



Comments and Response Report

The Proposed Housing Development on Portions 91 of the Farm Matjes Fontein 304, Plettenberg Bay, Western Cape.

DEA&DP Ref. No: 16/3/3/6/7/1/D1/13/0268/22

20 March 2025

APPROACH

The public participation process for the Project was undertaken with due reference to Section 39 of the EIA Regulations, 2014 (as amended). Specifically, this comprised the following activities:

- The Notice of Intent (NOI), Screening Tool Report, and Site Sensitivity Verification Report was submitted to the Department of Environmental Affairs and Development Planning (DEA&DP) on 16/11/2022, and comments received on 13/12/2022.
- A Pre-Application meeting with DEA&DP officials and case officer was held on 09/02/2023.
- A 30-day Pre-Application Public Participation Process ran from 08/05/2023 to 07/06/2023, with the publishing of a notice in the local newspaper (Knysna-Plett Herald) and site signs (Annexure 1).
- Stakeholders and Interested and Affected Parties were notified via email (Annexure 2). Emails sent to private individuals have been excluded from Annexure 2 due to the POPI Act.
- A Pre-Application Basic Assessment Report was submitted on 08/06/2023 to DEA&DP and acknowledged on 18/05/2023. Comments were received on 27/07/2023.
- The Department of Water and Sanitation acknowledged receipt of the technical reports that support the water use licence application on 05/03/2025.
- The NEMA Application was submitted on 06/03/2025 following the submission of the WULA by Confluent Environmental.
- A stakeholder and Interested and Affected Parties (I&AP) database was prepared for the project (Annexure 3).
- The preparation of an Issues Trail, listing the comments received throughout the public participation process to date (Annexure 4).
- Evidence of comments received have been included in Annexure 6.
- Evidence of notifications sent to I&APs have been included in Annexure 7. Emails sent to private individuals have been excluded from annexure 2 due to the POPI Act.

Rotary Knysna helps hundreds

KNYSNA – Recently, Rotary Knysna ended its biggest humanitarian project of the year: Rotary Dent 2023, a joint venture between USA-based organisation Medicine: Arm-in-Arm, the Rotary Clubs of Dundee and Knysna, and the Western Cape departments of health and education.

Over the four days of treatment – 17 to 20 April – 391 children were treated, involving 450 extractions, 262 fillings and hundreds of smaller procedures. Many hours of preparation and work had preceded the actual treatment week, which was held in facilities provided by the Knysna Provincial Hospital.

The driving force was Medicine: Arm-in-Arm which under the leadership of Dorothy Steiner brings mobile dental services to challenging areas of the world. This is often done in partnership with Rotary Clubs. The first RotaryDent project in Knysna was held in 2018. Both in 2018 and 2023 Knysna was greatly supported by the Rotary Club of Dundee. Rotarians Johann du Plessis and Marilyn van Zuydam brought the stored dental equipment to Knysna by road and provided invaluable practical support.

The visiting team of 19 volunteers consisted of dentists, dental hygienists and highly trained support staff. Two dentists were from Finland and the rest from the USA. They worked with a team from the Knysna Provincial Hospital. Treatment stations were set up in the hospital and in two outside mobile clinics.

The Rotary team under the leadership of Mick Furman supported the project by providing accommodation, catering, transport and administrative support. Furman was a whizz at organising additional funding and liaising with the South African

departments of health and education.

A holding station was set up for the learners while they waited for treatment. This consisted of a “mommy’s group” of Rotarians, Rotary Anns and Interactors looking after the children.

Games were set up and Roanda Bakhuizen provided face-painting.

The Interact team of Knysna High provided invaluable assistance by entertaining, comforting and caring for the patients, many of who were nervous and anxious.

Over 5 000 learners were screened at three primary schools and three high schools in Knysna during the preceding months by the principal dentist of the Knysna/Bitou Subdistrict, Dr Dillon Manuel, together with his team, Dr Julian Joubert, Filicity-Ann Holtzhausen and Siya Sishuba, assisted by a number of local volunteer dentists. Manuel will continue to treat learners who were identified as needing dental treatment. Meetings are planned to discuss ways in which the Knysna District can take measures to improve the dental health of our learners, and instil good habits and routines to maintain this health.

Afterwards the Medicine: Arm-in-Arm volunteers left for a well-deserved few days at a game reserve adjoining the Kruger National Park. The Knysna Rotary Club would like to express its thanks to all involved in any way in this very special project.

– Supplied, Rotary Knysna / Barbara Ikin



The phenomenal dental team that flew in for Rotary Dent this year. LEFT: Roanda Bakhuizen paints the face of a small patient awaiting treatment.



ECO-ROUTE ENVIRONMENTAL CONSULTANCY



ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

The Proposed Residential Development on Portion 91 of Farm Matjesfontein 304, Keurboomstrand, Plettenberg Bay, Western Cape.

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP). The Public Participation Process will run from 08/05/2023 – 07/06/2023.

DEADP Ref: 16/3/3/6/71/D1/13/0268/22

Activity:

The Basic Assessment Application is for the proposed development of a sustainable middle income residential development on Portion 91 of Farm Matjesfontein 304, Plettenberg Bay. The development concept includes ± 73 group housing stands with average erf sizes of ±375m². The houses will vary in size but will be built in a similar style that will create a harmonious development. Ample open spaces and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood.

The following EIA Listed Activities are applicable:

Government Notice No. R327 (Listing Notice 1): Activity 12(ii)(c), 27 & 28

Government Notice No. R324 (Listing Notice 3): Activity 4(i)(ii)(aa), 12(i)(i), & 14(ii)(c)(i)

A Draft Basic Assessment Report and relevant appendices will be sent via email to all registered Interested and Affected Parties (I&APs) for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

www.ecoroute.co.za
P.O. Box 1252, Sedgfield, 6573
Email: admin@ecoroute.co.za
Cell: 072 126 6393

Oudtshoorn Courant

An excellent opportunity for a

JOURNALIST

Group Editors, the leading media house in the Garden Route, Karoo & Hessequa, is looking for a **journalist** at its Oudtshoorn Courant office in Oudtshoorn.

Applicants are required to have:

- excellent writing and editing skills in Afrikaans and English
- computer skills
- own transport
- digital savvy
- passion for news

To apply, send your CV to ilse@groupeditors.co.za

Closing date for applications 26 May 2023.

If you have not heard from us by 1 June 2023 please consider your application unsuccessful.

The appointment is subject to Group Editors' employment equity principles.

Figure 1: Advert placed in the Knysna-Plett Herald on 04 May 2023.

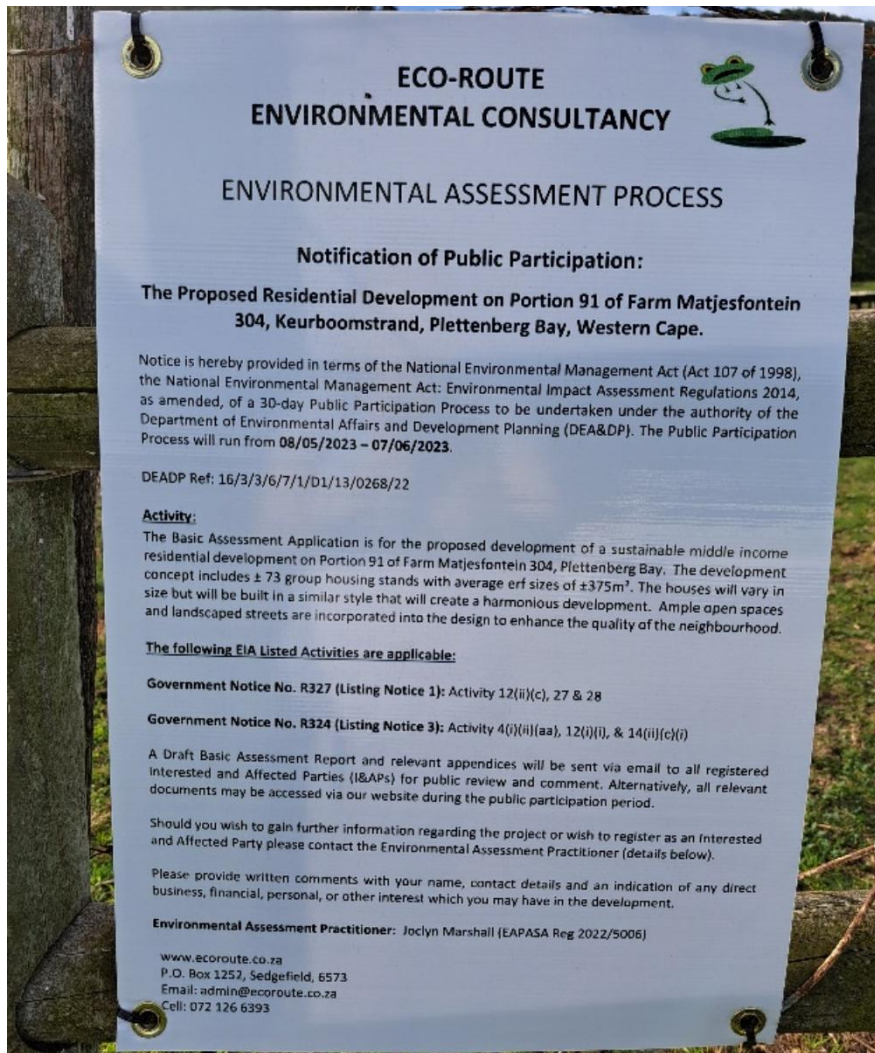


Figure 2: Two site signs were erected.



Figure 3: Site sign at the western corner of portion 91 next to the Keurboom Road, coordinates 34° 0'22.88"S, 23°26'6.55"E.



Figure 4: Site sign at existing entrance gate to portion 91 off the Keurboom Road, coordinates 34° 0'21.88"S, 23°26'12.90"E.

**ECO-ROUTE
ENVIRONMENTAL CONSULTANCY**



ENVIRONMENTAL ASSESSMENT PROCESS

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Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

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Eco Route

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Annexure 3: Interested and Affected Parties Database

STATE DEPARTMENTS			
Name	Contact Person	Contact Details	Email
Dept of Environmental Affairs & Development Planning (DEA & DP)	Danie Swanepoel	Private Bag x6509, George, 6530 044 805 8602 (T) 044 805 8650 (F)	Danie.Swanepoel@westerncape.gov.za
Department of Environmental Affairs and Development Planning (DEA & DP)	Steve Kleinhans	Private Bag x 6509, George, 6530 044 814 2013 (T)	Steve.Kleinhans@westerncape.gov.za
Department of Health	Nathan Jacobs	Private Bag x6592, George, 6530 044-803 2727 (T) 044-873 5929 (F)	Nathan.Jacobs@westerncape.gov.za
Heritage Western Cape	Noluvo Toto Stephanie Barnardt	Private Bag x9067, Cape Town, 8000 021-483 9729 (T) 021-483 9845 (F)	Noluvo.Toto@westerncape.gov.za Stephanie.barnardt@westerncape.gov.za
Provincial Roads Dept	Azni November Dirk Prinsloo	Private Bag x617, Oudtshoorn, 6620 044 272 6071 (T) 044 272 7243 (F)	Azni.November@westerncape.gov.za Dirk.Prinsloo@westerncape.gov.za

Transport & Public Works / Department of Infrastructure	Vanessa Stoffels	24 th Floor, 9 Lower Burg Street, Cape Town 021 483 4669 (T)	Vanessa.Stoffels@westerncape.gov.za
Department of Water & Sanitation	John Roberts	Private Bag x16, Sanlamhof, 7532 021 941 6179 (T) 021 941 6082 (F)	RobertsJ@dwa.gov.za
Dept of Agriculture Land Use Management	Cor van der Walt	Private Bag x1, Elsenburg, 7601 021 808 5099 (T) 021 808 5092 (F)	corvdw@elsenburg.com
Coastal Management Unit, DEA&DP	leptieshaam Bekko Mercia J Liddle Hilda Hayward Ryan Apolles	Private Bag x9086, Cape Town. 8000 021 483 3370 (T) 078 744 9205 (Cell) leptieshaam Bekko)	leptieshaam.Bekko@westerncape.gov.za Mercia.Liddle@westerncape.gov.za Hilda.Hayward@westerncape.gov.za Ryan.Apolles@westerncape.gov.za
DAFF: Forestry Management	Melanie Koen	Private Bag x12, Knysna, 6570 044 302 6902 (T) 044 382 5461 (F)	MKoen@dfffe.gov.za
ORGANS OF STATE			
Name	Contact Person	Contact Details	Email
Breede-Gouritz Catchment Management Agency	Andiswa Sam R Mphahlele	PO Box 1205, George, 6530 023 346 8000 (T) 023 347 2012 (F)	asam@bgcma.co.za rmphahlele@bgcma.co.za

Cape Nature Land Use Advice	Colin Fordham Megan Simons	Private Bag x6546, George, 6530 044 802 5328 (T) 044 802 5313 (F)	msimons@capenature.co.za
SANRAL	Nicole Abrahams	Private Bag x19, Bellville, 7530 021 957 4602 (T)	AbrahamsN@nra.co.za
Southern Cape Fire Protection Agency	Dirk Smit	Private Bag x12, Knysna, 6570 044 302 6912 (T) 086 616 1682 (F)	managerfpa@gmail.com
SANPARKS	Vanessa Weyer	PO Box 3542, Knysna, 6570 044 302 5600 (T) 044 382 4539 (F)	Vanessa.weyer@sanparks.org
South African Civil Aviation Authority	Lizell Stroh	011 545 1232 (T)	Strohl@caa.co.za
MUNICIPALITIES			
Name	Contact Person	Contact Details	Email
Bitou Municipality	Chris Schliemann	PO Box 255, Plettenberg Bay, 6600 044 501 3324 (T) 086 659 7954 (F) 083 628 4001	cschliemann@plett.gov.za
Bitou Municipality	Michael Rhode	PO Box 255, Plettenberg Bay, 6600 044 501 3264 (T) 044 533 3485 (F)	mrhode@plett.gov.za
Bitou Municipality	Anje Taljaard	PO Box 255, Plettenberg Bay, 6600 044 501 3318 (T) 044 533 6885 (F)	ataljaard@plett.gov.za

Bitou Municipality	Municipal Manager Mbulelo Memaini	Private Bag X1002, Plettenberg Bay, 6600 044 501 3000 (T) 067 495 845 (M)	mmemani@plett.gov.za
Bitou Municipality	Ward 1 Councillor Jessica N Kamkam	Private Bag x 1002 Plettenberg Bay, 6600 072 769 2342	jkamkam@plett.gov.za
Garden Route District Municipality	Mr. Lusanda Menze	P.O. Box 12, George, 6530 044-8031300 (T) 0865556303 (F)	info@gardenroute.gov.za
Garden Route District Municipality	Dr. Nina Viljoen	P.O. Box 12, George, 6530 044-8031300 (T) 0865556303 (F)	nina@gardenroute.gov.za

PUBLIC

Portion No.	Contact Person	Contact Details	Email
Milkwood Glen Residential Complex			
Milkwood Glen Home Owners Association			
Milkwood Glen Estate			
Plettenberg Bay Ratepayers and Residents Association			
Plett Environmental Forum			

Annexure 4: Issues and Response Register

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO NOI DATED 16 NOVEMBER 2022	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning (DEA&DP) – 13/12/2022	
<p>COMMENT ON THE NOTICE ON INTENT FOR THE PROPOSED HOUSING DEVELOPMENT ON THE PORTION 91 OF THE FARM MATJESFONTEIN 304, PLETTENBERG BAY.</p> <ol style="list-style-type: none"> 1. The Notice of Intent (“NOI”) in respect of the abovementioned matter, received by this Department via e-mail on 16 November 2022, refers. 2. This letter serves as an acknowledgment of receipt of the aforementioned document by this Department. 3. The environmental impact management services (“EIMS”) component of the Directorate: Development Management (Region 3) (hereinafter interchangeably referred to as “EIMS” or “this Directorate”) has reviewed the document and provides the following comment: <ol style="list-style-type: none"> 3.1. Development proposal From the information contained within the NOI this Directorate understands that the concept includes the development of ±73 group housing stands with average erf sizes of ±375m². Open space and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood. The property is 14.7ha in size and the gross density will calculate at 5 units per ha. The nett density is calculated excluding the undevelopable steep slopes to the north of the site. The identified development area measures approximately 6ha and 73 units will calculate to a net density of 12 units per ha. 3.2. Applicable listed activities The Department notes the listed activities as included in the NOI. However, the proposed development area is within the estuarine functional zone and must be referred to within the listed activities that trigger environmental authorisation. The onus is on the proponent to 	<ol style="list-style-type: none"> 3.1. Development proposal The third option is the preferred SDP. The density has been reduced from 73 to 60 to accommodate concerns raised by the local community. Property sizes has increase from average of 375m² to 500m², to be more in line with surrounding property sizes. Further specialist assessment has also revealed that an animal corridor of at least 20m along the foot of the hill would be more suitable than the previously proposed 10m buffer from the forest vegetation. This preferred layout accommodates 20m corridors along the foot of the hill. 3.2. Applicable listed activities Listed activity 14 of listing notice 3 has been identified as an activity within an Estuarine Functional Zone. The site is identified as being within the estuarine functional zone, although there are no identifying aquatic features present on the site and no hydromorphic indicators in the soil. 3.3. Need and Desirability The Town Planning Report by Planning Space addresses the need for and desirability of the proposed activity in detail. This has been incorporated into the Draft BAR (Section E) for consideration. The alternative layout 2 option was created in an attempt to comply with the urban edge position being above the 4,5m contour line and the density of 19 unit as proposed in the KELASP. Property sizes are approximately 800m². The Aquatic Compliance Statement by Confluent Environmental addresses the KELASP and this has also been incorporated into the Draft BAR for consideration. 3.4. Alternatives

ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

3.3. Need and Desirability

In terms of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"), when considering an application, the Department must take into account a number of specific considerations including inter alia, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability.

Amongst others, the planning context must be considered when assessing the need and desirability of the proposed development. In this regard, the Keurbooms & Environs Local Area Spatial Plan (KELASP) (2013) is a relevant consideration.

It is noted that the KELASP has been described in the SSVR, however, it is not seen in any of the reports submitted that the KELASP has been reviewed and taken into consideration. This plan clearly indicates the developable area and the approximate estimation of existing development rights. Furthermore, relevant information exists regarding the Tshokwane River and associated wetlands that have been prepared by the Freshwater Consulting Group in 2013. It is advised that the specialists review this information and incorporate assess the alternatives with the information in the KELASP

3.4. Alternatives

In terms of the EIA Regulations, 2014 the investigation of alternatives is mandatory. This includes the option of not proceeding with the proposed activity (the "no-go" option). All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it had been applied for, or may grant authorisation in respect of the whole or part of the proposed project in the application. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.

Three alternative layouts and the no-go option have been assessed in the Draft BAR, Section H. Alternative layout 2 addresses the limitations as contained in the KELASP.

3.5. National Sector Classification List:

Additional Screening Tool Reports were generated for the following, and attached as Appendix I.

- Infrastructure | Transport Services | Roads | Private
- Transformation of land | From agriculture or afforestation
- Any activities within or close to a watercourse

3.6. Site Sensitivity Verification Requirements

(i) Agriculture Theme (High Sensitivity)

An Agricultural Compliance Statement was compiled by Digital Soils Africa (DSA), attached as Appendix G1. The author of the report is A Dr. Darren Bouwer, a soil scientist registered with the SACNASP.

(ii) Animal Species Theme (High Sensitivity)

Plant Species, Animal Species and Terrestrial Biodiversity Assessment Report dated 16 March 2023 was compiled by David Hoare Consulting (Pty) Ltd (Appendix G5).

(iii) Aquatic Biodiversity Sensitivity (Very High Sensitivity)

Freshwater Compliance Statement by Dr. Jackie Dabrowski of Confluent Environmental (Pty) Ltd, dated April 2023 (Appendix G2).

Based on the results of the Freshwater Compliance Statement, the sensitivity of aquatic biodiversity on Portion 91/304 can be regarded as LOW, thus confirming that an assessment is not required.

(iv) Terrestrial Biodiversity Sensitivity (Very High Sensitivity)

Plant Species, Animal Species and Terrestrial Biodiversity Assessment Report dated 16 March 2023 was compiled by David Hoare Consulting (Pty) Ltd (Appendix G5).

(v) Archaeological and Cultural Heritage Sensitivity (Low Sensitivity)

Please be advised that, as a minimum, the development area which has been proposed in the KELASP will need to be identified and assessed as an alternative in the application process.

However, if after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no reasonable or feasible alternatives other than the preferred option and the no-go option.

3.5. National Sector Classification List:

The list as indicated in the NOI includes the sectors for “Infrastructure/Transport Services/Roads – Private; Transformation of land – indigenous vegetation; Transformation of land – from agriculture or afforestation and any activities close to or within a watercourse”. There is however just one screening tool report done for the “Transformation of land – Indigenous vegetation”. It would be prudent to run a screening tool report for all the sectors and compare the results as there may be differences.

3.6. Site Sensitivity Verification Requirements

The Minister of Environment, Forestry, Fisheries has published general requirements for undertaking site sensitivity verification for environmental themes for activities requiring environmental authorisation. In terms of these requirements, prior to commencing with a specialist assessment, the current land use and environmental sensitivity of the site under consideration by the screening tool must be confirmed by undertaking a site sensitivity verification. In light of the above this Directorate has reviewed the Site Sensitivity Verification Report (“SSVR”) compiled by the EAP and provides comment in respect of the following:

(i) Agriculture Theme (High Sensitivity)

The National Screening Tool Report (STR) indicates that the Sensitivity of the site for this theme is HIGH. It is noted that the EAP refutes the sensitivity and suggests a sensitivity of low. The motivation however does not demonstrate sufficiently that the sensitivity should be low. The sensitivity relates to the land capability and soil potential. But an Agricultural Compliance Statement must be undertaken. The findings of the specialist

Dr. Peter Nilssen compiled a Heritage Statement in support of Heritage Western Cape Notification of Intent to Develop (HWC NID – Section 38). The NID was submitted to Heritage Western Cape and the Final decision received on 30 June 2023 (CASE NUMBER: HWC23053001AM0530). HWC concluded that no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required (Appendix E1).

(vi) Civil Aviation Sensitivity (High sensitivity)

The South African Civil Aviation Authority (Ms. Lizell Stroh) has been included as an I&AP, and direct emails sent to SACAA in an attempt to get meaningful comment. Further attempts will be made in the second round of PPP. Evidence is included in Annexure 6.

(vii) Defence Sensitivity (Low sensitivity)

No further assessment and mitigation measures are required.

(viii) Palaeontology Sensitivity (Very High Sensitivity)

Dr. Peter Nilssen compiled a Heritage Statement in support of Heritage Western Cape Notification of Intent to Develop (HWC NID – Section 38). The NID was submitted to Heritage Western Cape and the Final decision received on 30 June 2023 (CASE NUMBER: HWC23053001AM0530). HWC concluded that no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required (Appendix E1).

(ix) Plant Species Theme (Medium Sensitivity)

Plant Species, Animal Species and Terrestrial Biodiversity Assessment Report dated 16 March 2023 was compiled by David Hoare Consulting (Pty) Ltd (Appendix G5).

3.7. Specialist Studies identified in the Screening Tool Report

(i) Landscape / Visual Impact Assessment

A Visual Impact Assessment dated 3 November 2023 was compiled by Paul Buchholz to inform the EIA process (Appendix G7). The NID submitted to HWC concluded that no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required (Appendix E1).

(ii) Socio-Economic Assessment

statement must be incorporated into the Basic Assessment Report, including any mitigation and monitoring measures as identified, which are to be contained in the EMPr. The compliance statement must be prepared by a soil scientist or agricultural specialist registered with the SACNASP.

(ii) Animal Species Theme (High Sensitivity)

The STR identified a HIGH Sensitivity for the Animal Species Theme and lists birds, invertebrates and mammals which are known to occur in the area, based on the habitat type identified by the applicable datasets. The STR also lists a "Sensitive Species 8" (i.e. a species which name has been withheld as the species may be prone to illegal harvesting and must be protected).

However, since the Specialist has undertaken a site sensitivity verification and suggested a sensitivity of Medium and has noted that there is high probability of certain Species of Conservation Concern ("SCC") being present, a Terrestrial Animals Species Specialist Assessment must be undertaken. The Terrestrial Animal Species Specialist Assessment Report must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is being undertaken.

(iii) Aquatic Biodiversity Sensitivity (Very High Sensitivity)

The STR states that the sensitivity in terms of aquatic biodiversity is VERY HIGH and the EAP and specialist has disputed this and has suggested a new sensitivity rating of Low. However, given the fact that the application area is within the estuarine functional zone and the level of the groundwater is unknown, a detailed specialist assessment is required. Therefore, considering the sensitivity rating, an Aquatic Biodiversity Specialist Assessment must be undertaken. The Aquatic Biodiversity Specialist Assessment must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with expertise in the field of aquatic sciences.

(iv) Terrestrial Biodiversity Sensitivity (Very High Sensitivity)

This Directorate notes that the specialist who undertook the SSV for Terrestrial Biodiversity confirms that a Terrestrial Biodiversity Specialist Assessment Report must be undertaken. Please note that the report must be undertaken by a specialist registered with the South African Council

The Town Planning Report by Planning Space Town and Regional Planners, dated 11/01/2022 (Appendix G6) addresses socio-economic aspects and address the KELASP.

4. Synchronising applications in terms of other applicable legislation with the EIA process:

A Water Use License Application (WULA) in terms of the National Water Act (NWA), 1998 (Act No. 36 of 1998, as amended) and the Regulations regarding Procedural Requirements for the Water Use License Applications and Appeals, 2017, has been lodged with the Department of Water and Sanitation (DWS) – Reference number WU34534.

Water Uses: The following water uses are included in the WULA in terms of the National Water Act (NWA), 1998 (Act 36 of 1998):

- Section 21 (c): Impeding or diverting the flow of water in a watercourse
- Section 21 (i): Altering the bed, banks, course or characteristics of a watercourse
- Section 21 (e): Engaging in a controlled activity identified as such in section 37(1) or declared under
- section 38(1)
- Section 21(g): Disposing of waste in a manner which may detrimentally impact on a water resource

A 60-Day PPP was undertaken from 12 September 2024 – 11 November 2024.

Final letter from Heitage Western Cape (HWC) was received on 30 June 2023, see Appendix E1 of the Draft BAR.

5. Municipal Bulk Services – See Appendix E16 of the Draft BAR.
6. Circulars and Guidelines: Applicable circulars and guidelines have been considered in the Draft BAR.
7. Public Participation Plan

for Natural Scientific Professions (SACNASP) with expertise in the field of ecological sciences.

(v) Archaeological and Cultural Heritage Sensitivity (Low Sensitivity)

It is noted that a NID will be submitted to Heritage Western Cape (HWC). The NID and all supporting documents (submitted to HWC) must be appended to the Draft Basic Assessment report. In light of the above requirements from HWC please be advised that the Standard Operating Procedure between Heritage Western Cape and this Department must be followed.

(vi) Civil Aviation Sensitivity (High sensitivity)

It is noted that the STR has indicated that the sensitivity for the Civil Aviation Theme is HIGH. The EAP refutes this and the motivation for exclusion is noted, and the sensitivity is suggested to be Low. It is noted that the EAP has stated that the South African Civil Aviation Authority will be added to the I&AP register. The EAP is advised to consult the South African Civil Aviation Authority (% Ms. Lizell Stroh) at E-mail: Strohl@caa.co.za and / or Tel: (011) 545 to determine specific aspects that must be addressed.

