



## **BACKGROUND INFORMATION DOCUMENT (BID)**

PROPOSED MEDIUM TO HIGH DENSITY RESIDENTIAL DEVELOPMENT ON  
RE / ERF 2074, MARINE WAY, BITOU LOCAL MUNICIPALITY, WESTERN CAPE

### **PUBLIC PARTICIPATION PROCESS**

#### **Pre-application Phase**

*Application for Environmental Authorisation as required in terms National Environmental Management Act (Act 107 Of 1998) Environmental Impact Assessment Regulations 2014, as amended  
4 July 2024*

#### **Introduction**

A medium to high density residential development is proposed to be developed on RE / Erf 2074. The site is approximately 5.95 hectares (ha) in extent and situated within the urban edge of the Plettenberg town settlement, immediately south of Marine Way within the Bitou Local Municipality in the Western Cape Province.

#### **Refer to Appendix A: Locality Map.**

The proposed development entails the construction and operation of a residential development and will require prior authorisation in terms of the following:

- National Environmental Management Act (Act 107 Of 1998) (NEMA)
- NEMA Environmental Impact Assessment (EIA) Regulations 2014, as amended, 2017
- National Environmental Management: Biodiversity Act (Act 10 of 2004) (NEMBA)
- National Heritage Resources Act (Act 25 of 1999) (NHRA)
- National Water Act (Act 36 of 1998) (NWA)

Eco-Route Environmental Consultancy have been appointed to carry out the environmental authorisation process as required in terms of NEMA and the NEMA EIA regulations, 2014, as amended.

#### **Purpose of the BID**

The main purpose of this Background Information Document (BID) is to:

- Provide potential Interested and Affected Parties (IAPs) with information regarding the proposed development;
- Describe the environmental process being undertaken in terms of the NEMA and the EIA regulations, 2014, as amended
- Outline the basic assessment and public participation process

#### **Project Proposal (Alternative 1)**

An estimated 230 units are proposed to be developed on Erf 2074; the units are proposed to be two- and three-bedroom units in three-storey buildings; each unit is proposed to be approximately 100 to 130m<sup>2</sup> in extent. Supporting services and infrastructure will be installed, including; access roads, internal roads, sewage, electric and water reticulation systems, stormwater management structures as well as parking bays. The development including supporting services and infrastructure will occupy an estimated 50 000 m<sup>2</sup> (5 ha) of the erf. The development is proposed to be developed in 3 or 4 phases to allow the development to respond to changing market demands.



The property is situated in an area that has been identified as a “Strategic Development Area” in terms of the Bitou Strategic Development Framework, 2022, with the potential for medium-density (3 to 4-storey) residential development.

Erf 2074 is currently used for single residential purposes and existing infrastructure includes a house and an outbuilding. Indigenous trees and vegetation have been planted by the owner of the property; a small olive grove (3000m<sup>2</sup>) was planted as part of previous agricultural activities; a small plantation of king proteas has been planted.

A rezoning application was submitted in 2006 to rezone Erf 2074 from Agriculture to a subdivisational area, however this application was never concluded. In August 2012, an application was made for a second dwelling which allowed a new house to be constructed in the southern portion of the site. The application was approved, and the house construction commenced however it was not completed. Remnants of the building footprint and access road still exist.

The current development proposal has been designed for the maximum number of units that can be achieved taking into account access and parking requirements, existing structures, site characteristics, as well as infrastructure development parameters of the zoning Scheme.

**Refer to Appendix B: Town Planning Report**

**Refer to Appendix C: Layout Alternative 1**

## Alternatives

Alternatives are defined in the NEMA 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 it is proposed to undertake the activity;
  - The development is proposed by the landowner of Erf 2074; Erf 2074 will be the only location assessed.
- (b) the type of activity to be undertaken;
  - The proposed development is a medium to high residential developing entailing approximately 230 units with a maximum development footprint of 5 hectares.
- (c) the design or layout of the activity;
  - An initial site development plan has been included as Appendix B.
  - The current layout proposal will be assessed as alternative layout 1; any changes to the layout identified during the assessment process will form the basis of alternative 2.
- (d) the technology to be used in the activity or process alternatives;
  - Includes, *inter alia*, energy, water, sewage, waste management options
- (e) the operational aspects of the activity; and
  - Includes, *inter alia*, energy, water, sewage, waste, landscape management options
- (e) the option of not implementing the activity.
  - The no-go option will be assessed.

