to the proposed development can be accommodated directly from Robbeberg Bay Road with minimal impact. The proposed development will generate between 2 and 9 peak hour and 27 and 36 daily vehicle trips increasing peak hour and daily trips up to approximately 45 and 180 respectively. The additional peak (up to 9) and daily (up to 36) traffic volumes will require the upgrade of the existing access track from Robbeberg Bay Road to the proposed access point to ensure that it remains in good condition. (Traffic Impact Statement, June 2022, attached as Appendix G). The status of the access road is a MINOR ROAD (7209) under the jurisdiction of the Provincial Roads Authority. Public road maintenance is not a function of individual landowners, but that of the provincial government. The TIA recommends that the existing access track from Robbeberg Bay Road to the proposed site access be upgraded to a hard surface with the cost of the access point being met by the developer. The maintenance of the road will remain to be a Provincial Roads responsibility.

Beach Access:

Access to the beach from the proposed development is over Coastal Public Property. There are two existing footpaths from the development allowing access to the beach. With the proposed consolidation of the properties only one access will be required. The footpath from Portion 66 will be closed and rehabilitated (Figure..), while the footpath from Portion 67 (figure ...) will remain in use and connect to the proposed footpath within the development.



Figure 1: Two existing footpaths - Portion 66 (right) to be closed and rehabilitated, and Portion 67 (left) to remain in use.

Services:

The development will be able to connect to the surrounding engineering services network that runs along with the servitude on the western boundary. An Engineering Report confirming the capacity of bulk services has been completed and will be included in the DBAR. The Applicant will also investigate / consider the latest technology with respect to water supply (roof tanks), water pipelines, sewage disposal and energy saving devices, such as heat pumps, solar energy, bollard lighting and solar panels.

Foundations:

Various options exist to found the house structures but piling, rafts and re-compaction with reinforced strip footings are proposed. The type of foundations will depend on site density tests, slopes and architecture of the house.

The four stands positioned to the west of the site are on top of the respective dunes and care is required to minimize damage to the surrounding environment and here mini or bored piles could be employed after a platform has been cut. It is of the Engineers opinion (Engineering Report attached as Appendix G) that the founding conditions improve with depth in these dune sand areas. On the remainder of the sites (five eastern stands) where the existing ground level is more even rafts and re-compaction operations can be done and side slopes can be protected by shoring. Standard reinforced footings can be used (Figure 1)

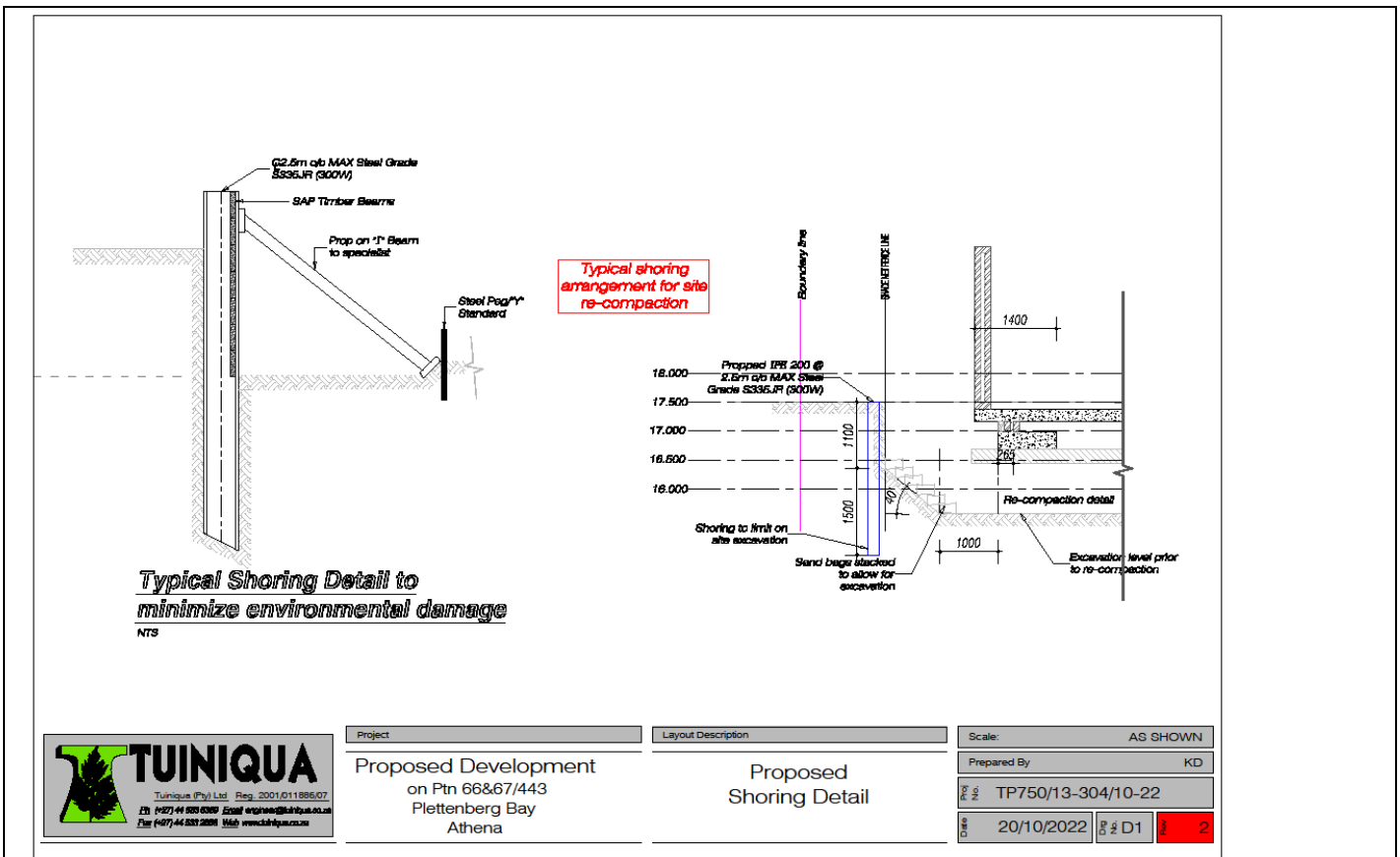
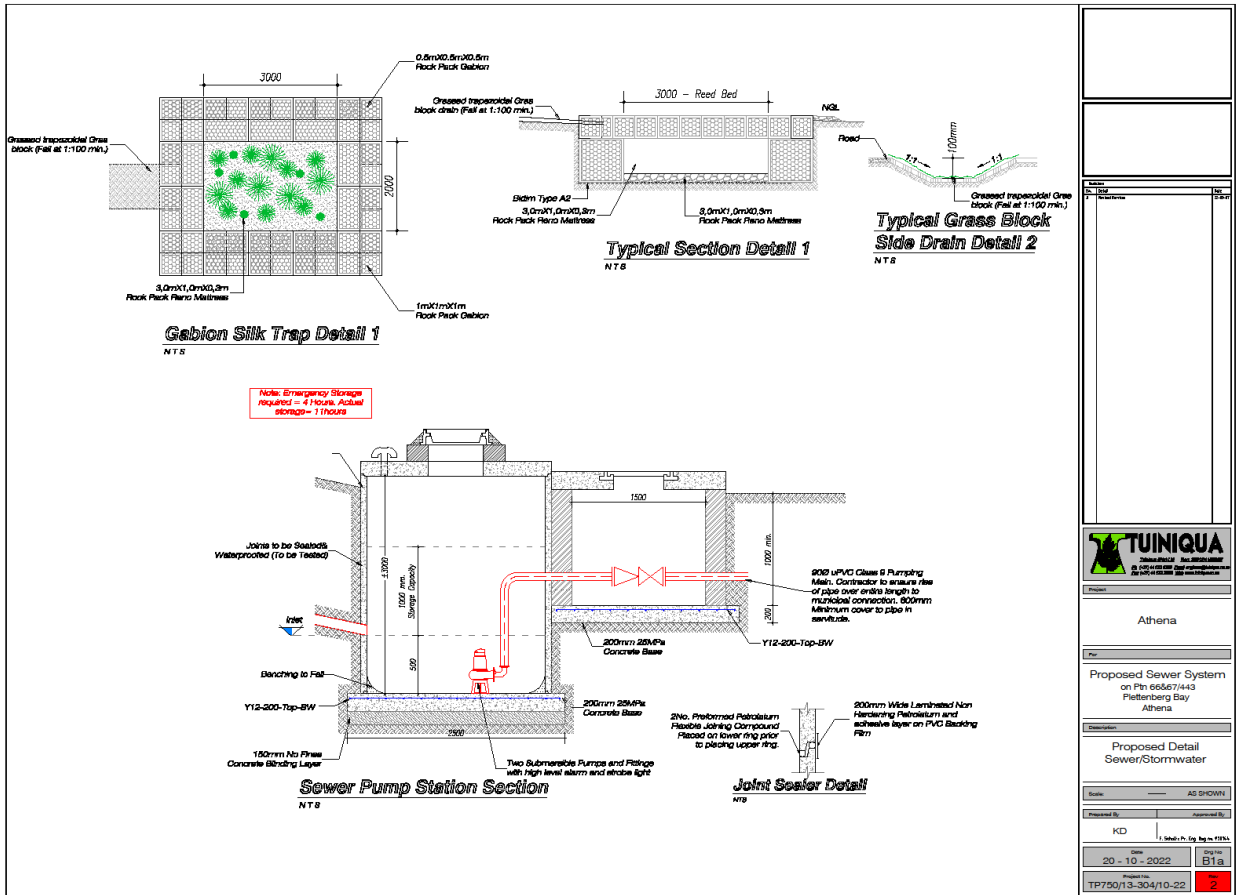


Figure 2: Typical shoring details.

Stormwater:

The development has a small catchment area. The development has permeable dune sand soil conditions and noticeable runoff is not envisaged. There are also large open areas where runoff can be dissipated. As stated above, the sands are very permeable and undevelopable areas have been provided for, this allows for free drainage of general runoff from the houses. Each house is required by local law to provide at least one 5000 litre rainwater collection tank. This will serve as a retention vessel in downpours. Due to the large open space, runoff from the roofs and hardened surfaces can easily be dealt with on each plot without erosion. Driveways will be constructed from grass blocks to allow for effective retarding of surface flow and facilitate percolation. The common roadways will have a kerb and channel side drain where mostly water from the road is collected, transported and transferred to a trapezoidal grass block side drain and discharged into an effective 1,2m deep stilling gabion chamber that will also serve as a silt trap. The retention chamber will facilitate percolation and will not have an outlet (see Figures 2 – 3)



Athena	
Proposed Sewer System on Pn 6667/443 Plettenberg Bay Athena	
Proposed Detail Sewer/Stormwater	
Scale:	AS DRAWN
Drawn By:	KD
Check By:	20-10-2022
Project No:	TP750/13-304/10-22
	2

Figure 3: Gabion silt trap and typical grass blocks for permeable paved areas

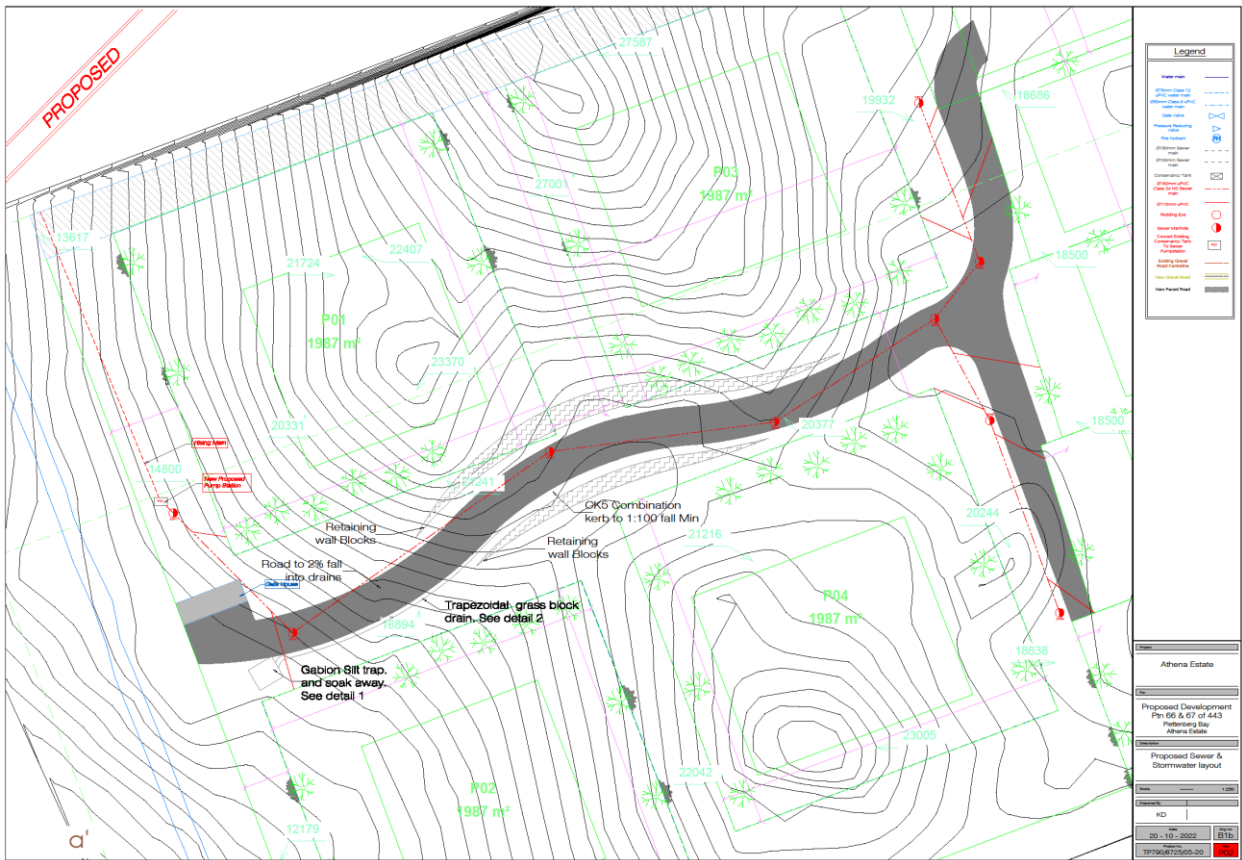


Figure 4: Layout of proposed stormwater system.

Erosion prevention during construction:				
The possible erosion during construction of the roadway and installation of services is limited to the road reserve and the chances of enough water collecting to do damage is remote. The necessary precautions need however to be taken that will include a series of berms across the internal access road to retard flow from higher areas. The proposed gabion retention pond needs to be constructed first with site runoff discharged into it. The gabion retention/silt pond needs to be cleaned out prior to handing over the internal services.				
4.5.	Indicate how access to the proposed site(s) will be obtained for all alternatives.			
The property can be directly accessed from the south via Robberg Bay Road (Minor Road 4(a)K). Access alternatives are limited as the Duinen See development to the north is refusing access over their land (Portion 58) via a servitude that connects Aquerius Road to Robberg Bay Road.				
4.6.	SG Digit code(s) of the proposed site(s) for all alternatives: C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 3 0 0 0 6 6			
Coordinates of the proposed site(s) for all alternatives:				
4.7.	Latitude (S)	34°	05'	24"
	Longitude (E)	23°	22'	13"

SECTION C: LEGISLATION/POLICIES AND/OR GUIDELINES/PROTOCOLS

1. Exemption applied for in terms of the NEMA and the NEMA EIA Regulations

Has exemption been applied for in terms of the NEMA and the NEMA EIA Regulations. If yes, include a copy of the exemption notice in Appendix E18.	YES	NO ✓
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2. Is the following legislation applicable to the proposed activity or development.