(vii) Defence Sensitivity (Low sensitivity)

It is noted that the Screening Tool report has noted a low sensitivity for the Defence theme therefore no further assessment and mitigation measures are required in terms of the applicable Protocol published in Government Notice No. 320 of 20 March 2020.

(viii) Palaeontology Sensitivity (Very High Sensitivity)

It is noted that a NID will be submitted to Heritage Western Cape (HWC). The NID and all supporting documents (submitted to HWC) must be appended to the Draft Basic Assessment report. In light of the above requirements from HWC please be advised that the Standard Operating Procedure between Heritage Western Cape and this Department must be followed.

(ix) Plant Species Theme (Medium Sensitivity)

The STR identified a MEDIUM sensitivity for the Plant Species Theme and numerous species which are known to occur in the area, based on the habitat type identified by the applicable datasets. The STR also lists a number of "Sensitive Species". It is noted in the SSV that the specialist

8. Noted.

9. A specific fee reference number has been issued.

10. A pre-application meeting was conducted on 14 August 2023.

11. Noted.

12. Noted.

13. Noted.

had confirmed that a "Terrestrial Plant Species Specialist Assessment" should be done.

The Terrestrial Plant Species Specialist Assessment Report must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is being undertaken.

3.7. Specialist Studies identified in the Screening Tool Report

(i) Landscape / Visual Impact Assessment

The need for this specialist assessment was described in the SSVR. The visual impacts of the proposed development must be dealt with in terms of Appendix 1 and 6 of the Environmental Impact Assessment Regulations, 2014 together with the Department's Guideline for involving visual and aesthetic specialists in the EIA process, June 2005. Furthermore, it is noted that a Notice of Intent to Develop (NID) under Section 38(1) and (8) of the NHR Act will be submitted to HWC and that it is expected that the outcome of the NID will determine the requirements for a Visual Impact Assessment, and whether this will form part of the Heritage Impact Assessment.

(ii) Socio-Economic Assessment

As mentioned above, the KELASP must be taken into consideration when addressing the socio-economic impacts of the proposed development. Even if the Town Planning report will address socio-economic aspects, the relevance of this plan and the impact it has on the proposal must be addressed. Furthermore, it must be demonstrated how this Department's Guideline for involving social assessment specialists in the EIA process, February 2007, has been considered in the report.

4. Synchronising applications in terms of other applicable legislation with the EIA process:

- o National Water Act, Act No. 36 of 1998 ("NWA") (Synchronisation of the WULA – EIA processes / applications)

The applicability of the National Water Act, 1998 must be confirmed by Breede Gouritz Catchment Management Agency (BGCMA) in writing.

Please be advised of the required synchronisation between the EIA process and the Water Use License Application ("WULA") process (if the

latter is required). You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.

All specialist reports submitted as part of the BAR (including those submitted for consideration and which also may form part of the WULA) must comply with the requirements of Appendix 6 of the Environmental Impact Assessment Regulations 2014.

- o National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA") (Synchronisation of the HIA – EIA processes / applications)

Section 38 of the NHRA sets out the requirements regarding the integration of the decision-making processes with that of the EIA Regulations 2014, however, under the proviso that the necessary information is submitted and any comments and recommendations of the relevant heritage resources authority (HWC) with regard to such development have been provided and taken into account prior to the granting of the authorisation. Further to the above:

- An application for Environmental Authorisation, must include, where applicable, the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.
- Where Section 38 of the NHRA is triggered, the Standard Operating Procedure between Heritage Western Cape and this Department must be followed. If Section 38 is applicable to the proposed development, then the proponent/applicant is required to submit a Notice of Intent to Develop ("NID") to Heritage Western Cape and attach a copy to thereof to the EIA application form. If Heritage Western Cape requires a Heritage Impact Assessment, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the EIA Regulations, 2014.

5. Municipal Bulk Services

Confirmation from the Bitou Municipality must be obtained for all basic services to this proposal. This must include potable water supply,

sewerage disposal, electrical supply and solid waste. This information must be included with forthcoming reports.

6. You are advised that when undertaking the Basic Assessment process, you must take into account applicable guidelines, including the circulars and guidelines developed by the Department. These can be provided upon request. In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:

- Guideline for the Review of Specialist Input in the EIA process (June 2005).
- Guideline for Environmental Management Plans (June 2005).
- Guideline on Alternatives (March 2013).
- Guideline for determining the scope of specialist involvement in EIA processes, June 2005.
- Guideline for the review of specialist input in the EIA process, June 2005.
- Guideline for involving biodiversity specialists in the EIA process, June 2005.
- Guideline for involving visual and aesthetic specialists in the EIA process, June 2005.
- Guideline for involving heritage specialists in the EIA process, June 2005.
- Guideline for involving social assessment specialists in the EIA process, February 2007.
- Guideline for the management of development on mountains, hills and ridges of the Western Cape, 2002.
- DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs.
- Western Cape Provincial Spatial Development Framework.
- Western Cape Land Use Planning Guidelines - Rural Areas (March 2019)

7. Public Participation Plan

It must be ensured that Regulation 41 of the Environmental Impact Assessment, 2014 (Government Notice No. R. 982 of 4 December 2014, as amended) is complied with simultaneously during the preapplication phase (where relevant) or application phase or both inter alia, the placement of an advertisement in the local newspaper, the placement of a site notice at the site or alternative site and informing owners, persons in control of, and occupiers of land adjacent to the site; and informing

relevant State Departments and Organs of State which administers a law in respect of the proposed development. Please be informed that failure to comply with Regulation 41 may prejudice the outcome of this application for environmental authorisation.

Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR must also be submitted to the Department for commenting purposes.

Furthermore, the Department notes the State Departments / Organs of State that will be informed of the decision. In addition to the identified authorities, you are also required to notify the following authorities which administer a law in respect of the proposal:

- o Western Cape Government: Department of Transport and Public Works % Mr. S.W. Carstens (Road Planning) – Grace.Swanepoel@westerncape.gov.za

8. Kindly ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendices 1 and 4 respectively of the Environmental Impact Assessment Regulations, 2014 (GN R. 982 of 4 December 2014, as amended).
9. The Department reminds you that the "Request for a specific fee reference number" form must be completed and submitted to the Department prior to submission of the formal application for the abovementioned proposed development. Upon receipt of the specific fee reference number, it must be inserted into the Application Form and proof of payment of the applicable fee attached when the Application Form is submitted to the Department.
10. The Department notes that the Environmental Assessment Practitioner ("EAP") intends to schedule a pre-application meeting with officials from this Directorate. The EAP must please liaise with the case officer listed above to arrange such consultation. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department.

No information provided, views expressed and /or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:

- o that additional information or documents will not be requested
- o of the outcome of the application

11. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("NEMA") for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

12. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.

13. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION BASIC ASSESSMENT REPORT DATED 04 MAY 2023

STATE DEPARTMENTS

Department of Environmental Affairs and Development Planning (DEA&DP) – 27/07/2023

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (PRE-APP BAR) FOR THE PROPOSED HOUSING DEVELOPMENT ON THE PORTION 91 OF THE FARM MATJESFONTEIN 304, PLETTENBERG BAY

The abovementioned document received by this Department on 18 November 2022 refers.

This Directorate wishes to express its gratitude in being granted an extension in the public participation period in order for this Directorate to

provide comment on the documents. As such, the Pre-App BAR has been reviewed and has the following comments that must be taken into consideration:

1. Compliance with Appendix 1 of the Environmental Impact Assessment Regulations, 2014

The report as submitted to this Directorate does not fully comply with the requirements of Appendix 1 as no declaration has been signed by the applicant nor the EAP. It is therefore interpreted that the applicant not the EAP take responsibility for the content of the report.

2. Groundwater Aspects

It is noted in the geotechnical report that rapid seepage of groundwater was found at a depth of approximately 2 metres and none of the other test pits. This Directorate wants to know what the depth of groundwater is at the northern extent at different intervals to determine where the extent of the water table is and what depth it is towards the north.

3. Freshwater Compliance Statement

It is noted that the specialist has stated that "The mapped spring and dam have been protected by a 10 m buffer as recommended, which constitutes the regulated area as per GN509 as this incorporates riparian vegetation in the immediate vicinity of the features. Provided no development takes place within this area, the development will not require any level of Water Use Authorisation in terms of the National Water Act." This Department is concerned about this statement and requires that the Breede-Olifants Catchment Management Agency ("BOCMA") as the relevant competent authority, must determine and confirm whether the National Water Act, 1998 is applicable to this proposed development. It is imperative that this is confirmed with BOCMA as soon as possible.

Your attention is drawn to Section 24C(11) of the National Environmental Management Act, 1998 ("NEMA") as amended on 30 June 2023. Should the relevant authority determine that a water use licence (WUL) is required, you will be required to synchronise the relevant applications. Notwithstanding the need for a WUL Application, you are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any consultation, reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.

1. The declaration will be included in the submission of the Application and Draft BAR. The declaration was not included in error.

2. The Geotechnical Engineer will do additional pit tests for groundwater.

3. BOCMA confirmed that a Water Use Authorisation is required in their letter dated 07/06/2023. The development will occur within the regulated area of two watercourses (spring and a dam). This constitutes water use in terms of sections 21 (c) & (i) of the National Water Act 36 of 1998 (NWA) for which a water use authorization is required in terms of section 22 of NWA prior activities commence. The WULA will be applied for in synchronization with the EA Application.

4. Plant, Animal and Terrestrial Biodiversity Assessment

It is noted in this specialist report that in terms of impact reversibility, the secondary vegetation (depicted as medium sensitivity) can probably be fully reversible through active rehabilitation in combination with natural succession. It is not clear that the mitigation hierarchy principle of avoidance has been considered when determining the sensitivity of the ecosystem was done since Garden Route Shale Fynbos is Endangered. It would seem prudent to avoid an area that can be successfully rehabilitated to its natural state to add to the conservation targets identified in the National Biodiversity Assessment.

5. Public Participation

It is noted that comment from this Department's Directorate Regulatory Planning Advisory Services on the applicability of the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970). This is not comment from the WCG: Department of Agriculture and as such, comment must be obtained from the Department of Agriculture.

6. Alternatives

Be advised that in terms of the EIA Regulations and NEMA, the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it has been applied for or may grant authorisation in respect of all or part of the activity applied for. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option) in addition to the other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed.

4. Response from Dr. D Hoare –

My assessment was regarding whether what currently exists there (secondary vegetation) could be restored (back to secondary vegetation), in the event that it is lost, which is possible – however, it has not been shown in any ecosystem in South Africa that secondary vegetation can ever be restored to a state that resembles the original natural vegetation that would have occurred there. So, to reiterate, loss of secondary vegetation is fully reversible through active rehabilitation back to secondary vegetation, NOT to the original natural state.

However, to address the mitigation hierarchy of avoidance, it would be helpful to retain as much of the secondary vegetation as possible as an ecological corridor along the base of the steep slopes. This will also achieve other positive ecological goals.

A 20m buffer has been create along the base of the steep slope that will act as an ecological corridor, and retain some of the secondary vegetation.

5. An Agricultural Compliance Statement was compiled by DSA (Appendix G1). The Department of Agriculture have been provided with the Agricultural Compliance Statement during the Pre-Application PPP. Comments will be requested.

6. Three alternatives have been assessed and included in the Draft BAR. The alternatives look at layout and density of the development. The preferred alternative takes into consideration the sensitivity of the site as well as viability and sustainability of the development.

The alternative layout based on a historic approval has not been considered as an alternative in the Draft BAR.

If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is that proof of the investigation undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist must be provided to the Department. Refer to the Department's Guideline on Alternatives, 2013.

It is noted that an alternative layout has been developed based on a historic approval but not considered feasible. However, considering the medium sensitivity for vegetation, and the possibility of effective rehabilitation, a layout alternative must be investigated that excludes the medium sensitivity areas.

7. Environmental Management Programme ("EMPr")

In accordance with Section 24N of NEMA and Regulation 19 of the Environmental Impact Assessment Regulations, 2014, the Department requires the submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014.

The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). It must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005) must be taken into account.

An auditing schedule must be compiled to ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited. No auditing schedule has been included in the EMPr.

The EMPr is also generic in nature and should be more site specific in mitigation measures for impacts identified.

8. Implementation programme

7. Auditing schedule.

The mitigation measures for impacts contained in the EMPr are guided by the specialist findings and recommended mitigations. The EMPr is therefore site specific as it is based on scientific information in respect to the proposed site.

8. An implementation programme will be provided in the Final BAR.

<p>Please note that, in accordance with the provisions of the Environmental Impact Assessment Regulations, 2014, a period for which the environmental authorisation is required must be provided. This period must be informed by the operational aspects (if applicable) and the non-operational aspects of the proposed development. As such, the date on which the activity will be concluded and the post construction monitoring requirements finalised, must be determined.</p> <p>This Department requests that an implementation programme be provided which sets out the construction phase (non-operational aspects) of the proposed development and specifies the period required to conclude the respective activities (a date on which the activity will be deemed to have been concluded should be derived from such a programme). Where the proposed development will include operational aspects, the period for which the environmental authorisation is required must be provided.</p>	
<p>Breeder-Olifants Catchment Management Agency (BOCMA) – 07/06/2023</p>	
<p>The Breede Gouritz Catchment Management Agency (BGCMA) has reviewed the Basic Assessment Report (BAR) for the above-referenced development and its comments are as follows:</p> <ol style="list-style-type: none"> 1. As per the BAR, the development is planned for ± 73 group housing stands with average erf sizes of ±375m², open spaces, landscaping and associated roads, stormwater, water, and sewer infrastructure. The development will be connected to existing municipal sewer and water systems, which were evaluated to have capacity availability sufficient to service the development. Further, it is noted that the stormwater will be managed through stormwater management plans, sustainable drainage systems, and retention ponds. 2. According to the Freshwater Compliance Statement (hereinafter FCS), dated July 2022 compiled by Dr. Jackie Dabrowski of Confluent Environmental (Pty) Ltd; the development will occur within the regulated area of two watercourses (spring and a dam). This constitutes water use in terms of sections 21 (c) & (i) of the National Water Act 36 of 1998 (NWA) for which a water use authorization is required in terms of section 22 of NWA prior activities commence. 	<ol style="list-style-type: none"> 1. The development layout has been adjusted to a lower density of 60 stands with a larger stand size of 375m² to 500m². This is the Preferred Layout. 2. A Water Use License Application was initiated on 11/01/2024 by Confluent Environmental, with reference number WU34534.

3. Contrary to the above, FCS determined that section 21 (c) & (i) water uses will not be triggered if a 10 m buffer is implemented around the spring and dam. However, according to the General Authorisation, Notice No. 509, issued in terms of section 39 of NWA on 26 August 2016 (GN509), an activity does not trigger sections 21 (c) & (i) if it takes place beyond whichever is the greatest between a delineated riparian habitat and a 1:100 flood line, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam. In the absence of a delineated 1:100 flood line or riparian habitat, which is the case with this development, section 21 (c) and/or (i) will be triggered if the activity occurs within 100 m of a watercourse. Sections 21 (c) & (i) water use activities refer to the impeding or diverting of the flow of water in a watercourse or altering the bed, banks, course, or characteristics of a watercourse respectively.
4. The FSC mentioned that water from the spring is stored in a dam. These constitute water use activities in terms of sections 21 (a) & (b) of NWA. In light of this, proof of authorization for the said water used must be provided to this office within five days of receipt of this letter. Failure to do so will result in the matter being referred to the Compliance Monitoring and Enforcement unit for further investigation.

3. See above response.

4. Aquatic specialists Confluent Environmental responded to the request from BOCMA. The storing of water on site has been ongoing for a very long time and is therefore an Existing Lawful Use. The letter from an ex-resident who lived on the property for many decades is attached to this report as Annexure 5 and provides evidence of an Existing Lawful Use (also see below). Response from BOCMA has not been received yet and will be included in the Final BAR.

Extract from signed letter from Mr. David Steele:

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves

5. The FSC recommended that no stormwater should be put into the dam mentioned above as the water is of high quality". However, it is understood the same dam will be used as a stormwater retention pond in terms of the Stormwater Management Plan (SMP) contained in the Engineering report dated April 2023 by Poise Consulting Engineers. If this is true, the SMP must be reviewed to exclude the dam as a stormwater retention pond. The reviewed SMP must be submitted to this office for review and approval.
6. A letter from the municipality confirming that the Ganse Vallei wastewater treatment plant has sufficient capacity to receive sewer flow from this development must be provided to this office prior to the commencement of construction works.
7. The onus remains with the property owner to adhere to the above-mentioned relevant NWA provisions. Further, this office reserves the right to amend and revise its comments as well as to request any further information should it be necessary to do so.

holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

5. The stormwater management plan has been updated (Appendix G3). The dam is excluded as a stormwater retention pond.
6. The letter received from the Bitou Municipality on 03/11/2024 attached as Appendix E1 confirms that the Gansevallei Waste Water Treatment Plant is at full capacity and requires upgrading. The Bitou Municipality have confirmed that Master planning is in place for the necessary upgrades to the bulk sewerage system. However the implementation of upgrades is entirely dependent on the availability of finance, and no time frame can be guaranteed for such implementation.

Depending on the above timelines, the Developer's intent, as an alternative, is to adopt an on- site package plants that can be designed to treat wastewater for reuse. Treated wastewater can be used for purposes like irrigation, which reduces the demand on freshwater sources. Detailed solutions will be addressed in the detailed design stage and will be to Bitou Engineering Department approval.

The HOA will be responsible for the maintenance of the sewer package plant.
7. Noted.

PUBLIC	
Helen Mudge - 05/06/2023	
<p>Thank you for the opportunity to comment on the proposed development: Portion 91, 304 Matjesfontein.</p> <p>I am a part-owner of the home on Erf 824, Milkwood Glen situated on high ground overlooking the proposed development.</p> <p>As a registered Interested & Affected Party, I OPPOSE the proposed high-density residential development for middle-income housing for the following reasons:</p> <p>The proposed development falls within the Outeniqua Sensitive Coastal Area (OSCA) and will have a heavy detrimental impact on this fragile environment. It also falls within 5kms of the Keurbooms River Nature Reserve and a development of high-density, middle-income 70-plus new houses in the ancient Keurbooms Riverbed will seriously and destructively impact all wildlife within that reserve. The proposed development of 70+ middle-income homes will be situated between the PO394 road and the pristine indigenous forest to its northern boundary, in other words it will be between the coastal vegetated dune system and hills covered by pristine indigenous Afro-montaine-forest. The entire area is rich in wildlife and indigenous flora and should be protected as an area of Outstanding Natural Beauty.</p> <p><u>ZONING:</u> The proposed development is on land currently zoned agricultural which to my knowledge is not Residential or Resort Zoning.</p> <p><u>SENSE OF PLACE:</u> The proposed high-density middle-income residential development is inappropriate in that it is not in keeping with Keurboomstrand's sense of place. The sense of place of Keurboomstrand is that it is bounded by all sides by either the ocean, the indigenous dune thicket, dune scrub</p>	<p>Noted for consideration.</p> <p>Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance.</p> <p><u>ZONING:</u> Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p><u>SENSE OF PLACE</u> Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>Please refer to the Visual Impact Assessment attached as Appendix G7. The well-positioned and designed development infrastructure allows for it to blend</p>

and indigenous Afro-Montaine Forest. All these floras are protected by the environmental laws of South Africa. It is a place of undisturbed Milkwood and Indigenous forests; it is a place of beautiful beaches, recreation and leisure for many retired and holiday-making people who enjoy living outside the boundaries of the Plettenberg Bay urban area.

- It is a place where wild animals thrive (leopard, bushbuck, baboons, duiker, honey-badgers, otters, and many other small mammals and reptiles such as the endemic tree frogs - not to mention a huge variety of birds such as Turacos, Fish Eagles and Eagle Owls.
- A development in this field will detract from the area's natural beauty, because it is not the proper setting for high-density middle-income housing and all the things that go with it, which will cause pressure on the natural environment, noise and pollution. The proposed area is not appropriate for "Middle-Income Housing" which should be positioned much closer to the CBD of Plettenberg Bay, closer to the schools and closer to the town's facilities.

WATER:

Bitou Municipality has restricted their residents for many years because there is not enough water for the on-going immigration of people wishing to come to live in Plettenberg Bay permanently. The infrastructure for water has not been improved, maintained or expanded for many years and we are often advised not to water our gardens, wash our cars or fill our swimming-pools.

- Another aspect of water in terms of the proposed development is the impact of storm-water run-off coming down the hillside behind the proposed development and flooding the flat area where the developer proposes to build. At present, this vacant land can act as a soak-away for all the rainwater coming off the hillside, but once it is built on with houses and roads it will stop acting as a soak-away and can cause serious impact to the P)394 road. This area is not many meters above sea-level, and as it is the ancient riverbed it is prone to regular flooding with even small amounts of rainfall.
- Another aspect of water in terms of the proposed development is that if you look at the map below, which is the Local Area Spatial Plan (LASP) 2013, for the Keurbooms River and Environs, you will see that

in very well with its surroundings and create minimal contrast in the landscape. The alternative 2 development layout option provides a slight advantage over the preferred and alternative 1 development layout options due to its lower density and more open space for landscaping to screen views from the road. But with the implementation of appropriate mitigation measures the preferred and alternative 1 development layouts can also be screened effectively screened from the road.

WATER:

Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

the Royal blue dotted line shows the area of the Water Course between Milkwood Glen and The Bitou Urban Edge area (marked in a yellow colour with turquoise outline). Much of the proposed housing development is situated inside this demarcated and declared water-course area. This is not acceptable.

- Another fact is that recently a development for three houses in Keurboomstrand Village has been turned down because the Bitou Municipality felt that there is not enough water available to substantiate these three homes.

ACCESS:

The P0394 is the only access road which leads to Keurboomstrand, and it is a Provincial Road with minor status. It does not lead anywhere else but to the village of Keurboomstrand, in other words it is not a “through road” the effect of which is double the traffic using it because every vehicle going there has to return along the same route. It was never built or envisaged to carry an enormous amount of traffic and is already inadequate, and to have much more traffic on it will cause a danger to the residents and the recreational-seeking tourists who use it.

The proposed housing estate with +70 new homes will increase the traffic on this minor road a hundred-fold, taking into account the extra number of taxis that will need to deliver staff and gardeners to the area which is so far from the CBD, and no public transport for schools etc. Two properties, one called Dolphin Waves and the other for Candlewood, have been given permission to build houses, and these have not yet begun. When these are completed, the PO394 access road will already be under heavy stress. In the summer months the very popular Ristorante Enrico serves 1500 people per day, causing enormous traffic problems already.

MUNICIPAL AND PROVINCIAL DELINEATION OF URBAN EDGE:

Much of the proposed development is outside the boundary of the Bitou Urban Edge, demarcated as below in part of the Bitou Spacial Development Plan, 2021 which can be seen below. In the map below the Bitou Urban Edge is coloured in mustard with a black outline. A white

ACCESS:

A Traffic impact study has been done, please see Appendix G8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.

- Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.
- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

MUNICIPAL AND PROVINCIAL DELINEATION OF URBAN EDGE:

Please refer to Annexure 1 for responses regarding Town Planning concerns.

arrow points to Portion 91 of 304 Matjesfontein.

- (See Fig 2: Map. Bitou Spatial Development Plan 2021.

IMPACT ON LOCAL PROPERTY PRICES:

The proposed development, will, according to local estate agents and property valuers, devalue all the properties in Milkwood Glen and Keurview, all of which overlook the proposed development.

DEGRADATION OF THE PROPERTY:

The owners of the property: Family Roux Eiendomme Pty Ltd, have owned the property since 1997. Over the past 26 years they have purposefully and *in my opinion* illegally, degraded that part of the land upon which the proposed development will take place. This was done initially by felling trees and scrub and then by regular bush cutting. Bontebok were placed on the land, and this was followed by the establishment of a stable-yard for horses, with continued and repeated bush-cutting (the latter with an OSCA permit, issued about 3 years ago because the land was already considered to be degraded). All of this in the knowledge that it is more likely to get permission to develop on degraded land than on what was formerly seen as a "sensitive environment". The owner/developer should be instructed.

to rehabilitate and rewild the degraded area. From the photograph below it is very obvious that this particular land has been purposefully degraded and given ten years would easily rehabilitate all the indigenous flora that grows in the area.

- If this proposal is accepted and agreed upon, it will encourage all the other landowners of land in the valley, to the northern side of the access road PO394, to similarly degrade their land in such a way as to eventually have it called as degraded and therefore suitable for the built environment.
- This photograph (above) shows very clearly how this piece of land has been completely and constantly denuded of natural vegetation over many years in order that it should 'achieve' the status of having "no natural value".

IMPACT ON LOCAL PROPERTY PRICES:

Please refer to Annexure 1 for responses regarding Town Planning concerns.

DEGRADATION OF THE PROPERTY

The property is zoned as Agriculture 1, and therefore has been utilized in accordance with the land use rights for many years.

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

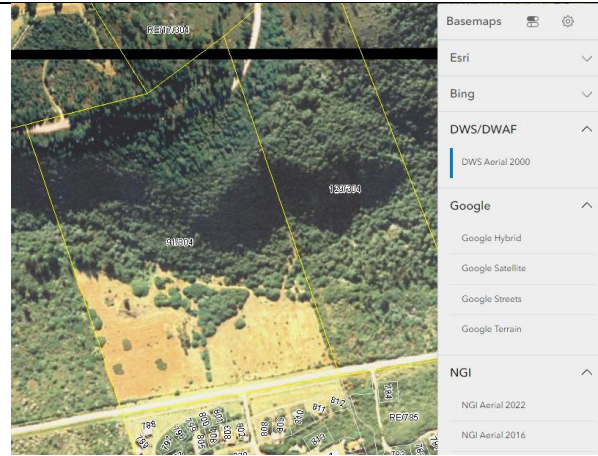
The allegations are there for completely untrue.

LOCAL OBJECTIONS:

The majority of the local property-owners object to the proposed development for the same reasons herein given.

PRECEDENT:

So far the housing estates that have been developed along the P0394 road are all on the Southern side of the road. To begin developing the land on the Northern side of the P0394 will set a precedent that will totally impact not only the all the properties already built at 2023 but also the Indigenous Forest on the Northern edge; the sense of place which is so important not just to locals but to everyone who enjoys coming to the area to enjoy the unique and unspoiled natural beauty that can be found in Keurboomstrand.



Extract from signed letter from Mr. David Steele:

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

LOCAL OBJECTIONS:

Noted for consideration.

PRECEDENT:

Please refer to Annexure 1 for responses regarding Town Planning concerns.

Dr Marcel Myburgh – 06/05/2023

I hereby formerly object to the proposed development. There simply is not sufficient infrastructure available to sustain such a big development.

Noted.

	Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.
Lisa Murray – 06/05/2023	
<p>The property concerned is currently zoned Agricultural and is situated in a potential Flood plain and is surely NOT conducive to high impact , high density housing.</p> <p>The impact that this intensive onslaught of traffic would have on the existing road which is already busy, would be irresponsible to say the least.</p> <p>The already overwhelmed utilities servicing the Bitou Municipal area struggle to cope with the existing load.</p> <p>73 erven on this size portion is greedy in the extreme and undermines and contradicts the vision of "Harmonious living with ample open spaces " .</p> <p>This area is a protected and sensitive Coastal zone and should remain as such.</p>	<p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p> <p>The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP.</p>
Braam Barnard – 07/05/2023	
<p>I object to high density development on Keurboomsstrand</p> <p>The area was declared low density development by Dr Vali Moosa long ago.</p> <p>How did this proclamation got side stepped?</p>	<p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP.</p>
Aneen van Rooyen – HOA THE WAVES – 29/05/2023	
<p>I am writing on behalf of the homeowners of The Waves housing complex in Keurboomsstrand to express our deep concerns and objection regarding the proposed development on the agricultural property. We have carefully reviewed the attached report from the Plettenberg Bay Community Environment Forum (Plett Enviro Forum), and we raise the following critical points:</p> <p>The Draft Town Planning Report:</p> <ul style="list-style-type: none"> - The proposed density of 12 units per hectare is entirely out of context and unsuitable for the site. 	<p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>The EMPr is attached as Appendix H and addresses these aspects. Mitigation measures have been extracted from specialist studies concerning forest conservation and animal movement (20m buffer), stormwater, and AIP removal.</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>

- The rationale provided for this development does not address the needs of middle-income housing and fails to consider proximity to work and transport affordability.
- The argument for financial viability based on density is unfounded, and a more suitable location should be chosen.
- The report lacks information on landscaping and fencing design.
- The proposed densities will have a significant negative impact on the sense of place.
- The site has multiple constraints, such as topography, conservation value, groundwater levels, and traffic access.
- The development should not be considered until the Bitou Spatial Development Framework receives provincial acceptance.

Draft EMPr:

- Post-construction monitoring of impacts, stormwater, groundwater, forest conservation, and animal movements needs clarification.
- Lighting design should minimize light pollution in this sensitive environment.
- Monitoring of dam water, landscape connectivity, and corridor use is necessary.
- Implementation and monitoring of alien invasive management and landscaping should be addressed.

Bulk Water & Sewer Services (GLS):

- Water availability for the development needs confirmation, considering the cumulative needs of other housing units awaiting approval.
- The existing supply system's capacity is inadequate and requires upgrades.
- The report's approach to the cumulative effect of proposed developments raises logical concerns.

Geotechnical Report:

- Groundwater levels and the potential for flooding during heavy rainfall periods are a concern.

Bulk Services & Civil Engineering Infrastructure Report:

- Water connection, capacity, and alternative sourcing require clarification.

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

Please refer to the Geotechnical Report regarding groundwater levels.

The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

<ul style="list-style-type: none"> - Adequacy of sewage infrastructure and traffic impact assessment need to be addressed. - Grey water systems and details on alternative sewerage treatment should be provided. <p>On behalf of HOA of The Waves, we strongly object to the proposed development application due to inappropriate density, the site's sensitivity, groundwater concerns, unconfirmed water and sewerage infrastructure capacity, lack of traffic impact assessment, unclear grey water systems, the negative precedent it sets, the impact on the sense of place, and insufficient consideration of cumulative impacts on resources.</p> <p>We kindly request that you consider our objections during the decision-making process. By prioritizing sustainable development practices and respecting the natural environment, we can foster a harmonious future for Keurboomsstrand.</p>	
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Elmerette de Kock – 06/06/2023	
I herewith object to the proposed high density residential development on portion 91 of farm Matjiesfontein 304.	Noted. Please refer to Annexure 1 for responses regarding Town Planning concerns.

Bert Grobbelaar – 06/06/2023	
<p>I herewith submit the following for consideration in dealing with the application for a medium density housing development on this property.</p> <p>1) Whilst a development for a sensible development of this nature is not objected to in principle, the proposed size of approx. 73 units is objected to, principally on the grounds of the environmental impact and impact on off-site municipal services that will be required to sustain such a development.</p> <p>Proposed remedy; A reduction in the number of units to no more than 40 units.</p> <p>2) Services In the Consulting engineering report by Poise Engineers the following statements are made;</p> <p>2.1 Water: Supply will be from the existing 200mm main feeding the area. Water demand and impact on capacity are stated as</p>	<p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP.</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p> <p>A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR. It found no unacceptable levels of traffic or congestion.</p> <ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.

being within existing system capabilities, with reference to other external sources.

2.2 Sewerage handling; Similarly, **connection** will be to the existing 160mm main and **pumping capacity** and **treatment capacity** is stated as being sufficient.

(A reference is also made to proposed on-site grey water treatment)

2.3 **Electrical mains supply:** No mention is made in this report by Poise.

The current deficiencies in the capacities and capabilities of services to sustain just the existing residential areas of Keurboomstrand have been of concern for several years now.

Repeated appeals by the KPOA and many individuals for upgrades to the existing systems have consistently met with “budgetary constraint “denials to rectify the ongoing service breakdowns, especially during peak holiday periods and poor weather occurrences.

My own property (Erf 14, Main Street) is yet to get a connection to the sewer mains, after many years of appeals and discussions with Bitou municipality and the Ward Councillor(s). Yet, approvals for new developments such as this continue unabated.

Proposed remedy: In consideration of this application. Council must call for an overall review to be done by other independent consulting engineers and using Bitou’s own Engineering resources to focus on the existing capacities and state of repair of all the services eg water, sewerage, electricity supply.

3) Roads and access: Proposed access will be from the main feeder road to Keurboomstrand.

This is only logical, but the traffic impact on the feeder road and junctions further upstream at The Dunes, Mel’s Place, Thyme and Again farmstall will be significantly affected by expected increases in vehicle movements along this access way.

- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

<p>Again, the dangerous traffic conditions and poor state of the roads, especially around the junctions onto the N2 at Thyme and again, have been the subject of many submissions and discussions in the past.</p> <p>Traffic congestion on the roads and in the village of Keurboomstrand, especially during peak holiday periods, has already become a major issue with current traffic volumes.</p> <p>Proposed Remedy: A comprehensive roads engineering and traffic study must be commissioned to assess the above issues and the overall capacity of the roads network in the immediate area of this proposed development.</p>	
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J. Koen (Keurrus Pty Ltd) – 06/06/2023

<p>I am one of the owners of Keurrus Pty Ltd at Keurbooms Strand.</p> <p>Please note my serious objection to the proposed housing development referred to above.</p> <p>The infrastructure of Keurbooms Strand is already under extreme stress as far as electricity supply, water supply, sewerage system and access roads are concerned. The scheme as proposed will make all these problems worse to a large extent.</p>	<p>Noted.</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>
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Sam Duncan – Milkwood Glen HOA – 05/06/2023

<p>As the representative body of the majority of residents in our community, we firmly believe that this development is not in the best interests of the area and should be reconsidered for the following reasons:</p> <ol style="list-style-type: none"> 1. Violation of Environmental Laws: The proposed development encroaches upon the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines, all of which are protected by various environmental laws in South Africa. Constructing high density residential units in this sensitive coastal area would have adverse ecological impacts and undermine the efforts to preserve and protect our natural environment. 2. Zoning Contravention: The land on which the proposed development is planned is currently zoned for agricultural use. We 	<ol style="list-style-type: none"> 1. Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance. 2. Please refer to Annexure 1 for responses regarding Town Planning concerns.
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believe that such a drastic change in land use without proper justification or community consensus would be inappropriate and disregard the existing zoning regulations.

3. Incompatibility with the Area's Character: The high density residential development is not in harmony with the unique sense of place that defines Keurboomstrand. Its construction would detract from the area's natural beauty, situated between a coastal vegetated dune system and hills covered by pristine afro-montaine forest. The development's visual impact and disruption to the existing landscape would be detrimental to the attraction and charm of our community.
4. Community Opposition: It is important to note that the majority of local property owners, including members of the Milkwood Glen HOA, object to the proposed development. This opposition is a testament to the concerns and desires of the residents who have a vested interest in maintaining the character and liability of our neighborhood.
5. Violation of Spatial Development Plan: Part of the proposed development falls outside the designated urban edge as outlined in the Bitou Municipality Spatial Development Plan. As per the plan, this area should be protected from development, and the proposed construction would therefore be inconsistent with the established guidelines.
6. Impact on Wetland Corridor: The proposed development encroaches upon a vital wetland corridor located between the urban edge and Minor Road PO 394. This corridor serves as an essential ecosystem, providing natural filtration and flood control measures. Given the proximity to the water table and the property's susceptibility to heavy rainwater runoff, construction in this area would disrupt the ecological balance and potentially exacerbate flooding issues.

3. Please refer to Annexure 1 for responses regarding Town Planning concerns.

Please refer to the Visual Impact Assessment attached as Appendix G7. The well-positioned and designed development infrastructure allows for it to blend in very well with its surroundings and create minimal contrast in the landscape. The alternative 2 development layout option provides a slight advantage over the preferred and alternative 1 development layout options due to its lower density and more open space for landscaping to screen views from the road. But with the implementation of appropriate mitigation measures the preferred and alternative 1 development layouts can also be screened effectively screened from the road.

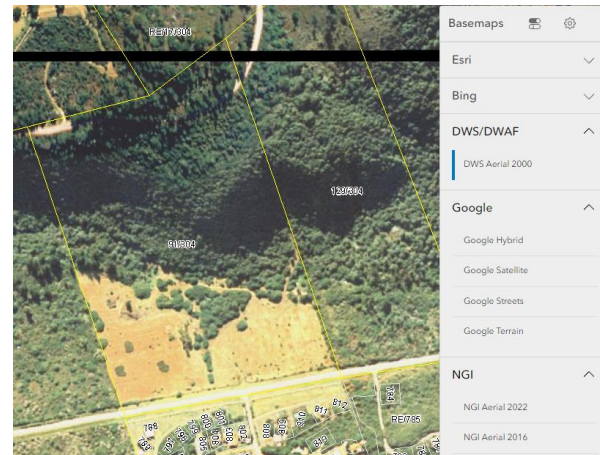
4. Please refer to Annexure 1 for responses regarding Town Planning concerns.
5. Please refer to Annexure 1 for responses regarding Town Planning concerns.
6. Impact on Wetland Corridor: as per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.

7. Negative Impact on Property Values: Local estate agents and property valuers have indicated that the proposed development would lead to a decrease in property values for homeowners in Milkwood Glen. This adverse effect is primarily due to the visual intrusion and potential loss of privacy caused by the development, directly affecting the properties overlooking it.
8. Historical Degradation of Land: The property landowners, Family Roux Eiendomme Pty Ltd, have knowingly and, in our opinion, unlawfully degraded the land earmarked for the proposed development over the past 26 years. Their activities, including tree felling, bush cutting, and establishment of a horse stable yard, have significantly impacted the land's ecological integrity. We believe that the owners should be compelled to rehabilitate and rewild the degraded area before any further development is considered.

7. Please refer to Annexure 1 for responses regarding Town Planning concerns.
8. The property is zoned as Agriculture 1, and therefore has been utilized in accordance with the land use rights for many years.

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

The allegations are there for completely untrue.



Extract from signed letter from Mr. David Steele:

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

9. Water Shortage Concerns: Bitou is currently facing a water shortage, and it is essential that all approved developments in Keurbooms and elsewhere in Bitou are completed or nearing completion before considering new applications. The cumulative effects of multiple developments on the available water supply must be carefully assessed. It is worth noting that previous development applications in Keurboomstrand have been rejected due to the lack of water resources.

10. Accessibility and Affordability: The proposed development is approximately 7 kilometers from central Plettenberg Bay. Given the rising costs of fuel and transportation, living in this distant location would be unaffordable for most middle-income prospective buyers. We believe that this type of development should be situated in closer proximity to town centers to promote accessibility and affordability.

11. Inadequate Infrastructure: The Minor Road PO 394, which will provide access to the proposed development, is already struggling to accommodate existing traffic. With multiple approved developments in the pipeline that will also rely on this road, the additional burden would overwhelm the current

9. Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

10. Please refer to Annexure 1 for responses regarding Town Planning concerns.

11. A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR. It found no unacceptable levels of traffic or congestion.

<p>infrastructure, leading to congestion, safety concerns, and inconvenience for both existing residents and future inhabitants.</p> <p>12. Climate and Lighting Impacts: The proposed development's location below the mist line during winter and the substantial shade cast in the afternoon due to the site's geography raise concerns about the liveability and comfort of the prospective residents.</p> <p>These factors should be taken into account when evaluating the appropriateness of the development. In conclusion, the Milkwood Glen Home Owners Association, representing the majority of residents in our community, objects to the proposed high density residential development on Portion 91 of the Farm Matjiesfontein 304 for the reasons outlined above.</p> <p>We urge the relevant authorities to carefully consider our objections and take into account the environmental, community, and infrastructural concerns associated with this development.</p> <p>As an alternative solution, we would support the construction of a single residence with essential outbuildings within the urban edge boundary on Portion 91 of Farm Matjiesfontein 304.</p> <p>This approach would ensure compatibility with the existing zoning regulations and maintain the character and integrity of our community. Thank you for your attention to this matter.</p>	<ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity. • Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1. <p>12. This will be taken into consideration.</p>
<p>Christine & Dennis Cogzell – 06/06/2023</p>	
<p>Good day, We are in agreement with our Milkwood Glen Keurbooms residents for opposing the development of the said property opposite Milkwood Glen Keurbooms properties and gate entrance.</p> <p>The development is definitely not suitable for a number of reasons as layed out by our Estate Manager and residents.</p>	<p>Noted.</p> <p>Please see response above.</p>
<p>Laurence & Claire Parkman – 06.06.2023</p>	
<p>We hereby object to the above proposal on the following grounds:</p>	<p>Noted.</p> <p>The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP. The preferred layout incorporates the recommended 20m</p>

Density - 73 Residential 2 erven with an average size of 375sq mtrs is too high a density for the highly sensitive area in question we believe would be hugely detrimental to animal species and terrestrial biodiversity.

Wetlands and Localised Flooding - the location of this site close to the original Keurbooms wetland could cause major issues with localised and surrounding area flooding if high density housing were permitted.

Road Infrastructure - development on this and other sites along Keurboomstrand would cause increasing problems on the P394 which is already hazardous being limited in width and the only access road servicing existing developments and Keurbooms village.

Particular attention in any Traffic Impact Assessment must not be restricted to 'main access collector' but take an holistic approach to factor in issues including the following:

1. This is the first large scale development on the Northern side of Keurboomstrand (P394).
2. As a provincial road this has a speed limit which creates an existing endangerment particularly to turning traffic and pedestrian traffic crossing the road to utilise existing servitudes to the beach.
3. Provision MUST be made for 'traffic calming' and pedestrian crossing at the location to accommodate safe access to the beach for any development on the Portion 19 site or on Northern side of the P394.
4. P394 progress for re-registration to limit speed and vest responsibility for the road to local authorities should take place as a priority and be part of any approval process for a development on the northern section of Keurboomstrand.
5. 5.Considering other noted proposed developments along Keurboomstrand an holistic approach to improving the road infrastructure is overdue. Animal Species and Terrestrial Biodiversity - the location is the site of animal corridors which would be seriously disrupted.

animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.

Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.

- Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.
- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

<p>Also the reality that this area has suffered 'disruptive use' over the last decade should not deter from the fact that it is in a protected area and should be subject to extensive environmental impact assessment.</p>	
<p>Mae Naude – 06/06/2023 George Stiglingh – 06/06/2023</p>	
<p>My objection is based on the following points:</p> <p>1. Violations in respect of Zoning and Spatial Development Plan</p> <p>1.1 Zoning Conflict</p> <p>1.1.1 Portion 91 of Farm Matjiesfontein 304, the land on which the proposed development is intended to be built, is zoned for agricultural use.</p> <p>1.1.2 Changing the zoning to accommodate a high-density residential development undermines the integrity of the zoning system and sets a problematic precedent that could allow other agricultural land to be rezoned for the industrialisation of urban development.</p> <p>1.1.3 Arguments that Portion 91 of Farm Matjiesfontein 304 is not economically viable for agriculture are unfounded as many forms of regenerative agriculture could be successfully applied to this land.</p> <p>1.2 Spatial Development Plan</p> <p>1.2.1 Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan.</p> <p>1.2.2 Approval of this development would disregard the established plan and set a dangerous precedent for future developments and transgressions.</p> <p>2. Risks to the Environment</p> <p>2.1 The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines.</p> <p>2.2 Due to the recognised importance and ecological sensitivity of this region, it is protected by the various environmental laws of South Africa.</p>	<p>1. Violations in respect of Zoning and Spatial Development Plan</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>2. Risks to the Environment</p> <p>Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance.</p>

2.3 The construction of a high-density residential development in this environmentally sensitive area poses a significant threat to the fragile coastal ecosystem.

2.4 Housing developments can be constructed in many areas, but fragile and pristine natural ecosystems can never be recreated.

3. Negative impact on Keurboomstrand's intrinsic value and character

3.1 The proposed high-density residential development does not align with Keurboomstrand's sense of place and as such is inappropriate.

3.2 Located between the coastal vegetated dune system and hills covered by unspoilt afro-montaine forest, Keurboomstrand is known for its pristine natural beauty. A high-density development would negatively impact its character.

3.3 Keurboomstrand is one of the last remaining regions in the world whose Natural Heritage still remains intact. Any high-density development in Keurboomstrand would detract from the area's natural beauty, damaging its intrinsic value.

The site is within the coastal protection zone and a portion to the south is within the coastal management lines. The property is situated in the Coastal Corridor which is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. The Keurboom and Environs Local Area Spatial Plan has identified development nodes for this area. For these nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).

The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP. The preferred layout incorporates the recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.

Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.

3. Negative impact on Keurboomstrand's intrinsic value and character

Please refer to Annexure 1 for responses regarding Town Planning concerns.

Please refer to the Terrestrial Biodiversity, Plant and Animal Assessment attached as Appendix G5 -

- The proposed development will be restricted to the lowland areas that were previously cultivated. The forest areas are therefore outside the proposed development footprint. On the basis of the presence of natural habitat within a CBA1 area and within a listed ecosystem, it is verified that the site occurs partially within an area of VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. These areas are not affected by the proposed development.
- The lowland part of the site is not considered to be good habitat for any of the animal species flagged for the site.
- The impact assessment determined that the impact of the proposed development has Very Low significance on vegetation, protected trees, and animal species of concern.

4. Community objection

4.1 Keurboomstrand has a long-standing and well-established local community.

4.2 Many of the local property owners have strongly objected to the proposed development. This collective opposition represents the concerns and interests of the local community, which should be taken into serious consideration during the decision-making process.

5. Water Concerns

5.1 Water Scarcity

5.1.1 The Bitou area is currently facing water shortages.

5.1.2 Even without further development, these water shortages are likely to be exacerbated due to changing weather patterns.

5.1.3 The cumulative effects of developments, already approved and/or under construction, on the limited water supply need to be thoroughly evaluated before any new construction/development is allowed to go ahead.

5.2 Wetland Conservation and Management

5.2.1 A portion of the proposed development is intended to be built in the wetland corridor between the urban edge and Minor Road PO394.

5.2.2 This area is prone to heavy rainwater runoff from the forested hills, and the land is situated at a low elevation with a shallow water table.

5.2.3 Wetland corridors are vital to water conservation.

5.2.4 Construction in this vulnerable area is likely to disrupt the natural hydrology and exacerbate the risk of flooding.

- The proposed development is entirely within areas mapped as secondary or pasture that has low biodiversity value and sensitivity. The development is therefore supported on condition that forest habitats on the property are fully protected. Either option is acceptable, although Alternative 1 is marginally preferred.

The preferred layout incorporates a recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.

Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.

4. Community objection is noted.

5. Water Concerns

Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

Impact on Wetland Corridor: as per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will

5.2.5 Once the open field has been built up it will no longer act as a soak-away. This will negatively impact on the water table and risk flooding of the PO394.

discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

6. Responsibility for rehabilitation of land degradation

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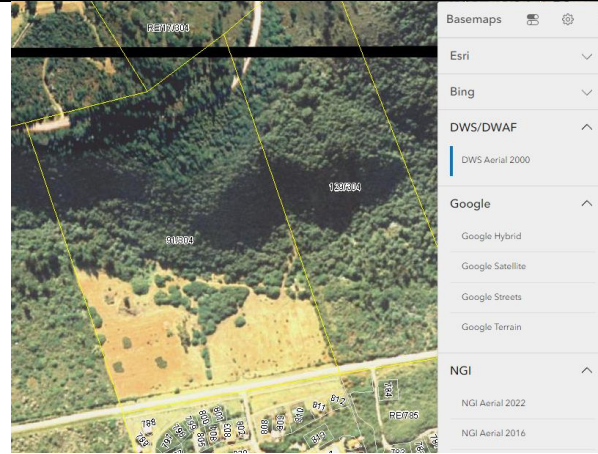
6.1 Areas of the land in question have been degraded over the past 26 years under the stewardship of the current property owners, Family Roux Eiendomme Pty Ltd. It is on the basis of this degradation that the land is put forward as suitable for development.

The property is zoned as Agriculture 1, and therefore has been utilized in accordance with the land use rights for many years.

6.2 These property owners should not be rewarded (by approving the development) for allowing the degradation of their land. Instead, they should be required to rehabilitate and rewild the degraded area.

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

The allegations are there for completely untrue.



Extract from signed letter from Mr. David Steele:

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

7. Risk to property values

Please refer to Annexure 1 for responses regarding Town Planning concerns.

7. Risk to property values

7.1 There are valid concerns that the proposed development would devalue properties in the surrounding area.

<p>7.2 This loss of property value would have a significant financial impact on the affected property owners.</p> <p>7.3 The rights to financial benefit for the current owners of Portion 91 of Farm Matjiesfontein 304 should not outweigh the financial risk to the many other affected property owners.</p> <p>8. Inadequate Road Infrastructure</p> <p>8.1 The minor road PO 394, which provides access to the proposed development, is already struggling to accommodate the existing traffic. The proposed development, in addition to other developments that have already been approved, would put extreme strain on this road, leading to congestion and safety concerns.</p> <p>In conclusion, I would like to make it clear that I am not opposed to all development but point out that any developments in this region must take the environmental sensitivity, character and infrastructural constraints of the region very seriously. High-density developments of any kind are inappropriate for this region.</p>	<p>8. Inadequate Road Infrastructure</p> <p>A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.</p> <ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity. • Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.
<p>Tessa de Kock – 06/06/2023</p>	
<p>In my humble opinion this development should not be allowed mainly because the area is already under enormous pressure with regards to water, and for that matter adequate electricity supply.</p> <p>First build more dams to store sufficient water and upgrade and maintain the poor electrical supply to our village before allowing further developments. Fix what needs fixing and thereafter consider the approval of proposed new developments.</p>	<p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>
<p>Maarten Molenaar – 06/06/2023</p>	
<p>I am against the above proposed protect because of my great concern around the current infrastructure.</p> <p>Currently we struggle with continues problems with electricity after storms etc; water supply is not consistent and even keeping The Waves parking area clean seems to be problematic.</p>	<p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>

<p>I am of the opinion that the current infrastructure needs to be improve in such a way to accommodate the suggested development. Before this gets sorted out, I am against the proposed development.</p> <p>The municipality have to address this issue first.</p>	
<p>Willy V – 06/06/2023</p>	
<p>Please receive objection to proposed development.</p>	<p>Noted for consideration.</p>
<p>Estelle Dormehl – 06/06/2023</p>	
<p>Good morning, I would hereby like to lodge my objection.</p>	<p>Noted for consideration.</p>
<p>Linda Fletcher – 06/06/2023</p>	
<p>The area of Keurboomstrand cannot sustain this type of development. We need to maintain certain areas for future generations.</p>	<p>Noted for consideration.</p>
<p>John Hofmeyr - 06/06/2023</p>	
<p>As vakansieganger in Keurboomstrand sedert 1948 en permanente inwoner sedert 2003 kan ek nie anders as om beswaar te maak teen die genoemde ontwikkeling nie en wel om die volgende redes:</p> <ol style="list-style-type: none"> 1. Die omgewing met sy natuur,wild en voellewe sal versteur en verlore gaan asook die bioom van Brusvygia plante wat n natuurwonder is (laasgenoemde kom op baie min plekke in ons land voor). 2. Elektrisiteit voorsiening van omgewing is baie wisselvallig en gebrekkig.. 3. Water infrastruktuur van omgewing is gebrekkig. 4. Riolering infrastruktuur is beslis nie geskik om soveel mense te bedien nie. 5. Die padstruktuur is tans nie in staat om die verkeer te dra tydens vakansies nie. Nog n toeloop van ongeveer tagtig huise se inwoners sal die huidige verkeer baie gevaarlik maak vir motoriste, fietsryers en hardlopers dwarsdeur die jaar. Na my mening is die genoemde eiendom beslis nie geskik om soveel huise te dra nie. 	<ol style="list-style-type: none"> 1. Please refer to the Terrestrial Biodiversity, Plant and Animal Assessment attached as Appendix G5 - <ul style="list-style-type: none"> • The proposed development will be restricted to the lowland areas that were previously cultivated. The forest areas are therefore outside the proposed development footprint. On the basis of the presence of natural habitat within a CBA1 area and within a listed ecosystem, it is verified that the site occurs partially within an area of VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. These areas are not affected by the proposed development. • The lowland part of the site is not considered to be good habitat for any of the animal species flagged for the site. • The impact assessment determined that the impact of the proposed development has Very Low significance on vegetation, protected trees, and animal species of concern. • The proposed development is entirely within areas mapped as secondary or pasture that has low biodiversity value and sensitivity. The development is therefore supported on condition that forest habitats on the property are fully protected. Either option is acceptable, although Alternative 1 is marginally preferred. <p>The preferred layout incorporates a recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.</p>

<p>As a vacationer in Keurboomstrand since 1948 and a permanent resident since 2003, I cannot help but object to the proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. The environment with its nature, wildlife, and birdlife will be disturbed and lost, as well as the biome of Brunsvigia plants, which is a natural wonder (the latter occurs in very few places in our country). 2. Electricity supply in the area is very inconsistent and inadequate. 3. Water infrastructure in the area is inadequate. 4. The sewage infrastructure is definitely not suitable to serve so many people. 5. The current road infrastructure cannot handle the traffic during holidays. An additional influx of around eighty households will make the current traffic very dangerous for motorists, cyclists, and runners throughout the year. In my opinion, the mentioned property is definitely not suitable to accommodate so many houses." 	<p>Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.</p> <ol style="list-style-type: none"> 2. Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16. 3. Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16. 4. Until such time as the necessary upgrades have occurred to the Bitou bulk sewerage system, the sewerage will be treated using an on-site sewerage package plant. The plant type to be used will be a Bio Sewage Systems 30 kilolitre per day plant or similar approved. 5. A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion. <ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity. • Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.
<p>Braam Greeff – 06/06/2023</p>	
<p>I am resident since 1980 at mentioned address and would like to object against proposed development on road to Keurboomstrand.</p> <p>This will have a huge impact on the traffic as well as our water and electricity supply, as it is under heavy pressure as it is at this stage.</p>	<p>Noted for consideration.</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>
<p>Vania le Roux (Archrock Resort) – 06/06/2023</p>	
<p>Archrock Resort is self-catering accommodation on the beachfront past Enrico's to the East. The land being portion 7 & 8 of Erf 296 Archrock has been in the Read family for around 200 years.</p>	<p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p> <p>Until such time as the necessary upgrades have occurred to the Bitou bulk sewerage system, the sewerage will be treated using an on-site sewerage</p>

A major part of the allure of Keurboomstrand for tourists and residents has been the community's dedication to keep the area pristine, secure and the communal to protect the Environment.

We are against his development for the following reasons:

Inadequate Infrastructure:

- In the current state of lack of basic service delivery, it almost seems criminal to approve a high-density development adding to the load. Water and sewerage reticulation and electricity supply is in desperate need of upgrade and regular maintenance.
- We are facing water shortages in the Bitou area, a problem that will only get worse going forward. Every time it rains there is no electricity in the greater Keurboomstrand area due to the fragility of the existing infrastructure. Will the power supply be upgraded with this development?
- During the last December 2022 school holidays, sewage was spilling on to the blue flag beach in front of Enrico's due to lack of capacity of the holding tank during loadshedding. How will sewerage reticulation be handled for this new development?
- The PO 394, the access route to the proposed development, is already struggling to accommodate the existing traffic during Peak periods.
- The proposed development area is prone to heavy rainwater runoff from the hills behind, and the land is situated at a low elevation with a shallow water table. It's been serving as a 'soak-away' for heavy rainfall for decades. How will the developers handle storm water runoff to prevent flooding of the PO 394?

