Eco Route
ENVIRONMENTAL CONSULTANCY
REGISTRATION NO. 1998/031976/23

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

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 30-Day Public Participation Process for the Draft Basic Assessment ran from 24/03/2025 to 25/04/2025
- 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.

Annexure 1: Newspaper advertisement and site signs

Rotary Knysna helps hundreds

KNYSNA – Recently, Rotary Knysna ended its biggest humanitarian project of the year: RotaryDent 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 Steinert 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 Marlyn 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 5000 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, Felicity-Ann Holtzhauzen 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: 16/3/3/6/7/1/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.

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.

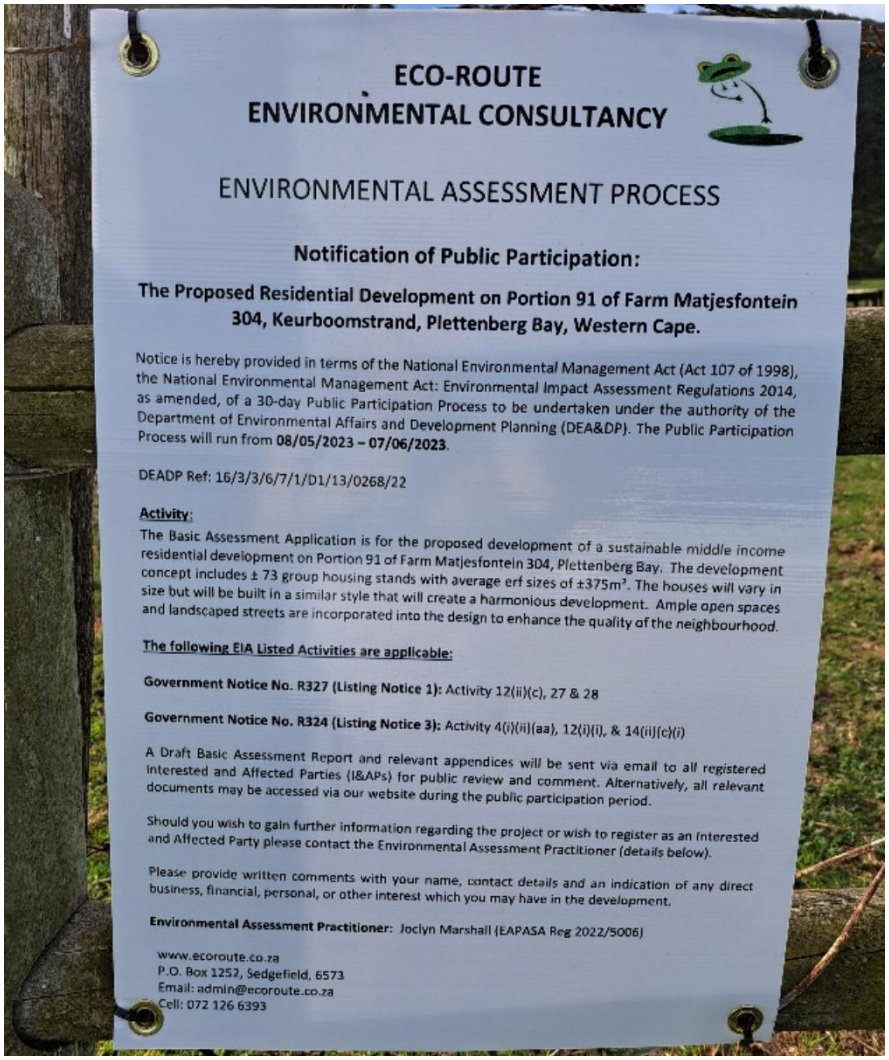
Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

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, Sedgefield, 6573
Email: admin@ecoroute.co.za
Cell: 072 126 6393

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



ECO-ROUTE
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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.

Annexure 2: Notification to Stakeholders and I&AP's

ECO-ROUTE
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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)

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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.

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

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 60 group housing stands with average erf sizes of ±500m². 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)&(bb), 12(i)(i)&(iii), & 14(ii)(c)(i)(hh)

A Draft Basic Assessment Report and relevant appendices will be made available to all registered Interested and Affected Parties (I&APs) for public review and comment. 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. Please note that information submitted by I&AP's becomes public information. In terms of the Protection of Personal Information Act 4 of 2013 (POPIA), no personal information will be made available to the public.