The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA"). If yes, attach a copy of the comment from the relevant competent authority as Appendix E4 and the pre-approval for the reclamation of land as Appendix E19.	YES ✓	NO
The National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA"). If yes, attach a copy of the comment from Heritage Western Cape as Appendix E1.	YES ✓	NO
The National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). If yes, attach a copy of the comment from the DWS as Appendix E3.	YES ✓	NO
The National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM:AQA"). If yes, attach a copy of the comment from the relevant authorities as Appendix E13.	YES	NO ✓
The National Environmental Management Waste Act (Act No. 59 of 2008) ("NEM:WA")	YES	NO ✓
The National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004 ("NEMBA").	YES ✓	NO
The National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) ("NEMPAA").	YES	NO ✓
The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983). If yes, attach comment from the relevant competent authority as Appendix E5.	YES ✓	NO

3. Other legislation

List any other legislation that is applicable to the proposed activity or development.
Consolidation in terms of Section 15 (2)e of the Land Use Planning Bylaw: the two farm portions will be consolidated into a single Erf and will obtain a new Erf number.
Rezoning in terms of Section 15 (2)a of the said Bylaw: The properties are currently zoned "Agricultural" in terms of the Plettenberg Bay Zoning Scheme applicable to the area. To facilitate the development of the land the consolidated property will have to be rezoned to "Sub-divisional Area".
Subdivision in terms of Section 15 (2)d of the said Bylaw: The subdivision plan indicates the subdivision of the property into 9 individual Single Residential stands as well as roads and private open spaces.

Outeniqua Sensitive Coastal Area Extension Regulations promulgated under Environmental Conservation Act (Act No. 73 of 1989): A permit in terms of the Outeniqua Sensitive Coastal Area Extension Regulations will be applied for when the final site plans for each residential dwelling is submitted to Bitou Municipality. This was telephonically discussed with Anjé Taljaard (Environmental Manager at the Bitou Municipality) on 19/01/2023. The volume of sand to be excavated and the area where vegetation will be disturbed will be determined per dwelling, with conditions as per the Architectural Design Manual.

NATIONAL LEGISLATION	RELEVANT YES / NO	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorization/co mment / relevant consideration (e.g. rezoning or consent use, building plan approval)	DATE (if already obtained):
CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA. (ACT 108 OF 1996)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
ENVIRONMENTAL CONSERVATION ACT (ACT 73 OF 1989) OUTENIQUA SENSITIVE COASTAL AREA EXTENSION REGULATIONS	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	On submission of site plan to municipality for each dwelling
NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT 107 OF 1998)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT ACT (ACT 62 OF 2008)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT (ACT NO 10 OF 2004)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION	
NATIONAL ENVIRONMENTAL MANAGEMENT: INTERGRATED COASTAL MANAGEMENT ACT (ACT NO 24 OF 2008)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION	
NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT (ACT 59 OF 2008)	NO	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION	
NATIONAL VELD AND FOREST FIRE ACT (ACT 101 OF 1998)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities. <u>DAFF Jurisdiction</u>	PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION	
NATIONAL WATER ACT (ACT 36 OF 1998)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities. <u>Dept of Water Affairs Jurisdiction</u>	PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION	General Authorization Application Reference: CT23686
WATER SERVICES ACT (ACT 108 OF 1997)	NO	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well	PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION	

		<p>as Local Authorities that have been identified as relevant Competent Authorities.</p> <p><u>Dept of Water Affairs Jurisdiction</u></p>		
SUBDIVISION OF AGRICULTURAL LAND ACT (ACT 70 OF 1970)	YES	<p>Department of Environmental Affairs, Republic of South Africa.</p> <p>All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.</p> <p><u>Dept. of Agriculture Jurisdiction</u></p>	<p>PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION</p>	No objection received.
CONSERVATION OF AGRICULTURAL RESOURCES ACT (ACT 43 OF 1983)	YES	<p>Department of Environmental Affairs, Republic of South Africa.</p> <p>All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.</p> <p><u>Dept. of Agriculture Jurisdiction</u></p>	<p>PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION</p>	
NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)	YES	<p>Department of Environmental Affairs, Republic of South Africa.</p> <p>All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.</p>	<p>PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION</p>	Pending
NATIONAL HEALTH ACT (ACT 61 OF 2003)	YES	<p>Department of Environmental Affairs, Republic of South Africa.</p> <p>All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.</p> <p><u>Dept. of Health Jurisdiction</u></p>	<p>PERMIT / LICENSE / AUTHORIZATION / COMMENT / RELEVANT CONSIDERATION</p>	

NATIONAL ROAD TRAFFIC ACT (ACT 93 OF 1996)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities. <u>WC Roads Dpt. Jurisdiction</u>	PERMIT / LICENSE/AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	No objection received
LAND USE PLANNING ACT (ACT 3 OF 2014)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	Pending
SPLUMA (ACT 13 OF 2013)	YES	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
PROVINCIAL LEGISLATION WESTERN CAPE	RELEVANT YES / NO	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorization/ comment / relevant consideration (e.g. rezoning or consent use, building plan approval)	DATE (if already obtained):
WESTERN CAPE CONSTITUTION ACT 1 OF 1998	NO	Department of Environmental Affairs, Republic of South Africa. All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
WESTERN CAPE NATURE CONSERVATION LAWS AMENDMENT ACT (ACT 3 OF 2000)	NO	Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	PERMIT / LICENSE/AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	

		<u>CapeNature Jurisdiction</u>		
WESTERN CAPE NATURE CONSERVATION BOARD ACT (ACT 15 OF 1998)	NO	Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities. <u>CapeNature Jurisdiction</u>	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
WESTERN CAPE PLANNING AND DEVELOPMENT ACT (ACT 7 OF 1999)	NO	Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities. <u>CapeNature Jurisdiction</u>	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
MUNICIPAL ORDINANCE 20 OF 1974	NO	Local Authorities that have been identified as relevant Competent Authorities. <u>Local Government Jurisdiction</u>	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	
MUNICIPAL PLANNING BYLAW 2015	YES	Local Authorities that have been identified as relevant Competent Authorities. <u>Municipality</u>	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	Pending
WESTERN CAPE LAND ADMINISTRATION ACT (ACT 6 OF 1998)	NO	Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities. <u>DEA&DP Jurisdiction</u>	PERMIT / LICENSE/ AUTHORIZATION / COMMENT/ RELEVANT CONSIDERATION	

4. Policies

Explain which policies were considered and how the proposed activity or development complies and responds to these policies.	
POLICIES AND GUIDELINES	ADMINISTERING AUTHORITY
DEA (2014), Companion to the EIA Regulations 2014, Integrated Environmental Management Guideline Series 5, Department of Environmental Affairs, (DEA), Pretoria, South Africa	Department of Environmental Affairs, Republic of South Africa. All Provincial Departments that have been identified as Competent Authorities.
DEA&DP (2014) Guideline on Public Participation, EIA Guideline and Information Document Series. Western	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)

Cape Department of Environmental Affairs & Development Planning (DEA&DP)	
Guideline for Involving Heritage Specialists in EIA Processes June 2005	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Guideline for Environmental Management Plans June 2005	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Ecosystem Guidelines for Environmental Assessment in the Western Cape	Fynbos Forum
Guidelines for Resort Developments in the Western Cape	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
NEMA EIA Regulations Guideline and Information Document Series: Guideline on Alternatives	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
NEMA EIA Regulations Guideline and Information Document Series: Guideline on Appeals	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
NEMA EIA Regulations Guideline and Information Document Series: Guideline on Exemption Applications	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
NEMA EIA Regulations Guideline and Information Document Series: Guideline on Need and Desirability	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
NEMA EIA Regulations Guideline and Information Document Series: Guideline on Public Participation	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
NEMA EIA Regulations Guideline and Information Document Series: Guideline on Transitional Arrangements	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Guideline for determining the Scope of Specialist Involvement in EIA Processes	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Guideline for involving Visual and Aesthetic Specialists in EIA Processes	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Guideline for involving Social Assessment Specialists in EIA Processes	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Guideline for involving Hydro-geologists in EIA Processes	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
Guideline for involving Biodiversity Specialists in EIA Processes	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)

Guideline for Environmental Management Plans	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)

5. Guidelines

List the guidelines which have been considered relevant to the proposed activity or development and explain how they have influenced the development proposal.
See above

6. Protocols

Explain how the proposed activity or development complies with the requirements of the protocols referred to in the NOI and/or application form
A <i>Screening Tool</i> has been completed as well as a <i>Site Sensitivity Verification Report</i> (Appendix I).

SECTION D: APPLICABLE LISTED ACTIVITIES

List the applicable activities in terms of the NEMA EIA Regulations

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 1	Describe the portion of the proposed development to which the applicable listed activity relates.
17	Development - (v) If no development setback line exists, then within a distance of 100 meters inland of the high-water mark of the sea In respect of : (e) buildings of 50 square meters or more. (f) infrastructure, structures of 50 square meters or more.	The development footprint is approximately 15216.98m ² of the whole property, as indicated on the attached Layout Plan (Appendix M). This will require clearance of more than 1 hectare of vegetation. The development is with 100m of the high-water mark of the sea and requires more than 5 cubic meters of soil to be excavated for the stands.
19A	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging , excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from: (iii) the littoral active zone, an estuary or a distance of 100 meters or more from the high-water mark of the sea.	
27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.	
Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3	Describe the portion of the proposed development to which the applicable listed activity relates.
4	The development of a road wider than 4 metres with a reserve less than 13,5 metres. a. Western Cape	The development requires roadways to access the 9 stands, and includes parking bays, as indicated on the attached Layout Plan (Appendix M).

	<p>i. Areas outside urban areas; (aa) Areas containing indigenous vegetation;</p>	
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>(i) Western Cape (i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; (iii) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p>	<p>The development footprint is approximately 15216.98m² and will require clearance of more than 300 meters squared of vegetation. The development is within 100 meters of the highwater mark of the sea and within a Vulnerable Ecosystem Threat Status.</p>
<p>Note:</p> <ul style="list-style-type: none"> The listed activities specified above must reconcile with activities applied for in the application form. The onus is on the Applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, a new application for Environmental Authorisation will have to be submitted. Where additional listed activities have been identified, that have not been included in the application form, and amended application form must be submitted to the competent authority. 		

List the applicable waste management listed activities in terms of the NEM:WA

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Category A	Describe the portion of the proposed development to which the applicable listed activity relates.
N/A		

List the applicable listed activities in terms of the NEM:AQA

Activity No(s):	Provide the relevant Listed Activity(ies)	Describe the portion of the proposed development to which the applicable listed activity relates.
N/A		

SECTION E: PLANNING CONTEXT AND NEED AND DESIRABILITY

1.	Provide a description of the preferred alternative.
<p>The proposal is to develop a small exclusive beachfront security estate on Portion 66 and 67 of Farm Brakkloof 443, Plettenberg Bay. The proximity to the beach and the views over the bay will secure high property values as there are very few beachfront properties left in the area. The development concept includes 9 residential stands that vary between ±1319m² and ±1987m² in size. There will be some designated communal open space that will be rehabilitated with natural indigenous vegetation. The property will be fenced and gated, however access to the frontal / coastal beach walking trail will not be denied. The development will be controlled by a Homeowners Association and the design of houses will be subject to architectural design guidelines that will ensure an aesthetically pleasing development that blends in with the surroundings.</p>	

2.	Explain how the proposed development is in line with the existing land use rights of the property as you have indicated in the NOI and application form? Include the proof of the existing land use rights granted in Appendix E21.
The rezoning will be from Agriculture I to Subdivisional Area and Residential I. The application for rezoning and subdivision is pending.	
3.	Explain how potential conflict with respect to existing approvals for the proposed site (as indicated in the NOI/and or application form) and the proposed development have been resolved.
Consolidation in terms of Section 15 (2)e of the Land Use Planning Bylaw: the two farm portions will be consolidated into a single Erf and will obtain a new Erf number.	
Rezoning in terms of Section 15 (2)a of the said Bylaw: The properties are currently zoned "Agricultural" in terms of the Plettenberg Bay Zoning Scheme applicable to the area. To facilitate the development of the land the consolidated property will have to be rezoned to "Sub-divisional Area".	
Subdivision in terms of Section 15 (2)d of the said Bylaw: The subdivision plan indicates the subdivision of the property into 9 individual Single Residential stands as well as roads and private open spaces.	
4.	Explain how the proposed development will be in line with the following?
4.1	The Provincial Spatial Development Framework.
The sustainable use of provincial assets is one of the main aims of the PSDF. The protection of the non-renewable natural and agricultural resources is achieved through clear settlement edges for towns by defining limits to settlements and through establishing buffers/transitions between urban and rural areas. The urban fringe must ensure that urban expansion is structured and directed away from environmentally sensitive land and farming land; agricultural resources are reserved; environmental resources are protected; appropriate levels of services are feasible to support urban fringe land uses, and land use allocations within the urban fringe are compatible and sustainable. These properties are within the urban edge and have access to existing service networks. Although the sites are zoned for agricultural purposes, the properties have no agricultural potential, due to the sandy soil, proximity to the sea, lack of irrigation and the size of the land. A vegetation study has also confirmed that the land has no environmental value.	
4.2	The Integrated Development Plan of the local municipality.
The Garden Route SDF aims to promote balanced development that supports the integration and densification of settlements within the District. In general, it promotes the creation of a walkable, integrated, and compact urban environment. The report states that the financial and economic viability of towns in the District should be improved by promoting the intensification of existing urban areas. This can be achieved through infill, densification, and redevelopment, which in turn makes the use of existing infrastructure capacity and services more efficient. This vacant site presents an ideal opportunity for densification and urban infill.	
4.3.	The Spatial Development Framework of the local municipality.
The Bitou SDF 2021 identifies the properties as being within a settlement area. Both properties are earmarked for urban development and the proposal is in-line with this land use designation. Furthermore, in general the SDF support the densification of urban areas, although the document does not have any specific densification policy pertaining to this area.	
4.4.	The Environmental Management Framework applicable to the area.
The EMF will overlap and include all mitigatory measures as highlighted in the Environmental Management Programme (EMPr) and any other pertinent conditions sated in the Environmental Authorisation.	
5.	Explain how comments from the relevant authorities and/or specialist(s) with respect to biodiversity have influenced the proposed development.
The applicant appointed two specialists to compile a Terrestrial Plant Species Compliance Statement and Animal Species & Terrestrial Biodiversity Assessment. Both specialists concluded in their reports that the site, when ground-truthed, did not have sensitive or ecologically important habitats, and that the property could be developed with mitigation measures in place. The following statements were made: <ul style="list-style-type: none"> - There were no sensitive areas found that could be mapped as 'No Go' areas on the properties, but the narrow strip of vegetation abutting the beach consists of a sensitive primary dune system. The primary dune system at the beach front (mostly outside the properties) must not be disturbed during the construction or operational phases of the 	

development. If access will be allowed to the beach, then a board walk system will have to be constructed to minimize disturbance of this sensitive area.

- The habitats available on the study site are all anthropogenically impacted, to a variable degree, but the current situation is set to deteriorate swiftly due to the devastating impact of invasive alien *Acacia cyclops*, which in the last few years has spread over much of the site and which will mature to the further detriment of all indigenous plant and animal species. The currently disturbed habitats cannot be described as useful or necessary linkage habitat, and with the continued spread and maturity of the alien trees, will become even less likely to provide linkages for animal movement.
- The primary dune system was identified as being sensitive and will not be impacted.

6. Explain how the Western Cape Biodiversity Spatial Plan (including the guidelines in the handbook) has influenced the proposed development.

The Western Cape Biodiversity Spatial Plan (WCBSPP) was developed by Cape Nature, in collaboration with the Department of Environmental Affairs and Development Planning as a spatial tool that comprises the Biodiversity Spatial Plan Map (BSP Map) of biodiversity priority areas, accompanied by contextual information and land-use guidelines. The Biodiversity Sector Plan simply provides information on biodiversity.

In terms of these maps, a portion of the properties is identified as ESA 1: Terrestrial. Ecological Support Area (ESA). The proposed development is situated outside the area of Critical Biodiversity Area (CBA) and will also not impact on any endangered or critically endangered vegetation or ecosystems.

7. Explain how the proposed development is in line with the intention/purpose of the relevant zones as defined in the ICMA.

The development is not within the Coastal Management Line and is within the urban edge. The property falls within 100 meters of the high-water mark of the sea, which falls within the Coastal Protection Zone (Appendix A2). The eastern boundary of the properties is described as a curved line, 63m away from the high-water mark of the sea, which coincides more or less with the Bitou Coastal Management Line. The development has been set back from the eastern boundary to accommodate the 100-year erosion line.



8. Explain whether the screening report has changed from the one submitted together with the application form. The screening report must be attached as Appendix I.

The Screening Tool Report submitted with the application is attached as Appendix I with Site Sensitivity Verification Report.

9. Explain how the proposed development will optimise vacant land available within an urban area.

The proposed development (preferred option) is on unutilised vacant land which falls within the urban edge and is therefore in alignment with the above-mentioned guidelines as stipulated in the SDF.