In conclusion, a high-density development is simply not a fit with the character of Keurboomstrand. Even if all the practical considerations mentioned above can miraculously be overcome with a 'promise' or a 'golden handshake', how long will the developer be held accountable for the infrastructure concerns raised?

package plant. The plant type to be used will be a Bio Sewage Systems 30 kilolitre per day plant or similar approved.

A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.

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- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

Please refer to Annexure 1 for responses regarding Town Planning concerns.

I suggest that any development be limited to a single residence with essential outbuildings within the urban edge boundary on the mentioned portion.

Pieter Luttig – 06/06/2023

This email is written by us as property owners in Keurboomstrand village for many decades, intensely knowing the area and understanding its special characteristics, and also important experiencing on a daily basis its service delivery shortcomings due to earlier bad planning and insufficient maintenance. We herewith put on record that we cannot support this application.

Below are the two major concerns standing directly in the way of this development, namely:

1. Bitou municipality has a number of years ago, and it is still valid, accepted a set of guidelines known as KLASP (Keurbooms Local Area Spatial Plan) which must be considered in all new planning projects as it defines the state and nature of land and areas suitable for specific types of development.
2. the current infrastructural services catering for the needs of taxpayers in the greater Keurbooms are under severe pressure it's capacity and distribution; this is specifically the case with electricity, sewerage, water quality as well as traffic and parking capacities; the proper managed maintenance is equally insufficient. The above facts are known to the local authority Bitou and have been reported and discussed over a long period, however for unknown reasons municipal officials keep on supporting new development by stating and ticking-off that services are sufficiently in proper place. In this respect it can be safely stated that our local Bitou authority are acting in an extremely risky and irresponsible manner by allowing its structures to be increasingly overloaded and pressurised to this extent

1. The Keurboom and Environs Local Area Spatial Plan has identified development nodes for this area. For these nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).

Please refer to Annexure 1 for responses regarding Town Planning concerns.

2. Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

Until such time as the necessary upgrades have occurred to the Bitou bulk sewerage system, the sewerage will be treated using an on-site sewerage package plant. The plant type to be used will be a Bio Sewage Systems 30 kilolitre per day plant or similar approved.

The following comments were received from residents of Milkwood Glen:

Marty Reddering – 06/06/2023

Dee Rissik – 06/06/2023

Emma Reid – 06/06/2023

David Netherway – 06/06/2023
Lolita Bruwer – 06/06/2023
Janine Lourens – 06/06/2023
Tracy van der Byl – 06/06/2023
Retha Moussa – 06/06/2023
Grazia Mauri – 06/06/2023
Margaret Ford – 06/06/2023
Vaughn & Corinna Bryan – 06/06/2023
Yverne Butler – 06/06/2023
Annie Le Roux – 06/06/2023
Josephine Balzer – 05/06/2023
Carol Surya – 06/06/2023
Peter Wylie – 06/06/2023
Lucinda Mudge - 05/06/2023
Marley Ford – 06/06/2023
Rosie Mudge – 05/06/2023
Lance Faure – 06/06/2023
Casimir & Alexandra Urban – 05/06/2023
Andrea Muller-Stratmann – 05/06/2023

I am writing this letter as a member of Milkwood Glen Estate, which neighbours the proposed development, to formally express my strong opposition to the proposed high density residential development on Portion 91 of the Farm Matjiesfontein 304.

I believe that this development should not be approved for the following reasons:

1. Environmental Protection: The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines, which are protected by the various environmental laws of South Africa. Constructing a high-density residential development in this environmentally sensitive area would pose a significant threat to the fragile coastal ecosystem.

2. Zoning Conflict: The land on which the proposed development is intended to be built is currently zoned for agricultural use. Changing the zoning designation to accommodate high density residential development would contradict the existing land use regulations and undermine the integrity of the zoning system.

1. Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance.
2. Please refer to Annexure 1 for responses regarding Town Planning concerns.

3. Incompatibility with the Area's Character: The proposed high density residential development is inappropriate for Keurboomstrand as it does not align with the area's sense of place. The development would detract from the area's natural beauty, situated between the coastal vegetated dune system and hills covered by pristine afro-montaine forest. This scenic valley is a unique and attractive feature that must be preserved.

4. Local Opposition: The majority of local property owners, including myself, strongly object to the proposed development. This collective opposition represents the concerns and interests of the community, which should be taken into serious consideration during the decision-making process.

5. Violation of Spatial Development Plan: Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan. Approving this development would disregard the established plan and potentially set a negative precedent for future developments.

6. Impact on Wetland Corridor: A portion of the proposed development would be built in a vital wetland corridor between the urban edge and Minor Road PO 394. The area is prone to heavy rainwater runoff from the forested hills, and the land is situated at a low elevation with a shallow water table. Construction in this vulnerable area could disrupt the natural hydrology and exacerbate the risk of flooding. Without storm drains, the flooding could impact the PO394 as the field once built upon will not act as a soak-away.

3. Please refer to Annexure 1 for responses regarding Town Planning concerns.

Please refer to the Visual Impact Assessment attached as Appendix G7. The well-positioned and designed development infrastructure allows for it to blend in very well with its surroundings and create minimal contrast in the landscape. The alternative 2 development layout option provides a slight advantage over the preferred and alternative 1 development layout options due to its lower density and more open space for landscaping to screen views from the road. But with the implementation of appropriate mitigation measures the preferred and alternative 1 development layouts can also be screened effectively from the road.

4. Community opposition is noted for consideration.

5. Please refer to Annexure 1 for responses regarding Town Planning concerns.

6. Impact on Wetland Corridor: as per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

7. Negative Property Value Effects: Local estate agents and property valuers have indicated that the proposed development would devalue properties in the surrounding area, including Milkwood Glen where I am an owner, which would directly overlook the development. This loss of property value would have a significant financial impact on the affected property owners.

8. Land Degradation and Rehabilitation Responsibility: The property owners, Family Roux Eiendomme Pty Ltd, have purposefully degraded the land in question over the past 26 years, which I consider to be a violation of environmental regulations. They should be held accountable and required to rehabilitate and rewild the degraded area before any development is considered.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

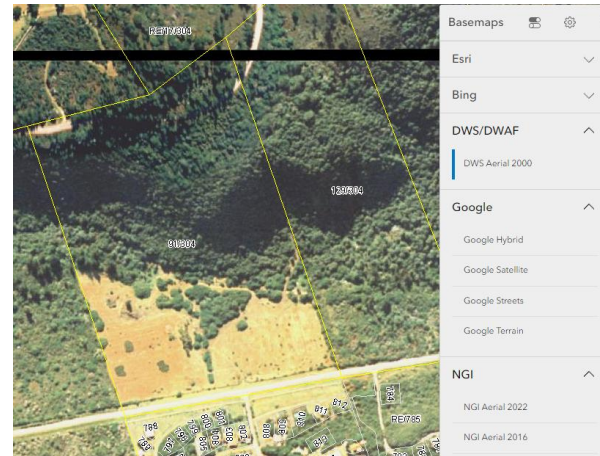
Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

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Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

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"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

9. Water Scarcity Concerns: The Bitou area is currently facing water shortages, and it is crucial that all approved developments in Keurbooms and elsewhere in Bitou be completed or near completion before new

9. Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

<p>applications are considered. The cumulative effects of additional developments on the already limited water supply need to be thoroughly evaluated.</p> <p>10. Accessibility and Affordability: The proposed development's location, approximately 7 kilometers from central Plettenberg Bay, would result in increased transportation costs, making it financially burdensome for middle-income purchasers. Such high density residential developments should ideally be situated closer to town centers to ensure accessibility and affordability for potential residents.</p> <p>11. Inadequate Infrastructure: The Minor Road PO 394, the access route to the proposed development, is already struggling to accommodate the existing traffic. Approving the proposed development, along with other developments that have already been approved, would further strain the capacity of this road, leading to congestion and safety concerns.</p> <p>12. Adverse Climate Considerations: The proposed development would be situated below the mist line in the winter and be predominantly shaded in the afternoon due to the site's geography. This adverse climatic condition could negatively impact the quality of life for residents and limit the usability of outdoor spaces.</p> <p>In conclusion, I respectfully request that you consider these objections seriously and reject the proposed high density residential development on Portion 91 of Farm Matjiesfontein 304.</p> <p>Instead, I propose that any development be limited to a single residence with essential outbuildings within the urban edge boundary on the mentioned portion. Thank you for your attention to this matter.</p>	<p>10. Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>11. A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.</p> <ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity. • Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1. <p>12. This will be taken into consideration.</p>
<p>Jeanne Botes – 06/06/2023</p>	
<p>I object to the Proposed High Density Residential Development on Portion 91 of Farm Matjiesfontein 304 Reason: Roads / Current infrastructure will not be able to handle the influx of people in Keurboomstrand.</p>	<p>Noted for consideration.</p> <p>A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.</p>

	<ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity. • Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1
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Pierre Mynhardt – 07/06/2023

<p>My objection is based on the following considerations:</p> <p>1. Violations in respect of Zoning and Spatial Development Plan</p> <p>1.1 Zoning Conflict</p> <p>1.1.1 Portion 91 of Farm Matjiesfontein 304, the land on which the proposed development is intended to be built, is zoned for agricultural use.</p> <p>1.1.2 Changing the zoning to accommodate a high-density residential development undermines the integrity of the zoning system and sets a problematic precedent that could allow other agricultural land in the adjoining area to be rezoned for the industrialisation of urban development.</p> <p>1.1.3 Arguments that Portion 91 of Farm Matjiesfontein 304 is not economically viable for agriculture are unfounded as many forms of regenerative agriculture could be successfully applied to this land. The land is currently being used as a riding school and to stable horses.</p> <p>1.2 Spatial Development Plant</p> <p>1.2.1 Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan.</p> <p>1.2.2 Approval of this development would disregard the established development plan and set a dangerous precedent for future developments and transgressions.</p> <p>2. Risks to the Environment</p>	<p>1. Violations in respect of Zoning and Spatial Development Plan</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>2. Risks to the Environment</p>
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<p>2.1 The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines.</p> <p>2.2 Due to the recognised importance and ecological sensitivity of this region, it is protected by the various environmental laws of South Africa.</p> <p>2.3 The construction of a high-density residential development in this environmentally sensitive area poses a significant threat to the fragile coastal ecosystem.</p> <p>2.4 Housing developments can be constructed in many areas, but fragile and pristine natural ecosystems can never be recreated.</p>	<p>Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance.</p> <p>The site is within the coastal protection zone and a portion to the south is within the coastal management lines. The property is situated in the Coastal Corridor which is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. The Keurboom and Environs Local Area Spatial Plan has identified development nodes for this area. For these nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).</p> <p>The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP. The preferred layout incorporates the recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.</p> <p>Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.</p>
<p>3. Negative impact on Keurboomstrand's intrinsic value and character</p> <p>3.1 The proposed high-density residential development does not align with Keurboomstrand's sense of place and as such is inappropriate.</p> <p>3.2 Located between the coastal vegetated dune system and hills covered by unspoilt afro-montaine forest, Keurboomstrand is known for its pristine natural beauty. A high-density development would negatively impact its character.</p> <p>3.3 Keurboomstrand is one of the last remaining regions in the world whose Natural Heritage still remains intact. Any</p>	<p>3. Negative impact on Keurboomstrand's intrinsic value and character</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>Please refer to the Terrestrial Biodiversity, Plant and Animal Assessment attached as Appendix G5 -</p> <ul style="list-style-type: none"> The proposed development will be restricted to the lowland areas that were previously cultivated. The forest areas are therefore outside the proposed development footprint. On the basis of the presence of natural habitat within a CBA1 area and within a listed ecosystem, it is verified that the site occurs partially within an area of VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. These areas are not affected by the proposed development.

<p>high-density development in Keurboomstrand would detract from the area's natural beauty, damaging its intrinsic value.</p> <p>3.4 The proposed development and resulting increase in the local population will threaten Keurboomstrand's beaches which have been accorded Blue Flag status.</p> <p>3.5 Failure by the local authorities to provide adequate municipal services has forced the community to undertake many of these services at their own cost (eg cleaning and cutting of verges along the access road). An increase in the traffic flow and number of residents will place further strain on the financial and other resources required to maintain the environment.</p> <p>4. Community objection</p> <p>4.1 Keurboomstrand has a long-standing and well-established local community.</p> <p>4.2 The vast majority of the local property owners are opposed and strongly object to the proposed development. This collective opposition represents the concerns and interests of the local community, which should be taken into serious consideration during the decision-making process.</p> <p>4.3 Granting approval for the proposed development will set a dangerous precedent which will open the door for similar developments on neighbouring properties further exacerbating the serious concerns raised in this objection.</p> <p>5. Municipal Utility Concerns</p> <p>5.1 Water Scarcity</p> <p>5.1.1 The Bitou area is currently facing water shortages and is currently subject to strict water usage restrictions.</p>	<ul style="list-style-type: none"> • The lowland part of the site is not considered to be good habitat for any of the animal species flagged for the site. • The impact assessment determined that the impact of the proposed development has Very Low significance on vegetation, protected trees, and animal species of concern. • The proposed development is entirely within areas mapped as secondary or pasture that has low biodiversity value and sensitivity. The development is therefore supported on condition that forest habitats on the property are fully protected. Either option is acceptable, although Alternative 1 is marginally preferred. <p>The preferred layout incorporates a recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.</p> <p>Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.</p> <p>4. Community objection is noted.</p> <p>5. Water Concerns</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>
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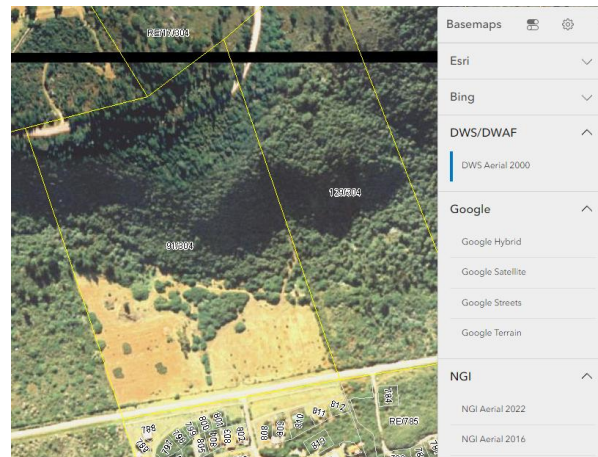
<p>5.1.2 Even without further development, these water shortages are likely to be exacerbated due to changing weather patterns.</p> <p>5.1.3 The cumulative effects of developments, already approved and/or under construction, on the limited water supply need to be thoroughly evaluated before any new construction/development is allowed to go ahead.</p> <p>5.2 Wetland Conservation and Management</p> <p>5.2.1 A portion of the proposed development is intended to be built in the wetland corridor between the urban edge and Minor Road PO394.</p> <p>5.2.2 This area is prone to heavy rainwater runoff from the forested hills, and the land is situated at a low elevation with a shallow water table.</p> <p>5.2.3 Wetland corridors are vital to water conservation.</p> <p>5.2.4 Construction in this vulnerable area is likely to disrupt the natural hydrology and exacerbate the risk of flooding.</p> <p>5.2.5 Once the open field has been built up it will no longer act as a soak-away. This will negatively impact on the water table and risk flooding of the PO394.</p> <p>5.3 Power Outages</p> <p>5.3.1 Keurboomstrand residents are plagued by ongoing power outage problems (not associated with load shedding) caused by lack of maintenance to power supply infrastructure and inadequate power supply for the existing community. This often results in the residents being without power for extended periods of time. The proposed development will put further strain on an unstable power supply resulting in more outages.</p> <p>6. Responsibility for rehabilitation of land degradation</p> <p>6.1 Areas of the land in question have been degraded over the past 26 years under the stewardship of the current</p>	<p>Impact on Wetland Corridor: as per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.</p> <p>The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.</p> <p>Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.</p> <p>Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.</p> <p>6. Responsibility for rehabilitation of land degradation</p> <p>The property is zoned as Agriculture 1, and therefore has been utilized in accordance with the land use rights for many years.</p>
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property owners, Family Roux Eiendomme Pty Ltd. It is on the basis of this degradation that the land is put forward as suitable for development.

- 6.2 These property owners should not be rewarded (by approving the development) for allowing the degradation of their land. Instead, they should be required to rehabilitate and rewild the degraded area.

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

The allegations are there for completely untrue.



Extract from signed letter from Mr. David Steele:

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two

ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

7. Risk to property values

- 7.1 Local estate agents and property valuers have indicated that the proposed development would devalue properties in the surrounding area.
- 7.2 This loss of property value would have a significant financial impact on the affected property owners.
- 7.3 The rights to the substantial financial benefit for the current owners of Portion 91 of Farm Matjiesfontein 304 should not outweigh the financial risk to other affected property owners.

8. Accessibility and Affordability

- 8.1 The proposed development proposes to provide affordable accommodation for residents who work in Plettenberg Bay.
- 8.2 However, the location of the proposed development, approximately 7 kilometres from central Plettenberg Bay, along a long and narrow access road, would result in increased transportation costs and extensive traffic congestion.
- 8.3 High-density residential developments, targeting residents who will be working in Plettenberg Bay, should be situated closer to the town centre to ensure accessibility and ongoing affordability.

7. Risk to property values

Please refer to Annexure 1 for responses regarding Town Planning concerns.

8. Accessibility and Affordability

Please refer to Annexure 1 for responses regarding Town Planning concerns.

<p>9. Inadequate road infrastructure</p> <p>9.1 The minor road PO 394, which provides access to the proposed development, is already struggling to accommodate the existing traffic. The proposed development, in addition to other developments that have already been approved, would put extreme strain on this road, leading to congestion and safety concerns.</p> <p>9.2 The road surface is often badly potholed requiring ongoing maintenance and repair. The additional traffic flow would lead to further degradation and serious safety exposure for the local residents.</p> <p>I trust that you will apply your minds to the above objections and make the appropriate decision in the best interests of the Keurboomstrand community and our invaluable and irreplaceable natural environment as opposed to those of the Developers whose interests are substantially driven by personal financial gain.</p>	<p>9. Inadequate Road Infrastructure</p> <p>A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.</p> <ul style="list-style-type: none"> • Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity. • Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.
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<p>Eveline & Mario Piaž – 07/06/2023</p>	
<p>My objection is based on the following points:</p> <p>1. Violations in respect of Zoning and Spatial Development Plan</p> <p>1.1 Zoning Conflict</p> <p>1.1.1 Portion 91 of Farm Matjiesfontein 304, the land on which the proposed development is intended to be built, is zoned for agricultural use.</p> <p>1.1.2 Changing the zoning to accommodate a high-density residential development undermines the integrity of the zoning system and sets a problematic precedent that could allow other agricultural land to be rezoned for the industrialisation of urban development.</p> <p>1.1.3 Arguments that Portion 91 of Farm Matjiesfontein 304 is not economically viable for agriculture are unfounded as many forms of regenerative agriculture could be successfully applied to this land.</p> <p>1.2 Spatial Development Plant</p>	<p>Noted for consideration.</p> <p>1. Violations in respect of Zoning and Spatial Development Plan</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p>

<p>1.2.1 Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan.</p> <p>1.2.2 Approval of this development would disregard the established plan and set a dangerous precedent for future developments and transgressions.</p> <p>2. Risks to the Environment</p> <p>2.1 The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines.</p> <p>2.2 Due to the recognised importance and ecological sensitivity of this region, it is protected by the various environmental laws of South Africa.</p> <p>2.3 The construction of a high-density residential development in this environmentally sensitive area poses a significant threat to the fragile coastal ecosystem.</p> <p>2.4 Housing developments can be constructed in many areas, but fragile and pristine natural ecosystems can never be recreated.</p> <p>3. Negative impact on Keurboomstrand's intrinsic value and character</p>	<p>2. Risks to the Environment</p> <p>Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance.</p> <p>The site is within the coastal protection zone and a portion to the south is within the coastal management lines. The property is situated in the Coastal Corridor which is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. The Keurboom and Environs Local Area Spatial Plan has identified development nodes for this area. For these nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).</p> <p>The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP. The preferred layout incorporates the recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.</p> <p>Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.</p> <p>3. Negative impact on Keurboomstrand's intrinsic value and character</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p>
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<p>3.1 The proposed high-density residential development does not align with Keurboomstrand's sense of place and as such is inappropriate.</p> <p>3.2 Located between the coastal vegetated dune system and hills covered by unspoilt afro-montaine forest, Keurboomstrand is known for its pristine natural beauty. A high-density development would negatively impact its character.</p> <p>3.3 Keurboomstrand is one of the last remaining regions in the world whose Natural Heritage still remains intact. Any high-density development in Keurboomstrand would detract from the area's natural beauty, damaging its intrinsic value.</p> <p>4. Community objection</p> <p>4.1 Keurboomstrand has a long-standing and well-established local community.</p> <p>4.2 Many of the local property owners have strongly objected to the proposed development. This collective opposition represents the concerns and interests of the local community, which should be taken into serious consideration during the decision-making process.</p> <p>5. Water Concerns</p> <p>5.1 Water Scarcity</p>	<p>Please refer to the Terrestrial Biodiversity, Plant and Animal Assessment attached as Appendix G5 -</p> <ul style="list-style-type: none"> The proposed development will be restricted to the lowland areas that were previously cultivated. The forest areas are therefore outside the proposed development footprint. On the basis of the presence of natural habitat within a CBA1 area and within a listed ecosystem, it is verified that the site occurs partially within an area of VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. These areas are not affected by the proposed development. The lowland part of the site is not considered to be good habitat for any of the animal species flagged for the site. The impact assessment determined that the impact of the proposed development has Very Low significance on vegetation, protected trees, and animal species of concern. The proposed development is entirely within areas mapped as secondary or pasture that has low biodiversity value and sensitivity. The development is therefore supported on condition that forest habitats on the property are fully protected. Either option is acceptable, although Alternative 1 is marginally preferred. <p>The preferred layout incorporates a recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.</p> <p>Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income.</p> <p>4. Community objection is noted.</p> <p>5. Water Concerns</p>
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<p>5.1.1 The Bitou area is currently facing water shortages.</p> <p>5.1.2 Even without further development, these water shortages are likely to be exacerbated due to changing weather patterns.</p> <p>5.1.3 The cumulative effects of developments, already approved and/or under construction, on the limited water supply need to be thoroughly evaluated before any new construction/development is allowed to go ahead.</p> <p>5.2 Wetland Conservation and Management</p> <p>5.2.1 A portion of the proposed development is intended to be built in the wetland corridor between the urban edge and Minor Road PO394.</p> <p>5.2.2 This area is prone to heavy rainwater runoff from the forested hills, and the land is situated at a low elevation with a shallow water table.</p> <p>5.2.3 Wetland corridors are vital to water conservation.</p> <p>5.2.4 Construction in this vulnerable area is likely to disrupt the natural hydrology and exacerbate the risk of flooding.</p> <p>5.2.5 Once the open field has been built up it will no longer act as a soak-away. This will negatively impact on the water table and risk flooding of the PO394.</p> <p>6. Sewage Water</p> <p>6.1 Has the problem of the sewage water been solved properly? With high density housing the existing systems will be completely overloaded. No sewage water must go into the sea.</p>	<p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p> <p>Impact on Wetland Corridor: as per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.</p> <p>The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.</p> <p>Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.</p> <p>Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.</p> <p>6. Sewage Water</p> <p>Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.</p>
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<p>7. Risk to property values</p> <p>7.1 Local estate agents and property valuers have indicated that the proposed development would devalue properties in the surrounding area.</p> <p>7.2 This loss of property value would have a significant financial impact on the affected property owners.</p> <p>7.3 The rights to financial benefit for the current owners of Portion 91 of Farm Matjiesfontein 304 should not outweigh the financial risk to other affected property owners.</p> <p>8. Accessibility and Affordability</p> <p>8.1 The proposed development proposes to provide affordable accommodation for residents who work in Plettenberg Bay.</p> <p>8.2 However, the location of the proposed development, approximately 7 kilometres from central Plettenberg Bay, along a long and narrow access road, would result in increased transportation costs and extensive traffic congestion.</p> <p>8.3 High-density residential developments, targeting residents who will be working in Plettenberg Bay, should be situated closer to the town centre to ensure accessibility and ongoing affordability.</p> <p>9. Inadequate road infrastructure</p> <p>9.1 The minor road PO 394, which provides access to the proposed development, is already struggling to accommodate the existing traffic. The proposed development, in addition to other developments that have already been approved, would put extreme strain on this road, leading to congestion and safety concerns.</p>	<p>Until such time as the necessary upgrades have occurred to the Bitou bulk sewerage system, the sewerage will be treated using an on-site sewerage package plant. The plant type to be used will be a Bio Sewage Systems 30 kilolitre per day plant or similar approved.</p> <p>7. Risk to property values</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>8. Accessibility and Affordability</p> <p>Please refer to Annexure 1 for responses regarding Town Planning concerns.</p> <p>9. Inadequate Road Infrastructure</p> <p>A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.</p> <ul style="list-style-type: none"> Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.
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<p>In conclusion, I would like to make it clear that I am not opposed to all development but point out that any developments in this region must take the environmental sensitivity, character and infrastructural constraints of the region very seriously. High-density developments of any kind are inappropriate for this region.</p>	<p>Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.</p>
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Phillipa King & Sarah Kvalsvig– Cullinan & Associates - 07/06/2023

<p>INTRODUCTION</p> <p>1. We act for the individuals listed in Annexure 'A' hereto (our "clients"), all of whom own, or reside on, properties in Milkwood Glen Estate, which is located directly across Keurbooms Road (PO394) from Portion 91 of Farm Matjesfontein 304, Plettenberg Bay (the "Property").</p> <p>2. Eco Route Environmental Consultancy advertised that the draft basic assessment report ("draft BAR") for the proposed development of a sustainable middle income residential development on Portion 91 of Farm Matjesfontein 304, Plettenberg Bay (the "proposed development") would be available for public comment from 8 May until 7 June 2023. We hereby submit comments on behalf of our clients.</p> <p>INADEQUATE ASSESSMENT OF IMPACTS ON THE ESTUARINE ENVIRONMENT</p> <p>3. The Property is located within the Estuarine Functional Zone ("EFZ") which is mapped in terms of the Keurbooms – Bitou Estuary Management Plan (2018) ("KBEMP") as being the area below the 5m contour line. Significantly the KBEMP states that the EFZ "provides a useful guideline for a coastal management line, as much of the land below this mark is currently subject to flooding or may be in the future due to climate change (sea-level rise and increased flooding).</p> <p>4. The KBEMP goes on to state that "the 5 m contour ... must be included in all planning documents". While the coastal protection zone is intended to inform land use planning schemes, a coastal management line ("CML") is intended to limited development in ecologically sensitive areas. In this regard the KBEMP notes that "for estuaries, the CML is delineated by the 5 m above msl contour or 1:100yr floodline, whichever is wider, to differentiate a zone where formal development should be discouraged."</p>	<p>INADEQUATE ASSESSMENT OF IMPACTS ON THE ESTUARINE ENVIRONMENT</p> <p>Please refer to the Aquatic Impact assessment attached as Appendix G2.</p> <p>Points 3 – 9:</p> <p>The only mapped aquatic feature is the Estuarine Functional Zone (EFZ) which is identified as any area below 5 m.a.m.s.l. (metres above mean sea level). It must be stressed that the 5 m contour is a desktop delineation of estuarine habitat intended to indicate likely areas of estuarine habitat. However, this must always be groundtruthed to confirm the presence / absence of estuarine conditions.</p> <p>While there are plant species on site that are typically associated with coastal, sandy habitats, they are not strictly associated with estuarine systems including the upper extent of the tidal zone. Furthermore, no estuarine species from any of the tidal habitats including saltmarsh or supra-tidal vegetation were identified at the site. These species would typically include rushes and sedges such as <i>Juncus kraussii</i>, <i>Cyperus laevigatus</i>, <i>Ficinia nodosa</i> or <i>Phragmites australis</i>.</p> <p>Soil augering at the site indicated deep, sandy, well drained soil with no textural change at 50 cm which could promote the development of wetland habitat.</p>
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5. From the above, it is clear that development below the 5m contour line should, as far as possible, be avoided as this area is either already subjected to flooding or is vulnerable to future flooding events owing to the impacts of climate change and sea level rise. The location of the proposed development within the EFZ therefore requires careful consideration from both a town planning and environmental authorisation perspective.