Should any reasonable / feasible alternatives be identified by IAPS, organs of state, specialists or the project team during the environmental process, such alternatives will be investigated.

## Environmental Sensitivities

Historically the entire site resembled an open-canopy vegetation type which is consistent with the South Outeniqua Sandstone Fynbos mapped on the property in terms of National Vegetation Map (2018); South Outeniqua Sandstone



Fynbos (FFs 19) is a *least threatened vegetation type* in terms of NEMBA and the 2022 updated list of threatened ecosystems.

The Western Cape Biodiversity Spatial Plan (WCBSPP; 2017) excludes the majority of Erf 2074 from the conservation planning areas; the southernmost section of the site is mapped as a terrestrial Critical Biodiversity Area 1 (CBA1); Ecological Support Areas 1 and 2 (ESA1 and ESA2) are mapped along the west-south-western boundary of Erf 2074.

The site is situated in quaternary catchment K60G. The closest perennial river is the Piesang River located in the valley bottom below the cliffs approximately 250 m south of the property. At this point, the river is mapped as the Estuarine Functional Zone (EFZ) and flows in an easterly direction for approximately 1.8 km until it exits to the sea at the river mouth.

The property is located on a watershed; the northern area indirectly drains to the Keurbooms River via stormwater in urban areas, while the southernmost section of the property drains directly to the Piesang River.

The western area of the development is situated within 100 meters of a mapped drainage line; the drainage line falls on Erf 2073 and drains towards the Piesang River in the south. Any construction of stormwater outlets, pipes or associated infrastructure directing stormwater into the drainage line on the western neighbouring property to the may require a water use license (WUL) / general authorisation as Section 21 c and I water uses listed in the NWA will be triggered.

According to the National Freshwater Ecosystem Priority Atlas (NFEP; Nel et al., 2011) the two sub-quaternary reaches (SQR 9200 and 9188) mapped on the property are classified as Freshwater Ecosystem Priority Areas (FEPAs).

A heritage impact assessment was carried out on the site in 2005 by Dr Lita Webley. A stone house is located on the property and is believed to have been constructed over 100 years ago. A Notice of intention was submitted in 2005 in terms of Section 38 of the NHRA. In 2006 a Heritage approval was obtained for the previous development on terms of section 38 (8) of the National Heritage Resources Act and states that no further study was required.

## Environmental Legislation

### National Environmental Management Act

In terms of the NEMA 2014 EIA Regulations (as amended, 2017) the proposed development triggers activities listed in GNR. 327 (Listing Notice 1) and 324 (Listing Notice 3) and therefore requires an environmental authorisation. A basic assessment is required to be carried out as part of the environmental authorisation process.

The competent authority is the Western Cape Department of Environmental Affairs and Development Planning (DEADP).

The following NEMA EIA listed activities are applicable to the proposed development (please note that these are subject to change as more information becomes available):

Listing Notice	Activity No(s):	Activity Description
<b>Listing Notice 1</b>	27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.



## Listing Notice 3 12

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

- i. Western Cape
- ii. Within critical biodiversity areas identified in bioregional plans.

## Screening Tool

The Department of Forestry, Fisheries and Environment (DFFE) has launched an on-line screening tool that is applied at the initial stages of an assessment. A Screening Report has been generated for the site; the DFFE National Screening Tool indicates the following environmental sensitivities:

- Agriculture theme: Medium sensitivity
- Animal species theme: High sensitivity
- Aquatic biodiversity theme: Very high sensitivity
- Archaeological and Cultural Heritage theme: Very High sensitivity
- Civil aviation theme: High sensitivity
- Defence theme: Low sensitivity
- Palaeontology theme: High sensitivity
- Plant species theme: Medium sensitivity.
- Terrestrial biodiversity theme: Very High Sensitivity

## **Refer to Appendix D: Screening Tool Report.**

The following studies have been carried out to date:

- Aquatic Compliance Statement has been carried out by Confluent Environmental (Pty) Ltd, completed February 2024
- Terrestrial Biodiversity & Terrestrial Plant Species Report by Confluent Environmental (Pty) Ltd, completed February 2024
- Terrestrial Animal Species Specialist Assessment, Site Sensitivity Verification Report by Confluent Environmental (Pty) Ltd, completed February 2024
- Heritage Impact Assessment, Dr Lita Webley, 2005
- A site verification report has been compiled.