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

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e-mail: janet@ecoroute.co.za

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 Steve.Kleinhans@westerncape.gov.za
Department of Environmental Affairs and Development Planning (DEA & DP)	Francois Naude	Private Bag x 6509, George, 6530 044 814 2013 (T)	Francois.Naude@westerncape.gov.za
DFFE: Oceans and Coast	Rueben Molale		RMolale@dffe.gov.za OCeia@environment.gov.za
DFFE Directorate: Biodiversity & Conservation	Mr Seoka Lekota	Environmental House 473 Steve Biko, Arcadia Pretoria 0083	BCAdmin@environment.gov.za
DFFE Protected Areas, Planning and Management Effectiveness	Mr Thivhulawi Nethononda	Environmental House 473 Steve Biko, Arcadia Pretoria 0083	Tnethononda@dffe.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	Private Bag x617, Oudtshoorn, 6620 044 272 6071 (T) 044 272 7243 (F)	Azni.November@westerncape.gov.za
Transport & Public Works / Department of Infrastructure	Vanessa Stoffels	24th 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 Brandon Layman	Private Bag x1, Elsenburg, 7601 021 808 5099 (T) 021 808 5092 (F)	Cor.VanderWalt@westerncape.gov.za Brandon.Layman@westerncape.gov.za

Coastal Management Unit, DEA&DP	Ieptieshaam Bekko Mercia J Liddle Hilda Hayward Ryan Apolles	Private Bag x9086, Cape Town. 8000 021 483 3370 (T) 078 744 9205 (Cell) Ieptieshaam Bekko)	Ieptieshaam.Bekko@westerncape.gov.za Mercia.Liddle@westerncape.gov,za Hilda.Hayward@westerncape.gov.za Ryan.Apolles@westerncape.gov.za
DFFE: Forestry Management	Melanie Koen Innocent Mapokgole	Private Bag x12, Knysna, 6570 044 302 6902 (T) 044 382 5461 (F)	MKoen@dffe.gov.za imapokgole@dffe.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@bocma.co.za rmphahlele@bocma.co.za
Cape Nature Land Use Advice	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	Canny Mothapo	083 461 6292	environment@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 Minne	PO Box 255, Plettenberg Bay, 6600 044 501 3318 (T) 044 533 6885 (F)	aminne@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	Executive Mayor David John Swart		DSwart@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
NGO			
Portion No.	**Contact Person**	**Contact Details**	**Email**
	Eden to Addo Corridor Initiative	t: +27 (0)73 232 5169	admin@edentoaddo.co.za
	Keurbooms Property Owners Association		No contact information
PUBLIC			
Portion No.	**Contact Person**	**Contact Details**	**Email**
Milkwood Glen Residential Complex Erf 838 / Milkwood Glen Homeowners Association			
13/304 MATJES FONTEIN 13/304 Matjesfontein	Schwellnus Familie Trust		
13/304 MATJES FONTEIN	Keurbaai Aandeleblok PTY LTD		
129/304 MATJES FONTEIN	Catwalk INV 612 PTY LTD		
RE/785 (60 Maplin Drive)	Mrs C Knott		
RE/2/304 MATJES FONTEIN	Varoli INV PTY LTD		
RE/17/304 MATJES FONTEIN	Familie Roux Eiendomme PTY LTD / Danie Sauer		
	Plettenberg Bay Ratepayers and Residents Association Stuart Comline		

	Plett Environmental Forum/Julie Carlisle Rudi Martin Basil van Rooyen Oliver Rissik Paul Falla Sandra Rippon		
	Mr/Mrs JP Turner		
	Dr Marcel Myburgh		
Erf 829 Milkwood Glen	Lisa Murray		
Keurview K7	Braam Barnard (AH Barnard)		
	Lucinda Mudge		
10 Milkwood Glen Estate	Carol Surya		
	Jock Worthing		
	Chris Maritz		
	Margeaux Maritz		
	Masha Roginsky		
No 2 Maplin Drive	Nicky Hirschberg		
	Dennis Cogzell Christine Cogzell		
	Berna Euler		
	Gustav Kemp		
Chairman MWG HOA	Sam Duncan		
	Marty Reddering		
	Johann Kritzinger		
	Retha Moussa		
	Annie Le Roux		
31 Milkwood Glen	Lance Hilliard-Lomas		
	Dave Rissik		
	Josephine Balzer		
	Eckhardt de Kock		
	Pieter Pretorius		
	Pamela Gibson		
	Nicky Frootko		
36 Milkwood Glen	Margaret Ford		
	Marley Ford		
Milkwood Glen	Dee Rissik		
	David Netherway		
	Lolita Bruwer		
	Helen Mudge		