6. Taking account of the implications of development within the EFZ, the *Keurbooms and Environs Local Area Spatial Plan (2013)* ("KELASP") identifies areas that are most vulnerable to coastal, estuarine and fluvial erosion and inundation based on three swash run-up contour lines, including the 4.5 mamsl swash (for exposed or sandy coastlines) which is relevant to the Property. In this regard the KELASP goes on to recommend that authorities should "strictly monitor (and preferably prevent) future development below the 6.5 mamsl swash contour and 4.5 m estuary/river flood contour, as well as on any undeveloped portions of fore dune that are currently backed by development." From the extract from the KELASP annexed as 'B', it is significant to note that:

6.1. the lower reaches of the Property (where the proposed development will be situated) are largely located within the wetland corridor delineated in terms of the KELASP; and

6.2. only a narrow area falling between the forested slope and the wetland corridor area on the Property are identified for residential development (i.e the footprint of the proposed development extends well beyond the area designated on the Property for residential development in terms of the SDF).

7. The *Bitou Spatial Development Framework ("SDF")* also specifically states that no development may occur within 1:100 floodline³ surrounding rivers and delineates a limited area above the 4.5m contour for residential development on the Property, with the remainder of the Property being designated for "Biodiversity/ Conservation" (as reflected in the map from the SDF Annexed as 'C'). Significantly the SDF also points out that "decisions and actions related to the coastal zone must take a risk averse and cautious approach, which takes into account the limits of current knowledge about the consequences of decisions and actions, and which promotes the integrity of coastal ecological systems and

This is consistent with the mapped soil type in the area which is described as soils with limited pedological development (young soils with minimal organic matter), and a low clay content (< 15%).

One of the development risks within the EFZ relates to flooding which can be exacerbated by climate change and associated sea level rise. The K-BEMP (2018) includes mapped 1:50 and 1:100 year floodlines. The property is located on the edge of the 1:100 year floodline, which is not mapped to extend beyond the boundary of the property. In reality, the frequency of 100-year flood events is increasing due to climate change, and when coincident with sea-level rise and high tide events, it is not impossible that minor flooding could affect the low-lying area of the property in future. This has been considered in the design and layout of the property, and stormwater management should not further exacerbate the flood risk. Sustainable Drainage Systems (SuDS) will be fully implemented should the development proceed.

The KELASP (2013) was reviewed from the perspective of the proposed development area (Dabrowski 2024). This report includes a thorough assessment of the Tshokwane Wetlands including various classifications of different wetland units, delineation of wetland areas, and development recommendations (Freshwater Consulting Group, 2013). Findings in the report relevant to proposed development at the site are summarised in Table 1.

functions." This is particularly relevant in the context of risks posed to coastal areas by climate change and sea-level rise.

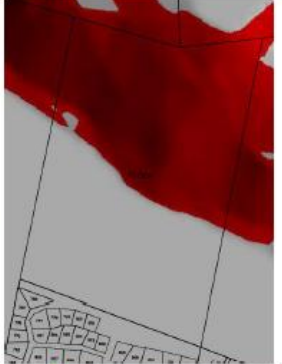

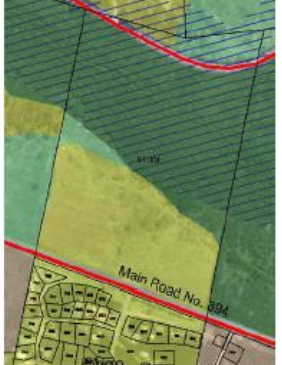
8. It is clear that development within the EFZ is strongly discouraged by relevant policy instruments. While the footprint of the proposed development will extend well below the 5m (and 4.5 m) contour, the Property is also located only just outside of the 1:100 floodline (as is evidenced by the KELASP floodline map annexed as "D"). In the circumstances, it is entirely disingenuous for the draft BAR to suggest that the proposed development is justifiable on the basis that it "is not within 100m of the coastline and is not in the 100-year flood line of the estuary flood plain as defined in the Keurbooms Bitou Estuarine Management Plan 2018 and the reference to the 4.5m inland contour line are therefore less relevant to properties inland of these vulnerable areas."

9. Aside from informing relevant planning policy documents, the EFZ is also relevant to the environmental authorisation process which is regulated under the National Environmental Management Act 107 of 1998 ("NEMA") read with the 2014 EIA Regulations. Listing Notice 3 (which identifies listed activities with reference to sensitive environments, including the EFZ) defines the EFZ as "the area in and around an estuary which includes the open water area, estuarine habitat (such as sand and mudflats, rock and plant communities) and the surrounding floodplain area, as defined by the area below the 5 m topographical contour (referenced from the indicative mean sea level)". As such, certain listed activities in Listing Notice 3 are not permitted within the EFZ without environmental authorisation given the associated risks.

10. Activity 14 in Listing Notice 3 (which is triggered by the proposed development) entails: "the development of— (ii) infrastructure or structures with a physical footprint of 10 square metres or more ... where such development occurs— (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. i. Outside urban areas: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined."

11. The assessment of activity 14 in the BAR must include a comprehensive consideration of the environmental and socio-economic impacts of the

Table 1. Summary of relevant features from the KELASP.

KELASP recommendations and guidelines	Graphic
<p>Development on steep slopes with a gradient > 1:4 is not supported. The area highlighted in red represents the steeply sloping land on 91/304.</p> <p><i>The development has been planned to avoid the steeply sloping areas.</i></p>	
<p>Development is not supported in areas below the 1:50 and 1:100 year floodline. Lines indicated are: dark blue = 1:100 year floodline, and light blue area is an 'island' below the 1:50 year floodline. The purple line is the 100m urban coastal setback line.</p> <p><i>The proposed development area is located outside of all these features, and is therefore not flagged from a heightened flood risk perspective.</i></p>	
<p>Development is supported in transformed areas. The related graphic maps the southern portion of the site (proposed for development) as a 'Transformed Area' less sensitive to disturbance with opportunities for development and no natural habitat remaining. The relevant area is mapped in light green.</p>	

proposed development, with specific consideration being given to its proposed location within the EFZ. The assessment of impacts on the coastal environment (addressed in section 3 of the draft BAR) is however primarily concerned with the fact that the Freshwater and Geotechnical studies found the site to be predominantly terrestrial, rather than estuarine in nature (based on the analysis of the soil and vegetation on site, as well as the depth of ground water)⁶ The suitability of the site for development is also motivated on the basis that the site is located outside of the 1:100 year flood line.⁷ The draft BAR's overreliance on these factors however means that the draft BAR has failed to give due consideration to the underlying purpose for delineating the EFZ (which is to guard against inappropriate development in areas adjacent to estuaries, particularly given the increasing risks posed by climate change and sea-level rise). While the the property might not currently exhibit estuarine or wetland features, that fact is not determinative of the Property's suitability for the proposed development given the dynamic nature of coastal and estuarine environments and the potential future flooding risks associated with climate change and sealevel rise.

12. While the draft BAR acknowledges that "one of the development risks within the EFZ relates to flooding which can be exacerbated by climate change and associated sea level rise" it goes on to say that this risk "should be considered in the design and layout of the property, and stormwater management should not further exacerbate the flood risk." In this regard the draft BAR suggests that "low-lying areas below 3m have been avoided and form part of the open system to accommodate possible future flooding scenarios".⁸ Given the potential future flooding risks for the Property, a precautionary approach which avoids development within the EFZ (i.e below the 5m contour) would be appropriate. Design and layout interventions should not be used to address flood risks that make a property unsuitable for development in the first place.

13. A further concern is that the entire valley north of Keurbooms Road (PO394) currently acts as a soak-away. The introduction of hardened surfaces to this area presents significant stormwater management concerns. The draft BAR indicates that stormwater on site will be directed into retention ponds which are able to handle a 1 in 50 year flood event, however should their capacity be exceeded then stormwater will discharge into the road reserve. No provision has however been made

Points 10 – 11:

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

Points 12 – 17:

As per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.

for stormwater management along Keurbooms Road (PO394), (notwithstanding the increasing likelihood of 1 in 50 year rainfall events).

14. The need to preserve the Keurbooms valley on the north side of Keurbooms Road as a flood plain, water course, marshland and soakaway was confirmed during November 2007 when the Bitou area experienced high rainfall, resulting in the Keurbooms River bursting its banks and flooding surrounding areas (including resorts and individual houses). During that time, the Keurboomsrivier Road was impassable, and the Dunes resort was 1.5metres under water. From here, water spilled into vacant ground on both sides of Keurbooms road including the entire Keurbooms valley to the south of the road, preventing further flood damage to property. The flood attenuation role of this property has also been evident during significant storm events (such as those experienced as recently as May 2023).

15. The very real flooding risks for the Property (and the surrounding area) are borne out by the photographs (annexed as 'E') which show high ground water levels on an adjacent property, as well as the flooding of properties in close proximity to the proposed development site. It follows that the cumulative impacts of high density residential development such as that proposed must be considered, with particular attention being given to the implications of climate change and sea level rise (and the associated increase in the magnitude and frequency of significant flooding events).

16. Despite relevant policy instruments clearly discouraging development below the 4,5m contour line, the draft BAR indicates that the proposed development footprint is intended to extend into the EFZ. As such, the draft BAR has failed to give adequate weight to potential future flooding risks. The revised Bar must therefore provide an accurate representation of current and potential future flooding risks for the Property (and apply the precautionary principle in its consideration of those risks).

17. This is especially so given that section 2(4)(r) of NEMA provides that sustainable development requires that "Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure". The principle in

Points 18:

The Draft BAR will be distribute to Coastal Management Unit, DEA&DP. The Pre-Application BAR was made available to the Department. DFFE Oceans and Coasts will be invited to comment on the Draft BAR.

section 2(4)(r) is a relevant factor which the decision maker in this application is required by section 2 of NEMA to consider.

18. It is also noted that no comments have been obtained from DFFE Oceans and Coasts. Given the potential implication of the proposed development (and other developments of this nature) for the coastal environment and given the location of the property within the EFZ, comments should also be sought from that authority.

FAILURE TO CONSIDER SECTION 63 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT INTEGRATED COASTAL MANAGEMENT ACT 24 OF 2008 ("ICMA")

19. Section 63 of ICMA provides that where environmental authorisation is required for coastal activities, the competent authority must take into account all relevant factors, including those set out in subsections (1) (a)-(k). Those factors include:

- whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- the socioeconomic impact of the activity if it is authorised (or not);
- the likely impact of coastal environmental processes on the proposed activity;
- whether the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; and
- whether the development would be contrary to the interests of the whole community.

19. This means that any BAR submitted for consideration by the competent authority which concerns an application for environmental authorisation for coastal activities must include an analysis of the factors set out in section 63 to enable the competent authority to make its decision.

20. While the draft BAR indicates that ICMA is not applicable to the application (in section C2) it simply goes on to note (in section 3 which deals with the coastal environment) that "the development does not affect coastal Public Property, or coastal access land. The property is located within the Coastal Protection Zone. Comment from the Coastal

FAILURE TO CONSIDER SECTION 63 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT INTEGRATED COASTAL MANAGEMENT ACT 24 OF 2008 ("ICMA")

Section 63 of the NEM: ICMA has been considered in the Draft BAR. Please see Section 3 -Coastal Environment.

Management Department (DEA&DP) will be requested, and their inputs incorporated into the assessment." No other consideration of the factors outlined in section 63 of ICMA is provided in the draft BAR.

21. In the circumstances, the revised BAR must include a comprehensive consideration of the factors set out in section 63 of ICMA in order to inform any decision by the competent authority regarding the application for environmental authorisation of the proposed development.

MISREPRESENTATION OF VEGETATION-RELATED IMPACTS

22. While the draft BAR identifies and considers the significance of the forest area on the northern portion of the site as a CBA1 (and assess it as having "Very High Sensitivity") the assessment of the secondary vegetation and pasture area on the lower reaches of the site has misrepresented the true nature and extent of vegetation-related impacts of the proposed development.

23. The Biodiversity Assessment states that "The footprint of the proposed development is within areas mapped as "lawns/pasture" (Very Low sensitivity), "Secondary Vegetation" (Medium sensitivity) and "Alien Trees" (Very Low or Low sensitivity)." In making this assessment, the report considers that historical aerial photographs show that that the entire valley between the coastal dunes and the inland steep slope was cultivated circa 1962. The Report then goes on to say that the cleared area on the lower reaches of the Property "has never grown back, unlike on neighbouring properties, where secondary vegetation has developed."

24. The above statement suggests that the lower reaches of the site have naturally remained clear of vegetation, when, in fact, the site has been actively cleared to ensure that it remains free of vegetation. This is patently clear from the photograph of the site, annexed as 'F' which shows the regeneration of secondary vegetation on neighbouring properties, right up to the boundary of the Property. In other words, the lower reaches of the site would likely support secondary vegetation if the area had not been cleared and grazed (by the introduction of blesbok and horses). Our instructions are in fact that our client is aware of several occasions on which the lower reaches of the Property have been cleared of vegetation, apparently with a view to facilitating future development.

MISREPRESENTATION OF VEGETATION-RELATED IMPACTS

Response from Dr. D Hoare regarding restoration of secondary vegetation –

My assessment was regarding whether what currently exists there (secondary vegetation) could be restored (back to secondary vegetation), in the event that it is lost, which is possible – however, it has not been shown in any ecosystem in South Africa that secondary vegetation can ever be restored to a state that resembles the original natural vegetation that would have occurred there. So, to reiterate, loss of secondary vegetation is fully reversible through active rehabilitation back to secondary vegetation, NOT to the original natural state.

However, to address the mitigation hierarchy of avoidance, it would be helpful to retain as much of the secondary vegetation as possible as an ecological corridor along the base of the steep slopes. This will also achieve other positive ecological goals.

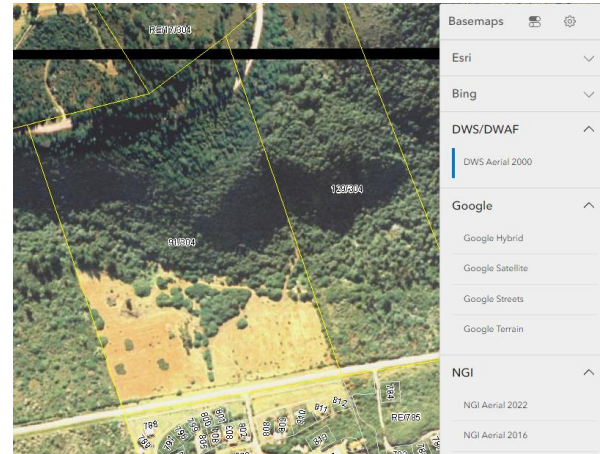
A 20m buffer has been create along the base of the steep slope that will act as an ecological corridor, and retain some of the secondary vegetation.

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google

25. In the circumstances, the assessment of vegetation-related impacts in the revised BAR should consider the implications of the development for the regeneration of vegetation on the lower reaches of the site (particularly given that the sloped area has been designated as a CBA1 area) which would likely result in a far higher sensitivity rating than that provided by the Biodiversity Assessment.

earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

The allegations are there for completely untrue.



CONSIDERATION OF VISUAL AND SOCIO-ECONOMIC IMPACTS

26. Although the BAR recognises that Keurbooms Road (PO394) is a scenic route (and that visual quality along this road is a consideration)9 it simply proposes that a 10m wide vegetation buffer will be established to mitigate visual impacts. While a vegetation buffer will take some time before it is established, it is unlikely to provide sufficient screening for the development to mitigate the visual impacts of the 73 residential units entailed in the proposed development. The visual impacts of the proposed development are also likely to impact the holiday town character and sense of place of the area (with detrimental knock-on implications for tourism).

27. While the draft BAR has failed to interrogate the visual impacts associated with the proposed development, it has also overlooked potential negative socio-economic impacts related to tourism impacts as well as potential implications for property values in the local area. Our instructions are that our client has been advised by local estate agents

CONSIDERATION OF VISUAL AND SOCIO-ECONOMIC IMPACTS

Please refer to Annexure 1 for responses regarding Town Planning concerns. The Town Planning Report also addresses Socio-Economic aspects adequately.

A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR. It found no unacceptable levels of traffic or congestion.

- Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.
- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

Please refer to the Visual Impact Assessment attached as Appendix G7. The well-positioned and designed development infrastructure allows for it to blend in very well with its surroundings and create minimal contrast in the landscape. The alternative 2 development layout option provides a slight advantage over

that the value of properties in the area surrounding the Property (and related rental income of such properties) would be negatively impacted by the proposed development.

28. In this regard, it is significant to note that the draft BAR does not include any specialist visual or socio-economic impact assessments, despite those being specifically requested in DEADP's comments dated 13 December 2022.

29. A further concern is that the draft BAR has given no consideration whatsoever to the traffic impacts which will be associated with the proposed development, or to the availability of public transport. This is particularly concerning for the following reasons:

29.1. The Property is located at least 7km outside of Plettenberg Bay where most employment opportunities for the future residents would be situated (without any consideration being given in the draft BAR to the availability of public transport to and from the Property); and

29.2. Keurbooms Road already carries high traffic volumes (particularly during high season) given that it is effectively a "dead end" and serves as an access road for Kettle Beach, Blue Flag beach and Ristorante Enrico. No consideration has however been given in the draft BAR to the increased traffic impacts which will be experienced by an additional 73 households making use of this road pursuant to the proposed development.

30. The failure to comprehensively consider traffic-related impacts associated with the proposed development must be addressed in the revised BAR through the inclusion of a specialist Traffic Impact Assessment.

CONSIDERATION OF CUMULATIVE IMPACTS OF THE PROPOSED DEVELOPMENT

31. The GLS Report (which concerns the provision of bulk water and sewerage services) identifies at least 8 other developments which are intended to be undertaken which would need to be supplied with potable water by the Goose Valley/Matjiesfontein/Wittedrift bulk supply system. The GLS Report does not consider the cumulative impact of the development from a bulk services perspective but points out that the

the preferred and alternative 1 development layout options due to its lower density and more open space for landscaping to screen views from the road. But with the implementation of appropriate mitigation measures the preferred and alternative 1 development layouts can also be screened effectively screened from the road.

CONSIDERATION OF CUMULATIVE IMPACTS OF THE PROPOSED DEVELOPMENT

Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

The proposed development is in line with the statutory planning vision for the area (namely the local Spatial Development Plan), and thus it is assumed that issues such as the cumulative impact of development in terms of character of

simultaneous development of the numerous proposed developments will accelerate the need for additional bulk services in the area.¹⁰

32. While the proliferation of residential developments in the surrounding area presents potential bulk services issues, it also raises concerns around the cumulative impacts of the proposed development. This is particularly relevant insofar as water resource constraints are concerned, given that water restrictions are already regularly imposed by the Bitou Municipality. While the draft BAR suggests the installation of rainwater harvesting tanks to alleviate the demand for potable water, such measures are unlikely to assist during extended drought conditions. Flooding risks are also likely to be exacerbated by the proliferation of development.

33. Despite the abovementioned concerns, no consideration has been given to potential cumulative impacts in the draft BAR. This must be rectified in the revised BAR.

ASSESSMENT OF NEED AND DESIRABILITY

34. The motivation behind the development is premised on the purported need for affordable housing in the Plettenberg Bay area. While this need may well exist, the desirability of a high-density residential development on the Property in order to meet that need is questionable for the following reasons:

34.1. While the KELASP and SDF both identify a narrow area on the Property for residential development, it is clear from the maps provided in those documents (annexed as B and C) that the location of the developable area is informed by relevant site considerations (i.e it is located between the wetland corridor (being the 4.5m contour) and the and the sloped forest area). Given that limited delineation of the developable area on the Property, there does not appear to be a need for a development of the scale and density proposed in the draft BAR on this particular property.

34.2. The footprint of the proposed development however extends beyond the defined urban edge to well below the 4.5m contour (which presents significant flood risks for the proposed development itself and exacerbates flood risks for surrounding properties). While the draft BAR attempts to justify this by downplaying the potential flood risks, it is clear

the area and its resources, have been considered during the strategic planning for the area.

ASSESSMENT OF NEED AND DESIRABILITY

Please refer to Annexure 1 for responses regarding Town Planning concerns.

The objectors argue that the location of the proposed development, approximately 7 kilometres from central Plettenberg Bay, along a long and narrow access road, would result in increased transportation costs and extensive traffic congestion. It should be located closer to town.

The unfortunately the reality is that the closer to town, the more expensive the cost of land become. This is resulting in development in areas further away where land is cheaper. People are living as far out as Wittedrift and commute to town because there is still affordable accommodation in that area.

This land has been obtained by the developer many years ago and it is his desire to address the housing need of the local community.

Many of the objectors echoed the assertion that the proposed middle-income residential development, characterised by what they perceived as high-density, is incongruous with the existing character of Keurboomstrand. However, it is important to note that this development shares significant similarities with

from the above consideration of the draft BAR's assessment of impacts on the estuarine environment that such justification is misplaced.

34.3. The location of the Property is also not ideal for an affordable housing development given that it is at least 7km outside of Plettenberg Bay where most employment opportunities for the future residents would be situated (without any consideration being given to the availability of public transport to and from the Property considering the increasing cost of private transport.

34.4. The visual impacts of the proposed development (being a high-density development on a scenic route) also make it undesirable given the potential implications for tourism (and related socio-economic implications)

35. In the circumstances the draft BAR does not provide an accurate representation of the need for and desirability of a high-density affordable housing development on the Property. The above considerations must therefore be addressed in the revised BAR in order to accurately reflect the need and desirability of the proposed development.

ASSESSMENT OF ALTERNATIVES

36. In terms of the NEMA 2014 EIA Regulations (the "EIA Regulations") all Basic Assessment Reports, must contain a description of any feasible and reasonable alternatives that have been identified, including a description and comparative assessment of the advantages and disadvantages that the proposed activity and alternatives will have on the environment and on the community that may be affected by the activity.¹¹

37. "Alternatives" are defined in the EIA Regulations as "different means of meeting the general purpose and requirements of the activity, which may include alternatives to: (a) the property on which or location where

other developments in the area, such as Milkwood Glen, and is unlikely to have a profoundly adverse impact on the character of the area. The development neither introduces exceptionally high densities nor a land use that is out of sync with its surroundings; it essentially represents a continuation of the prevailing housing landscape.

It is possible that there exists a misunderstanding regarding the nature of the affordability level of the housing being proposed. The developer's intention is to offer houses and properties at an approximate price range of R2 500 000 to R3,000,000. While this may still be beyond the means of many, it does present an opportunity for certain families to attain homeownership. Currently, there are no houses available in this price range, as confirmed by a brief search on Property 24.

Please refer to the Visual Impact Assessment attached as Appendix G7. The well-positioned and designed development infrastructure allows for it to blend in very well with its surroundings and create minimal contrast in the landscape. The alternative 2 development layout option provides a slight advantage over the preferred and alternative 1 development layout options due to its lower density and more open space for landscaping to screen views from the road. But with the implementation of appropriate mitigation measures the preferred and alternative 1 development layouts can also be screened effectively screened from the road.

ASSESSMENT OF ALTERNATIVES

The density has been reduced from 73 to 60 to accommodate concerns raised by the local community. Property sizes has increase from average of 375m² to 500m², to be more in line with surrounding property sizes. Further specialist assessment has also revealed that an animal corridor of at least 20m along the foot of the hill would be more suitable than the previously proposed 10m buffer from the forest vegetation.

As mentioned in the Planning Report, the low density Alternative layout was created in an attempt to comply with the urban edge position being above the 4,5m contour line and the density of 19 unit as proposed in the KELASP. Property

it is proposed to undertake the activity; (b) the type of activity to be undertaken; (c) the design or layout of the activity; (d) the technology to be used in the activity or process alternatives; (e) the operational aspects of the activity; and includes the option of not implementing the activity."

38. The National Environmental Management Principles contained in section 2 of NEMA (which must be applied in the context of decision-making affecting the environment) require that "Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option". "Best practicable environmental option" is defined in section 1 of NEMA as "the option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term". In other words, the alternatives assessed during an environmental assessment process must provide options for choice to enable the competent authority to select the "best practicable environmental option".

39. The assessment of alternatives in the draft BAR has however failed to enable the selection of the best practicable environmental option. While layout alternative 1 fits within the parameters of the developable area delineated in terms of the SDF and the KELASP, it has been dismissed on the basis of feasibility constraints which are linked to the target market for the proposed development. Given that no property alternative has been considered, it would have been appropriate for the draft BAR to present an assessment of a lower density residential development which meets the feasibility criteria (i.e. residential development that is not aimed at the affordable housing market), as well as a different type of development (such as, for example an eco-tourism development).

40. It is furthermore significant to note that the Biodiversity Assessment indicates¹² that layout alternative 1 is preferred as it incorporates more space for ecosystem processes. While this is mentioned under the consideration of reports in section 1, it is not addressed in the assessment of alternatives in Section H.

41. In order to provide the competent authority with proper options for choice in order to enable the selection of the best practicable

sizes are approximately 800m². This option is not financially viable for the landowner and will not reach the affordability levels for the intended target market. It has been scientifically proven through specialist studies that the area below the 4,5m contour line is not subject to flooding and plays no role in the functionality of the wetland. There is thus no sound reason why this area should be excluded from the development. This layout cannot be considered as a viable alternative.

As per the Aquatic Impact Assessment (Appendix G2) no freshwater features such as drainage lines, rivers or wetlands are indicated to occur within the footprint of the property or within close proximity to the property. The only mapped aquatic feature is the Estuarine Functional Zone (EFZ) which is identified as any area below 5 m.a.m.s.l. (metres above mean sea level). It must be stressed that the 5 m contour is a desktop delineation of estuarine habitat intended to indicate likely areas of estuarine habitat. However, this must always be groundtruthed to confirm the presence / absence of estuarine conditions. The northern portion of the property is fairly steep and forested, while the southern portion is very flat with pasture currently grazed by horses. The development will be focussed on the southern, flatter portion of the property where historical clearing of vegetation has taken place. This area is also aligned with the lower-lying contours of the site mapped as the EFZ.

The reason why the proposed development area extends beyond the identified urban edge is because the Aquatic Assessment confirmed that the area contains no estuarine habitats and is outside of the 1:100-year flood line of the estuary and is thus not part of the estuarine functional zone and for this reason the 4,5 or 5m contour line has not been observed. The steep slopes and forest vegetation to the north has however been identified as sensitive and have been protected with a 20m buffer strip.