10. Explain how the proposed development will optimise the use of existing resources and infrastructure.

The municipal services for the proposed development are available on the boundary of the property. The main supplier of bulk services and electricity is the Bitou Municipality, nevertheless the

Applicant will investigate / research the latest technology with respect to water supply (tanks) and energy saving devices, such as heat pumps, solar energy, bollard lighting and solar panels.

11. Explain whether the necessary services are available and whether the local authority has confirmed sufficient, spare, unallocated service capacity. (Confirmation of all services must be included in Appendix E16).

Confirmation of available capacity from the Bitou Municipality and the Capacity Analysis of the Bulk Water and Sewer Services is attached as Appendix E16).

12. In addition to the above, explain the need and desirability of the proposed activity or development in terms of this Department's guideline on Need and Desirability (March 2013) or the DEA's Integrated Environmental Management Guideline on Need and Desirability. This may be attached to this BAR as Appendix K.

See Appendix K.

Need and desirability is the balancing of various factors within the environmental and planning domain. Need depends on the nature of a development proposal. For example, the need for urban development is different compared to the need for development in the rural environment. These particular properties are located inside the urban area.

Plettenberg Bay is a coastal resort town with a fairly small economy. The town has approximately 60 000 residents and continues to grow at a rate considerably above the national average. Most people moving to the Bitou area are from the Eastern Cape. Most of these people are poor low-skilled individuals who are searching for employment opportunities. Although most of the population growth and subsequent housing needs are in the poorer communities, there is also a known need for high-end properties in Plettenberg bay. There is currently a "semigration" trend, with many people from Gauteng and KwaZulu/Natal moving to smaller towns in the Western Cape. Covid 19 has strengthened this trend. This leads to a situation where demand and therefore property prices are well above national averages. It seems that Covid19 has caused a lot of people to introspect and re-evaluate their priorities, which has led to the current influx of city dwellers to the Garden Route. Recent unrest and increased crime and violence in Gauteng and Natal will be likely to create an even higher demand for housing in safer areas. Plett is truly a special place to visit or live in, which, in property terms, translates into one of the bestperforming markets in the country.

Although the need for high-end properties is not as dire as the need for subsidised housing or even affordable middle-income housing, these high-end properties also serve another need. Municipalities need a reliable source of revenue to provide basic services and perform their functions. Property rates are an important source of general revenue for municipalities. Revenue from property rates is used to fund services that benefit the community as a whole. These include installing and maintaining streets, roads, sidewalks, lighting, and storm drainage facilities; operating parks, recreational facilities, and cemeteries. Property rates revenue is also used to fund municipal administration, and costs of governance. High-value properties, yielding high property rates have a very important role to play in municipal finance. According to the 2017-2021 valuation roll, the two properties under discussion currently pay property tax of ±R 310 000 to the municipality per year. When fully developed, it is estimated that the increased value of the 9 properties will generate almost a Million Rand a year for the municipality in property rates alone, as can be seen from the table below.

CURRENT RATES FROM THE 2 PROPERTIES (2017-2021VR)				
ERF NR	MUNICIPAL VALUE	EXEMPTION	RATE	TAX PER YEAR
66/433	R23 800 000,00	R15 000,00	0,00574	R 136 525,90
67/433	R23 300 000,00	R15 000,00	0,00746	R 173 706,10
	R47 100 000,00			R 310 232,00
Future rates for 9 properties (estimate from current values of similar properties in Roberg Beach estate and Whale Rock beach estate)				
5	R25 000 000,00	R15 000,00	0,00574	R143 413,90
6	R25 000 000,00	R15 000,00	0,00574	R143 413,90
7	R25 000 000,00	R15 000,00	0,00574	R143 413,90
8	R25 000 000,00	R15 000,00	0,00574	R143 413,90
9	R25 000 000,00	R15 000,00	0,00574	R143 413,90
4	R12 000 000,00	R15 000,00	0,00574	R57 313,90
3	R10 000 000,00	R15 000,00	0,00574	R68 793,90
1	R7 500 000,00	R15 000,00	0,00574	R42 963,90
2	R5 500 000,00	R15 000,00	0,00574	R31 483,90
	R160 000 000,00			R917 625,10

South Africa has an ever-increasing challenge of high unemployment and skills shortages. With the destructive impact of Covid 19 on the world economy this problem has worsened. At the end of 2018, the unemployment rate was reported to be 27,2%5. One of the main goals that South Africa has set itself in the National Development Plan, is to cut the unemployment rate to 6% by 2030. The planned residential estate will create construction jobs for local contractors and laborers. The employment opportunities associated with the construction phase are frequently regarded as temporary employment. However, while these jobs may be classified as “temporary” it is worth noting that the people employed in the construction industry by its very nature rely on “temporary” jobs for their survival. In this regard “permanent” employment in the construction sector is linked to the ability of construction companies to secure a series of temporary projects over a period of time. Each development, such as the proposed development, therefore contributes to creating “permanent” employment in the construction sector. The construction industry is an important player in job creation, not only in the construction sector but in other sectors of the economy as well. The construction industry uses a wide range of inputs such as manufacturing of construction materials and equipment, mining of raw materials, forestry, transportation, real estate, finance, and professional services which all contribute indirectly to more jobs that are created across several sectors. Plettenberg bay has a very similar demographic profile to the rest of the country. Socio-economic studies indicate high levels of poverty and unemployment. The social needs of the larger community form part of the “surrounding environment” and should receive due consideration when new developments are investigated. The “ripple effect” that a development of this scale has on the local economy and social well-being of the community cannot be ignored.

Desirability factors relate to place. Is the land physically suitable to accommodate the proposed development? Does the proposed development fit in with the surrounding land uses? Is the proposal compatible with credible spatial plans? Is there perhaps a better land-use alternative for the land parcel?

The table below provides a summary of the physical site constraints and opportunities identified to date:

OPPORTUNITIES	CONSTRAINTS
Location: The property is adjacent to an existing residential area within the urban edge of Plettenberg Bay, which makes it easy to service. The properties are adjacent to the beach and have magnificent views over the bay, which will realise high real estate values.	Proximity to the coast results in coastal setback lines and management reducing the available development land. The primary dune system east of the properties should not be disturbed during the construction or operational phases of the development.
Municipal Infrastructure: Bulk municipal services are available, and access is available through an existing road network.	There is a public road that traverses over the properties, taking away valuable development land. A 20m municipal services servitude along the western boundary may be required by the authorities.
Agricultural Value: Underutilised agricultural land within the urban edge creates an opportunity for infill development.	The property has no agricultural value due to low soil potential, small size, and limited irrigation potential. For this reason, the property has not been identified for Agricultural purposes in the SDF.
Low conservation value: Although the site is partially earmarked as an Ecological Support Area (ESA), a biodiversity assessment was conducted to determine the biodiversity importance of the site.	The study confirms that the entire site has been transformed and has low sensitivity or conservation value. The sensitive Coastal belt to the east of the property needs to be protected via a coastal setback line.
Topography: The site has an even gradient which will allow for cost-effective services and design.	The site is subject to a coastal setback line.

It can be concluded that the site has limited constraints and that the unique site characteristics will be preserved within the planned development. The site characteristic described above makes this site highly desirable for development.

SECTIONF: PUBLIC PARTICIPATION

The Public Participation Process("PPP") must fulfil the requirements as outlined in the NEMA EIA Regulations and must be attached as Appendix F. Please note that if the NEM: WA and/or the NEM: AQA is applicable to the proposed development, an advertisement must be placed in at least two newspapers.

1. Exclusively for linear activities: Indicate what PPP was agreed to by the competent authority. Include proof of this agreement in Appendix E22.

2. Confirm that the PPP as indicated in the application form has been complied with. All the PPP must be included in Appendix F.

The Notice of Intent (NOI) to submit an application for Environmental Authorisation was submitted on 02/03/2021 together with the required documents as an Addendum by Andrew West Environmental Consultancy. A pre-application site meeting was held on 06/04/2021 and the formal acknowledgement of receipt of the NOI received on 06/08/2021.

The above-mentioned NEMA application requires that a Basic Assessment Process (BAR) be followed. As per the NEMA EIA Regulations No. 32(1) it is stipulated that the applicant must within 90-days of receipt by the competent authority of the NEMA application submit a final BAR.

Notification letters were posted to Neighbouring Property Owners on 17/09/2021 and all relevant Government Departments and Organs of State were emailed a copy of the pre-application BAR with appendices on 17/09/2021.

A newspaper legal advert was placed in the Knysna Plett Herald on 11/11/2021 as well as a site notice board. The notices stated that any Interested & Affected Parties that register as part of the EIA process may request access to the documents in the way that is most convenient and best suited to them.

A Notice of Intent to Develop (NID) application was submitted to Heritage Western Cape (HWC) which was discussed at the Heritage Officers Meeting on the 25th October 2021. A response to the NID was issued on 3 November 2021 with Case Number 21021901SB1008E.

Due to medical reasons Andrew West Environmental Consultancy was unable to continue with the submission on the NEMA Application. Eco Route Environmental Consultancy was appointed to continue with the BAR process.

A 30-day Public Participation Process commenced on submission of the Application and Draft Basic Assessment Report from 03/11/2022 to 05/12/2023. This included the placing of an advert in the Knysna Plett Herald and site notice boards. All Registered I&APs were notified of the availability of the Draft BAR and appendices.

An additional Public Participation Process commenced on 23/01/2023 to 22/02/2023. A Freshwater Assessment was undertaken by specialists Dr J.M. Dabrowski of Confluent Aquatic Consulting and Research, as requested by DEA&DP. Due to the addition of new information and the application for a General Authorisation in terms of the National Water Act, a further 30-day Public Participation Process was required.

Following this it was determined by BGCMA (Appendix 5) that a WULA will be required. This resulted in the requirement of another 30-day Public Participation Process to include the information contained in the WULA process.

A Comment and Response Report addresses all comments received to date as Appendix F.

3. Confirm which of the State Departments and Organs of State indicated in the Notice of Intent/application form were consulted with.

Organisation	Notified
Provincial Health Department	17/09/2021
Department of Water and Sanitation	17/09/2021
Provincial Roads Department	17/09/2021
Department of Transport & Public Works	17/09/2021
Western Cape Department of Agriculture: Land Use Management	17/09/2021
Heritage Western Cape	17/09/2021
Cape Nature: Land Use Advice	17/09/2021
Breede-Gouritz Catchment Management Agency	17/09/2021
Department of Environment Forestry Fisheries & Environment DFFE (Knysna)	17/09/2021
Coastal Management Unit: DEA&DP	17/09/2021
Bitou Municipality	17/09/2021

4. If any of the State Departments and Organs of State were not consulted, indicate which and why.

N/A

5. If any of the State Departments and Organs of State did not respond, indicate which.

Western Cape Coastal Management Unit DEA&DP

6. Provide a summary of the issues raised by I&APs and an indication of the manner in which the issues were incorporated into the development proposal.

See Comment and Response Report (Appendix F)

Note:

A register of all the I&AP's notified, including the Organs of State, and all the registered I&APs must be included in Appendix F. The register must be maintained and made available to any person requesting access to the register in writing.

The EAP must notify I&AP's that all information submitted by I&AP's becomes public information.

Your attention is drawn to Regulation 40 (3) of the NEMA EIA Regulations which states that "Potential or registered interested and affected parties, including the competent authority, may be provided with an opportunity to comment on reports and plans contemplated in subregulation (1) prior to submission of an application but **must** be provided with an opportunity to comment on such reports once an application has been submitted to the competent authority."

All the comments received from I&APs on the pre -application BAR (if applicable and the draft BAR must be recorded, responded to and included in the Comments and Responses Report and must be included in Appendix F.

All information obtained during the PPP (the minutes of any meetings held by the EAP with I&APs and other role players wherein the views of the participants are recorded) and must be included in Appendix F.

Please note that proof of the PPP conducted must be included in Appendix F. In terms of the required "proof" the following is required:

- a site map showing where the site notice was displayed, dated photographs showing the notice displayed on site and a copy of the text displayed on the notice;
- in terms of the written notices given, a copy of the written notice sent, as well as:
 - if registered mail was sent, a list of the registered mail sent (showing the registered mail number, the name of the person the mail was sent to, the address of the person and the date the registered mail was sent);

- if normal mail was sent, a list of the mail sent (showing the name of the person the mail was sent to, the address of the person, the date the mail was sent, and the signature of the post office worker or the post office stamp indicating that the letter was sent);
- if a facsimile was sent, a copy of the facsimile Report;
- if an electronic mail was sent, a copy of the electronic mail sent; and
- if a "mail drop" was done, a signed register of "mail drops" received (showing the name of the person the notice was handed to, the address of the person, the date, and the signature of the person); and
- a copy of the newspaper advertisement ("newspaper clipping") that was placed, indicating the name of the newspaper and date of publication (of such quality that the wording in the advertisement is legible).

SECTION G: DESCRIPTION OF THE RECEIVING ENVIRONMENT

All specialist studies must be attached as Appendix G.

1. Groundwater

1.1.	Was a specialist study conducted?	YES	NO✓
1.2.	Provide the name and or company who conducted the specialist study.		
	N/A		
1.3.	Indicate above which aquifer your proposed development will be located and explain how this has influenced your proposed development.		
	N/A		
1.4.	Indicate the depth of groundwater and explain how the depth of groundwater and type of aquifer (if present) has influenced your proposed development.		
	N/A		

2. Surface water

2.1.	Was a specialist study conducted?	YES✓	NO
2.2.	Provide the name and/or company who conducted the specialist study.		
	Freshwater Assessment Report for Residential Development on Portions 66 and 67 of Farm 443, Plettenberg Bay, Western Cape by Confluent Aquatic Consulting & Research dated December 2022.		
2.3.	Explain how the presence of watercourse(s) and/or wetlands on the property(ies) has influenced your proposed development.		
	<p>The proposed development occurs adjacent to a large depression wetland. The entire wetland is densely vegetated, predominantly by <i>Phragmites australis</i> (interspersed by a variety of other aquatic plants including <i>Typha capensis</i> and <i>Persicaria sp.</i>), which indicates that the main extent of wetland is permanently saturated and at least seasonally inundated. The entire wetland falls below the 5 m contour and the permanently saturated soils are most likely sustained by a high water table that remains at or near the ground surface for some or all of the year. Flow into the wetland is derived from overland surface runoff generated from the surrounding catchment area which slopes steeply from all directions into the wetland.</p> <p>The Present Ecological State of the wetland is B (Largely Natural), indicating that despite the extensive urban development in the surrounding area the natural hydrological and geomorphological functions of the wetland have remained largely unaltered. The wetland is ecologically important at a local scale, most notably in terms of its connection to the Robberg peninsula (Robberg Nature Reserve) and the broader Robberg Coastal Corridor. The development will however occur well outside of the delineated area of the wetland which is also buffered by a well-vegetated buffer zone that ranges between 20 and 40 m in width, that is expected to provide adequate protection from surface runoff impacts (e.g. sediment inputs).</p>		

Impacts associated with the development and the associated upgrade of Robberg Road are expected to be relatively minor and no significant modification to the hydrology, geomorphology or vegetation of the wetland is anticipated – provided that the recommended mitigation measures are implemented. In terms of the DWS Risk Assessment, while construction and operational phase activities present a low risk to the wetland and are unlikely to affect the current PES of the wetland, the new rising sewage main that connects the development to municipal network is an exclusion under the General Authorisation. The applicant will therefore need to apply for a Water Use License.

3. Coastal Environment

3.1.	Was a specialist study conducted?	YES	NO✓
3.2.	Provide the name and/or company who conducted the specialist study.		
	N/A		
3.3.	Explain how the relevant considerations of Section 63 of the ICMA were taken into account and explain how this influenced your proposed development.		
	The property falls within 100 meters of the high-water mark of the sea, which falls within the Coastal Protection Zone (Appendix A2). The development is not within the Coastal Setback Line. Comment has been requested from the Western Cape Coastal Management Unit.		
3.4.	Explain how estuary management plans (if applicable) has influenced the proposed development.		
	N/A		
3.5.	Explain how the modelled coastal risk zones, the coastal protection zone, littoral active zone and estuarine functional zones, have influenced the proposed development.		
	The properties are within the urban edge and within the coastal protection zone. The development falls outside of the Coastal Setback Line.		