## **Refer to Appendix E: Site verification Report**

The screening tool report and the reports compiled by relevant specialists to date will assist to identify potential environmental issues and impacts in the construction phase and operational phase of the proposed development.

The following specialist assessments are deemed necessary:

- A full assessment and risk assessment matrix is recommended to be carried out once stormwater calculations for 1:100 events and pre- and post-construction flows to the south have been done and stormwater management plan compiled accordingly.
- Due to the high sensitivity of the southern section and the location of development footprints in this area, a terrestrial and plant species assessment will be required.
- Due to the high sensitivity of the southern section and the location of development footprints in this area, a terrestrial animal species assessment will be required.



With regards to archaeology, heritage and palaeontology, the stone house identified in the 2005 Heritage Impact Assessment will not be demolished but incorporated into the planned development; furthermore, in 2006 approval was obtained from the Western Cape Heritage authority for the previous development proposal and stated that no further heritage assessments such as archaeological assessment, palaeontology assessment or visual impact assessments are deemed necessary.

### National Water Act

The western area of the development is situated within 100 meters of a mapped drainage line which drains towards the Piesang River situated 250 meters south of the site. The proposed development may require a Water Use Authorisation (WUA) or a General Authorisation (GA) in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998). The Department of Water Affairs and Sanitation will be registered as an interested and affected party in the process. This process will run in parallel with the Basic Assessment Process.

### **Basic Assessment Process**

A Basic Assessment process is carried out to identify and assess potential impacts associated with the proposed development. Mitigation measures to reduce anticipated negative impacts and enhance anticipated positive impacts are recommended. The basic assessment concludes with recommendations and any related conditions for environmental authorisation.

Public participation process is carried out according to NEMA EIA Regulation 41 of GN R.326, 2017. ***All interested and affected parties (IAPs) are encouraged to participate.***

A pre-application Public Participation Process (PPP) will be done to inform the development proposal prior to submission of a formal Application to the competent authority (DEADP). The pre-application PPP phase is carried out to allow members of the public ample time to register as Interested and Affected Parties (IAPs), receive and review project information and provide input/ comments on the proposed development.

The following steps will be undertaken as part of the EA Application Process:

- Generation of screening tool report; complete
- Compile verification report and notice of intent to apply for environmental authorisation; complete
- Submission of Notice of Intent to apply for Environmental Authorisation to the competent authority (DEADP); complete
- Public participation starts (**current**) and entails:
  - Identifying potential Interested and Affected Parties (IAPs)
  - Identifying landowners, adjacent landowners, relevant organs of state and stakeholders – these parties are automatically registered as IAPs for the process unless requested to be removed from the IAP database
  - Distribution of Notice and Background information document to identified potential IAPs
  - Placement of Site Notices at the site
  - Placement of advert in a local newspaper
  - A 30-day period is provided to register as an IAP
  - Open Registered Stakeholder database
- Maintain stakeholder database; keep record of comments received, responses provided, throughout the basic assessment process
- Undertaking of planned specialist impact assessments based on screening tool and verification report



- Compilation of Pre-Application Basic Assessment Report (BAR) which identifies of potential impacts and proposed mitigation measures, and includes a Draft Environmental Management Programme report (EMPr) (construction and operational phase), Comments and Response Report, Specialist studies
- Distribution of preapplication BAR to IAPs for a 30-day comment and review period
- Submission of EA Application to DEADP
- Update pre-application BAR to draft BAR incorporating any comments received, additional studies and accompanying changes to proposed project
- Distribution draft BAR to IAPs for a 30-day comment and review period
- Update draft BAR to final BAR based on comments received on the Draft BAR
- Submit Final BAR to DEADP for decision-making
- The DEADP reviews the documents and decides whether the project can proceed or not.
- An Environmental Authorisation (EA), with conditions, is issued to the applicant if the proposed development may proceed.
- A copy of the EA is made available to all IAPs to consider, along with the reasons for the decision made. If you disagree with the decision, you are provided with information on how to lodge an appeal.