It is the EAPs opinion that Alternatives have been addressed sufficiently in terms of density and layout, taking into consideration the best environmental outcome and sufficient use of transformed areas as well as feasibility of the proposed development.

environmental option, the revised BAR must include a proper assessment of additional alternatives as suggested above.

CONCLUSION

42. In summary, the proposed development will be situated in an area that is a highly sensitive coastal and wetland environment.

The draft BAR:

42.1. fails to give due consideration to potential future flooding risks associated with development below the 4,5m contour (particularly given concerns around climate change and sea level rise).

42.2. underestimates the vegetation-related impacts on the lower reaches of the site while failing to include specialist visual and socio-economic assessments (despite being required to do so by DEADP) or any assessment of cumulative impacts associated with the development.

42.3. fails to provide a comprehensive assessment of alternatives which enables that competent authority to select the best practicable option; and

42.4. overstates the purported need for the proposed development while failing to give adequate consideration to the desirability of a high-density residential development on the Property (particularly given the issues described above).

43. The above-mentioned issues will need to be addressed in the revised BAR in order to ensure that the competent authority is provided with all relevant information to make a decision regarding the environmental authorisation of the proposed development.

44. Our clients request that they be informed of, and invited to comment on, any and all other applications for permissions that may be required for this development.

CONCLUSION

The Draft BAR is informed by investigations, groundtruthing, and findings by register SACNASP specialists in their respective field of expertise. The findings of such specialist should not be dismissed in this regard.

objectors contend that altering the zoning to accommodate a "high-density" residential development could undermine the integrity of the zoning system and establish a concerning precedent that might open the door for the rezoning of other agricultural land for urban development and industrialization.

It is worth noting that there are already several similar developments with comparable or even higher densities that have been approved, thereby establishing a precedent. Nevertheless, it is important to emphasise that when the municipality evaluates a rezoning application, each proposal is assessed on its individual merits, taking into account a multitude of factors.

Furthermore, the SDF confirms that all land development applications for the use of land abutting an urban edge should be considered consistent with the SDF if the land has at any time in the past been used or designated for any urban development, which includes all development of land where the primary use of the land is for the erection of structures. In this case, the land was previously approved for a resort with 50 units, this has also been acknowledged in the Keurboom Local Environs Spatial plan.

Plettenberg Bay Community Environment Forum (Plett Enviro Forum) – 06/06/2023

The Plettenberg Bay Community Environment Forum (Plett Enviro Forum) has perused the documents and would like to state our objection to the development application.

Note regarding relevant policy and guidelines:

The application refers to the relevant planning policy being the Bitou Spatial Development Framework 2021. However, according to our information, although this SDF was approved by the Bitou municipal council in March 2021, it still requires final adoption from the Provincial Minister.

The Plett Enviro Forum is concerned regarding the lack of clarity on the various versions of the Bitou SDF referenced. The Forum has been informed that the 2017 version is currently being referenced. In this regard, the density profile in the BAR refers to the Draft Bitou SDF (2013) and a gross density profile of 12 units per hectare being appropriate.

Please confirm which version of the Bitou SDF is the appropriate guideline.

We have the following comments/queries:

1. Basic Assessment Report – (BAR):

Density

- The proposal for 73 dwelling units on this site deviates significantly from the 19 units proposed in the Bitou SDF and Keurbooms and Environs Local Area Spatial Plan 2013 (KELASP). No compelling argument is found in the BAR to justify such a substantial increase in density and The Plett Enviro Forum objects to this in the strongest terms.
- The layout of small erven of $\pm 375\text{m}^2$ without space for natural areas will result in a visual impact that is incompatible with the rural character of Keurbooms.
- The claim of “ample open spaces and landscaped streets” in the report is questionable given the proposed density and site limitations. It is unclear how ample open spaces can be accommodated without encroaching on the steep slopes and the Buffer zone to the Critical Biodiversity Area (CBA) to the north of the site.
- The BAR incorrectly states that “This proposal aligns with the proposed development nodes as identified in the Keurboom local Area Structure Plan” (pg 50). However, the development extends beyond the Strategic Development Area identified for the site and falls outside

The adjustment to the SDF/ urban edge, as requested by the Provincial Minister, was finalised in 2023. Thus, the adjusted/ approved SDF which is currently in use is the Bitou SDF 2022, available at <https://www.bitou.gov.za/Docs/Spatial> .

As extracted from the Bitou Spatial Development Framework 2022:

The Coastal Corridor is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. For this area a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).

1. Basic Assessment Report – (BAR):

Density

The density has been reduced from 73 to 60 to accommodate concerns raised by the local community. Property sizes has increase from average of 375m^2 to 450m^2 , to be more in line with surrounding property sizes. Further specialist assessment has also revealed that an animal corridor of at least 20m along the foot of the hill would be more suitable than the previously proposed 10m buffer from the forest vegetation. This has been included in the Preferred Layout.

The SDF confirms that all land development applications for the use of land abutting an urban edge should be considered consistent with the SDF if the land has at any time in the past been used or designated for any urban development, which includes all development of land where the primary use of the land is for the erection of structures. In this case, the land was previously approved for a resort with 50 units, this has also been acknowledged in the Keurboom Local Environs Spatial plan (see table D3) and the old regional structure plan earmarked it for “Recreational purposes”.

the urban edge delineated in both the 2017 and 2021 Bitou SDFs.

- Increasing density beyond that envisaged would detract from the scenic route proposed for the Main Road in the Bitou SDF and KELASP.

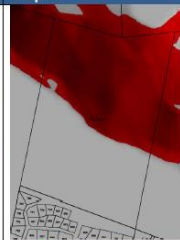


Biodiversity Impacts & Site Constraints

The Plett Enviro Forum has strong concerns regarding the impacts of the proposed development on biodiversity. The BAR refers to the various flood lines and “no-go” areas. According to the BAR, the proposed development footprint complies with most bio-physical site constraints, except for the 4,5m coastal setback line. However, the Forum argues that the site's sensitivities make the application inappropriate for the following reasons:

- The proposed as Open Space III, designated as a Critical Biodiversity Area, necessitates ongoing monitoring and management. Will a long-term EMP be in place to address environmental management to mitigate post-construction environmental impacts? As envisaged in the Bitou SDF and KELASP, properties in the Coastal Corridor should be incorporated into some type of stewardship arrangement with all property owners along this stretch of sensitive dune, forest and wetland being incorporated into a conservation management area that will address long-term and cumulative development impacts.
- The property is on the edge of the 1:100-year floodline, which poses significant future risks due to climate change. Developing in a potentially high-risk zone is irresponsible towards future homeowners, especially when building below the 4.5m contour.
- The National Freshwater Ecosystem Priority Areas (NFEPA) map includes this portion as being part of the Keurbooms system:

The KELASP (2013) was reviewed from the perspective of the proposed development area (Dabrowski 2024). This report includes a thorough assessment of the Tshokwane Wetlands including various classifications of different wetland units, delineation of wetland areas, and development recommendations (Freshwater Consulting Group, 2013). Findings in the report relevant to proposed development at the site are summarised in Table 1.

Table 1. Summary of relevant features from the KELASP.

KELASP recommendations and guidelines	Graphic
<p>Development on steep slopes with a gradient > 1:4 is not supported. The area highlighted in red represents the steeply sloping land on 91/304.</p> <p><i>The development has been planned to avoid the steeply sloping areas.</i></p>	
<p>Development is not supported in areas below the 1:50 and 1:100 year floodline. Lines indicated are: dark blue = 1:100 year floodline, and light blue area is an 'island' below the 1:50 year floodline. The purple line is the 100m urban coastal setback line.</p> <p><i>The proposed development area is located outside of all these features, and is therefore not flagged from a heightened flood risk perspective.</i></p>	
<p>Development is supported in transformed areas. The related graphic maps the southern portion of the site (proposed for development) as a 'Transformed Area' less sensitive to disturbance with opportunities for development and no natural habitat remaining. The relevant area is mapped in light green.</p>	

The site is within the coastal protection zone and a portion to the south is within the coastal management lines. The property is situated in the Coastal Corridor which is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. The Keurboom and Environs Local Area Spatial Plan has identified development nodes for this area. For these



- The Preferred Alternative includes housing units where “Secondary Vegetation” occurs, as per the Biodiversity Assessment. The Biodiversity Assessment emphasizes the need to minimize impacts within Secondary vegetation and carry out restoration activities. However, the application makes no reference to rehabilitation measures on the site, which should be addressed.
- The application does not adequately consider the presence of the Critical Biodiversity Area (CBA) and sensitive environment. The development proposal should set a positive precedent for the local area with respect to biodiversity conservation and rehabilitation of degraded areas.
- The construction of 73 dwelling units and the high number of residents using the forested area will exert enormous pressure on the sensitive forest environment. Managing the ecological aspects of this site will be extremely challenging due to the high number of residents.
- The cumulative development potential along the entire ‘Coastal Corridor’ on Main Road has been explicitly considered in the Bitou SDF and KELASP. Departing from the envisaged density would establish a highly negative precedent.
- The proposed development poses a risk of damaging the environmental assets that draw tourism and investment into the area.

nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).

The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP. The preferred layout incorporates the recommended 20m animal corridor along the foot of the slope and forest area. All development and associated activities must remain outside of this buffer zone.

Biodiversity Impacts & Site Constraints

Management of the remaining property area as an Open Space III zone will promote conservation outcomes. Sustainable rehabilitation and restoration of indigenous vegetation supported by sustainable income. Stewardship agreements can be considered in consultation with CapeNature.

As per the Aquatic Impact Assessment (Appendix G2) no freshwater features such as drainage lines, rivers or wetlands are indicated to occur within the footprint of the property or within close proximity to the property. The only mapped aquatic feature is the Estuarine Functional Zone (EFZ) which is identified as any area below 5 m.a.m.s.l. (metres above mean sea level). It must be stressed that the 5 m contour is a desktop delineation of estuarine habitat intended to indicate likely areas of estuarine habitat. However, this must always be groundtruthed to confirm the presence / absence of estuarine conditions. The northern portion of the property is fairly steep and forested, while the southern portion is very flat with pasture currently grazed by horses. The development will be focussed on the southern, flatter portion of the property where historical clearing of vegetation has taken place. This area is also aligned with the lower-lying contours of the site mapped as the EFZ.

As per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.

Architectural Design Guidelines

- The report states that the 73 houses will be built in a similar style, based on green principles, but lacks adequate detail. What is the architectural style? How are green principles incorporated? This is crucial to potential impacts on the sense of place and aesthetics.
- The inclusion of solar systems and energy efficiency design guidelines, orientation etc. is admirable. We await the Architectural Design Guidelines for further detail.
- The proposal needs further detail with respect to sustainable urban drainage (SUDS) design to promote stormwater infiltration, i.e., permeable paving for road surfaces and around dwellings, rainwater harvesting, stormwater swales leading to retention ponds.

Services

Water supply and Sewerage

There are doubts regarding the availability of adequate water and sewer capacity for the proposed development:

- The BAR states that there are municipal water and sewer networks available. Contrary to the BAR, the report by GLS (Appendix 16: Capacity Analysis) states that while the reticulation network at the site boundary requires no upgrading, and the capacity of the Matjiesfontein reservoir is adequate, the larger bulk system to Matjiesfontein reservoir is "at capacity and should be upgraded according to the master plan" in order to accommodate the development.
- With respect to the existing bulk sewer, the BAR states that downstream of the Matjiesfontein pump station, this system has insufficient capacity to accommodate the proposed development and minimum upgrades are required.
- The contradictory information regarding capacity raises concerns about the feasibility of the development and its impacts on water resources. This contradiction needs to be addressed in the BAR and Engineering report.

Traffic Impact

- Two Transport II erven are to be incorporated: Can it be confirmed that access onto the site will only be from the

Please refer to the Terrestrial Biodiversity, Plant and Animal Assessment attached as Appendix G5 -

- The proposed development will be restricted to the lowland areas that were previously cultivated. The forest areas are therefore outside the proposed development footprint. On the basis of the presence of natural habitat within a CBA1 area and within a listed ecosystem, it is verified that the site occurs partially within an area of VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. These areas are not affected by the proposed development.
- The lowland part of the site is not considered to be good habitat for any of the animal species flagged for the site.
- The impact assessment determined that the impact of the proposed development has Very Low significance on vegetation, protected trees, and animal species of concern.
- The proposed development is entirely within areas mapped as secondary or pasture that has low biodiversity value and sensitivity. The development is therefore supported on condition that forest habitats on the property are fully protected. Either option is acceptable, although Alternative 1 is marginally preferred.

Architectural Design Guidelines

Development and building guidelines need to address procedural, planning and aesthetic considerations required for the successful design and development of the property and the architectural ethos of the development. The purpose of design guidelines is to protect and safeguard the environment and scenic resources and guide the appropriate architectural character to protect the investment value of the development. The guidelines should not be restrictive conditions but should promote an overall design sensitivity whilst allowing flexibility for individual expression.

The development will be subject to an Architectural Design Guideline that will be informed by the recommendations contained in the Visual Impact Assessment.

House designs will be elaborated on in the Architectural Design Guidelines. Energy efficient guidelines will include elements such as having appropriate areas of glazing, correct orientation, suitable levels of shading, insulation and

Divisional Road (Keurbooms Road - Minor Road PO349 Rd)?

- A traffic assessment has not been included and, considering the peak tourist seasons, traffic safety is concerning.

2. **The Draft Town Planning Report (Appendix G6):**

Further to comments above incorporated into the BAR:

- This report states: "Taking the 4.5m contour line into account, only about 1.6ha of the 6ha transformed area has been identified as being suitable for development. This calculates to a maximum of 19 units". The proposal for 73 units is a substantial increase in density.
- The rationale provided for this development is not adequate. The site is not suited to middle-income housing as it is outside of the core area of work and transport affordability for people needing to get into Plettenberg Bay to work. Middle-income housing is suited to areas closer to the town of Plettenberg Bay.
- The argument that the density is required for financial viability is spurious. If such density is required, then this development should be situated in a more suitable area, closer to town and not on a site that includes a pristine forest area or that will require constant monitoring and conservation management.
- The report refers to landscaping of the development, but no mention is made of the type of landscaping (i.e., locally indigenous). Why not?
- What type/design of fencing will be used? We understand that fencing will address animal movements but would like more information of the proposed design to facilitate this.
- The report discusses visual sensitivity. The proposed densities will have a significant impact on the sense of place and establish an undesirable precedent for the area. To suggest that vegetation to "hide" the development is going to address this impact is questionable at best.
- To conclude that the site has "limited constraints" is to ignore the topography, conservation value of habitat, sense of place, high ground water levels, traffic access.

thermal mass. The use of local building materials and renewable energy applications such as solar water heaters, rainwater harvesting etc. will be encouraged.

The Preferred Layout makes provision for a 10m wide open space system proposed along this road. This strip of land will be densely vegetated to obscure the development. This vegetation buffer will allow for a visual barrier between the development and the Road, which will reduce the visual impact of the development, and reduce noise levels emanating from the Road. A Visual Impact Assessment was conducted by Paul Buchholz (Visual Impact Assessment Specialist) and concluded that the well-positioned and designed development allows for it to blend in very well with its surroundings and create minimal contrast in the landscape.

Traffic Impact

A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR. It found no unacceptable levels of traffic or congestion.

- Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.
- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

The Draft Town Planning Report (Appendix G6):

Please refer to Annexure 1 for responses regarding Town Planning concerns.

It is recommended that **fencing** does not intersect the corridor between properties. Security is unlikely to be a concern along the base of the slope and it is therefore not necessary to fence off the area. If considered absolutely necessary however, it is feasible to fence the development off from the 20m corridor, while keeping the corridor as a continuous habitat between adjacent properties. Preferable fencing would be palisade because it allows the movement of small mammals between bars whereas clearvu type fencing prohibits all movement barring very small animals like frogs.

This site is definitely not “highly desirable” for this type of development.

3. Bulk Water & Sewer Services (GLS) (Appendix E16):

- The reference to water availability for the development speaks to the infrastructure. Is Bitou Municipality prepared to confirm that there is sufficient water at source to service developments of this scale, particularly considering the cumulative needs of approximately 7000 future housing units for Plett that await approval.
- The GLS Capacity Analysis for bulk supply acknowledges that the “150mm supply pipe to the Matjiesfontein and Wittedrift reservoirs is however at capacity The current operation consequently puts pressure on the available spare capacity of the Goose Valley system ... The larger bulk system (supply to Matjiesfontein reservoir) should be upgraded according to the master plan before additional development can be accommodated.” Further to this, according to the analysis, “The capacity of the existing bulk supply system from the Town reservoirs to the Matjiesfontein reservoir is calculated at 1,0 ML/d. The required supply to the Matjiesfontein reservoir during peak holiday periods is calculated at 2,3 ML/d.” How is this to be perceived then as a reliable system that can supply the requirements for this development?
- The report acknowledges that it does not cover the cumulative effect of the numerous proposed developments dealt with by GLS, that would be supplied with water by the same bulk supply system: “should be noted that the simultaneous development of the proposed developments will accelerate the need for the bulk master plan items to be implemented.” How can this type of “tail-wagging-the-dog” approach be considered logical?

4. Bulk Services & Civil Engineering Infrastructure Report (Appendix G3):

- The report discusses Water connection, demand, and capacity. We refer to the GLS report regarding capacity availability which appears to be in question. The lack of

Bulk Water & Sewer Services (GLS) (Appendix E16):

Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

The proposed development is in line with the statutory planning vision for the area (namely the local Spatial Development Plan), and thus it is assumed that issues such as the cumulative impact of development in terms of character of the area and its resources, have been considered during the strategic planning for the area.

Bulk Services & Civil Engineering Infrastructure Report (Appendix G3):

Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

adequate bulk water supply to the Matjiesfontein reservoir is overlooked in the Engineering Report.

- The report refers to alternative water sourcing. Rainwater harvesting is admirable, but the use of treated greywater needs investigation, particularly considering the freshwater spring and dam that is on site. What is proposed for drinking water? If alternative water sourcing is to be implemented, this needs to be investigated and details included for public comment.
- The capacity to manage additional sewage within the existing infrastructure appears to be a potential risk with the peak factor being 2.5 and the maximum peak discharge being 2.0 l/s. Can it be confirmed that there is capacity to cope with the additional sewage? Alternative sewerage treatment design if proposed, should be submitted for scrutiny and public comment.
- The existing access road is exceptionally busy during holiday periods. As per BAR comments above when is a Traffic Impact Assessment report to be shared?
- The layout plans in the Engineering Report show that some of the sites at the rear are on steep ground that will require cut and fill and retaining walls i.e., Sites 62 and 63 in the NW corner which might result in erosion in the Buffer zone. What kind of retaining walls will be used? The placement of these sites adjacent to the Buffer zone intended to protect the forest is likely to impact the sensitive forest area.
- The retention ponds shown on the Engineering drawing are located in each sub-section of the estate. What design and materials will be used for these? Natural earth ponds that allow wetland vegetation to establish at the edges, accommodating fauna, would be appropriate.

5. **Draft Environmental Management Programme (Appendix H):**

- The document highlights the potential issues, areas of risk, as per the BAR and specialist reports. However, post-construction monitoring impacts, stormwater, ground water, and the forest? Is an EMP to be drawn up, adopted and monitored by a governing body?
- With regards to lighting, while it is understood that this is required for safety and security, this is an exceptionally

The letter received from the Bitou Municipality on 03/11/2024 attached as Appendix E16... confirms that the Gansevallei Waste Water Treatment Plant is at full capacity and requires upgrading. The Bitou Municipality have confirmed that Master planning is in place for the necessary upgrades to the bulk sewerage system. However the implementation of upgrades is entirely dependent on the availability of finance, and no time frame can be guaranteed for such implementation.

Depending on the above timelines, the Developer's intent, as an alternative, is to adopt an on-site package plants that can be designed to treat wastewater for reuse. Treated wastewater can be used for purposes like irrigation, which reduces the demand on freshwater sources. Detailed solutions will be addressed in the detailed design stage and will be to Bitou Engineering Department approval.

The HOA will be responsible for the maintenance of the sewer package plant.

The proposed development is in line with the statutory planning vision for the area (namely the local Spatial Development Plan), and thus it is assumed that issues such as the cumulative impact of development in terms of character of the area and its resources, have been considered during the strategic planning for the area.

Draft Environmental Management Programme (Appendix H):

The EMP is a requirement in terms of the National Environmental Management Act (Act No. 107 of 1998, as amended) and the 2017 Environmental Impact Regulations. The EMP is approved as part of the Environmental Authorisation and must be implemented by law, under the supervision of a suitably qualified Environmental Control Officer (ECO). The ECO is responsible for monitoring the construction and rehabilitation phase of the project and reporting to the

sensitive environment and diffuse/low level lighting is required to prevent light pollution. What design of lighting is proposed?

- How is the spring and dam water to be monitored and who is to do this post construction? It is believed (local residents) that there is fauna that use this water and it therefore needs to be ensured that pollutants cannot enter this water source. Access to the spring must be provided for animals.
- Only locally indigenous vegetation should be planted. We support the alien invasive management programme but would query who is to implement and monitor this on an ongoing basis?
- Will there be a plant rescue undertaken prior to any work commencing? This site is well known for its annual display of *Brunsvigia orientalis* (Candelabra flower) each year and the reports all speak to the occurrence of certain special species that do/may occur on this site.

6. **Geotechnical Report (Appendix G4):**

- The Plett Enviro Forum is concerned about the groundwater levels of this site. Although the report explains that run-off and stormwater will be adequately dealt with, we remain concerned that flooding will occur during heavy rainfall events. Historically, this was a floodplain area, with high water pushing up from the Keurbooms, through the Tshokwane Wetland and up the valley. Development has impacted this system over the years. However, groundwater tables are still very high in this area as reported by locals during rain events.

In conclusion, the Plett Enviro Forum strongly objects to the proposed development due to its inappropriate density, negative impact on biodiversity, insufficient architectural design detail, and doubts about the availability of water. for the following reasons:

- Inappropriate density proposed, detrimental to the character of the area.
- Proposed development in "no-go" areas of site in the 4,5m flood contour/coastal setback line
- Extremely sensitive environment

Competent Authority. The EMPr must also address the operational phase of the project which must be implemented by the Applicant. Environmental audits are required in order to adequately monitor compliance against the EMPr and conditions of the EA.

As per the Visual Impact Assessment (Appendix G7), effective light management needs to be incorporated into the design of the lighting to ensure that the visual influence is limited to the power station, without jeopardising operational safety and security. Several measures can be implemented to reduce light pollution and those relevant to the project are as follows:

- ❖ Where possible construction activities should be conducted behind noise/light barriers that could include vegetation screens.
- ❖ Low flux lamps and the direction of fixed lights toward the ground should be implemented where practical. Choose "full-cut off shielded" fixtures that keep light from going uselessly up or sideways. Full cut-off light fixtures produce minimum glare. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs. If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. "Glare" is light that beams directly from a bulb into your eye.
- ❖ The design of night lighting should be kept to a minimum level required for operations and safety
- ❖ The utilisation of specific frequency LED lighting with a green hue on perimeter security fencing.
- ❖ Where feasible, put lights on timers to turn them off each night after they are no longer needed

The following recommendation were made by Confluent Environmental regarding contamination of water resources, and will be considered by the Applicant:

- ❖ Install two groundwater spikes or wells at 8-10m depth to monitor groundwater quality. These should be located at least 200 m apart and provide easy access during construction and operational phases of the development.
- ❖ Wells must not be located in any areas of natural vegetation, rather opting for locations in previously disturbed grassy areas.
- ❖ Samples must be collected pre-development to determine baseline water quality (at least once/month over 3 months), to monitor possible

- High groundwater tables around the site • Unconfirmed availability of bulk water supply or adequate description of alternative supply
- The precedent that this type of development in this area will set in terms of density.
- Lack of consideration of cumulative impacts on water resources
- Lack of consideration of cumulative impacts of similar developments on Sense of Place and biodiversity should such a precedent for dense, middle-income housing be established.
- Damage to environmental assets that draw tourism and investment into the area.

The Plettenberg Bay Community Environment Forum thanks you for the opportunity to comment and we look forward to your response. We reserve the right to comment on further processes linked to this application.

impacts over time. Samples should be analysed from the start of construction onwards and be submitted for analysis on a monthly basis. Parameters for analysis should be aligned with those indicated in the DWS general limits.

- ❖ Water chemistry must not vary by 10% of the background levels established through baseline sampling. If sampling shows indications that eutrophication of the groundwater is occurring for 3 months consecutively, then an alternative to irrigation with treated wastewater must be found.
- ❖ Water samples must be submitted to BOCMA, the Bitou Municipality and reviewed by an aquatic ecologist on a quarterly basis for at least two years from commencement of the development.

As per the EMPr mitigation measures that must be adhered to –

- ❖ Appoint 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.
- ❖ Prior to the commencement of clearing the proposed building site, the contractor must undertake vegetation search-and-rescue on the site. This operation is a legal requirement to ensure that any endangered vegetation species is transplanted prior to work commencing on the erf.

An Alien Invasive Plant Control Plan forms part of the EMPr and must be implemented. the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004 ('NEM:BA')) is applicable in terms of eradication of species listed as prohibited or requiring a permit in terms of the Alien and Invasive Species Regulations, 2014. The removal of alien invasive vegetation should take place in terms of the Conservation of Agriculture Resource Act 43 of 1983 (CARA) general duty of care to combat weeds and invader plants.

Geotechnical Report (Appendix G4):

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

KG Kemp Attorneys – 06/06/2023

I believe that this development should not be approved for the following reasons:

Electricity: The Keurbooms area is currently suffering from electricity shortage as the grid in the area does not make provision for the electricity needs of current residents. Additional housing will burden the electricity supply.

Environmental Protection: The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines, which are protected by the various environmental laws of South Africa. Constructing a high-density residential development in this environmentally sensitive area would pose a significant threat to the fragile coastal ecosystem.

Zoning Conflict: The land on which the proposed development is intended to be built is currently zoned for agricultural use. Changing the zoning designation to accommodate high density residential development would contradict the existing land use regulations and undermine the integrity of the zoning system.

Outeniqua Sensitive Coastal Area (OSCA): Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area and will be considered per dwelling with regards to vegetation removal and excavation in order to minimise disturbance.

Please refer to Annexure 1 for responses regarding Town Planning concerns.

Please refer to Annexure 1 for responses regarding Town Planning concerns.

Incompatibility with the Area's Character: The proposed high density residential development is inappropriate for Keurboomstrand as it does not align with the area's sense of place. The development would detract from the area's natural beauty, situated between the coastal vegetated dune system and hills covered by pristine afro-montaine forest. This scenic valley is a unique and attractive feature that must be preserved.

Local Opposition: The majority of local property owners, including myself, strongly object to the proposed development. This collective opposition represents the concerns and interests of the community, which should be taken into serious consideration during the decision-making process.

Violation of Spatial Development Plan: Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan. Approving this development would disregard the established plan and potentially set a negative precedent for future developments.

Impact on Wetland Corridor: A portion of the proposed development would be built in a vital wetland corridor between the urban edge and Minor Road PO 394. The area is prone to heavy rainwater runoff from the forested hills, and the land is situated at a low elevation with a shallow water table. Construction in this vulnerable area could disrupt the natural hydrology and exacerbate the risk of flooding. Without storm drains, the flooding could impact the PO394 as the field once built upon will not act as a soak-away.

Please refer to the Visual Impact Assessment attached as Appendix G7. The well-positioned and designed development infrastructure allows for it to blend in very well with its surroundings and create minimal contrast in the landscape. The alternative 2 development layout option provides a slight advantage over the preferred and alternative 1 development layout options due to its lower density and more open space for landscaping to screen views from the road. But with the implementation of appropriate mitigation measures the preferred and alternative 1 development layouts can also be screened effectively screened from the road.