	Tracy van der Byl		
MWG HOA	Chantal Young		
	James Mudge		
	Rocco Human de Kock		
	Adri Querido		
	Mae Naude		
	Tracy Millar		
	Eugéne Schoeman		
	Louise Jordaan		
	Henda Lombaard		
	Emma Reid		
	Christo Oberholzer		
	Rikus van Zyl Managing Director Home | Holiday | Living		
	Elmerette De Kock		
	Bert Grobbelaar / Mr A S Grobbelaar		
Keurrus PTY Ltd	Johan Koen		
	Rosemary King / Rosie Mudge		
Lemue Family Trust	Marlien Lemue		
	Lance and Alison Faure		
Keurboom Residents	Claire and Laurence Parkman		
	Alexandra Urban Casimir Urban		
Milkwood Glen Resident	Peter Bruce Wylie		
	Andrea Mueller-Stratmann		
Main Road, Keurboomstrand	Tessa de Kock		
	Willy V		
	Estelle Dormehl		
	Linda Fletcher		
MWG	Yverne Butler		
MWG	Vaughn & Corinna Bryan		
	Grazia Mauri		
	John Hofmeyr		
Erf 63 Keurboomstrand	AP (Braam) Greeff		
	Vania Le Roux Geoffrey Read Family Trust ta Archrock Resort		

	Janine Lourens		
10 Hill street	Pieter Luttig		
	George Stiglingh		
	Jeanne Botes		
	Phillipa King		
	Pierre Mynhardt		
	Piaz Family (Mario & Eveline Piaz)		
	Pieter and Frances Luttig		
	Riccardo Pugliese		
	Wessel Hamman		
	Peter Pyke		
	Aneen van Rooyen		
5 Mare Nostrum	Maarten Molenaar		
	Liezl Hamman		
Matjiesfontein Estate /keurbooms River Road	Janine Kleinschmidt / Hemisphere Food and Fine Art t/a Le Fournil De Plett Bakery and Cafe		
ADDITIONAL I&APs – IDENTIFIED BY CULLINAN & ASSOCIATES			
Farm/Erf No.	**Contact Person**	**Postal/Physical Address**	**Email**
26 Milkwood Glen (Erf 925) Keurbooms Road Erfs 830,831,832 and 833 - vacant plots plus Erf 824	Dr NJ Frootko		
26 Milkwood Glen (Erf 925) Keurbooms Rd	Helen Mudge		
Erf 824, Milkwood Glen, Keurbooms Rd	Edward Mudge		
Erf 824, Milkwood Glen, Keurbooms Rd	Emma Reid		
47 Milkwood Glen, Keurbooms Rd	James Mudge		
47 Milkwood Glen, Keurbooms Rd	Maria Mudge		
38 Milkwood Glen, Keurbooms Rd	Lucinda Duncan		
38 Milkwood Glen, Keurbooms Rd	Sam Duncan		

Abalone Beach House Erf 835 and Erf 817,821 and 823 Milkwood Glen, Keurbooms Rd	Berna Euler		
Milkwood Glen	Milkwood Glen Homeowners Association: Chairman Sam Duncan		
Erf 780 Driftwood Private Estate, Keurbooms Road	Driftwood 780 (Pty)Ltd (Director: Mr Wessel Hamman)		
8 Keurbaai Estate, Keurbooms Road	Professor Dr. Hartwig Euler		
35 Milkwood Glen	Freud Oberholzer		
37 Milkwood Glen, Keurboomstrand	Karin Ireton		
Milkwood glen 12. Keurbooms beach	Robert Butler		
8 Milkwood Glen	Ann Le Roux		
30 Milkwood Glen Keurboomstrand	Lolita Bruwer		
30 Milkwood Glen Keurboomstrand	Robert Ryan		
10 Milkwood Glen Estate	Carol Surya		
42 Ringwood Rd, Pretoria	Edmund Van Rooyen		
42 Ringwood Rd, Lynnwood Manor, Pretoria	Elske Van Rooyen		
27 Milkwood Glen	Josephine Balzer		

20 De Villiers Avenue, Kenridge, Cape Town, 7550	Gustav Kemp		
48 Milkwood Glen Keurboomstrand Plettenberg bay	Tracy Van der Byl		
14 Greenhill Rd, Emmarentia, Jhbg 2195/ 5 Keurbaai, Keurboomstrand Rd, Keurboomstrand.	Carolyn Raphaely		
Twee Jackals Farm N2 Harkerville 6600	Lisa Murray		
28 Milkwood Glen, Keurboomstrand	David Netherway		
28 Milkwood Glen, Keurboomstrand, Plettenberg Bay	Dee Rissik		
1 Compass Close, Marina Da Gama, Cape Town, 7945	Amy Van Zyl		
10 Milkwood Glen Estate	Marty Reddering		
36 Milkwood Glen	Margie Ford		
Ptn 13 Jakkalskraal 433 Harkerville 6600	Neil Murray		
36 Milkwood Glen Keurbooms	Marley Ford		
14 Glen ave Constantia	Leah Murray		
Erf 780, Driftwood Private Estate, Keurboomstrand	Wessel Hamman		
15 Milkwood Glenn, Keurboomsstrand	Lance Faure		
12 Milkwood Glen	Kelly De Rosner		
No 14 milkwood Glen Keurboomstrand	Retha Moussa		