4. Biodiversity

4.1.	Were specialist studies conducted?	YES✓	NO
4.2.	Provide the name and/or company who conducted the specialist studies.		
	<ol style="list-style-type: none"> 1. Terrestrial Plant Species Compliance Statement for portions 66 & 67 of erf 443 of Plettenberg Bay by Regalis Environmental Services CC dated October 2022. 2. Animal Species & Terrestrial Biodiversity Assessment for Proposed Development on Portions 66 & 67 of the Farm 443, Plettenberg Bay by Conservation Management Services (Ken Coetzee) dated November 2021. 		
4.3.	Explain which systematic conservation planning and other biodiversity informants such as vegetation maps, NFEPA, NSBA etc. have been used and how has this influenced your proposed development.		
	Following the 2018 national vegetation map the proposed development area consists of Goukamma Dune Thicket (status = Least Concerned) and a narrow strip of Garden Route Shale Fynbos (status = Vulnerable), see figure 1. The inclusion of Garden Route Shale Fynbos is, however, a mapping mistake due to the coarse scale of the national vegetation types. None of the species that are present on the properties are typical of Garden Route Shale Fynbos and the entire property consists of Goukamma Dune Thicket.		

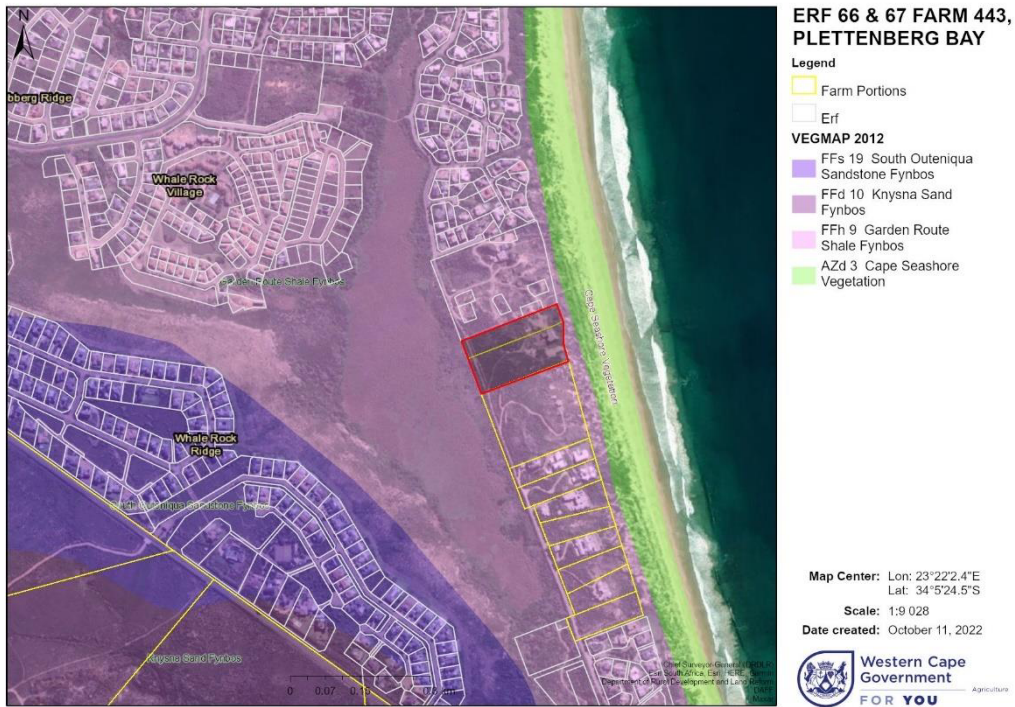


Figure 5: Vegetation type (VegMap2012) for portions 66 & 67 of Farm 443, Plettenberg Bay.

About half the extent of the properties was mapped as terrestrial Ecological Support Area in the 2017 regional conservation plan (Figure 2). In regarding the vegetation present as having a status of Vulnerable and Ecological Support Area 1 present, the screening tool assessed the biodiversity theme as being Very High.

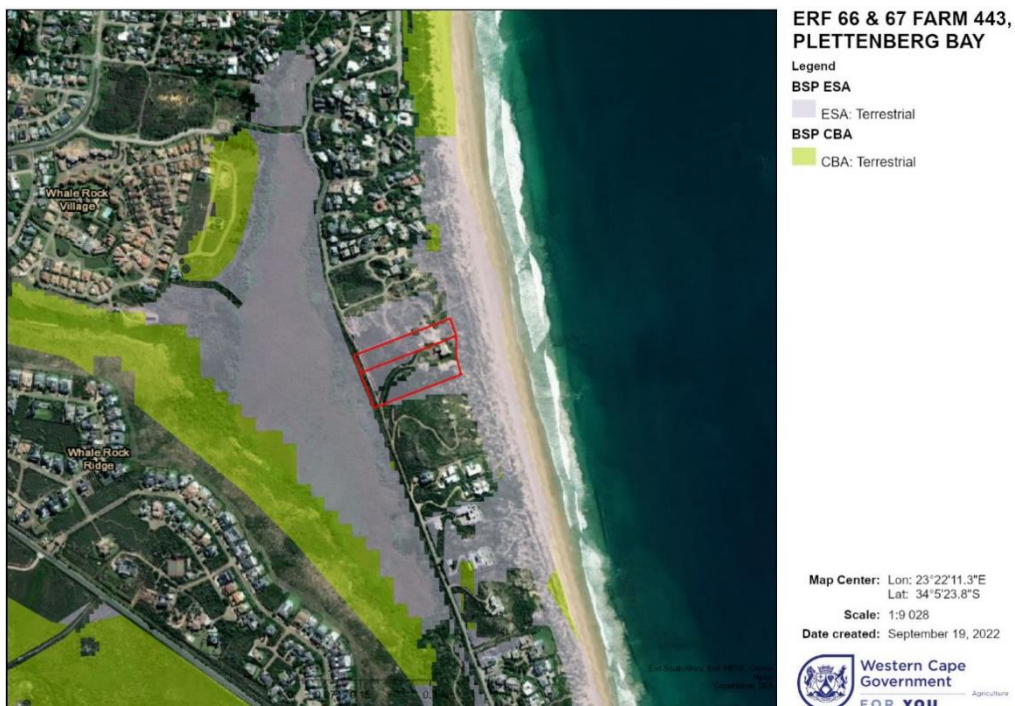


Figure 6: Critical Biodiversity Areas and Ecological Support Areas.

The vegetation on the property is not in a healthy ecological condition and the field study (complete species inventory) showed that the plant species richness is poor. The construction of the current infrastructure disturbed a major part of the affected area. There is clear evidence that a major effort was made to combat alien plant species (mostly *Acacia cyclops*), but these plants returned in very dense stands over most of the property after the recent fire.

The study site is located within sub-quaternary catchment (SQC) 9144 (Figure 6), which, according to the National Freshwater Ecosystem Priority Atlas (NFEPA, Nel et al., 2011), has not been classified as a FEPA (Freshwater Ecosystem Priority Area). The development area therefore falls within an SQC that is not considered as being a priority for maintaining freshwater biodiversity at a national scale. This is largely due to the fact that there is not a major river that drains the SQC.

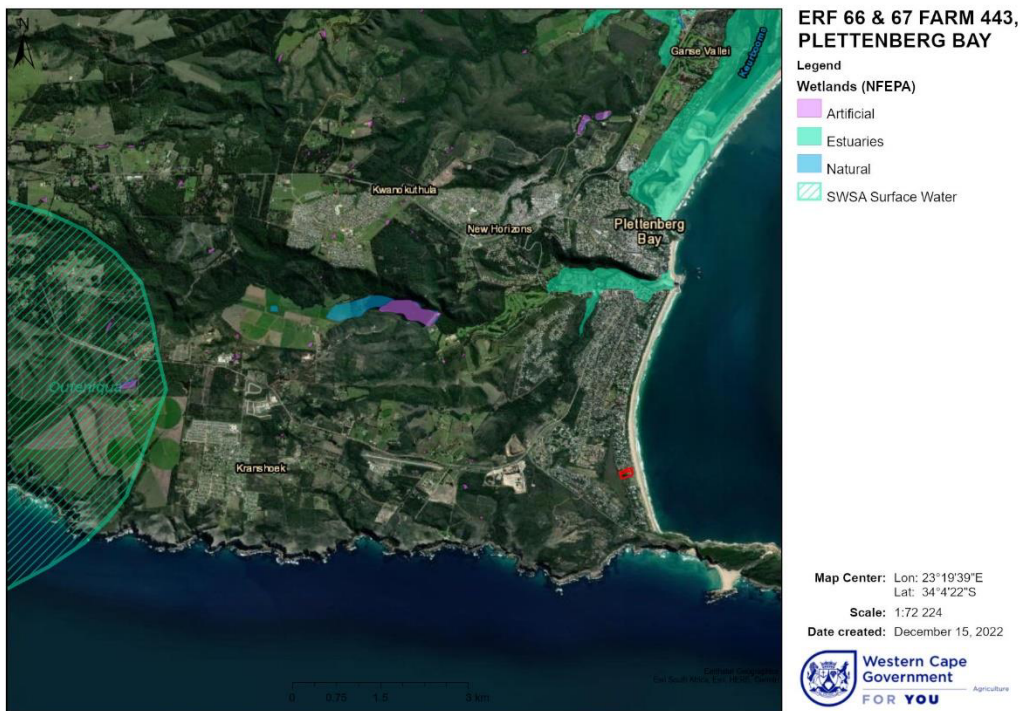


Figure 7: Map of the project area in relation to FEPAs.

4.4. Explain how the objectives and management guidelines of the Biodiversity Spatial Plan have been used and how has this influenced your proposed development.

Regarding the local and regional botanical conservation value and sensitivity of the affected vegetation on the properties the Specialist's general findings were as follows:

1. The vegetation on the properties is Goukamma Dune Thicket (Least Concerned) and is not a threatened national vegetation type according to VegMap 2018.
2. The site is described as Garden Route Shale Fynbos (Endangered) in the VegMap 2012, however, none of the species that are present on the properties are typical of Garden Route Shale Fynbos.
3. About half of the properties has been identified as an Ecological Support Area (ESA1), but the affected dune system has lost most of its ecological value.
4. The affected area is not very rich in indigenous plant species (52 species were found), as most of the vegetation has either been disturbed with the construction of current infrastructure and/or dense invasion by alien plants (mostly *Acacia cyclops*).
5. No rare or threatened species were found (or are suspected to occur) on the properties.
6. The Specialist did not find any sensitive area on the properties, but the strip of vegetation between the properties and the beach consists of a very sensitive primary dune system.



Figure 8: Dense regrowth of alien vegetation on the site viewed from south west.

Regarding important ecological processes operating in the general area and potential ecological corridor value of the affected vegetation, the findings were as follows:

1. The terrestrial vegetation along the dune system east of the wetland is highly fragmented due to high density development on most of the properties.
2. The study represents a very narrow and relatively natural link between the natural habitats between the foredune area and the wetland. This link is however not considered to be a suitable link or important corridor due to its narrow width and its generally poor condition.
3. Although the vegetation is periodically exposed to fire, the development on this property will not negatively affect the natural spread of fire which the nearby wetland requires periodically.
4. It was stated that the additional development on the properties will not have a negative impact on any important ecological processes operating in the general area.

4.5.	Explain what impact the proposed development will have on the site specific features and/or function of the Biodiversity Spatial Plan category and how has this influenced the proposed development.
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About half of the affected area has been identified as an Ecological Support Area (ESA1), but due to the transformed and low phytodiversity of the local vegetation, as well as development of the adjacent properties, the affected dune system has lost most of its ecological value, with little value to support either biodiversity or important ecological processes.

4.6.	If your proposed development is located in a protected area, explain how the proposed development is in line with the protected area management plan.
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N/A

4.7.	Explain how the presence of fauna on and adjacent to the proposed development has influenced your proposed development.
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The natural fauna in these foredune and wetland areas may be intact, but the line of development along the coast has effectively cut-off natural dispersal and foraging movement by animals (with the exception of some birds) between the two habitat types in the area. The study site thus represents a very narrow and relatively natural link between the natural habitats between the foredune area and the wetland. This link is however not considered to be a suitable link or important corridor due to its narrow width and its generally poor condition. The 6m servitude along the northern boundary can however serve as a minor corridor for some of the smaller mammals and birds, linking the wetland to the coastal dunes, if kept clear of alien plants (figure 3).

According to the Animal Species & Terrestrial Biodiversity Assessment the sensitive animals identified by means of the screening tool are not considered likely to occur on the study site and thus do not require connectivity to, from or across the site.

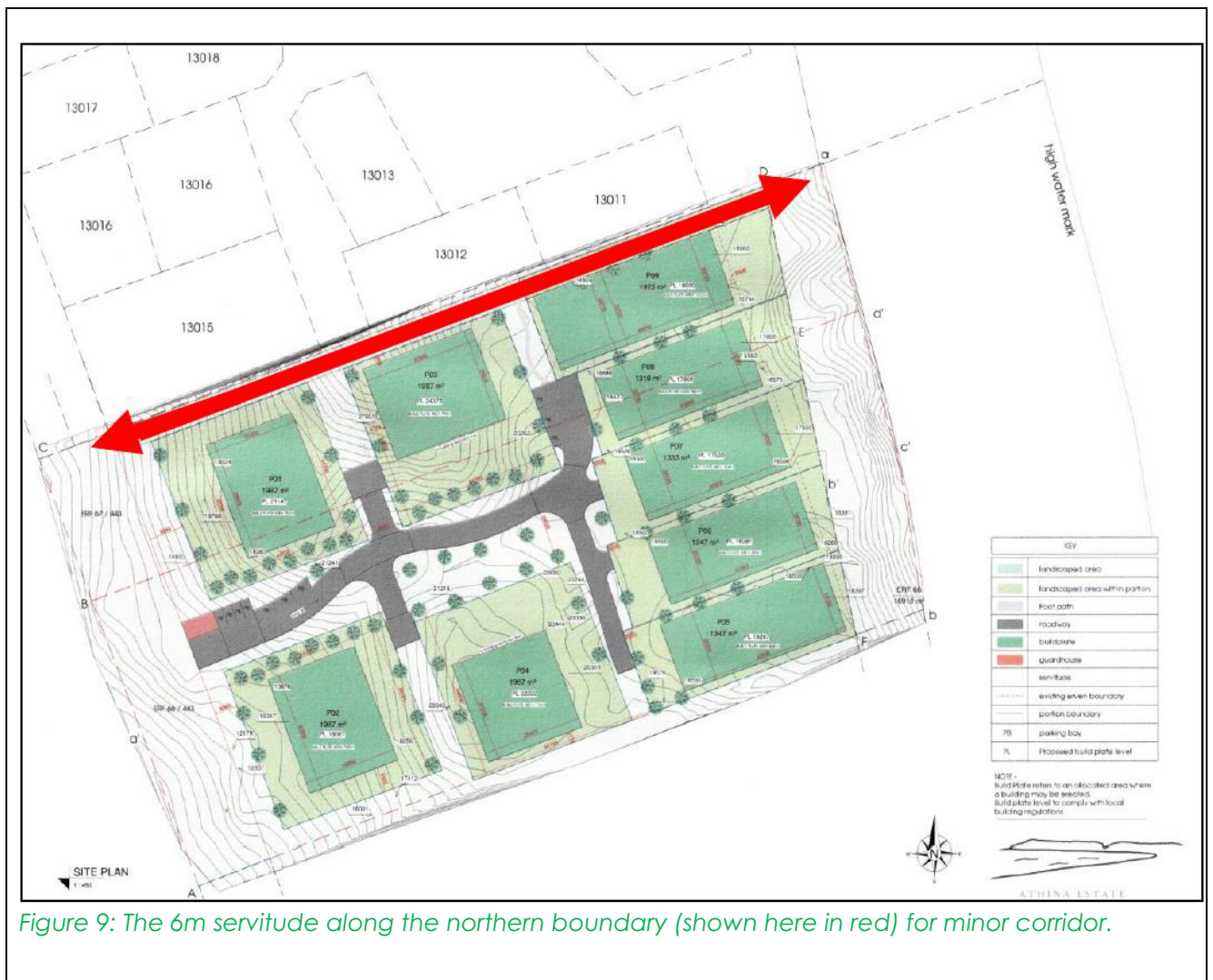


Figure 9: The 6m servitude along the northern boundary (shown here in red) for minor corridor.