Community opposition is noted for consideration.

Please refer to Annexure 1 for responses regarding Town Planning concerns.

Impact on Wetland Corridor: as per the Aquatic Impact assessment (Appendix G2) the proposed residential development on Portion 91/304 is likely to have minimal to no impact on surface water resources or watercourses as defined in the NEMA and NWA. From the perspective of the DFFE screening tool the site has Low Sensitivity, and from the perspective of the NWA a Risk Matrix was completed with a Low Risk outcome. This is because the only definable watercourse on the site is a natural spring which overflows to an excavated pond which has been used for livestock watering for many decades.

The stormwater management system for the development address water infiltration and discharge. The stormwater will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which will be provided.

Stormwater runoff from the steep vegetated slopes is expected to infiltrate at high rates due to the sandy soil and high permeability of the site. The state of

Negative Property Value Effects: Local estate agents and property valuers have indicated that the proposed development would devalue properties in the surrounding area, including Milkwood Glen where I am an owner, which would directly overlook the development. This loss of property value would have a significant financial impact on the affected property owners.

Land Degradation and Rehabilitation Responsibility: The property owners, Family Roux Eiendomme Pty Ltd, have purposefully degraded the land in question over the past 26 years, which I consider to be a violation of environmental regulations. They should be held accountable and required to rehabilitate and rewild the degraded area before any development is considered.

the slopes is not proposed to change, and the dense vegetation will further reduce the velocity of runoff reaching the development area.

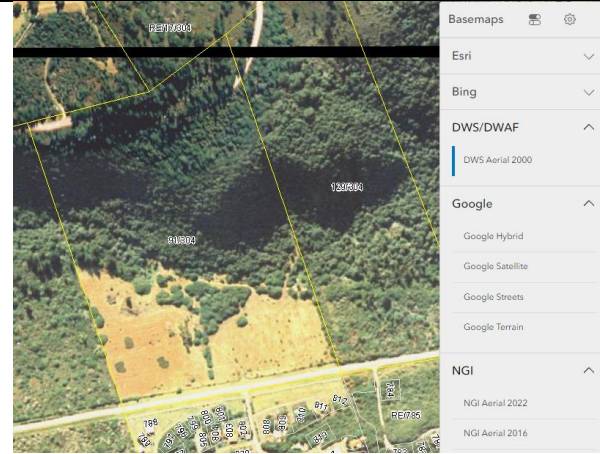
Please refer to the Geotechnical Report regarding groundwater levels. The fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. A surface water body, fed by a perennial spring, was also identified at the base of the slope on the eastern side of the site. Groundwater was identified in test pits on the southern (lower) side of the site at an average depth of 2m. Seepage and run-off from the slopes to the north were therefore expected to have an influence on the engineering design. Groundwater was also expected to affect deep excavations (>1.5m below NGL) in some areas. Additional tests did not encounter any perched water tables or groundwater seepage, but this may be due to the generally dry conditions at the time of the investigation.

13. Please refer to Annexure 1 for responses regarding Town Planning concerns.

The property is zoned as Agriculture 1, and therefore has been utilized in accordance with the land use rights for many years.

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

The allegations are there for completely untrue.



Extract from signed letter from Mr. David Steele:

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area.

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's."

Please refer to the Engineering Report attached as Appendix G3, as well as the letter from the Bitou Municipality regarding service capacity attached as Appendix E16.

Water Scarcity Concerns: The Bitou area is currently facing water shortages, and it is crucial that all approved developments in Keurbooms and elsewhere in Bitou be completed or near completion before new applications are considered. The cumulative effects of additional

developments on the already limited water supply need to be thoroughly evaluated.

Accessibility and Affordability: The proposed development's location, approximately 7 kilometres from central Plettenberg Bay, would result in increased transportation costs, making it financially burdensome for middle-income purchasers. Such high-density residential developments should ideally be situated closer to town centers to ensure accessibility and affordability for potential residents.

Inadequate Infrastructure: The Minor Road PO 394, the access route to the proposed development, is already struggling to accommodate the existing traffic. Approving the proposed development, along with other developments that have already been approved, would further strain the capacity of this road, leading to congestion and safety concerns.

Adverse Climate Considerations: The proposed development would be situated below the mist line in the winter and be predominantly shaded in the afternoon due to the site's geography. This adverse climatic condition could negatively impact the quality of life for residents and limit the usability of outdoor spaces.

In conclusion, I respectfully request that you consider these objections seriously and reject the proposed high density residential development on Portion 91 of Farm Matjiesfontein 304. Instead, I propose that any development be limited to a single residence with essential outbuildings within the urban edge boundary on the mentioned portion.

Thank you for your attention to this matter. I trust that you will make the appropriate decision in the best interest of the community and the preservation of our natural environment. Should you require any further information or clarification, please do not hesitate to contact me.

Please refer to Annexure 1 for responses regarding Town Planning concerns.

A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR for findings and conclusion. It found no unacceptable levels of traffic or congestion.

- Under escalated (2025) background normal traffic conditions no problems are experienced at the affected junctions in terms of capacity.
- Access to the development can safely be accommodated from Keurboom Road (MR00394) provided the access is configured as indicated on the SDP attached as Appendix B1.

This will be taken into consideration.

Town Planning comment on EIA Public participation

1. Density Concerns

The property is 14.7ha in size and LAYOUT 1 proposed 72 units of approximately 375m², which calculates to a gross density 5 units per ha. The nett density is calculated excluding the undevelopable steep slopes and forest vegetation to the north of the site. The identified development area measures approximately 6ha and 73 units will calculate to a net density of 12 units per ha, which is not regarded as high density.

Medium-density housing is generally characterized by a range of 30 to 40 dwelling units per hectare (gross), while high-density residential areas, typically situated in inner urban locales with high-rise structures and mixed-use components, can exhibit densities ranging from 40 to 100 units per hectare. Therefore, any assertions labelling this development as high density are manifestly inaccurate.

Based on the objections we have received, it is evident that the local community is predominantly concerned about the perceived high density of the development and the potential demographic it might attract, and how this may impact on their own property values. In an effort to address the concerns of neighbouring residents, we have revised the development concept. Specifically, we have reduced the density from 73 to 60 units, concurrently increasing property sizes from approximately 375 square meters to approximately 500 square meters. As a result, the development's gross density now stands at approximately 4 units per hectare, while the net density is approximately 10 units per hectare. These adjusted figures align more closely with the surrounding neighbourhood densities.

To provide further context for this density revision, the following table offers a comparative analysis with other developments in the vicinity. Notably, both the development density and property sizes are lower than those of the Milkwood Glen Development, the source of the majority of objections.

DEVELOPMENT DENSITIES IN THE AREA					
Development Name	Property description	Status	Nr of Units	Property size	Density
Candle wood	Pt 129, 92, 16 of 304	Lapsed but intention to reapply	50	37ha	1.3dupa
Whale Haven	Re/Ptn 14/304	Implemented	17	3.9ha	4.4du/ha
Driftwood	Ptn 15/304	Implemented	5	3ha	1.7du/ha
Ptn 91/304	Ptn 91/304	Lapsed but intention to reapply	60	14.7ha	4.1du/ha
Milkwood	Ptn 14/304	Implemented	50	6.5ha	7.7du/ha
Keurbaai	Ptn of ptn 13	Implemented	11	1.3ha	8.46du/ha

Dolphin Wave	Ptn 12/304	GP approved 2016, road constructed - lapsed?	62	10,3ha	6,2du/ha
Ptn 10/304	Ptn 10/304	Rights granted in 2018 for 32 units	32	22ha	1.45du/ja
The Dunes	Re9/304	Implemented	143	11.7ha	12.6du/ha
Dune Park	Ptn 74/304	Implemented	41	2.1ha	19.5du/ha
Natures Path	Ptn 10 and 192 / 304	EIA granted 2018	98	6.8ha	14.4du/ha
Plett Manor	Ptn 3/304	Implemented	130	9.7ha	13.4 du/ha
Nautilus estate	Erf 1169	2 implemented	6	9.7ha	0.6du/ha
	Ptn 32/304				

2. Character of the area

Many of the objectors echoed the assertion that the proposed middle-income residential development, characterised by what they perceived as high-density, is incongruous with the existing character of Keurboomstrand. However, it is important to note that this development shares significant similarities with other developments in the area, such as Milkwood Glen, and is unlikely to have a profoundly adverse impact on the character of the area. The development neither introduces exceptionally high densities nor a land use that is out of sync with its surroundings; it essentially represents a continuation of the prevailing housing landscape.

It is possible that there exists a misunderstanding regarding the nature of the affordability level of the housing being proposed. The developer's intention is to offer houses and properties at an approximate price range of R2 500 000 to R3,000,000. While this may still be beyond the means of many, it does present an opportunity for certain families to attain homeownership. Currently, there are no houses available in this price range, as confirmed by a brief search on Property 24.

3. Violations in respect of Zoning

Many objectors have raised the argument that the property's current zoning designates it for agricultural purposes, and residential development is not permitted under this zoning. The developer is fully cognizant of this fact. The plan is to submit an application for the rezoning of the land once the environmental assessment has been concluded.

Additionally, objectors contend that altering the zoning to accommodate a "high-density" residential development could undermine the integrity of the zoning system and establish a concerning precedent that might open the door for the rezoning of other agricultural land for urban development and industrialization.

It is worth noting that there are already several similar developments with comparable or even higher densities that have been approved, thereby establishing a precedent. Nevertheless, it is important to emphasise that when the municipality evaluates a rezoning application, each proposal is assessed on its individual merits, taking into account a multitude of factors.

4. Conflict with the Spatial Development Plan

Objectors noted that much of the proposed development is outside the boundary of the Bitou Urban Edge and this observation is correct.

It should however be taken into consideration that the SDF also states that the urban edge is to be viewed as a conceptual, indicative measure (growth management tool) aimed at illustrating a concept, rather than being in exact line with statutory status.

The concept of residential development at a net density of about 12 units per ha to the north of Keurboom Road has been established. The topography (steep slopes and low-lying potential flood prone areas) , vegetation and presence of wetland has also been pointed out as identified considerations that need to be investigated further should any development be planned in the area.

The urban edge in this area has been defined by the steep sloped to the north and the 5m contour line which defines the Estuarine Functional Zone to the south.

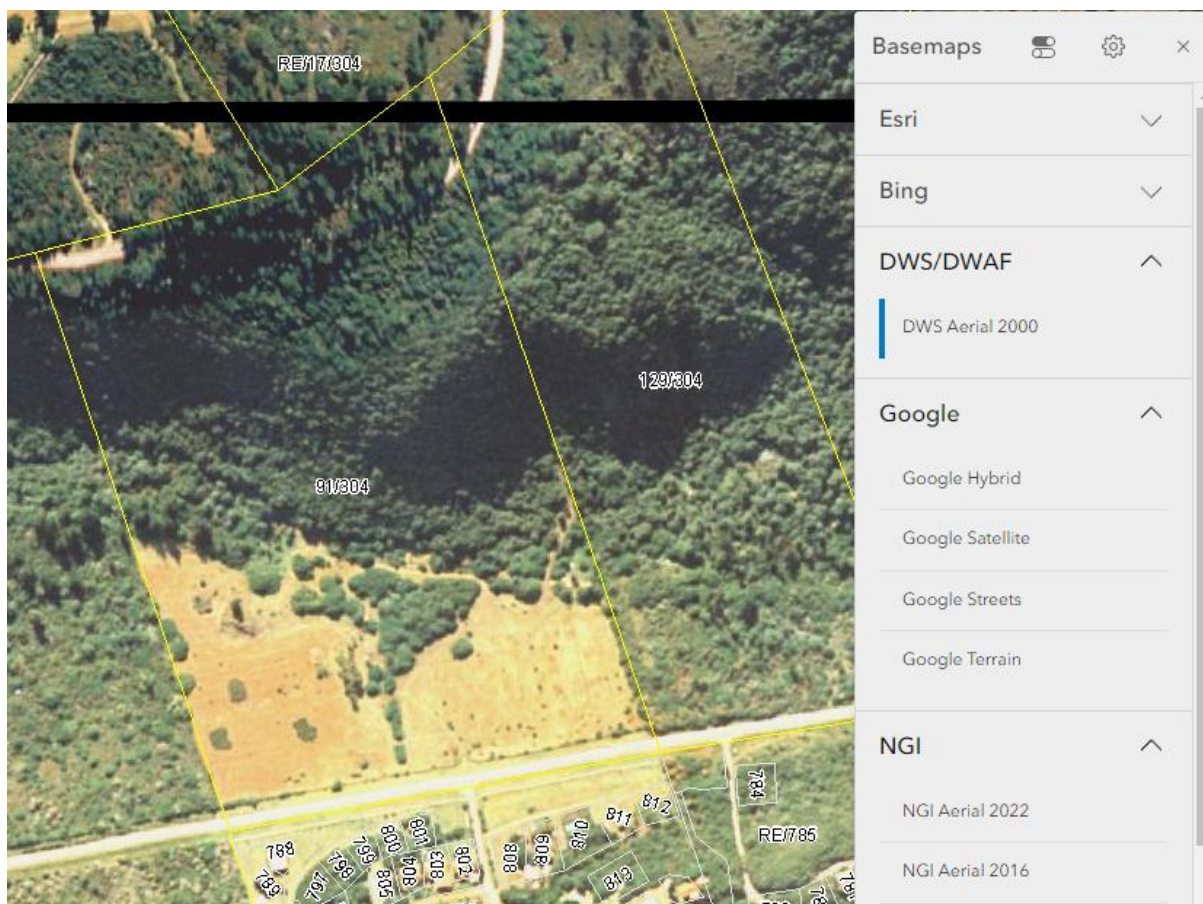
The reason why the proposed development area extends beyond the identified urban edge is because the Aquatic Assessment confirmed that the area contains no estuarine habitats and is outside of the 1:100-year flood line of the estuary and is thus not part of the estuarine functional zone and for this reason the 4,5 or 5m contour line has not been observed. The steep slopes and forest vegetation to the north has however been identified as sensitive and have been protected with a 20m buffer strip.

Furthermore, the SDF confirms that all land development applications for the use of land abutting an urban edge should be considered consistent with the SDF if the land has at any time in the past been used or designated for any urban development, which includes all development of land where the primary use of the land is for the erection of structures. In this case, the land was previously approved for a resort with 50 units, this has also been acknowledged in the Keurboom Local Environs Spatial plan (see table D3).

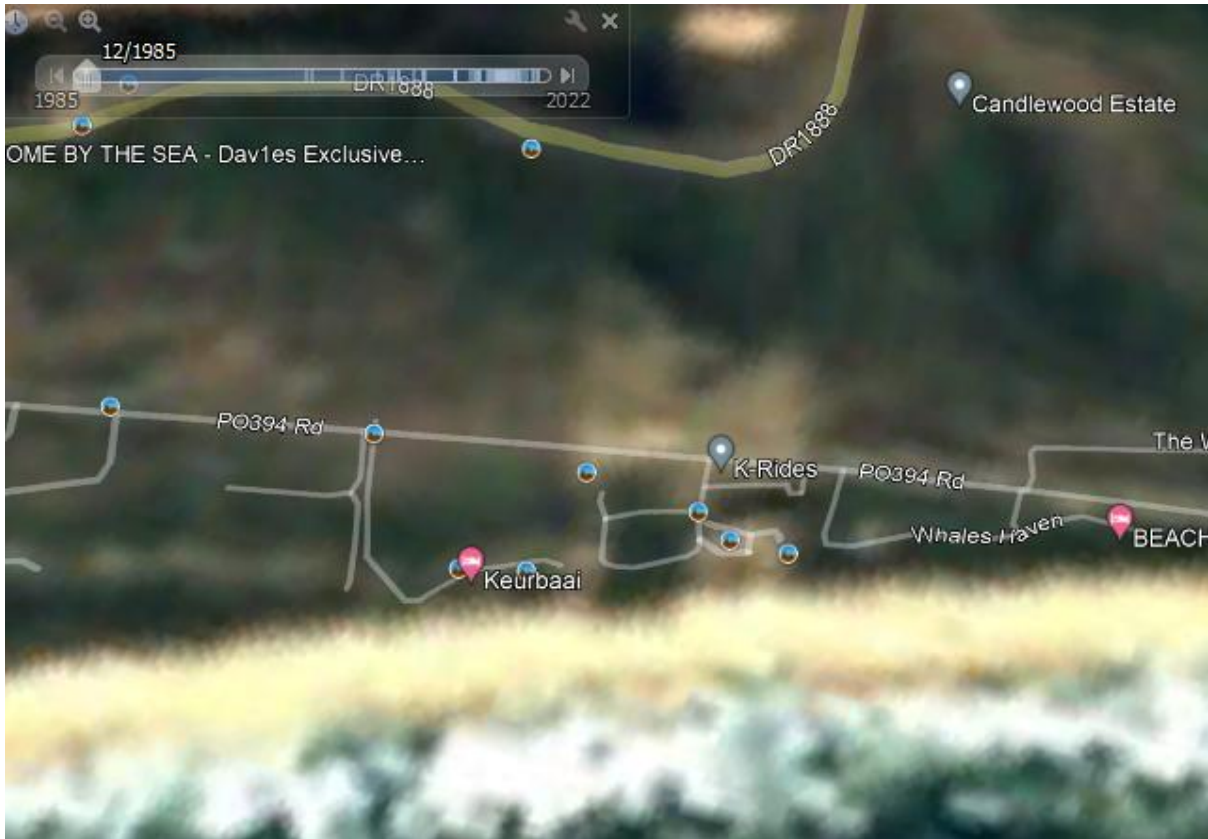
5. Deliberate Degradation of Property

Many of the objector that used the template objection made an allegation that the owners of the property, Family Roux Eiendomme Pty Ltd, have over the years purposefully and illegally, degraded that part of the land upon which the development is proposed. It must be stated that the property was bought by the current owner in 2000 and at the time the southern section was already cleared. The only trees that were removed from the property were alien trees that the landowner has an obligation to control and eradicate. As can be seen from the 2000 aerial image the land was cleared at the time. A less clear google earth image of 1985 also shows that the land was cleared in 1985. An affidavit from the previous owner stated that the fields has been used as for the cultivation of potatoes as far back as the 1950s.

The allegations are there for completely untrue.



2002 DWS image indicating that the property is being cultivated



1985 historical google image indicated that the portion is being farmed.

6. Accessibility and Affordability

The objectors argue that the location of the proposed development, approximately 7 kilometres from central Plettenberg Bay, along a long and narrow access road, would result in increased transportation costs and extensive traffic congestion. It should be located closer to town.

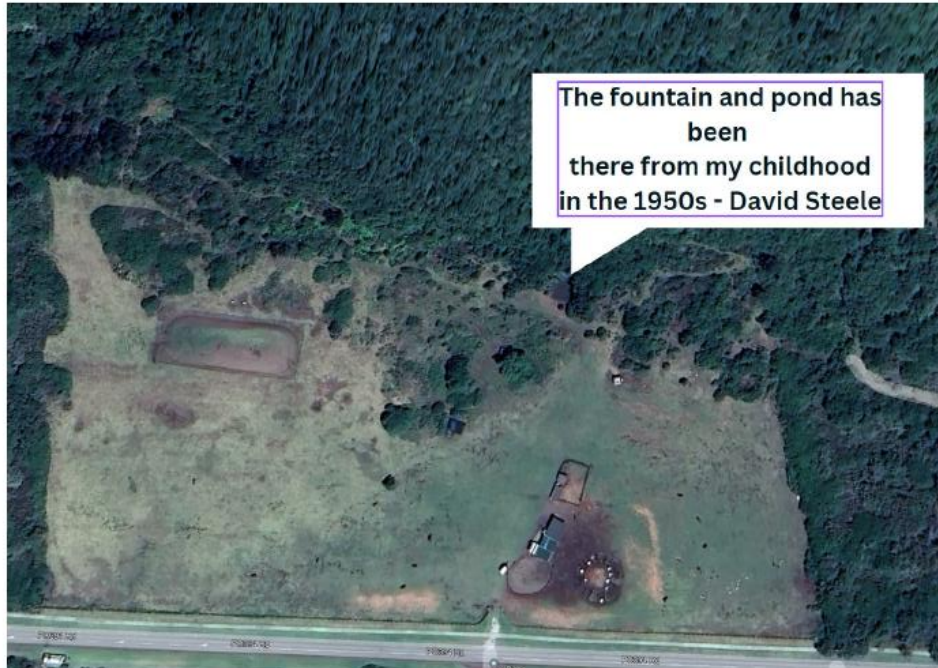
The unfortunately the reality is that the closer to town, the more expensive the cost of land become. This is resulting in development in areas further away where land is cheaper. People are living as far out as Wittedrift and commute to town because there is still affordable accommodation in that area.

This land has been obtained by the developer many years ago and it is his desire to address the housing need of the local community.

Confirmation of historic existence of the fountain and pond on Erf 91/489

"My knowledge regarding the property on which a proposed development is planned extends over a period of more than sixty years. This property belonged to my grandfather D.G. Steele in the forties. Where the horse camp is currently, there were fields that stretched to the current Dunes development. Here my grandfather grew potatoes and sweet potatoes for years, as well as keeping cattle. In the north-eastern corner of the horse camp, there are still two ornamental trees today that my grandfather planted there. Right next to these trees was the turnoff to a large house that my grandfather had built on top of the dunes; (about 300 meters south of the ornamental trees) In the north-western corner of the horse camp on the mountain side, there was a worker's house with a perennial well. The grounds east of the horse camp were part of the Waves holiday resort which also belonged to my grandfather. I mention these historical facts about the grounds to confirm my knowledge of this area."

I would like to confirm that the fountain and pond as indicated below has been on this farm since my earliest memories of the farm in the 1950's



A handwritten signature in black ink, appearing to read "D. Steele".

David G Steele

18 Strandstraat,
Keurboomstrand
6600
Tel: 044 535 9067 Cell: +27 76 296 7692
Epos: christeele@mweb.co.za

Annexure 6: Evidence of Comments Received



REFERENCE: 16/3/3/6/7/1/D1/13/0268/22
DATE OF ISSUE: 13 December 2022

THE DIRECTOR
FAMILIE ROUX EIENDOMME PTY
P.O. Box 12670
PRETORIA
0121

Attention: Mr. Stephan Roux

Tel: 012 111 9575

E-mail: sroux@worldonline.co.za

Dear Sir

COMMENT ON THE NOTICE ON INTENT FOR THE PROPOSED HOUSING DEVELOPMENT ON THE PORTION 91 OF THE FARM MATJESFONTEIN 304, PLETTENBERG BAY

1. The Notice of Intent ("NOI") in respect of the abovementioned matter, received by this Department via e-mail on 16 November 2022, refers.
2. This letter serves as an acknowledgment of receipt of the aforementioned document by this Department.
3. The environmental impact management services ("EIMS") component of the Directorate: Development Management (Region 3) (hereinafter interchangeably referred to as "EIMS" or "this Directorate") has reviewed the document and provides the following comment:

3.1. Development proposal

From the information contained within the NOI this Directorate understands that the concept includes the development of ± 73 group housing stands with average erf sizes of $\pm 375\text{m}^2$. Open space and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood.

The property is 14.7ha in size and the gross density will calculate at 5 units per ha. The nett density is calculated excluding the undevelopable steep slopes to the north of the site. The identified development area measures approximately 6ha and 73 units will calculate to a net density of 12 units per ha.

3.2. Applicable listed activities

The Department notes the listed activities as included in the NOI. However, the proposed development area is within the estuarine functional zone and must be referred to within the listed activities that trigger environmental authorisation.

The onus is on the proponent to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

3.3. Need and Desirability

In terms of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"), when considering an application, the Department must take into account a number of specific considerations including *inter alia*, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability.

Amongst others, the planning context must be considered when assessing the need and desirability of the proposed development. In this regard, the *Keurbooms & Environs Local Area Spatial Plan (KELASP)* (2013) is a relevant consideration.

It is noted that the KELASP has been described in the SSVR, however, it is not seen in any of the reports submitted that the KELASP has been reviewed and taken into consideration. This plan clearly indicates the developable area and the approximate estimation of existing development rights. Furthermore, relevant information exists regarding the Tshokwane River and associated wetlands that have been prepared by the Freshwater Consulting Group in 2013. It is advised that the specialists review this information and incorporate assess the alternatives with the information in the KELASP.

3.4. Alternatives

In terms of the EIA Regulations, 2014 the investigation of alternatives is mandatory. This includes the option of not proceeding with the proposed activity (the "no-go" option). All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it had been applied for, or may grant authorisation in respect of the whole or part of the proposed project in the application. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.

Please be advised that, as a minimum, the development area which has been proposed in the KELASP will need to be identified and assessed as an alternative in the application process.

However, if after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no reasonable or feasible alternatives other than the preferred option and the no-go option.

3.5. National Sector Classification List:

The list as indicated in the NOI includes the sectors for "Infrastructure/Transport Services/Roads – Private; Transformation of land – indigenous vegetation; Transformation of land – from agriculture or afforestation and any activities close to or within a watercourse". There is however just one screening tool report done for the "Transformation of land – Indigenous vegetation". It would be prudent to run a screening tool report for all the sectors and compare the results as there may be differences.

3.6. Site Sensitivity Verification Requirements

The Minister of Environment, Forestry, Fisheries has published general requirements for undertaking site sensitivity verification for environmental themes for activities requiring

environmental authorisation. In terms of these requirements, prior to commencing with a specialist assessment, the current land use and environmental sensitivity of the site under consideration by the screening tool must be confirmed by undertaking a site sensitivity verification.

In light of the above this Directorate has reviewed the Site Sensitivity Verification Report ("SSVR") compiled by the EAP and provides comment in respect of the following:

(i) Agriculture Theme (High Sensitivity)

The National Screening Tool Report (STR) indicates that the Sensitivity of the site for this theme is *HIGH*. It is noted that the EAP refutes the sensitivity and suggests a sensitivity of *low*. The motivation however does not demonstrate sufficiently that the sensitivity should be low. The sensitivity relates to the land capability and soil potential. But an Agricultural Compliance Statement must be undertaken. The findings of the *specialist statement* must be incorporated into the Basic Assessment Report, including any mitigation and monitoring measures as identified, which are to be contained in the EMPr. The compliance statement must be prepared by a soil scientist or agricultural specialist registered with the SACNASP.

(ii) Animal Species Theme (High Sensitivity)

The STR identified a *HIGH* Sensitivity for the Animal Species Theme and lists birds, invertebrates and mammals which are known to occur in the area, based on the habitat type identified by the applicable datasets. The STR also lists a "*Sensitive Species 8*" (i.e. a species which name has been withheld as the species may be prone to illegal harvesting and must be protected).

However, since the Specialist has undertaken a site sensitivity verification and suggested a sensitivity of *Medium* and has noted that there is high probability of certain Species of Conservation Concern ("SCC") being present, a Terrestrial Animals Species Specialist Assessment must be undertaken. The *Terrestrial Animal Species Specialist Assessment Report* must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is being undertaken.

(iii) Aquatic Biodiversity Sensitivity (Very High Sensitivity)

The STR states that the sensitivity in terms of aquatic biodiversity is *VERY HIGH* and the EAP and specialist has disputed this and has suggested a new sensitivity rating of *Low*. However, given the fact that the application area is within the estuarine functional zone and the level of the groundwater is unknown, a detailed specialist assessment is required. Therefore, considering the sensitivity rating, an Aquatic Biodiversity Specialist Assessment must be undertaken.