14 milkwood glen	Nabil Moussa		
17 Milkwood Glen, Keurbooms	Dennis Cogzell 0829006688		
48 Milkwood Glen Keurboomstrand Plettenberg bay	Chantal Young		
31 Milkwood Glen, Keurboomstrand	Lance Hillard-lomas		
15 milkwood glen. Keurboomstrand	Alison Faure		
PO394 Rd No 16 Milkwood Glen Complex	Martélle Slabber		
PO394 Rd No 16 Milkwood Glen Complex	Robert Loubser		

Annexure 4: Issues and Response Register

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO PUBLIC PARTICIPATION FOR PRE-APPLICATION BASIC ASSESSMENT REPORT - 08/05/2023 TO 07/06/2023	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning (DEA&DP) – 13/12/2022	
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 ±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	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

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.	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 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 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 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. 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 proses 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 (March2019) 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.	
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.	1. The declaration will be included in the submission of the Application and Draft BAR. The declaration was not included in error.
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. The Geotechnical Engineer will do additional pit tests for groundwater.
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.	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.	4. Response from Dr. D Hoare – *My assessment was regarding whether what <u>currently</u> 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 <u>back to secondary vegetation</u>, 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. 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.	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. 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.	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.	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. Implementation programme Please note that, in accordance with the provisions of the Environmental Impact Assessment Regulations, 2014, a period for which the	8. An implementation programme will be provided in the Final BAR.

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 programme). Where the proposed development will include operational aspects, the period for which the environmental authorisation is required must be provided.	
Breeder-Olifants Catchment Management Agency (BOCMA) – 07/06/2023	
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 ±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 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	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. See above response.

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.	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 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 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.	5. The stormwater management plan has been updated (Appendix G3). The dam is excluded as a stormwater retention pond.
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.	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. 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.	7. Noted.
PUBLIC	
Helen Mudge - 05/06/2023	

Thank you for the opportunity to comment on the proposed development: Portion 91, 304 Matjesfontein. I am a part-owner of the home on Erf 824, Milkwood Glen situated on high ground overlooking the proposed development. As a registered Interested & Affected Party, I OPPOSE the proposed high-density residential development for middle-income housing for the following reasons: 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. <u>ZONING</u>: The proposed development is on land currently zoned agricultural which to my knowledge is not Residential or Resort Zoning. <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 and indigenous Afro-Montaine Forest. All these florae 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	Noted for consideration. 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. <u>ZONING</u>: Please refer to Annexure 1 for responses regarding Town Planning concerns. <u>SENSE OF PLACE</u> 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.

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.	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: 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 isthat 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 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	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.

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 thesehave 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 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	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. IMPACT ON LOCAL PROPERTY PRICES: Please refer to Annexure 1 for responses regarding Town Planning concerns.

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.

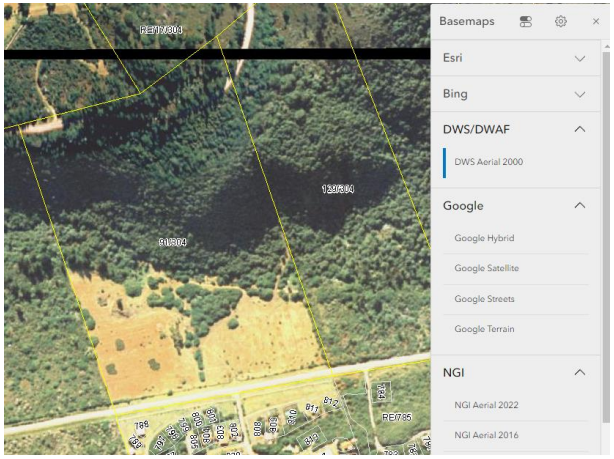
- If this proposal is accepted and agreed upon, it will encourage all the other landowners of land in the valley, to the northern side of the access road PO394, to similarly degrade their land in such a way as to eventually have it called as degraded and therefore suitable for the built environment.
- 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".