5. Geographical Aspects

Explain whether any geographical aspects will be affected and how has this influenced the proposed activity or development.

The site is typical of the local coastal dune area with uneven slopes. The site geology consists of wind-blown free draining dune sands to unknown depths but from previous excavations in the area the dune sand extends at least 3.5 m deep.

The slope analysis indicates that almost the entire site has a gradient of less than 25% and is therefore suitable for development. There are no particular gradients or features of geographical significance.

The Geological Classification of this particular area is the 'Nardow Subgroup Formation'.
Soils – classification: Grey Regic Sands with low soil erodibility.

The Geographical layout and features on the property will be maintained and not impacted upon.

6. Heritage Resources

6.1.	Was a specialist study conducted?	YES✓	NO
6.2.	Provide the name and/or company who conducted the specialist study.		

	<ol style="list-style-type: none"> 1. Palaeontological Impact Assessment for redevelopment of portions 66 and 67 of Brakkloof 443, Plettenberg Bay by Rob Gess Consulting dated May 2022. 2. ARCHAEOLOGICAL IMPACT ASSESSMENT OF A PROPOSED RESIDENTIAL ESTATE ON PORTIONS 66 & 67 OF FARM 443, PLETTENBURG BAY by ACO Associates cc - David Halkett dated March 2022. 3. VISUAL IMPACT ASSESSMENT STUDY FOR PROPOSED RESIDENTIAL ESTATE ON PORTIONS 66 & 67 OF FARM 443 PLETTENBURG BAY, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) by Andre Vercueil dated May 2022.
6.3.	Explain how areas that contain sensitive heritage resources have influenced the proposed development.
	<p>According to the Palaeontological Impact Assessment the proposed development site is largely too covered in thick vegetation, particularly invasive Rooikrantz, for all surface outcrop to be investigated. Much of the area around the dwelling has however been disturbed, with removal of organic rich top sand leading to the development of blow outs. These were all carefully examined. Initiation of calcretisation of sediments was observed with the development of rhizoliths. Small terrestrial snail shells were noted throughout the sand. Very little indication of strandloper activity was observed, with only sparse small scatters of sand mussels being observed. No palaeontological material of any importance was observed and no mitigation is therefore specified. It does however remain possible that after the bush has been cleared, or during construction, large mammal bones may be uncovered – associated with midden deposits, former hyena dens or on their own. Should any such materials be suspected to be present, during clearing, levelling or excavation of foundations a palaeontologist should immediately be contact to assess the occurrence</p> <p>As concluded in the Archaeological Impact Assessment, the overall finding was that the proposed residential development and associated infrastructure will not result in the loss of significant heritage resources and no mitigation is proposed. The proposed development is supported.</p>

7. Historical and Cultural Aspects

	Explain whether there are any culturally or historically significant elements as defined in Section 2 of the NHRA that will be affected and how has this influenced the proposed development.
	The site has no historical or cultural significance.

8. Socio/Economic Aspects

8.1.	Describe the existing social and economic characteristics of the community in the vicinity of the proposed site.
	<p>The properties concerned represent some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature reserve. The planned residential development will be similar to existing and planned residential developments to the north and south of the property. The development is directly south of the Duinen See Development situated on Portion 58 of the Farm Brakkloof 443, containing 14 Group housing erven and communal open space. North of Duinen See is Solar Beach residential area. The development density and upmarket nature of the planned development will be in line with the surrounding developments. Duinen See directly to the north has a slightly lower density, but this is due to the presence of a wetland on a portion of the property that could not be developed. To the south the property borders on to another undeveloped agricultural portion. Further south is a variety of residential developments, mixed with smallholdings.</p> <p>Socio-economic studies indicate high levels of poverty and unemployment. The social needs of the larger community form part of the "surrounding environment" and should receive due consideration when new developments are investigated. The "ripple effect" that a development of this scale has on the local economy and social well-being of the community cannot be ignored.</p>

8.2.	Explain the socio-economic value/contribution of the proposed development.
<p>The planned residential estate will create construction jobs for local contractors and laborers. The employment opportunities associated with the construction phase are frequently regarded as temporary employment. However, while these jobs may be classified as “temporary” it is worth noting that the people employed in the construction industry by its very nature rely on “temporary” jobs for their survival. In this regard “permanent” employment in the construction sector is linked to the ability of construction companies to secure a series of temporary projects over a period of time. Each development, such as the proposed development, therefore contributes to creating “permanent” employment in the construction sector.</p> <p>The construction industry is an important player in job creation, not only in the construction sector but in other sectors of the economy as well. The construction industry uses a wide range of inputs such as manufacturing of construction materials and equipment, mining of raw materials, forestry, transportation, real estate, finance, and professional services which all contribute indirectly to more jobs that are created across several sectors.</p> <p>Plettenberg bay has a very similar demographic profile to the rest of the country. Socio-economic studies indicate high levels of poverty and unemployment. The social needs of the larger community form part of the “surrounding environment” and should receive due consideration when new developments are investigated. The “ripple effect” that a development of this scale has on the local economy and social well-being of the community cannot be ignored.</p>	
8.3.	Explain what social initiatives will be implemented by applicant to address the needs of the community and to uplift the area.
<p>South Africa has the challenge of high unemployment and skills shortages. The employment opportunities associated with the construction phase of development is frequently regarded as temporary employment. However, while these jobs may be classified as “temporary” it is worth noting that the people employed in the construction industry by its very nature rely on “temporary” jobs for their survival. In this regard “permanent” employment in the construction sector is linked to the ability of construction companies to secure a series of temporary projects over a period of time.</p> <p>The construction industry is an important player in job creation, not only in the construction sector but in other sectors of the economy as well. The construction industry uses a wide range of inputs such as manufacturing of construction materials and equipment, plantation forestry, transportation, real estate, finance and professional services which all contribute indirectly to more jobs that are created across several sectors.</p>	
8.4.	Explain whether the proposed development will impact on people's health and well-being (e.g. in terms of noise, odours, visual character and sense of place etc) and how has this influenced the proposed development.
<p>The group housing will be subject to an Architectural Design Guideline, to control the visual impact of the architecture on the surrounding area. The Zone of Visual Impact is restricted to a local context, as the furthest viewpoint is 3,5km away and the others between 100m and 1km. Various checks and balances have been incorporated in the Architectural Design Guidelines to control the colours, materials, finishes, heights, maximum footprint, etc. to control the visual influence on the surrounding area.</p> <p>The following mitigation measures, according to the Visual Impact Assessment (by Andre Vercuil Professional Architects, May 2022), were recommended:</p> <ul style="list-style-type: none"> - That the Architectural Design Guidelines proposed for the development be adopted to mitigate the colours, heights, disturbance areas, maximum footprint, vegetation, etc, which will all contribute to a smaller visual impact on the cultural landscape. - That the necessary measures be implemented during the construction phase to protect the natural vegetation, to control the noise, dust and visual intrusion. - That a Landscape consultant be appointed to recommend and implement the introduction of an indigenous landscape plan to protect the existing indigenous vegetation and to prepare a landscape plan for implementation in the private and common areas. - That external lighting restrictions and guidelines be implemented. 	

SECTION H: ALTERNATIVES, METHODOLOGY AND ASSESSMENT OF ALTERNATIVES

1. Details of the alternatives identified and considered

1.1.	Property and site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.
Provide a description of the preferred property and site alternative.	
The preferred property is that of Portion 66 & 67 of Farm 443 with the positioning of the 9 Residential Units as indicated on the Layout plans (Appendix B1).	
Provide a description of any other property and site alternatives investigated.	
There are no other site alternatives available.	
Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.	
<p>In the consideration of alternative land, the principles of sustainable development should be practicable, feasible, reasonable, and viable. These properties are within the urban edge and have access to existing service networks. Although the sites are zoned for agricultural purposes, the properties have no agricultural potential, due to the sandy soil, proximity to the sea, lack of irrigation and the size of the land. The properties are included in the Knysna, Wilderness and Plettenberg Bay Regional Structure Plan, designated as 'Township'. The specialist studies have also confirmed that the land has low environmental value due to heavy infestation of alien plants and fragmentation within the landscape. The following alternatives were considered:</p> <p>No-go Alternative: Undeveloped urban land with illegal structures</p> <p>The No-go option is the option of not undertaking the proposed project or alternatives and can be used as a baseline from which impacts can be compared. If the proposed security estate is not developed the following will occur:</p> <ol style="list-style-type: none"> 1. The site will remain as is and continue to support what remaining fauna and flora make use of the area. 2. There will be no further impacts on landscape connectivity between the wetland and foredune. 3. The derelict house will remain as an illegal structure. 4. The potential socio-economic benefits to the town and communities will be lost. 5. The potential for job creation and skills development will be lost. <p>The affected area is not very rich in indigenous plant species as most of the vegetation has either been disturbed with the construction of previous infrastructure and/or dense invasion by alien plants (mostly Acacia cyclops) that is in their second rotation of invasion despite a concerted effort to eradicate these plants. The study site lies in a line of already developed properties. Both to the left and right (North and South) of the study site the properties are residentially developed with most of each property transformed. The study site itself is partly transformed with a residential development and the disturbance created during its construction. The habitats available on the study site are all anthropogenically impacted, to a variable degree, but the current situation is set to deteriorate swiftly due to the devastating impact of invasive alien Acacia cyclops, which in the last few years has spread over much of the site and which will mature to the further detriment of all indigenous plant and animal species. Alien plant infestations should not be used as a reason to develop an area, but it undeniably reduces the quality of natural habitat for the ubiquitous wildlife that persists in it. The currently disturbed habitats cannot be described as useful or necessary linkage habitat, and with the continued spread and maturity of the alien trees, will become even less likely to provide effective linkages for animal movement. The property therefore does not hold a significant conservation value if left undeveloped. There will also be very little benefit for the landowner, the community, or the municipality if the land remained undeveloped.</p> <p>Alternative 1 - Residential Density and Layout of 15 stands:</p> <p>The development concept includes 15 residential stands that vary between 750m² and 1300m² in size as well as Communal Open Space that will be rehabilitated.</p>	

Alternative 2 - Residential Density and Layout of 9 stands (Preferred Layout)

The development concept includes 9 residential stands that vary between $\pm 1319\text{m}^2$ and $\pm 1987\text{m}^2$ in size as well as Communal Open Space that will be rehabilitated.

Provide a full description of the process followed to reach the preferred alternative within the site.

The primary right of both properties is Agriculture. The size of the land, the sandy soil conditions, and the fact that the property will have to rely on municipal water are not conducive to sustainable agriculture. Vertical farming in greenhouses is an option but given the high value of the land and the surrounding land use, this was not a viable option.

The illegal structure on portion 66 of 443 could be utilised as a home or guesthouse but will require a departure from building lines and height restrictions and coastal setbacks to which it currently encroaches. The building was constructed illegally therefore the municipality did not have an opportunity to certify foundations or roof structures. It is uncertain whether the structure complies with the national building regulations, and if the structure will be approved by the municipality and an occupational certificate issued. Presently there are no approved building plans and no occupation certificates, and the structure may not be used. This has been the status quo for many years. This alternative poses risks to the developers and is not considered to be a viable option.

Contemplating alternative densities and layouts is the only alternatives that can be considered relevant. A lower density development of 4 stands was considered; however, this is not viable as a lower density will result in higher land and service cost without any additional environmental, financial, or other benefits to the landowner, the municipality, or the community.

In terms of the viability of corridor effectivity, the reduction of the seafront units from five to four may help to provide some additional space for small wildlife movement. There is, however, no clear justification for this measure in terms of animal sensitivity, as the study by Ken Coetzee (Conservation Management Services) has clearly shown. This option can be considered but it is not considered to be critical.

Two alternative proposals have therefore been considered:

1. A layout of 15 stands
2. A layout of 9 stands

The development concept of 15 residential stands that vary between 750m^2 and 1300m^2 in size was first considered, however the density and layout received negative feedback following public participation, and the density was changed to 9 residential stands that vary between $\pm 1319\text{m}^2$ and $\pm 1987\text{m}^2$ in size. The 9 residential units calculate to a development density of 3.5 unit per ha. This development density has been reduced and is now compatible with surrounding development densities.

Alternative 2 of nine stands has been adopted as the preferred alternative, as it has less of an impact on the cultural landscape and is more viable than a lower density residential layout. It also allows for additional communal open space of 350m^2 and private landscaped area within each plot where indigenous vegetation will be encouraged to grow and thrive. This layout allows for the inclusion of a 6m wide small wildlife corridor along the northern boundary of the property.

Provide a detailed motivation if no property and site alternatives were considered.

The properties have been earmarked for urban development for the past 40 years in various Structure Plans, Guide Plans, and Spatial Development Frameworks. Presently, the Spatial Development Framework for Bitou, like all the preceding spatial plans, also earmarks the area as urban land within the urban edge, where residential development is encouraged.

Portion 66 and 67 of the Farm Brakkloof 443 are some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature Reserve. The proposal is to create a small exclusive beachfront security estate. The proximity to the beach and the views over the bay will secure high property values as there are very few beachfront properties left in the area.

List the positive and negative impacts that the property and site alternatives will have on the environment.

See Table 1 below.

1.2.	Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.
Provide a description of the preferred activity alternative.	
No activity alternatives have been investigated for this development.	
Provide a description of any other activity alternatives investigated.	
No activity alternatives have been investigated for this development.	
Provide a motivation for the preferred activity alternative.	
N/A	
Provide a detailed motivation if no activity alternatives exist.	
The Applicant believes that the layout as presented offers the best option from a layout, density, and environmental perspective. It is also supported by the Specialists appointed in the field of expertise pertaining to the environment.	
List the positive and negative impacts that the activity alternatives will have on the environment.	
N/A	

1.3.	Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts
Provide a description of the preferred design or layout alternative.	

Alternative 2 - Residential Density and Layout of 9 stands (Preferred Layout)
 The development concept includes 9 residential stands that vary between ±1319m² and ±1987m² in size as well as Communal Open Space that will be rehabilitated.



Figure 10: The development concept includes 9 residential stands.

Provide a description of any other design or layout alternatives investigated.	
Alternative 1 - Residential Density and Layout of 15 stands: The development concept includes 15 residential stands that vary between 750m ² and 1300m ² in size as well as Communal Open Space that will be rehabilitated.	



Figure 11: The development concept of 15 residential stands.

Provide a motivation for the preferred design or layout alternative.

Two alternative proposals have been considered:

1. A layout of 15 stands
2. A layout of 9 stands

The development concept of 15 residential stands that vary between 750m² and 1300m² in size was first considered, however following public participation the density and layout was changed to 9 residential stands that vary between ±1319m² and ±1987m² in size. The alternative with the 9 stands has been adopted as the preferred alternative, as it has little impact on the cultural landscape and is more viable than a lower density residential layout. A lower density will result in higher land and service cost without any additional environmental, financial, or other benefits to the landowner, the municipality or the community.

Provide a detailed motivation if no design or layout alternatives exist.

N/A

List the positive and negative impacts that the design alternatives will have on the environment.

See Table 1 below.

1.4. Technology alternatives (e.g., to reduce resource demand and increase resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.

Provide a description of the preferred technology alternative:

Make use of rainwater tanks, water-saving devices such as low-flow shower heads and energy saving device such as heat pumps and solar geysers / panels. Each house is required by local law to provide at least one 5000 litre rainwater collection tank.

Provide a description of any other technology alternatives investigated.

There are various technological aspects which must be implemented as a matter of course in order to assist with overall energy saving:

- Solar geysers and geyser thermal insulation.
- Use of gas.
- Energy efficient light bulbs.
- Natural ventilation in the buildings / structures.
- Roof water tanks.
- Solar panels.

Provide a motivation for the preferred technology alternative.