## Public participation process

A vital part of the process is public consultation. The public participation process provides IAPs with an opportunity to gain an informed understanding of the proposed development through the review relevant reports and provides an opportunity for IAPS to comment on the proposed development and raise issues or concerns to be considered during the planning process.

Should you (or any other party you may be aware of) want to participate in the process and / or have comments regarding the proposed development and social and / or environmental related concerns, ***you are invited to register as an IAP*** for the application for environmental authorisation process. The names and contact details of members of the public who respond to the legal advert and/or notices (calling for IAPs to register and comment; registration period: **4 July to 3 August 2024**) will be captured on the project Stakeholder Register. All written comments provided throughout the process will also be recorded.

To register as an IAP please submit your full contact details, in writing, to Eco-Route Environmental Consultancy using the contact details provided at the end of this document.

**Please note that the main purpose of this Pre-Application process is to gain an understanding of all issues / concerns related to the development proposal so that these can be addressed prior to submission of the formal Application to DEADP.**

**TO REGISTER AS AN I&AP, PLEASE SEND YOUR  
REGISTRATION REQUEST, NAME & FULL CONTACT DETAILS,  
AND ANY PRELIMINARY COMMENTS TO:**

ATT: Claire De Jongh  
P.O. BOX 1252 Sedgfield 6573  
Email: [claire@ecoroute.co.za](mailto:claire@ecoroute.co.za)  
Tel: 044 343 2232  
Fax: 086 402 9562





# Eco Route

**ENVIRONMENTAL CONSULTANCY**  
REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN

PhD Univ. Pretoria

Cell: 072 222 6013

email: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN

BSc. Hons. Environmental Manager

Cell: 082 557 7122

e-mail: [janet@ecoroute.co.za](mailto:janet@ecoroute.co.za)

## BASIC ASSESSMENT PROCESS

**PROPOSED MEDIUM TO HIGH DENSITY RESIDENTIAL DEVELOPMENT ON RE / ERF 2074, MARINE WAY,  
BITOU LOCAL MUNICIPALITY, WESTERN CAPE**

### REGISTRATION / INITIAL COMMENT SHEET ON BID

Should you have any preliminary comments and would like to be registered as an Interested and Affected Part (I&AP), please complete this form and return it to Eco Route Environmental Consultancy at P.O. BOX 1252 Sedgefield 6573. Tel: 044 343 2232, Fax: 086 402 9562, Email: [claire@ecoroute.co.za](mailto:claire@ecoroute.co.za)

<b>TITLE</b>	
<b>NAME &amp; SURNAME</b>	
<b>REPRESENTING</b>	
<b>POSTAL ADDRESS</b>	
<b>TEL NO.</b>	
<b>FAX NO.</b>	
<b>CELL NO.</b>	
<b>E-MAIL</b>	

**Please note: Submission of incomplete contact details may result in a person / entity not being registered. Please ensure that you complete the above table in full.**

#### COMMENTS (please feel free to submit more pages)

1. List any key issues or concerns relating to the proposed development.

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2. Describe your reason / motivation for participating in this environmental process (disclose any interest).

**Please note: In terms of the EIA regulations, 2014, as amended, it is compulsory for IAPs to state their interest in a project / process, thus not providing reasons, may result in a person / entity not being registered.**

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REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN

PhD Univ. Pretoria

Cell: 072 222 6013

email: [ebersohn@cyberperk.co.za](mailto:ebersohn@cyberperk.co.za)

MS. JANET EBERSOHN

BSc. Hons. Environmental Management

Cell: 082 557 7122

e-mail: [janet@ecoroute.co.za](mailto:janet@ecoroute.co.za)

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3. List any potential (reasonable and / or feasible) alternatives for the activity and state why these alternative(s) are recommended:

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4. List IAPs or Stakeholders that you feel should be registered (please provide their full contact details & who they represent, so that they may be contacted):

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