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.



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: 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.	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 infrastucture 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	
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. 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. The already overwhelmed utilities servicing the Bitou Municipal area struggle to cope with the existing load. 73 erven on this size portion is greedy in the extreme and undermines and contradicts the vision of "Harmonious living with ample open spaces " . This area is a protected and sensitive Coastal zone and should remain as such.	Please refer to Annexure 1 for responses regarding Town Planning 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. The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP.
Braam Barnard – 07/05/2023	
I object to high density development on Keurboomsstrand The area was declared low density development by Dr Vali Moosa long ago. How did this proclamation got side stepped?	**Please refer to Annexure 1 for responses regarding Town Planning concerns.** The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP.
Aneen van Rooyen – HOA THE WAVES – 29/05/2023	
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: The Draft Town Planning Report: - The proposed density of 12 units per hectare is entirely out of context and unsuitable for the site.	**Please refer to Annexure 1 for responses regarding Town Planning concerns.** 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. 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.

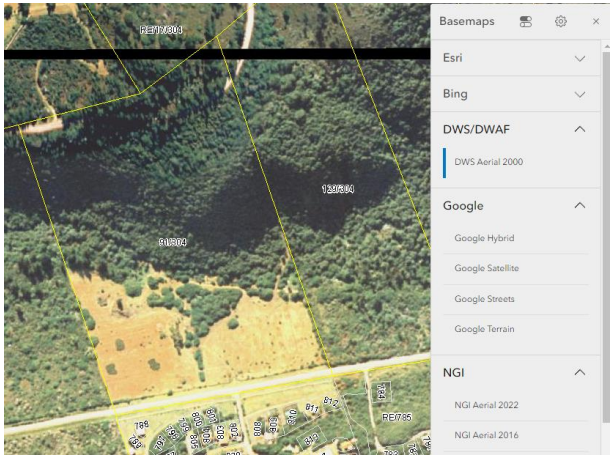
- The rationale provided for this development does not address the needs of middle-income housing and fails to consider proximity to work and transport affordability. - The argument for financial viability based on density is unfounded, and a more suitable location should be chosen. - The report lacks 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.

- Adequacy of sewage infrastructure and traffic impact assessment need to be addressed. - Grey water systems and details on alternative sewerage treatment should be provided. 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. 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.	
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	
I herewith submit the following for consideration in dealing with the application for a medium density housing development on this property. 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. **Proposed remedy**; A reduction in the number of units to no more than 40 units. 2) **Services** In the Consulting engineering report by Poise Engineers the following statements are made; 2.1 Water: Supply will be from the existing 200mm main feeding the area. **Water demand** and **impact on capacity** are stated as	Please refer to Annexure 1 for responses regarding Town Planning concerns. The number of stands has been reduced to 60, please refer to Appendix B1 for the preferred SDP. 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. A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR. It found no unaccecptable levels of traffic or congestion. • 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.

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. 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. **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.	
J. Koen (Keurrus Pty Ltd) – 06/06/2023	
I am one of the owners of Keurrus Pty Ltd at Keurbooms Strand. Please note my serious objection to the proposed housing development referred to above. 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.	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.
Sam Duncan – Milkwood Glen HOA – 05/06/2023	
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: 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	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.

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.	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. 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.	4. Please refer to Annexure 1 for responses regarding Town Planning concerns.
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.	5. Please refer to Annexure 1 for responses regarding Town Planning concerns.
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.	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.	7. Please refer to Annexure 1 for responses regarding Town Planning concerns.
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.	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.	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. 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.	10. Please refer to Annexure 1 for responses regarding Town Planning concerns.
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	11. A Traffic impact study has been done, please see Appendix G 8 of the Draft BAR. It found no unaccecptable levels of traffic or congestion.

infrastructure, leading to congestion, safety concerns, and inconvenience for both existing residents and future inhabitants. 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. 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. We urge the relevant authorities to carefully consider our objections and take into account the environmental, community, and infrastructural concerns associated with this development. 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. 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.	• 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. 12. This will be taken into consideration.
Christine & Dennis Cogzell – 06/06/2023	
Good day, We are in agreement with our Milkwood Glen Keurbooms residents for opposing the development of the said propery opposite Milkwood Glen Keurbooms properties and gate entrance. The development is definently not suitable for a number of reasons as layed out by our Estate Manager and residents.	Noted. Please see response above.
Laurence & Claire Parkman – 06.06.2023	
We hereby object to the above proposal on the following grounds:	Noted. 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