The use of energy saving, and eco-friendly technology will not only alleviate the pressure on the national electricity grid, which is under severe strain, but will also make use of natural, renewable energy.	
Provide a detailed motivation if no alternatives exist.	
N/A	
List the positive and negative impacts that the technology alternatives will have on the environment.	
Positive impacts include energy and water saving, and reduced impacts on the environment. There are no foreseeable negative impacts to use alternative technologies other than financial.	
1.5.	Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.
Provide a description of the preferred operational alternative.	
No operational alternatives were considered.	
Provide a description of any other operational alternatives investigated.	
N/A	
Provide a motivation for the preferred operational alternative.	
N/A	
Provide a detailed motivation if no alternatives exist.	
Operational alternatives are not considered applicable to the general purpose of this development as it will be for residential use.	
List the positive and negative impacts that the operational alternatives will have on the environment.	
N/A	
1.6.	The option of not implementing the activity (the 'No-Go' Option).
Provide an explanation as to why the 'No-Go' Option is not preferred.	
It makes no socio-economic sense to leave the property as it is, with a derelict illegal structure, if the area does not lend itself to urban development as per Bitou SDF, in this case residential.	
If the land remains undeveloped there will be very little benefit for the landowner, the community, or the municipality. Presently the properties are not being maintained and are infested with alien plants (mostly <i>Acacia cyclops</i>), with the accompanying fire hazard risk.	
1.7.	Provide an explanation as to whether any other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist.
None	
1.8.	Provide a concluding statement indicating the preferred alternatives, including the preferred location of the activity.
<p>Alternative 2 - Residential Density and Layout of 9 stands (Preferred Layout)</p> <p>The development concept includes 9 residential stands that vary between ±1319m² and ±1987m² in size as well as Communal Open Space that will be rehabilitated on Portion 66 and 67 of the Farm Brakkloof 443.</p> <p>The proposed development (preferred alternative) is on unutilised vacant land which falls within the urban edge and is in alignment with the Bitou SDF. The layout of 9 residential stands is the preferred alternative, as it has little impact on the cultural landscape and is more viable than a lower density residential layout. A lower density will result in higher land and service cost without any additional environmental, financial, or other benefits to the landowner, the municipality, or the community.</p>	

2. "No-Go" areas

Explain what "no-go" area(s) have been identified during identification of the alternatives and provide the co-ordinates of the "no-go" area(s).
<p>None of the rare or threatened species listed in the screening tool (or otherwise known to occur in the area) were found or are suspected to occur in the affected area as the local habitat is unsuitable for them. As concluded in the Terrestrial Plant Species Compliance Statement, there were no sensitive area to be mapped as 'No Go' areas found on the properties, except for the narrow strip of vegetation abutting the beach which consists of a sensitive primary dune system. The primary dune system at the beach front (mostly outside the properties) should not be disturbed during the construction or operational phases of the development.</p> <p>According to the Animal Species and Terrestrial Biodiversity Assessment the primary dune systems an important coastal habitat that should be conserved for biodiversity conservation, to prevent increased</p>

wind erosion and as a minor faunal corridor along the edge of the property. This area must be actively excluded from the developed area and must not suffer the dumping and other negative impacts that so often accompany building projects. The primary dune system is highlighted in blue in figure 11, below. Coordinates for centre point of the dune system are 34° 5'22.88"S, 23°22'17.00"E

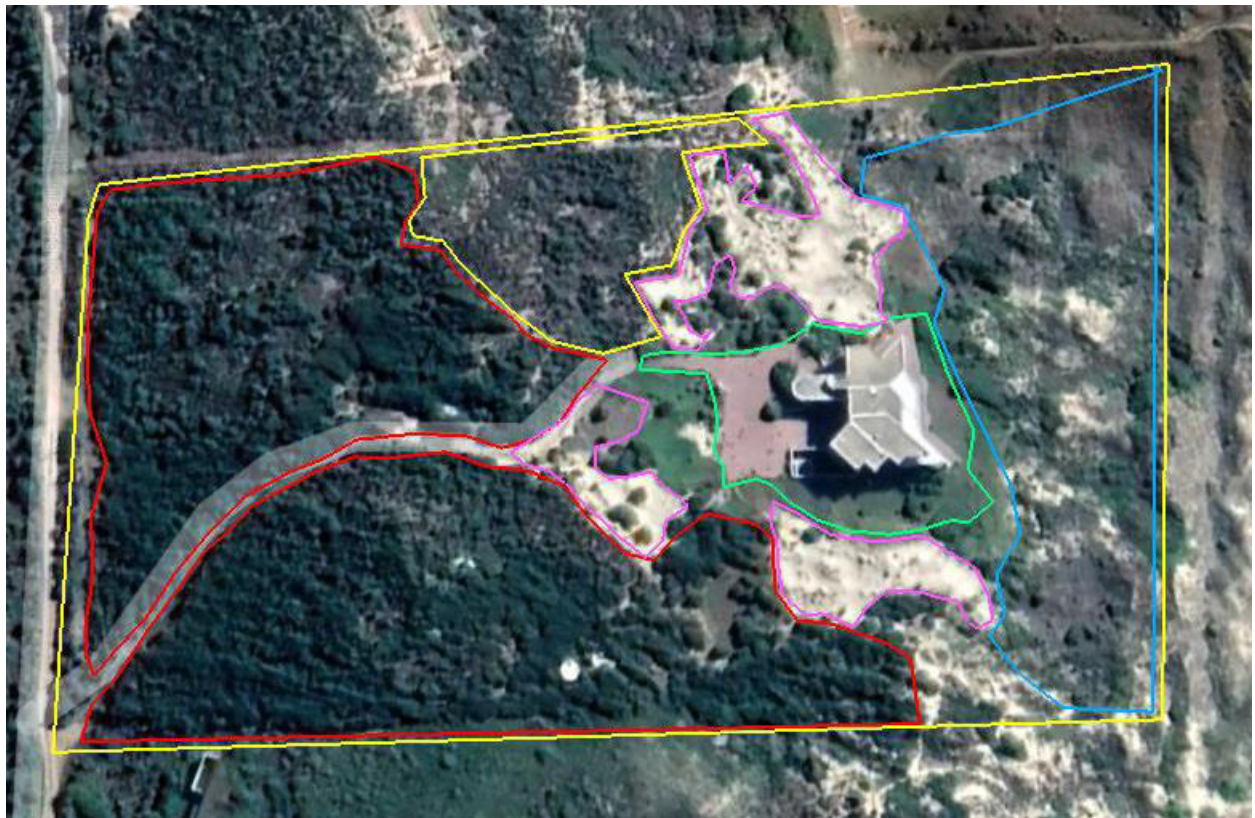


Figure 12: Approximate delineation of the identified habitat types on the study area (taken from the Animal Species and Terrestrial Biodiversity Assessment).

- Indigenous thicket invaded by *Acacia cyclops*/
- Fynbos patches invaded by *Acacia cyclops*
- Buildings, garden & driveway
- Disturbed and exposed sandy areas
- Foredune thicket/Fynbos

3. Methodology to determine the significance ratings of the potential environmental impacts and risks associated with the alternatives.

Describe the methodology to be used in determining and ranking the nature, significance, consequences, extent, duration of the potential environmental impacts and risks associated with the proposed activity or development and alternatives, the degree to which the impact or risk can be reversed and the degree to which the impact and risk may cause irreplaceable loss of resources.

Assessment Criteria are based on the following:

- NEMA Act 107 of 1998
- NEMA: EIA Regulations 2014 as amended

The criteria are also based on the EIA Regulations, published by the Department of Forestry, Fisheries and the Environment (April 1998) in terms of the Environmental Conservation Act No. 73 of 1989. These criteria include:

Nature of the impact

This is an estimation of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and how.

Extent of the impact

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region or will have an impact on a national scale or across international borders.

Duration of the impact

The specialist should indicate whether the lifespan of the impact would be short term (0-5 years), medium term (5-15 years), long term (16-30 years) or permanent.

Intensity

The specialist should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The specialist study must attempt to quantify the magnitude of the impacts and outline the rationale used.

Probability of occurrence

The specialist should describe the probability of the impact actually occurring and should be described as improbable/unlikely (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

Reversibility

- Completely reversible – the impact can be reversed with the implementation of minor mitigation measures.
- Partly reversible – the impact is reversible but more intense mitigation measures are required
- Barely reversible – the impact is unlikely to be reversed even with intense mitigation measures
- Irreversible – the impact is irreversible, and no mitigation measures exist

Irreplaceable loss of resources

Describes the degree to which resources will be irreplaceably lost due to the proposed activity. It can be no loss of resources, marginal loss, significant loss or complete loss of resources.

Cumulative effect

An effect which in itself may not be significant but may become significant if added to other existing or potential impacts that may result from activities associated with the proposed development. The cumulative effect can be:

- Negligible – the impact would result in negligible to no cumulative effect
- Low – the impact would result in insignificant cumulative effects
- Medium – the impact would result in minor cumulative effects
- High – the impact would result in significant cumulative effects

Significance

Significance of impacts are determined through a synthesis of the assessment criteria and is described as –

- Low negative– where it would have negligible effects and would require little or no mitigation
- Low positive – the impact will have minor positive effects
- Medium negative – the impact will have moderate negative effects and will require moderate mitigation
- Medium positive – the impact will have moderate positive effects
- High negative – the impact will have significant effects and will require significant mitigation measures to achieve an accepted level of impact
- High positive – the impact will have significant positive effects
- Very high negative – the impact will have highly significant effects and are unlikely to be able to be mitigated adequately
- High positive – the impact will have highly significant positive effects.

4. Assessment of each impact and risk identified for each alternative

Note:The following table serves as a guide for summarising each alternative. The table should be repeated for each alternative to ensure a comparative assessment. The EAP may decide to include this section as Appendix J to this BAR.

See Appendix J – Impact Assessment Table.

SECTION I: FINDINGS, IMPACTMANAGEMENT AND MITIGATION MEASURES

1.	Provide a summary of the findings and impact management measures identified by allSpecialist and an indication of how these findings and recommendations have influenced the proposed development.
<p>Palaeontological Impact Assessment for redevelopment of portions 66 and 67 of Brakkloof 443, Plettenberg Bay by Rob Gess Consulting dated May 2022.</p> <ul style="list-style-type: none"> – The proposed development area is situated on a long beach barrier dune system that separates Robberg Beach from a back barrier wetland that is likely to have, at times, comprised an estuarine inlet. As such this environment might well have been favoured by large mammals, such as hippo, and to have been attractive to ‘Strandloper’ communities. That said, such communities are more likely to have been most attracted to settle somewhat closer to the Robberg Peninsular with its greater abundance of shellfish. – The proposed development site is largely too covered in thick vegetation, particularly invasive Rooikrantz, for all surface outcrop to be investigated. Much of the area around the dwelling has however been disturbed, with removal of organic rich top sand leading to the development of blow outs These were all carefully examined. Initiation of calcretisation of sediments was observed with the development of rhizoliths. Small terrestrial snail shells were noted throughout the sand. – Very little indication of strandloper activity was observed, with only sparse small scatters of sand mussels being observed. – No palaeontological material of any importance was observed and no mitigation is therefore specified. <p>Archaeological Impact Assessment of a Proposed Residential Estate on Portion 66 & 67 of Farm 443, Plettenberg Bay by ACO Associates cc - David Halkett dated March 2022.</p> <ul style="list-style-type: none"> – No pre-colonial heritage resources have been identified on the site and the proposed activities are not expected to result in the loss of significant heritage resources. Although we consider it a low possibility that material will be found, we cannot exclude the possibility in its entirety given that material could be buried. If any archaeological resources (e.g. shell layers, human remains) are identified during construction, these must be immediately reported to the 	

Archaeologist and Heritage Western Cape to indicate a way forward. In the case of human remains, as soon as they are recognised they must be cordoned off and not disturbed further. Work may carry on elsewhere until the finds have been examined.

- The built environment is largely limited to two semi-ruinous structures (D001 and D002), provisionally graded NCW. No mitigation has been proposed.
- The findings of the impact assessment evaluated in terms of the Impact Methodology, suggests that impacts on archaeological heritage resources will be low without mitigation. The low heritage significance of the resources does not warrant implementation of formal mitigation, but discovery of buried archaeological material must be reported.
- Overall we find that the proposed residential development and associated infrastructure will not result in the loss of significant heritage resources and no mitigation is proposed. The proposed development is supported.

Terrestrial Plant Species Compliance Statement for portions 66 & 67 of erf 443 of Plettenberg Bay by Regalis Environmental Services CC dated October 2022.

- Despite the suggestion from DEA&DP that the affected area consists of Groot Brak Dune Strandveld, I am confident that the **only** affected vegetation type is Goukamma Dune Thicket (Status = Least Concerned). I myself identified and delineated these vegetation types originally. These data were used later by SANBI to develop the SAVEG map.
- About half of the affected area has been identified as an Ecological Support Area (ESA1), but due to the transformed and low phytodiversity of the local vegetation, as well as development of the adjacent properties, the affected dune system has lost most of its ecological value, with little value to support either biodiversity or important ecological processes. The identification of the area as an ESA is most probably based on a poor transformation data layer.
- The affected area is not very rich in indigenous plant species (only 52 species were found in a careful field survey of the entire affected area), as most of the vegetation has either been disturbed with the construction of previous infrastructure and/or dense invasion by alien plants (mostly *Acacia cyclops*) that is in their second rotation of invasion despite a concerted effort to eradicate these plants. DEA&DP questioned this result, but my results is based on a careful survey of the entire affected area, with no indication that additional surveys will come to a different result.
- None of the rare or threatened species listed in the screening tool (or otherwise known to occur in the area) were found or are suspected to occur in the affected area as the local habitat is unsuitable for them.
- I did not find any sensitive area to be mapped as 'No Go' areas on the properties, but the narrow strip of vegetation abutting the beach consists of a sensitive primary dune system.
- From my fieldwork I hence find the suggestion of the screening tool that the Biodiversity Theme sensitivity as being Very High as incorrect as neither the affected vegetation is a threatened vegetation type, with little evidence that the area will have much value as an ESA.
- From my fieldwork I can say with confidence that the screening tool suggestion for the Terrestrial Plant Theme sensitivity as being Medium as incorrect as none of the suggested rare and plant species were found or are suspected to be present in the affected area.

Regarding important ecological processes operating in the general area and potential ecological corridor value of the affected vegetation, my findings are as follows:

- The terrestrial vegetation along the dune system east of the wetland is highly fragmented due to high density development on most of the properties. This dune system can hence now longer act as an important ecological corridor.
- There are no known ecological processes acting between the wetland west of the properties and the beach east of the properties.

- Although the vegetation is periodically exposed to fire, the development on this property will not negatively affect the natural spread of fire which the nearby wetland requires periodically.
- I hence believe that additional development on the properties will not have a negative impact on any important ecological processes operating in the general area.
- From a botanical point of view, I cannot find any reason why the revised proposed development layout plan for these two properties should not be supported. The only real concern I had was the narrow strip of the primary dune system that might be affected in the construction and operational phases. For the operational phase the primary concern is already addressed in the revised development layout plan.
- I thus support the current proposed development and my impact assessment thereof.

Animal Species and Terrestrial Biodiversity Assessment for Proposed Development on Portions 66 & 67 of the Farm 443, Plettenberg Bay by Conservation Management Services (Ken Coetzee) dated November 2021.

- None of the red Data listed or the screening tool identified species were considered to occur on or even use the study site on a permanent basis. The study site habitats do not represent any kind of critical or specialized resource for any of the sensitive animal species.
- The habitats available on the study site are all anthropogenically impacted, to a variable degree, but the current situation is set to deteriorate swiftly due to the devastating impact of invasive alien *Acacia cyclops*, which in the last few years has spread over much of the site and which will mature to the further detriment of all indigenous plant and animal species. The currently disturbed habitats cannot be described as useful or necessary linkage habitat, and with the continued spread and maturity of the alien trees, will become even less likely to provide linkages for animal movement.
- The study site thus does not represent a suitable linkage for animal movement between the relatively intact foredune area on the Eastern side of the study site and the relatively undisturbed wetland on the Western side of the study site.
- It can thus be summarized with a high degree of confidence that the study site is of no importance to the fauna predicted by the screening tool to occur on it and that the other fauna on the site is already in an advanced state of decline due to habitat transformation.

Freshwater Assessment Report for Residential Development on Portions 66 and 67 of Farm 443, Plettenberg Bay, Western Cape by Confluent Aquatic Consulting & Research dated December 2022.

- The study site is located within sub-quadernary catchment (SQC) 914, which, according to the National Freshwater Ecosystem Priority Atlas (NFEPA, Nel et al., 2011), has not been classified as a FEPA (Freshwater Ecosystem Priority Area). The development area therefore falls within an SQC that is not considered as being a priority for maintaining freshwater biodiversity at a national scale. This is largely due to the fact that there is not a major river that drains the SQC.
- The proposed development occurs adjacent to a large depression wetland. The development will occur well outside of the delineated area of the wetland which is also buffered by a well-vegetated buffer zone that ranges between 20 and 40 m in width, that is expected to provide adequate protection from surface runoff impacts (e.g. sediment inputs).
- According to the WCBSP for Bitou, the wetland is not recognised as an aquatic feature and the majority of the wetland has been assigned as a terrestrial Ecological Support Area (ESA) that forms part of a coastal corridor. ESAs are not essential for meeting biodiversity targets but are important for supporting the functioning of more important CBA areas. ESAs should therefore be managed or restored to ensure that the ability to provide these supporting services is not compromised. In this respect, it is important that the development does not adversely affect

the functioning of the wetland area should also maintain some connectivity between the wetland and other habitats within the coastal corridor.