The Aquatic Biodiversity Specialist Assessment must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with expertise in the field of aquatic sciences.

(iv) Terrestrial Biodiversity Sensitivity (Very High Sensitivity)

This Directorate notes that the specialist who undertook the SSV for Terrestrial Biodiversity confirms that a Terrestrial Biodiversity Specialist Assessment Report must be undertaken. Please note that the report must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with expertise in the field of ecological sciences.

(v) *Archaeological and Cultural Heritage Sensitivity (Low Sensitivity)*

It is noted that a NID will be submitted to Heritage Western Cape (HWC). The NID and all supporting documents (submitted to HWC) must be appended to the Draft Basic Assessment report. In light of the above requirements from HWC please be advised that the Standard Operating Procedure between Heritage Western Cape and this Department must be followed.

(vi) *Civil Aviation Sensitivity (High sensitivity)*

It is noted that the STR has indicated that the sensitivity for the Civil Aviation Theme is *HIGH*. The EAP refutes this and the motivation for exclusion is noted, and the sensitivity is suggested to be *Low*. It is noted that the EAP has stated that the South African Civil Aviation Authority will be added to the I&AP register. The EAP is advised to consult the South African Civil Aviation Authority (% Ms. Lizell Stroh) at E-mail: Strohl@caa.co.za and / or Tel: (011) 545 to determine specific aspects that must be addressed.

(vii) *Defence Sensitivity (Low sensitivity)*

It is noted that the Screening Tool report has noted a low sensitivity for the Defence theme therefore no further assessment and mitigation measures are required in terms of the applicable Protocol published in Government Notice No. 320 of 20 March 2020.

(viii) *Palaeontology Sensitivity (Very High Sensitivity)*

It is noted that a NID will be submitted to Heritage Western Cape (HWC). The NID and all supporting documents (submitted to HWC) must be appended to the Draft Basic Assessment report. In light of the above requirements from HWC please be advised that the Standard Operating Procedure between Heritage Western Cape and this Department must be followed.

(ix) *Plant Species Theme (Medium Sensitivity)*

The STR identified a *MEDIUM* sensitivity for the Plant Species Theme and numerous species which are known to occur in the area, based on the habitat type identified by the applicable datasets. The STR also lists a number of "Sensitive Species". It is noted in the SSV that the specialist had confirmed that a "*Terrestrial Plant Species Specialist Assessment*" should be done.

The *Terrestrial Plant Species Specialist Assessment Report* must be undertaken by a specialist registered with the South African Council for Natural Scientific Professions (SACNASP) with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is being undertaken.

3.7. *Specialist Studies identified in the Screening Tool Report*

(i) *Landscape / Visual Impact Assessment*

The need for this specialist assessment was described in the SSVR. The visual impacts of the proposed development must be dealt with in terms of Appendix 1 and 6 of the Environmental Impact Assessment Regulations, 2014 together with the Department's *Guideline for involving visual and aesthetic specialists in the EIA process, June 2005*. Furthermore, it is noted that a Notice of Intent to Develop (NID) under Section 38(1) and (8) of the NHR Act will be submitted to HWC and that it is expected that the outcome of the NID will determine the requirements for a Visual Impact Assessment, and whether this will form part of the Heritage Impact Assessment.

(ii) Socio-Economic Assessment

As mentioned above, the KELASP must be taken into consideration when addressing the socio-economic impacts of the proposed development. Even if the Town Planning report will address socio-economic aspects, the relevance of this plan and the impact it has on the proposal must be addressed. Furthermore, it must be demonstrated how this Department's *Guideline for involving social assessment specialists in the EIA process, February 2007*, has been considered in the report.

4. Synchronising applications in terms of other applicable legislation with the EIA process:

● *National Water Act, Act No. 36 of 1998 ("NWA")*
(Synchronisation of the WULA – EIA processes / applications)

The applicability of the National Water Act, 1998 must be confirmed by Breede Gouritz Catchment Management Agency (BGCMA) in writing.

Please be advised of the required synchronisation between the EIA process and the Water Use License Application ("WULA") process (if the latter is required). You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.

All specialist reports submitted as part of the BAR (including those submitted for consideration and which also may form part of the WULA) must comply with the requirements of Appendix 6 of the Environmental Impact Assessment Regulations 2014.

● *National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA")*
(Synchronisation of the HIA – EIA processes / applications)

Section 38 of the NHRA sets out the requirements regarding the integration of the decision-making processes with that of the EIA Regulations 2014, however, under the proviso that the necessary information is submitted and any comments and recommendations of the relevant heritage resources authority (HWC) with regard to such development have been provided and taken into account prior to the granting of the authorisation. Further to the above:

- An application for Environmental Authorisation, must include, where applicable, the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.
- Where Section 38 of the NHRA is triggered, the Standard Operating Procedure between Heritage Western Cape and this Department must be followed. If Section 38 is applicable to the proposed development, then the proponent/applicant is required to submit a Notice of Intent to Develop ("NID") to Heritage Western Cape and attach a copy thereof to the EIA application form. If Heritage Western Cape requires a Heritage Impact Assessment, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the EIA Regulations, 2014.

5. Municipal Bulk Services

Confirmation from the Bitou Municipality must be obtained for all basic services to this proposal. This must include potable water supply, sewerage disposal, electrical supply and solid waste. This information must be included with forthcoming reports.

6. You are advised that when undertaking the Basic Assessment process, you must take into account applicable guidelines, including the circulars and guidelines developed by the Department. These can be provided upon request. In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:

- Guideline for the Review of Specialist Input in the EIA process (June 2005).
- Guideline for Environmental Management Plans (June 2005).
- Guideline on Alternatives (March 2013).
- Guideline for determining the scope of specialist involvement in EIA processes, June 2005.
- Guideline for the review of specialist input in the EIA process, June 2005.
- Guideline for involving biodiversity specialists in the EIA process, June 2005.
- Guideline for involving visual and aesthetic specialists in the EIA process, June 2005.
- Guideline for involving heritage specialists in the EIA process, June 2005.
- Guideline for involving social assessment specialists in the EIA process, February 2007.
- Guideline for the management of development on mountains, hills and ridges of the Western Cape, 2002.
- DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs.
- Western Cape Provincial Spatial Development Framework.
- Western Cape Land Use Planning Guidelines - Rural Areas (March 2019)

7. Public Participation Plan:

It must be ensured that Regulation 41 of the Environmental Impact Assessment, 2014 (Government Notice No. R. 982 of 4 December 2014, as amended) is complied with simultaneously during the pre-application phase (where relevant) or application phase or both *inter alia*, the placement of an advertisement in the local newspaper, the placement of a site notice at the site or alternative site and informing owners, persons in control of, and occupiers of land adjacent to the site; and informing relevant State Departments and Organs of State which administers a law in respect of the proposed development. Please be informed that failure to comply with Regulation 41 may prejudice the outcome of this application for environmental authorisation.

Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR must also be submitted to the Department for commenting purposes.

Furthermore, the Department notes the State Departments / Organs of State that will be informed of the decision. In addition to the identified authorities, you are also required to notify the following authorities which administer a law in respect of the proposal:

- *Western Cape Government: Department of Transport and Public Works*
% Mr. S.W. Carstens (Road Planning) – Grace.Swanepoel@westerncape.gov.za

8. Kindly ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendices 1 and 4 respectively of the Environmental Impact Assessment Regulations, 2014 (GN R. 982 of 4 December 2014, as amended).

9. The Department reminds you that the "Request for a specific fee reference number" form must be completed and submitted to the Department prior to submission of the formal application for the abovementioned proposed development. Upon receipt of the specific fee reference number, it must be inserted into the Application Form and proof of payment of the applicable fee attached when the Application Form is submitted to the Department.
10. The Department notes that the Environmental Assessment Practitioner ("EAP") intends to schedule a pre-application meeting with officials from this Directorate. The EAP must please liaise with the case officer listed above to arrange such consultation.
Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department.
- No information provided, views expressed and /or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:
- that additional information or documents will not be requested
 - of the outcome of the application
11. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("NEMA") for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
12. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
13. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp Francois Naudé

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Digitally signed by Francois Naudé
Date: 2022.12.13 13:21:59 +02'00'

Copied to: EAP: Ms Janet Ebersohn

E-mail: Janet@ecoroute.co.za



REFERENCE: 16/3/3/6/7/1/D1/13/0268/22
DATE OF ISSUE: 18 May 2023

THE DIRECTOR
FAMILIE ROUX EIENDOMME PTY
P.O. Box 12670
PRETORIA
0121

Attention: Mr. Stephan Roux

Tel: 012 111 9575
E-mail: sroux@worldonline.co.za

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED HOUSING DEVELOPMENT ON THE PORTION 91 OF THE FARM MATJESFONTEIN 304, PLETTENBERG BAY

1. The abovementioned documents received by this Department electronically on 8 May 2023, refers.
2. This letter serves as an acknowledgment of receipt of the aforementioned document by the Competent Authority.
3. This Directorate will provide comment on the documents during the period specified (i.e., by the 7 June 2023).
4. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless the Department has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution.
5. The Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.

pp Francois Naudé

Digitally signed by Francois Naudé
Date: 2023.05.17 15:47:00 +02'00'

**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copied to: EAP: Joclyn Marshall

E-mail: joclyn@ecoroute.co.za



REFERENCE: 16/3/3/6/7/1/D1/13/0268/22
DATE OF ISSUE: 27 July 2023

THE DIRECTOR
C/O CORNEL DELPORT
FAMILIE ROUX EIENDOMME PTY
P.O. Box 12670
PRETORIA
0121

Attention: Mr. Stephan Roux

Tel: 012 111 9575

E-mail: sroux@worldonline.co.za /

Dear Sir,

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (PRE-APP BAR) FOR THE PROPOSED HOUSING DEVELOPMENT ON THE PORTION 91 OF THE FARM MATJESFONTEIN 304, PLETTENBERG BAY

1. The abovementioned document received by this Department on 18 November 2022 refers.
2. This Directorate wishes to express its gratitude in being granted an extension in the public participation period in order for this Directorate to provide comment on the documents. As such, the Pre-App BAR has been reviewed and has the following comments that must be taken into consideration:

2.1. Compliance with Appendix 1 of the Environmental Impact Assessment Regulations, 2014

The report as submitted to this Directorate does not fully comply with the requirements of Appendix 1 as no declaration has been signed by the applicant nor the EAP. It is therefore interpreted that the applicant not the EAP take responsibility for the content of the report.

2.2. Groundwater Aspects

It is noted in the geotechnical report that rapid seepage of groundwater was found at a depth of approximately 2 metres and none of the other test pits. This Directorate wants to know what the depth of groundwater is at the northern extent at different intervals to determine where the extent of the water table is and what depth it is towards the north.

2.3. Freshwater Compliance Statement

It is noted that the specialist has stated that *"The mapped spring and dam have been protected by a 10 m buffer as recommended, which constitutes the regulated area as per GN509 as this incorporates riparian vegetation in the immediate vicinity of the features. Provided no development takes place within this area, the development will*

not require any level of Water Use Authorisation in terms of the National Water Act." This Department is concerned about this statement and requires that the Breede-Olifants Catchment Management Agency ("BOCMA") as the relevant competent authority, must determine and confirm whether the National Water Act, 1998 is applicable to this proposed development. It is imperative that this is confirmed with BOCMA as soon as possible.

Your attention is drawn to Section 24C(11) of the National Environmental Management Act, 1998 ("NEMA") as amended on 30 June 2023. Should the relevant authority determine that a water use licence (WUL) is required, you will be required to synchronise the relevant applications. Notwithstanding the need for a WUL Application, you are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any consultation, reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.

2.4. Plant, Animal and Terrestrial Biodiversity Assessment

It is noted in this specialist report that in terms of impact reversibility, the secondary vegetation (depicted as medium sensitivity) can probably be fully reversible through active rehabilitation in combination with natural succession. It is not clear that the mitigation hierarchy principle of avoidance has been considered when determining the sensitivity of the ecosystem was done since Garden Route Shale Fynbos is Endangered. It would seem prudent to avoid an area that can be successfully rehabilitated to its natural state to add to the conservation targets identified in the National Biodiversity Assessment. Sensitivity.

2.5. Public Participation

It is noted that comment from this Department's Directorate Regulatory Planning Advisory Services on the applicability of the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970). This is not comment from the WCG: Department of Agriculture and as such, comment must be obtained from the Department of Agriculture.

2.6. Alternatives

Be advised that in terms of the EIA Regulations and NEMA, the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it has been applied for or may grant authorisation in respect of all or part of the activity applied for. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option) in addition to the other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed.

If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is that proof of the investigation undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist must be provided to the Department. Refer to the Department's Guideline on Alternatives, 2013.

It is noted that an alternative layout has been developed based on a historic approval but not considered feasible. However, considering the medium sensitivity for vegetation, and the possibility of effective rehabilitation, a layout alternative must be investigated that excludes the medium sensitivity areas.

2.7. *Environmental Management Programme ("EMPr")*

In accordance with Section 24N of NEMA and Regulation 19 of the Environmental Impact Assessment Regulations, 2014, the Department requires the submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014.

The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). It must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005) must be taken into account.

An auditing schedule must be compiled to ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited. No auditing schedule has been included in the EMPr.

The EMPr is also generic in nature and should be more site specific in mitigation measures for impacts identified.

2.8. *Implementation programme*

Please note that, in accordance with the provisions of the Environmental Impact Assessment Regulations, 2014, a period for which the environmental authorisation is required must be provided. This period must be informed by the operational aspects (if applicable) and the non-operational aspects of the proposed development. As such, the date on which the activity will be concluded and the post construction monitoring requirements finalised, must be determined.

This Department requests that an implementation programme be provided which sets out the construction phase (non-operational aspects) of the proposed development and specifies the period required to conclude the respective activities (a date on which the activity will be deemed to have been concluded should be derived from such a



REFERENCE: 16/3/3/1/D1/13/0001/25
DATE OF ISSUE: 17 March 2025

The Managing Director
FAMILY ROUX EIENDOMME (PTY) LTD
PO Box 12670
QUEENSWOOD
0121

Attention: Mr. Stephanus Roux

E-mail: sroux@worldonline.co.za

Dear Sir

ACKNOWLEDGMENT OF RECEIPT OF THE APPLICATION FORM FOR BASIC ASSESSMENT IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, FOR THE PROPOSED RESIDENTIAL DEVELOPMENT ON PORTION 91 OF THE FARM MATJES FONTEIN NO. 304, KEURBOOMSTRAND

1. The application form dated 6 March 2025 compiled on your behalf by your appointed registered Environmental Assessment Practitioner ("EAP"), Ms. Joclyn Marshall (EAPASA No: 2022/5006) of *Eco Route Environmental Consultancy*, as received by the Department on 6 March 2025, refers.
2. The application form appears to be in order in accordance with regulation 16. This letter serves as acknowledgment of receipt of the aforementioned document by this Directorate on **6 March 2025**.
3. Please remind your EAP that the requirements in terms of the Environmental Management Act (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") must be complied with in respect of the application for Environmental Authorisation.
4. *BAR Requirements*
The BAR must contain all the information outlined in Appendix 1 of the Environmental Impact Assessment Regulations, 2014 (Government Notice No. R. 982 of 4 December 2014, as amended) ("EIA Regulations, 2014") and must also include and address any information requested in any previous correspondence in respect of this matter. Case 16/3/3/6/7/1/D1/13/0268/22 refers in this regard.

In accordance with Regulation 19 of the EIA Regulations, 2014, the Department hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department. If however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

If the BAR is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted.

5. *Consideration of relevant Guidelines*

Please advise your EAP to consider the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<https://d7.westerncape.gov.za/eadp/resource-library/policies-and-guidelines>).

6. *Applicable listed activities*

Please be reminded that the onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

7. *Public Participation Process*

This Directorate is aware that the EAP conducted a pre-application public participation process.

In light of the above, proof of compliance with Regulation 41 of the EIA Regulations, 2014 must be included in the BAR. In the event where the requirements of Regulation 41 have not been complied with simultaneously, the EAP is advised to do so during the application phase of the process.

8. *Other relevant considerations*

8.1. *National Water Act, Act No. 36 of 1998*

Please be advised that the National Environmental Management Laws Amendment Act, Act 2 of 2022 (NEMLAA), came into effect on 30 June 2023. This Act added sub-section 24C(11) to the National Environmental Management Act, Act 107 of 1998, as amended (NEMA) which requires that "a person who requires an environmental authorisation which also involves an activity that requires a licence or permit in terms of any of the specific environmental management Acts (i.e., NWA), must simultaneously submit those applications to the relevant competent authority or licensing authority, as the case may be, indicating in each application all other licences, authorisations and permits applied for".

In this regard, the Department notes that the Water Use License Application ("WULA") for the proposed water uses associated with the proposal has been submitted to the relevant authority, i.e. the Department of Water and Sanitation (Ref: WU34534).

In the event that a Water Use License is required, please be advised that the EIA process and / or information and that of the WULA must be synchronised. You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of the application for environmental authorisation.

8.2. *Confirmation of Availability of Municipal Services*

Written confirmation of the availability of engineering services from the service providers (where applicable), including water, electricity, stormwater and possible waste removal services, must be provided together with the BAR submitted to this Department for decision-making. However, it is advised that this information be made available during the public participation process already.


9. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental

Management Act, 1998 (Act no. 107 of 1998) ("NEMA") for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

10. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
11. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp Francois Naudé

 Digitally signed by Francois Naudé
Date: 2025.03.17 16:37:12 +02'00'

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Ref.: 16/3/3/1/D1/13/0001/25

Copied to:

(1) **Bitou Municipality:** Ms. Anjé Minne

E-mail: ataljaard@plett.gov.za

(2) **Eco Route Environmental Consultancy:** EAP: Ms. Joclyn Marshall

E-mail: joclyn@ecoroute.co.za



BREED-OLIFANTS
C A T C H M E N T M A N A G E M E N T A G E N C Y

Enquiries: R Mphahlele Tel: 023 346 8000 Fax: 044 873 2199 E-mail: rmphahlele@bocma.co.za

REFERENCE: 4/10/2/K60E/MATJIESFONTEIN 304/91, KEURBOOMSTRAND

Date: 07/06/2023

Eco Route Environmental Consultancy
PO Box 1252
SEDGEFIELD
6573

Good day

RE: BASIC ASSESSMENT APPLICATION FOR THE PROPOSED DEVELOPMENT OF A SUSTAINABLE MIDDLE-INCOME RESIDENTIAL DEVELOPMENT ON PORTION 91 OF FARM MATJESFONTEIN 304, PLETTENBERG BAY

The Breede Gouritz Catchment Management Agency (BGCMA) has reviewed the Basic Assessment Report (BAR) for the above-referenced development and its comments are as follows:

1. As per the BAR, the development is planned for ± 73 group housing stands with average erf sizes of $\pm 375\text{m}^2$, open spaces, landscaping and associated roads, stormwater, water, and sewer infrastructure. The development will be connected to existing municipal sewer and water systems, which were evaluated to have capacity availability sufficient to service the development. Further, it is noted that the stormwater will be managed through stormwater management plans, sustainable drainage systems, and retention ponds.
2. According to the Freshwater Compliance Statement (hereinafter FCS), dated July 2022 complied by Dr. Jackie Dabrowski of Confluent Environmental (Pty) Ltd; the development will occur within the regulated area of two watercourses (spring and a dam). This constitutes water use in terms of sections 21 (c) & (i) of the National Water Act 36 of 1998 (NWA) for which a water use authorization is required in terms of section 22 of NWA prior activities commence.
3. Contrary to the above, FCS determined that section 21 (c) & (i) water uses will not be triggered if a 10 m buffer is implemented around the spring and dam. However, according to the General Authorisation, Notice No. 509, issued in terms of section 39 of NWA on 26 August 2016 (GN509), an activity does not trigger sections 21 (c) & (i) if it takes place beyond whichever is the greatest between a delineated riparian habitat and a 1:100 flood line, measured from the middle of the watercourse of a river, spring, natural channel, lake or dam. In the absence of a delineated 1:100 flood line or riparian habitat, which is the case with this development, section 21 (c) and/or (i) will be triggered if the activity occurs within 100 m of a watercourse. Sections 21 (c) & (i) water use activities refer to the impeding or diverting of the flow of water in a watercourse or altering the bed, banks, course, or characteristics of a watercourse respectively.

RE: BASIC ASSESSMENT APPLICATION FOR THE PROPOSED DEVELOPMENT OF A SUSTAINABLE MIDDLE-INCOME RESIDENTIAL DEVELOPMENT ON PORTION 91 OF FARM MATJESFONTEIN 304, PLETTENBERG BAY

4. The FSC mentioned that water from the spring is stored in a dam. These constitute water use activities in terms of sections 21 (a) & (b) of NWA. In light of this, proof of authorization for the said water used must be provided to this office within five days of receipt of this letter. Failure to do so will result in the matter being referred to the Compliance Monitoring and Enforcement unit for further investigation.
5. The FSC recommended that “ no stormwater should be put into the dam mentioned above as the water is of high quality”. However, it is understood the same dam will be used as a stormwater retention pond in terms of the Stormwater Management Plan (SMP) contained in the Engineering report dated April 2023 by Poise Consulting Engineers. If this is true, the SMP must be reviewed to exclude the dam as a stormwater retention pond. The reviewed SMP must be submitted to this office for review and approval.
6. A letter from the municipality confirming that the Ganse Vallei wastewater treatment plant has sufficient capacity to receive sewer flow from this development must be provided to this office prior to the commencement of construction works.
7. The onus remains with the property owner to adhere to the above-mentioned relevant NWA provisions. Further, this office reserves the right to amend and revise its comments as well as to request any further information should it be necessary to do so.

Yours faithfully,

pp RM Mphahlele

**pp MR. JAN \ AN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)**



Annexure 7: Evidence of Notifications Sent

PUBLIC PARTICIPATION: NOTIFICATION OF THE PROPOSED RESIDENTIAL DEVELOPMENT ON PORTION 91 OF FARM MATJESFONTEIN 304, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE

 **From** <admin@ecoroute.co.za>
To Danie Swanepoel <Danie.Swanepoel@westerncape.gov.za>, Jessica Christie <Jessica.Christie@westerncape.gov.za>, Nathan Jacobs <Nathan.Jacobs@westerncape.gov.za>, Noluvo Toto <Noluvo.Toto@westerncape.gov.za>, Stephanie Barnardt <Stephanie.barnardt@westerncape.gov.za>, Azni November <Azni.November@westerncape.gov.za>, Dirk Prinsloo <Dirk.Prinsloo@westerncape.gov.za>, Vanessa Stoffels <Vanessa.Stoffels@westerncape.gov.za>, RobertsJ <RobertsJ@dwa.gov.za>, Corvdw <corvdw@elsenburg.com>, [5 more...](#)
Cc Joclyn <joclyn@ecoroute.co.za>, Janet <janet@ecoroute.co.za>
Date 2023-05-08 10:11

ECO-ROUTE ENVIRONMENTAL CONSULTANCY ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

The Proposed Residential Development on Portion 91 of Farm Matjesfontein 304, Keurboomstrand, Plettenberg Bay, Western Cape.

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP). The Public Participation Process will run from **08/05/2023 - 07/06/2023**.

DEADP Ref: 16/3/3/6/7/1/D1/13/0268/22

Activity:

The Basic Assessment Application is for the proposed development of a sustainable middle income residential development on Portion 91 of Farm Matjesfontein 304, Plettenberg Bay. The development concept includes ± 73 group housing stands with average erf sizes of $\pm 375\text{m}^2$. The houses will vary in size but will be built in a similar style that will create a harmonious development. Ample open spaces and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood.

The following EIA Listed Activities are applicable:

Government Notice No. R327 (Listing Notice 1): Activity 12(ii)(c), 27 & 28

Government Notice No. R324 (Listing Notice 3): Activity 4(i)(ii)(aa), 12(i)(i), & 14(ii)(c)(i)

A Draft Basic Assessment Report and relevant appendices will be sent via email to all registered Interested and Affected Parties (I&APs) for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

www.ecoroute.co.za

PO Box 1252, Sedgefield. 6573

Email: admin@ecoroute.co.za

Cell: 072 126 6393

PUBLIC PARTICIPATION: NOTIFICATION OF THE PROPOSED RESIDENTIAL DEVELOPMENT ON PORTION 91 OF FARM MATJESFONTEIN 304, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE



From <admin@ecoroute.co.za>
To Asam <asam@bgcma.co.za>, Rmphahlele <rmphahlele@bgcma.co.za>, Msimons <msimons@capenature.co.za>, AbrahamsN <AbrahamsN@nra.co.za>, Managerfpa <managerfpa@gmail.com>, Maretha Alant <maretha.alant@sanparks.org>, Strohl <Strohl@caa.co.za>
Cc Joclyn <joclyn@ecoroute.co.za>, Janet <janet@ecoroute.co.za>
Date 2023-05-08 10:20

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



ENVIRONMENTAL ASSESSMENT PROCESS

Notification of Public Participation:

The Proposed Residential Development on Portion 91 of Farm Matjesfontein 304, Keurboomstrand, Plettenberg Bay, Western Cape.

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP). The Public Participation Process will run from **08/05/2023 – 07/06/2023**.

DEADP Ref: 16/3/3/6/7/1/D1/13/0268/22

Activity:

The Basic Assessment Application is for the proposed development of a sustainable middle income residential development on Portion 91 of Farm Matjesfontein 304, Plettenberg Bay. The development concept includes ± 73 group housing stands with average erf sizes of ±375m². The houses will vary in size but will be built in a similar style that will create a harmonious development. Ample open spaces and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood.

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A Draft Basic Assessment Report and relevant appendices will be sent via email to all registered Interested and Affected Parties (I&APs) for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.


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Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

www.ecoroute.co.za
P.O. Box 1252, Sedgefield, 6573
Email: admin@ecoroute.co.za
Cell: 072 126 6393

PUBLIC PARTICIPATION: NOTIFICATION OF THE PROPOSED RESIDENTIAL DEVELOPMENT ON PORTION 91 OF FARM MATJESFONTEIN 304, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE

 **From** <admin@ecoroute.co.za>
To CSchliemann <CSchliemann@plett.gov.za>, Mrhode <mrhode@plett.gov.za>, ATaljaard <ATaljaard@plett.gov.za>, <mmemani@plett.gov.za>, Jkamkam <jkamkam@plett.gov.za>, Info <info@gardenroute.gov.za>, Nina <nina@gardenroute.gov.za>
Cc Joclyn <joclyn@ecoroute.co.za>, Janet <janet@ecoroute.co.za>
Date 2023-05-08 10:26

ECO-ROUTE ENVIRONMENTAL CONSULTANCY ENVIRONMENTAL ASESMENT PROCESS

Notification of Public Participation:

The Proposed Residential Development on Portion 91 of Farm Matjesfontein 304, Keurboomstrand, Plettenberg Bay, Western Cape.

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP). The Public Participation Process will run from **08/05/2023 - 07/06/2023**.

DEADP Ref: 16/3/3/6/7/1/D1/13/0268/22

Activity:

The Basic Assessment Application is for the proposed development of a sustainable middle income residential development on Portion 91 of Farm Matjesfontein 304, Plettenberg Bay. The development concept includes ± 73 group housing stands with average erf sizes of $\pm 375\text{m}^2$. The houses will vary in size but will be built in a similar style that will create a harmonious development. Ample open spaces and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood.

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A Draft Basic Assessment Report and relevant appendices will be sent via email to all registered Interested and Affected Parties (I&APs) for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

Environmental Assessment Practitioner: Joclyn Marshall (EAPASA Reg 2022/5006)

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PO Box 1252, Sedgefield. 6573

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