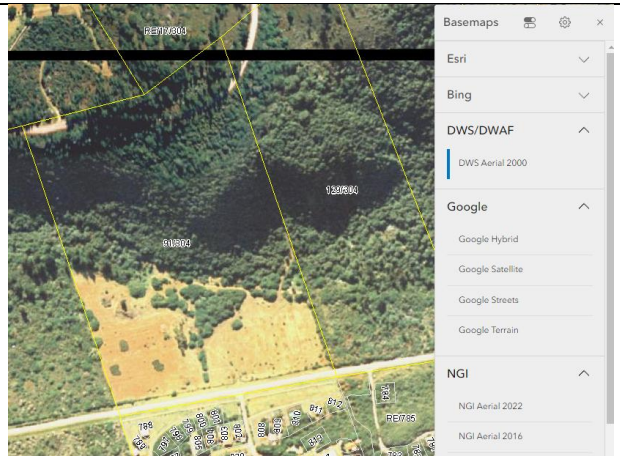
Density - 73 Residential 2 erven with an average size of 375sq mtrs is too high a density for the highly sensitive area in question we believe would be hugely detrimental to animal species and terrestrial biodiversity. Wetlands and Localised Flooding - the location of this site close to the original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

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.	
Mae Naude – 06/06/2023 **George Stiglingh – 06/06/2023**	
My objection is based on the following points: 1. Violations in respect of Zoning and Spatial Development Plan 1.1 Zoning Conflict 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. 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. 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. 1.2 Spatial Development Plant 1.2.1 Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan. 1.2.2 Approval of this development would disregard the established plan and set a dangerous precedent for future developments and transgressions. 2. Risks to the Environment 2.1 The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines. 2.2 Due to the recognised importance and ecological sensitivity of this region, it is protected by the various environmental laws of South Africa.	1. Violations in respect of Zoning and Spatial Development Plan Please refer to Annexure 1 for responses regarding Town Planning concerns. 2. Risks to the Environment 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.

2.3 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.	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 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.	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.

	• 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 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.	4. Community objection is noted.
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.	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 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. 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.	6. Responsibility for rehabilitation of land degradation 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."

7. Risk to property values
7.1 There are valid concerns that the proposed development would devalue properties in the surrounding area.

7. Risk to property values

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

7.2 This loss of property value would have a significant financial impact on the affected property owners. 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. 8. Inadequate Road Infrastructure 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. 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.	8. Inadequate Road Infrastructure 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.
Tessa de Kock – 06/06/2023	
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. 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.	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.
Maarten Molenaar – 06/06/2023	
I am against the above proposed protect because of my great concern around the current infrastructure. 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.	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.

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. The municipality have to address this issue first.	
Willy V – 06/06/2023	
Please receive objection to proposed development.	Noted for consideration.
Estelle Dormehl – 06/06/2023	
Good morning, I would hereby like to lodge my objection.	Noted for consideration.
Linda Fletcher – 06/06/2023	
The area of Keurboomstrand cannot sustain this type of development. We need to maintain certain areas for future generations.	Noted for consideration.
John Hofmeyr - 06/06/2023	
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: 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 b aie 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.	1. 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. 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.

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: 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."*	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. 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. • 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.
Braam Greeff – 06/06/2023	
I am resident since 1980 at mentioned address and would like to object against proposed development on road to Keurboomstrand. 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.	Noted for consideration. 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.
Vania le Roux (Archrock Resort) – 06/06/2023	
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.	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

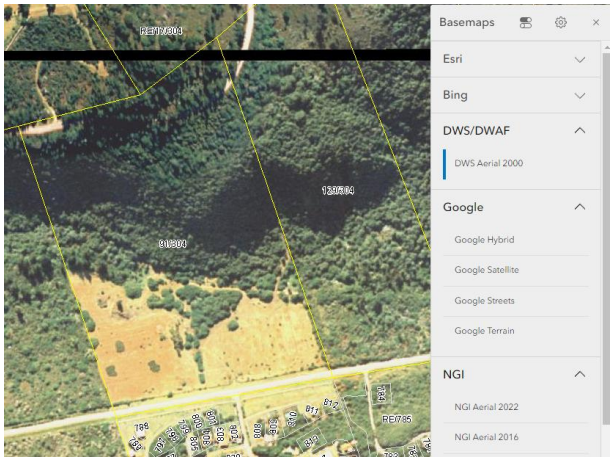
A major part of the allure of Keurboomstrand for tourists and residents has been the cummunity's dedication to keep the area pristine, secure and the communal to protect the Environment. We are against his development for the following reasons: Inadequate Infrastructure: - In the current state of lack 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. • 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 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.	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. 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.	4. Community opposition is noted for consideration.
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.	5. Please refer to Annexure 1 for responses regarding Town Planning concerns.
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.	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.