- ESAs are not essential for meeting biodiversity targets but are important for supporting the functioning of more important CBA areas. ESAs should therefore be managed or restored to ensure that the ability to provide these supporting services is not compromised. In this respect, it is important that the development does not adversely affect the functioning of the wetland area and should also maintain some connectivity between the wetland and other habitats within the coastal corridor.
- Main impacts to the wetland are primarily hydrological as a result of increased stormwater inputs on the one hand and possibly some interception of sub-surface interflow as a result of the residential developments on the other. Sediment inputs to the wetland are not expected to be significantly higher than under natural conditions. Low densities of alien invasive plant species were observed within the buffer area (mainly *Acacia cyclops* and some dense thickets of bramble - *Rubus* sp.). Overall, despite the high levels of urbanisation in the surrounding area, the main hydrological, geomorphological and vegetation features of the wetland are relatively unaffected and the Present Ecological State (PES) of the wetland is B (Largely Natural).
- The wetland is large and provides substantial breeding habitat for birds and other fauna and there is a reasonable likelihood that it hosts Red-Data species wetland species. It is also relatively well connected to the Robberg Nature Reserve and the larger Robberg Coastal Corridor and is therefore important in terms of providing ecological connectivity across a large area.
- It is not a particularly sensitive wetland type, which partly explains why it remains in relatively good ecological condition given the extensive urban development that has occurred in the surrounding area. Given its isolation from a broader hydrological network it provides limited hydrological functionality but is relatively important from the perspective of assimilating pollutants and providing a sink for carbon storage.
- In terms of direct human benefits the wetland does provide some important recreational attributes (e.g. bird watching and hiking) – but overall provides minimal direct human benefits.
- Overall, the Ecological Importance and Sensitivity (EIS) of the wetland is Moderate.
- In terms of the DWS Risk Assessment, while construction and operational phase activities present a low risk to the wetland and are unlikely to affect the current PES of the wetland, the new rising sewage main that connects the development to municipal network is an exclusion under the General Authorisation. The applicant will therefore need to apply for a Water Use License.

Visual Impact Assessment Study for Proposed Residential Estate on Portion 66 & 67 of Farm 443 Plettenberg Bay, Submitted in term of Section 38(8) of the National Heritage Resource Act (Act 25 of 1999) by Andre Vercueil dated May 2022.

- The proposed consolidation and re-zoning of the Erven in the application and submission process (which has been motivated in terms of the local by-laws and in accordance with the requirements of the Bitou SDF, SPLUMA and LUPA), is to proceed, as this also conforms to the appropriate heritage principles identified in the report.
- The VIA confirms that there are no heritage resources that will be negatively affected by the proposed development.
- As the VIA confirms that there is little to no negative visual impact on the cultural landscape, it is recommended that the application is to proceed accordingly.
- The other specialist reports available to us at this stage do not suggest any negative visual impact that the proposed development would have on the surrounding area.
- It is recommended that the Architectural Design Guidelines that have been drawn up to assure that the proposed development is sensitively co-ordinated into the urban landscape, be adopted. The Architectural Design Guidelines are attached to the HIA.

- It is recommended that noise, storm water, erosion and dust is to be managed through the introduction of appropriate mitigation measures as spelt out in the specialist reports.
- The comments from the interested and affected parties, the conservation bodies and the Local Authority regarding the proposed development are still pending. We recommend that the VIA report be endorsed by HWC as the proposed development would have little to no visual impact significance on the cultural landscape.

Traffic Impact Statement for the Proposed Consolidation, Rezoning and Subdivision of Portion 66 & 67 of the Farm Brakkloof No. 443 Plettenberg Bay by Engineerin Advice and Services (Pty) Ltd dated June 2022.

The following conclusions can be drawn from the study:

- Robbeberg Beach Road currently carries up to 36 peak hour and 140 daily vehicle trips;
- Access to the proposed development can be accommodated directly from Robbeberg Bay Road with minimal impact;
- The proposed development will generate between 2 and 9 peak hour and 27 and 36 daily vehicle trips increasing peak hour and daily trips up to approximately 45 and 180 respectively; and
- The additional peak (up to 9) and daily (up to 36) traffic volumes will require the upgrade of the existing access track from Robbeberg Bay Road to the proposed access point to ensure that it remains in good condition.

In view of the findings of this study, it is recommended that:

- This TIS be approved by the Bitou Municipality;
- Access to the proposed development be provided directly from Robbeberg Bay Road as indicated on the SDP, with the cost of the access point being met by the developer; and
- The existing access track from Robbeberg Bay Road to the proposed site access be upgraded to a hard surface with the cost of the access point being met by the developer.

2. List the impact management measures that were identified by all Specialist that will be included in the EMP

Palaeontological Impact Assessment for redevelopment of portions 66 and 67 of Brakkloof 443, Plettenberg Bay by Rob Gess Consulting dated May 2022.

- No palaeontological material of any importance was observed and no mitigation is therefore specified.
- It does however remain possible that after the bush has been cleared, or during construction, large mammal bones may be uncovered – associated with midden deposits, former hyena dens or on their own.
- Should any such materials be suspected to be present, during clearing, levelling or excavation of foundations a palaeontologist should immediately be contact to assess the occurrence.

Terrestrial Plant Species Compliance Statement for portions 66 & 67 of erf 443 of Plettenberg Bay by Regalis Environmental Services CC dated October 2022.

The two mitigation actions that are proposed are;

- Permission must be attained from the relevant authority (DEFF) to remove any of the specially protected Milkwood trees (*Sideroxynoninerme*) that still occur on the properties, even though they are small due to the recent fire.
- The primary dune system at the beach front (mostly outside the properties) should not be disturbed during the construction or operational phases of the development. If access will be allowed to the beach, then a board walk system will have to be constructed to minimize disturbance of this sensitive area.

In their comments DEA&DP also suggested that a fire management plan may have to be provided. I believe this is not necessary as:

- The proposed development will not have any flammable natural vegetation remaining.
- The fire risk was mostly posed by alien vegetation, which will be removed by the development.
- The previous fire on the affected area was largely due to dense infestation of flammable alien plants on these and adjacent properties.

Animal Species and Terrestrial Biodiversity Assessment for Proposed Development on Portions 66 & 67 of the Farm 443, Plettenberg Bay by Conservation Management Services (Ken Coetzee) dated November 2021.

- Despite the fact that the site is not important for the sensitive animal species that were identified by means of the screening tool, there are nevertheless a number of practical mitigatory measures that can be applied in relation to the proposed development. These measures are aimed at general habitat protection and improvement, and they are:
 - **Foredune conservation:** This is an important coastal habitat that should be conserved for biodiversity conservation, to prevent increased wind erosion and as a minor faunal corridor along the edge of the property. This area must be actively excluded from the developed area and must not suffer the dumping and other negative impacts that so often accompany building projects.
 - **Alien plant eradication:** All invasive alien plants should be completely cleared from the property, and where a tree or bush cover is desired, replaced with suitable indigenous species. The suitable planting list of trees and shrubs should be incorporated into the EMP as must a list of the alien plants and how they should be controlled.
 - **Garden plants:** Investing landowners within the proposed development should be encouraged to avoid planting invasive alien plants in favour of locally indigenous plants. Many of the dune-scrub plants are easy to propagate and many are available at nearby nurseries. A list of suitable gardening plants should be included in the EMP.
 - **Preservation of natural habitats:** Wherever there are sections of undisturbed natural habitat within the development area, they should not be impacted by the building activities and should be conserved as small islands of natural resources for the small wildlife of the area. These animals include skinks, rodents, birds and invertebrates. Any area of natural habitat that is not required for the approved development should be conserved for small wildlife. This aspect must also be outlined in the EMP.
 - **Substrate conservation:** Areas that are disturbed through building activities (such as the excavations for sewerage pipelines) should be suitably rehabilitated without delay. Failure to do so will have a knock-on effect on biodiversity in the form of an increase in wind erosion, soil exposure and a loss of the soil micro-organisms that are essential for plant growth. The detailed methodology can be described in the EMP but should incorporate a complete cover of locally chipped woody material (for example *Acacia cyclops* stems and branches but not the seed pods)
 - **Servitude corridor:** The 6m wide servitude along the northern boundary of the development area can serve as a minor corridor for smaller wildlife, linking the wetland to the west with the coastal dunes to the east, provided that it is kept clear of invasive alien plants. The undeveloped parts of the proposed development can be considered as part of the corridor/natural habitat area. Details must be included in the EMP.
 - **Domestic predators:** Dogs need to be kept within a fenced home area (plot) but cats are almost impossible to fence-in. Cats can be kept in-doors at night which is when they do most of their hunting but completely preventing cats from hunting will be a challenge. Details and recommendations must be taken up in the EMP.
 - **Chemical pollution:** Residents must be made aware of the dangers that accompany the irresponsible use of harmful chemicals. This must be clearly outlined in the EMP which must

provide guidelines for suitable alternatives to these harmful chemicals or at least how to use them in a more responsible way.

- **Fire management:** A strategy for the management and combat of wildfires must be clearly outlined in the EMP. These guidelines must cover the safe domestic use of fire, cigarette smoking awareness, management of undeveloped areas, fire breaks for combatting fire and membership and compliance with the local fire protection association. Of importance in the fire management guidelines will be the control of alien invasive plants which can result in more intense and damaging fires. A practical fire management strategy will also help to prevent catastrophic fires that will destroy the natural habitat of smaller wildlife, such as the undeveloped areas in between the units and in the proposed corridor area.
- **Permeable fencing:** Wherever fences are needed in the development area and on its boundary, it will be necessary to ensure that wildlife can move through the fences to enable their movement across the landscape. The methods that can be used to do so must be provided in the EMP, with details about construction, materials and frequency of implementation (spacing of permeability).

Freshwater Assessment Report for Residential Development on Portions 66 and 67 of Farm 443, Plettenberg Bay, Western Cape by Confluent Aquatic Consulting & Research dated December 2022.

- The main impacts associated with the construction phase are sedimentation caused by erosion. For the operational phase the potential modification to hydrology is considered to be the most relevant impact. In assessing impacts it was noted that there is a well-established buffer zone between the development and the delineated edge of the wetland, which provides substantial protection from diffuse/nonpoint source impacts associated with the development (e.g. sediment in runoff).
- The lower section of the development slopes down towards the wetland. Clearing areas of the site and the road in preparation for construction will expose bare soil which could potentially be mobilised into the wetland during heavy rainfall events. The buffer is however expected to provide good protection under such circumstances.
 - o A silt fence must be installed perpendicular to the angle of the slope to trap any soil or sediment mobilised from the site during the construction phase. Silt fences must be installed between the site and the Robberg Road, and in between Robberg Road and the buffer.
 - o The site must be monitored after every rainfall event to ensure that no sediment is being washed into the wetland by erosion.
 - o The laydown area and stockpiles of construction materials or excavated materials must be located on as flat an area as possible and should not drain towards the wetland. If necessary, stockpiles must be protected (e.g. through use of sandbags and/or tarpaulins) to prevent materials being washed downslope towards the wetland.
- Construction activities are likely to generate significant quantities of solid waste that could pollute the wetland and buffer area. In addition, the high numbers of construction workers present on site will generate a significant amount of human waste, which could also pollute the wetland.
 - o All construction waste generated on-site during construction must be adequately managed. Separation and recycling of different waste materials should be supported.
 - o All construction waste materials must be collected and disposed of at a suitable waste facility.
 - o No dumping of construction material within the wetland or wetland buffer may take place.
 - o The buffer and wetland area must be monitored on a weekly basis to clean-up any waste that may have been blown from the construction site.

- Adequate sanitary facilities and ablutions must be provided for all personnel throughout the project area. Use of these facilities must be enforced (these facilities must be kept clean so that they are a desired alternative to the surrounding vegetation).
- Operation of vehicles in close proximity to the wetland could result in spillages or leaks of hydrocarbons (fuel and oil) and could lead to unnecessary disturbance of the wetland and its buffer.
 - Construction activities must be confined to clearly demarcated areas so as to prevent unnecessary disturbance to the wetland and buffer.
 - No vehicles are to park or operate within the buffer of the wetland (i.e. all activities must be restricted to Robberg Road or the eastern side of Robberg Road).
 - Excavators and all other machinery and vehicles must be checked for oil and fuel leaks daily. No machinery or vehicles with leaks are permitted to work on site.
 - No fuel storage, refuelling, vehicle maintenance or vehicle depots to be allowed on the slope leading towards the wetland.
 - Refuelling and fuel storage areas, and areas used for the servicing or parking of vehicles and machinery, must be located on impervious bases and should have bunds around them (sized to contain 110 % of the tank capacity) to contain any possible spills. These areas must not be located within any natural drainage areas or preferential flow paths and must be located outside of the buffer of the wetland.
 - The contractors used for the project should have spill kits available to ensure that any fuel or oil spills are clean-up and discarded correctly.
- The development will result in an increase in the area of paved/hardened surfaces. This will generate increased volumes of stormwater runoff which will flow down towards the wetland. The main entrance road leading from Robberg Road into the development is also likely to become an important conduit for stormwater down towards the wetland, as will the upgraded section of Robberg Road. Existing developments along tarred sections of Robberg Road (to the south) have not resulted in obvious impacts the wetland as a result of stormwater runoff. Adequate management of stormwater should therefore effectively minimise the intensity of this impact.
 - Stormwater from erven on the west facing slope of the development must be attenuated on site.
 - Stormwater from the access road leading into the development must be attenuated onsite (prior to any discharge into the buffer of the wetland).
 - A suitable stormwater plan must be compiled for the section of Robberg Road that will be tarred and upgraded. The plan must discharge stormwater into the adjacent buffer area without causing any erosion. The runoff velocity of stormwater must therefore be reduced with energy dissipaters prior to discharge into the wetland buffer.
- Hardened surface and establishment of foundations for houses may impede sub-surface flows towards the wetland, although these are not expected to form a major or important contribution to the water balance of the wetland. This is supported by the fact that the numerous developments around the wetland do not appear to have affected the size of the wetland area over time.
 - Stormwater management should encourage infiltration of water into the soil profile and other on site attenuation (i.e. using grass pavers etc.)
- The properties fall within an ESA that has been designated as an ecological corridor that connects the wetland to the undeveloped dune system that runs along the length of the Robberg Beach. It is likely that some wildlife may use the wetland as a refuge and move in between the wetland and the coastal dune system. The development of the property will fragment this ESA which could affect the movement of wildlife.
 - The eastern and western border of the servitude running along the northern boundary of the development must remain unfenced to allow wildlife to move between the

coastal dune system and the wetland. Vegetation within this servitude should also not be cleared and must be maintained in a natural state. Control of alien invasive species must be undertaken if necessary.

Visual Impact Assessment Study for Proposed Residential Estate on Portion 66 & 67 of Farm 443 Plettenberg Bay, Submitted in term of Section 38(8) of the National Heritage Resource Act (Act 25 of 1999) by Andre Vercueil dated May 2022.

- That the Architectural Design Guidelines proposed for the development be adopted to mitigate the colours, heights, disturbance areas, maximum footprint, vegetation, etc, which will all contribute to a smaller visual impact on the landscape.
- That the necessary measures be implemented during the construction phase to protect the natural vegetation, to control the noise, dust and visual intrusion.
- Appointing a Landscape consultant to recommend and implement the introduction of an indigenous landscape plan to protect the existing indigenous vegetation and to prepare a landscape plan for implementation in the private and common areas.
- To implement external lighting restrictions and guidelines.

3. List the specialist investigations and the impact management measures that will **not** be implemented and provide an explanation as to why these measures will not be implemented.

None

4. Explain how the proposed development will impact the surrounding communities.

The properties concerned represent some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature reserve. The planned residential development will be similar to existing and planned residential developments to the north and south of the property. The development is directly south of the Duinen See Development situated on Portion 58 of the Farm Brakkloof 443, containing 14 Group housing erven and communal open space. North of Duinen See is Solar Beach residential area. The development density and design will be such that impact on surrounding communities will be minimal.

5. Explain how the risk of climate change may influence the proposed activity or development and how has the potential impacts of climate change been considered and addressed.

The proposed development has been set back from the eastern boundary to accommodate the Bitou 100-year erosion line. The development is topographically located higher up from the seashore and buffered by a foredune away from potential effects of coastal erosion. The development is not located near any watercourses and there is little potential for flooding.

6. Explain whether there are any conflicting recommendations between the specialists. If so, explain how these have been addressed and resolved.

None.

7. Explain how the findings and recommendations of the different specialist studies have been integrated to inform the most appropriate mitigation measures that should be implemented to manage the potential impacts of the proposed activity or development.

Mitigation measures recommended by the specialists have been included in the EMPr (Appendix H).

8. Explain how the mitigation hierarchy has been applied to arrive at the best practicable environmental option.

The layout and design of the site development plan took into account the topography of the property, the foredune area, and the vegetation found thereon.

SECTION J: GENERAL

1. Environmental Impact Statement

1.1. Provide a summary of the key findings of the EIA.

- i. Areas of Ecological Importance/sensitivity must be identified and demarcated as "No Go Areas", particularly the **primary dune system** to the east of the property.
- ii. A **stormwater drainage** system is necessary, the system should lead run off water away from sensitive areas, in order to prevent soil erosion and contamination. The use of grass blocks on paved driveways, roadway kerb and channel side drain, and stilling gabion chamber/retention chamber to assist percolations of stormwater.

- iii. **Removal of topsoil** must only be allowed in the disturbance area and undertaken prior to commencement of construction activities and stored for later use during the Rehabilitation Phase of the development. This will largely determine the success and rate of rehabilitation.
- iv. Allow for the maintenance of **animal movement** through the creation of ecological corridors specifically in an east-west direction. A 6-meter-wide servitude to the north will remain unfenced, and rehabilitated with indigenous vegetation to encourage animal movement between the wetland and dune systems.
- v. **Alien plant infestation** (particularly by *Acacia cyclops*) impacting biodiversity and ecological processes. This will be systematically removed on construction of the development and controlled throughout the operational phase.
- vi. **Fire risk** mostly posed by alien vegetation. The previous fire on the affected area was largely due to dense infestation of flammable alien plants on these and adjacent properties. The removal of the alien vegetation will mitigate fire risk to a large extent. There are well-placed/planned defensible spaces (landscaped area within portion) around the structures/houses which will offer additional structural protection against possible wildfires moving into the development. These defensible spaces should be properly maintained. Highly burnable vegetation or flammable material should not be present within these defensible spaces. The road network within the development will also limit any spread of fires within the proposed development. The main road to the west of the property will also add additional protection and should offer reasonable protection. It cannot be expected landowners/homeowners to make provision for extreme wildfire events.
- vii. **Erosion and blow-outs** due to removal of organic rich topsoil and disturbance of vegetation on sandy environment. Areas that are disturbed through building activities (such as the excavations for sewerage pipelines) should be suitably rehabilitated without delay. Failure to do so will have a knock-on effect on biodiversity in the form of an increase in wind erosion, soil exposure and a loss of the soil micro-organisms that are essential for plant growth. The disturbed open space areas will be rehabilitated with indigenous vegetation.
- viii. The **preservation of natural habitats**. Wherever there are sections of undisturbed natural habitat within the development area, they should not be impacted by the building activities and should be conserved as small islands of natural resources for the small wildlife of the area. These animals include skinks, rodents, birds and invertebrates. Any area of natural habitat that is not required for the approved development should be conserved for small wildlife.

1.2. Provide a map that that superimposes the preferred activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers. (Attach map to this BAR as Appendix B2)

See Appendix B2.

1.3. Provide a summary of the positive and negative impacts and risks that the proposed activity or development and alternatives will have on the environment and community.

Table 1: Positive and Negative Aspects of the Project.

Specific Aspect of Proposal	Positive	Negative
Planning Policy, Documentation and Urban Edge.	This particular property is in proximity to existing developments and is within the urban edge of expansion for the Bitou Municipal District. The proposal is compatible with various planning policies and documents. A small portion of the property will remain as Open Space to be rehabilitated with	The proximity to the coastline and visual impacts. These can be managed and mitigated.

	indigenous shrub and trees which will 'soften' the visual impact.	
Bulk Services supply	There already is a connection point for the proposed development and there will be no pressure / demand on the current system. Access to the property is currently available through the existing roads network.	All Waste Water, water supply and storm water will need to be managed but this is achievable with all the correct mechanisms and mitigation in place.
Conservation Status / value	There are no identified CBA's and the vegetation on site has been transformed over the years resulting in a low conservation value within the proposed development footprint.	Loss of potential habitat.
Sufficient ecological corridors	Wildlife/ecological corridors exist along the east-west coastal strip which will remain functional without being restricted by the development area. A 6m ecological corridor will be maintained on the northern boundary which connects the wetland to the foredune.	The proposal would not greatly compromise on landscape connectivity. The study site represents a very narrow and relatively natural link between the natural habitats between the foredune area and the wetland. This link is however not considered to be a suitable link or important corridor due to its narrow width and its generally poor condition.
Erosion	Rehabilitation of disturbed areas with indigenous vegetation.	Erosion and blow-outs due to removal of organic rich topsoil and disturbance of vegetation on sandy environment.
Noise and Visibility	The visual sensitivity of the site is Low to Minimal. The Zone of Visual Impact is restricted to a local context, as the furthest viewpoint is 3,5km away and the others between 100m and 1km. Development has Architectural Guidelines in terms of aesthetics and 'sense of place' that will be adhered to.	Visual and noise Impacts to adjacent residents during construction phase.
Alien Vegetation	Systematically remove invasive alien vegetation (also in the operational phase).	Loss of natural vegetation and increased fire risk if not removed.
Fire risk	Removal of alien vegetation to reduce fuel load.	Fire risk may be high if alien vegetation is not removed.
Storm water	Use of trapezoidal grass block side drain that discharge stormwater into an effective 1,2m deep stilling gabion chamber that will also serve as a silt trap. The retention chamber will facilitate percolation and will not have an outlet.	Pollution into sub-surface water and accelerated erosion.

Site Access		Potential increased vehicle movement will require suitable guidelines and recommendations to be adhered to as stipulated, with regards to access.
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2. Recommendation of the Environmental Assessment Practitioner (“EAP”)

2.1.	Provide Impact management outcomes (based on the assessment and where applicable, specialist assessments) for the proposed activity or development for inclusion in the EMPr
See Appendix J – Impact Assessment Table.	
2.2.	Provide a description of any aspects that were conditional to the findings of the assessment either by the EAP or specialist that must be included as conditions of the authorisation.
<p>THE APPLICANT IS RESPONSIBLE, WITH THE INPUT OF A QUALIFIED ENVIRONMENTAL CONSULTANT / PRACTITIONER, TO IMPLEMENT AN ACCEPTABLE CONSTRUCTION AND OPERATIONAL PHASE EMPr WHICH ADDRESSES SUCH ASPECTS AS THE STORAGE OF ANY CONSTRUCTION MATERIALS / IMPLEMENTS, VEHICLE MOVEMENT, ENVIRONMENTAL CONTROL AND MITIGATION OF POTENTIAL IMPACTS.</p> <p>APPOINT AN ENVIRONMENTAL CONTROL OFFICER (ECO) TO ENSURE THAT CONTRACTORS COMPLY WITH THE RECOMMENDATIONS IN THE APPROVED EMP AND THE ENVIRONMENTAL AUTHORISATION.</p> <p>THE ENVIRONMENTAL INTEGRITY (INCLUDING VISUAL IMPACT) OF THE SITE IS OF IMPORTANCE AND WHERE ALIEN VEGETATION HAS BEEN REMOVED, THE REHABILITATION / RE-PLANTING WITH SUITABLE INDIGENOUS VEGETATION MUST TAKE PLACE.</p> <p>THE DESIGN MUST BE SUCH THAT IT TAKES COGNISANCE OF THE POTENTIAL NEGATIVE VISUAL IMPACTS – BUILDING DESIGN, COLOUR AND ANY HEIGHT RESTRICTIONS MUST BE CONSIDERED</p> <p>ANY RECOMMENDATIONS MADE BY SPECIALIST'S IN A PARTICULAR FIELD OF EXPERTISE MUST BE ADHERED TO SO THAT A CONCERTED EFFORT IS MADE TO PROTECT IT AND MITIGATE FOR ENVIRONMENTAL IMPACTS.</p> <p>STORMWATER MUST BE WELL-MANAGED IN ORDER TO ENSURE THAT NO UNNECESSARY POLLUTION OR EROSION OCCURS ON AND OFF THE SITE AND THAT THE INTEGRITY OF THE ENVIRONS IS MAINTAINED.</p> <p>REHABILITATION OF ANY EXISTING DISTURBANCE AREAS / EROSION POTENTIAL ON SITE USING APPROPRIATE METHODS.</p> <p>REHABILITATION AND RE-VEGETATION WITH SUITABLE ENDEMIC INDIGENOUS SPECIES; ACCEPTABLE LANDSCAPING METHODS TO ENHANCE THE AREA AND ENSURE COMPATIBILITY WITH THE ENVIRONS.</p> <p>PERMISSION MUST BE ATTAINED FROM WESTERN CAPE DEPARTMENT OF FORSTRY TO REMOVE ANY OF THE PROTECTED MILKWOOD TREES THAT STILL OCCUR ON THE PROPERTY.</p>	
2.3.	Provide a reasoned opinion as to whether the proposed activity or development should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be included in the authorisation.
<p>Authorised - The Applicant has shown a willingness to comply with the Regulations applicable to the Environmental Legislation, has considered forward planning policies as well as regulations. the Environmental Assessment Practitioner (EAP) is in the process of conducting another Public Participation Process and has allowed adequate opportunity for public concerns to be addressed.</p> <p>The <i>Environmental Screening Tool</i> has been taken cognisance of throughout, in terms of the appointment of Specialists in their particular fields.</p>	

There are no impacts of significance *at present*, any that may be identified will be addressed during the BAR process with potential additional comment obtained from the relevant organisations and registered stakeholders / Interested and Affected Parties (I&AP's)

2.4. Provide a description of any assumptions, uncertainties and gaps in knowledge that relate to the assessment and mitigation measures proposed.

It is assumed that all the specified mitigation measures listed in the EMPr will be implemented, adhered to, and audited regularly by the Applicant and Contractors.

It is assumed that there will be I&AP input during the public participation process to facilitate effective planning and decision making.

It is assumed that the Local Municipality will ensure effective service delivery to avoid environmental impacts during the operational phase particularly.

2.5. The period for which the EA is required, the date the activity will be concluded and when the post construction monitoring requirements should be finalised.

1. The EA is required for a period of ten (10) years.
2. The activity will be concluded in accordance with Clause 12 of the Sales Agreement (Table 2) whereby all stands have been developed.
3. Post construction monitoring will be finalised one (1) year from completion of the Project.

Construction phase: 16 weeks to completion from date of site hand-over.

- Alien vegetation removal and site clearance
- Bulk earthworks and site levelling
- Roadworks
- Gabion retaining walls
- Fencing
- Construction of Guardhouse
- Construction of refuse rooms
- Installation of electrical services
- Water reticulation
- Sewer reticulation
- Stormwater reticulation
- All municipal tie-ins and upgrades

Construction of dwelling houses: The period for which the environmental authorisation is required is based on Clause 12 below.

- Commencement of construction work is to start within 24 months of transfer. Late start-up will be subject to penalties.
- Construction must be completed within 16 months after breaking ground.
- Landscaping is to be completed within 3 months of occupation.

Table 2: Clause 12 of Sales Agreement.

12. OBLIGATION TO BUILD AND RELATED MATTERS

- 12.1 It is specifically agreed that the Property is sold to the Purchaser for the purpose of the Purchaser erecting thereon a dwelling house in accordance with the Architectural Design Manual of the Estate (which Architectural Design Manual forms part of the Constitution of the Association) within the period set out in this clause.
- 12.2 The Purchaser undertakes to ensure that construction of the dwelling house commences no later than **24 (TWENTY FOUR)** months after the date of registration of transfer of the Property to the Purchaser, and to ensure that the construction of the dwelling house is completed by no later than **48 (FORTY EIGHT)** months after the date of registration of transfer of the Property to the Purchaser.
- 12.3 Irrespective of the date of physical commencement of construction, for the purposes of this clause 12, construction of the Purchaser's proposed dwelling house shall be deemed to have been commenced when all the following have been complied with:
 - 12.3.1 The building plans of the Purchaser's proposed dwelling house on the Property have been formally approved by both the Bitou Municipality and the Association.
 - 12.3.2 The Purchaser's principal contractor has signed acceptance of the Construction Phase Management Rules and submitted same to the Association and the building and damage deposit therein referred to has been paid to the Association.
- 12.4 Irrespective of the date of physical completion of construction, construction shall be deemed to have been completed upon the issue of a certificate of practical completion by the Purchaser's architect (acting in a professional capacity) in respect of all the buildings on the Property, provided that the said building/s have been constructed in accordance with building plans formally approved by both the Bitou Municipality and the Association, or upon issue of a certificate of practical completion by the Estate's architect. In the event of a difference arising between the Purchaser's architect and the Estate's architect, the decision of the latter shall be final and binding.

3. Water

Since the Western Cape is a water scarce area explain what measures will be implemented to avoid the use of potable water during the development and operational phase and what measures will be implemented to reduce your water demand, save water and measures to reuse or recycle water.

Rainwater harvesting tanks and natural vegetation in open spaces and pavement areas / discouraging of planted areas that require more frequent watering.

4. Waste

Explain what measures have been taken to reduce, reuse or recycle waste.

General waste generated through the construction and operational phase of the project is the responsibility of the contractor / landowner. Refuse such as container bags, gravel, rubble, cans, plastic, wire, etc. generated during the execution of any works must be separated out and stored in appropriately designated areas, removed on a regular basis for disposal at a permitted waste disposal site. All recyclable waste must be separated out with separate containers for paper products, glass, plastic, etc.

5. Energy Efficiency

8.1. Explain what design measures have been taken to ensure that the development proposal will be energy efficient.

- Solar geysers and geyser thermal insulation
- Solar panels
- Use of gas
- Energy efficient light bulbs
- Low bollard-type lighting
- Natural ventilation in certain buildings
- Roof water tanks

SECTION K: DECLARATIONS

DECLARATION OF THE APPLICANT

Note: Duplicate this section where there is more than one Applicant.

I, Kyle Powter..... ID number 8512265124082..... in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, and any relevant Specific Environmental Management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA;
- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I appointed the Environmental Assessment Practitioner ("EAP") (if not exempted from this requirement) which:
 - meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
 - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the NEMA EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the NEMA EIA Regulations;
- I will provide the EAP and any specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;
- I will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
 - costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
 - Legitimate costs in respect of specialist(s) reviews; and
 - the provision of security to ensure compliance with applicable management and mitigation measures;
- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority, hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which I or the EAP is responsible in terms of the NEMA EIA Regulations and any Specific Environmental Management Act.

Note: If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

Signature of the Applicant: 

Date:

24 October 2022


Name of company (if applicable):

Athina development (Pty) Ltd

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

I **Janet Ebersohn**, EAPASA Registration number **2019/1286** as the appointed EAP hereby declare/affirm the correctness of the:

- Information provided in this BAR and any other documents/reports submitted in support of this BAR;
- The inclusion of comments and inputs from stakeholders and I&APs;
- The inclusion of inputs and recommendations from the specialist reports where relevant; and
- Any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties, and that:
- In terms of the general requirement to be independent:
 - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
 - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review EAP must be submitted);
- In terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- I have disclosed, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all material information that have or may have the potential to influence the decision of the Competent Authority or the objectivity of any report, plan or document prepared or to be prepared as part of this application;
- I have ensured that information containing all relevant facts in respect of the application was distributed or was made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- I have ensured that the comments of all interested and affected parties were considered, recorded, responded to and submitted to the Competent Authority in respect of this application;
- I have ensured the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;
- I have kept a register of all interested and affected parties that participated in the public participation process; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations;

Signature of the EAP:  Date: **24/10/2022**

Eco Route
Name of company (if applicable):