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

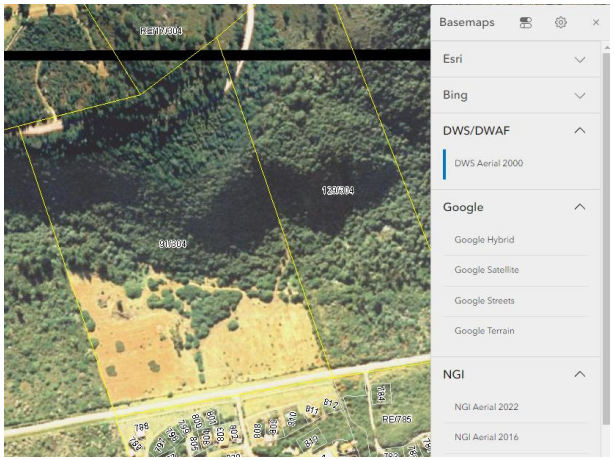
applications are considered. The cumulative effects of additional developments on the already limited water supply need to be thoroughly evaluated. 10. Accessibility and Affordability: The proposed development's location, approximately 7 kilometers from central Plettenberg Bay, would result in increased 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. 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. 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. 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.	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 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. 12. This will be taken into consideration.
Jeanne Botes – 06/06/2023	
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.	Noted for consideration. 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
Pierre Mynhardt – 07/06/2023	
My objection is based on the following considerations: **1. Violations in respect of Zoning and Spatial Development Plan** 1.1 Zoning Conflict 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. 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. 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. 1.2 Spatial Development Plant 1.2.1 Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan. 1.2.2 Approval of this development would disregard the established development plan and set a dangerous precedent for future developments and transgressions. **2. Risks to the Environment**	1. Violations in respect of Zoning and Spatial Development Plan Please refer to Annexure 1 for responses regarding Town Planning concerns. 2. Risks to the Environment

2.1 The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines. 2.2 Due to the recognised importance and ecological sensitivity of this region, it is protected by the various environmental laws of South Africa. 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.	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. 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 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	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.

high-density development in Keurboomstrand would detract from the area's natural beauty, damaging its intrinsic value. 3.4 The proposed development and resulting increase in the local population will threaten Keurboomstrand's beaches which have been accorded Blue Flag status. 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.	• 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. 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 4.1 Keurboomstrand has a long-standing and well-established local community. 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. 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.	4. Community objection is noted.
5. Municipal Utility Concerns 5.1 Water Scarcity 5.1.1 The Bitou area is currently facing water shortages and is currently subject to strict water usage restrictions.	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.

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. 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. 5.3 Power Outages 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.	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 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 6.1 Areas of the land in question have been degraded over the past 26 years under the stewardship of the current	6. Responsibility for rehabilitation of land degradation The property is zoned as Agriculture 1, and therefore has been utilized in accordance with the land use rights for many years.

	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.	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*
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.	

	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.	7. Risk to property values Please refer to Annexure 1 for responses regarding Town Planning concerns.
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.	8. Accessibility and Affordability Please refer to Annexure 1 for responses regarding Town Planning concerns.

9. Inadequate road infrastructure 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. 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. 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.	9. Inadequate Road Infrastructure 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.
Eveline & Mario Piaz – 07/06/2023	
My objection is based on the following points: 1. Violations in respect of Zoning and Spatial Development Plan 1.1 Zoning Conflict 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. 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. 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. 1.2 Spatial Development Plant	Noted for consideration. 1. Violations in respect of Zoning and Spatial Development Plan Please refer to Annexure 1 for responses regarding Town Planning concerns.

1.2.1 Part of the proposed development falls outside the urban edge demarcated for possible development in the Bitou Municipality Spatial Development Plan. 1.2.2 Approval of this development would disregard the established plan and set a dangerous precedent for future developments and transgressions. 2. Risks to the Environment 2.1 The proposed development is located within the Outeniqua Sensitive Coastal Area (OSCA), the Coastal Protection Zone, and Coastal Management Lines. 2.2 Due to the recognised importance and ecological sensitivity of this region, it is protected by the various environmental laws of South Africa. 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	2. Risks to the Environment 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. 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.

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.	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. 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 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.	4. Community objection is noted.
5. Water Concerns 5.1 Water Scarcity	5. Water Concerns

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. 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.	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 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. Sewage Water 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.	6. Sewage 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.

	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.
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 financial benefit for the current owners of Portion 91 of Farm Matjiesfontein 304 should not outweigh the financial risk to other affected property owners.	7. Risk to property values Please refer to Annexure 1 for responses regarding Town Planning concerns.
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.	8. Accessibility and Affordability Please refer to Annexure 1 for responses regarding Town Planning concerns.
9. Inadequate road infrastructure 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.	9. Inadequate Road Infrastructure 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.

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.	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.
Phillipa King & Sarah Kvalsvig– Cullinan & Associates - 07/06/2023	
INTRODUCTION 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"). 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 2 be available for public comment from 8 May until 7 June 2023. We hereby submit comments on behalf of our clients. **INADEQUATE ASSESSMENT OF IMPACTS ON THE ESTUARINE ENVIRONMENT** 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). 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."	**INADEQUATE ASSESSMENT OF IMPACTS ON THE ESTUARINE ENVIRONMENT** Please refer to the Aquatic Impact assessment attached as Apepndix G2. **Points 3 – 9:** 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. 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 *Juncus kraussii*, *Cyperus laevigatus*, *Ficinia nodosa* or *Phragmites australis*. 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.

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.

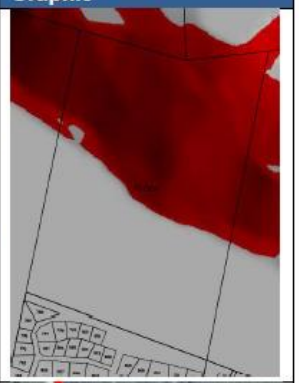
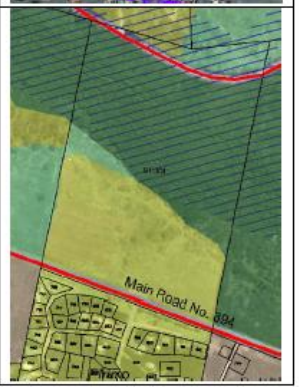
8. It is clear that development within the EFZ is strongly discouraged by relevant policy instruments. While the footprint of the proposed development will extend well below the 5m (and 4.5 m) contour, the Property is also located only just outside of the 1:100 floodline (as is evidenced by the KELASP 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
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. *The development has been planned to avoid the steeply sloping areas.*	
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. *The proposed development area is located outside of all these features, and is therefore not flagged from a heightened flood risk perspective.*	
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.	

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 <u>currently</u> 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 <u>back to secondary vegetation</u>, 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.

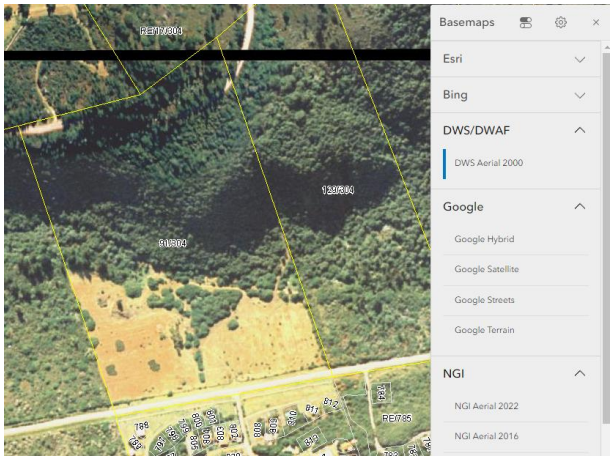
CONSIDERATION OF VISUAL AND SOCIO-ECONOMIC IMPACTS

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

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

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 Trafic Impact Assessment.	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 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	**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.	the area and its resources, have been considered during the strategic planning for the area.
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	**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.	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 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	**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 ±375m² 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 375m² to 450m², 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.

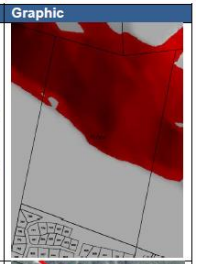
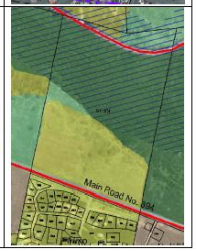
Biodiversity Impacts & Site Constraints

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
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. *The development has been planned to avoid the steeply sloping areas.*	
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. *The proposed development area is located outside of all these features, and is therefore not flagged from a heightened flood risk perspective.*	
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.	

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. **<u>The Draft Town Planning Report (Appendix G6):</u>**
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.

<u>Traffic Impact</u>

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.

<u>The Draft Town Planning Report (Appendix G6):</u>

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?	**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.
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 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.	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.
5. **<u>Draft Environmental Management Programme (Appendix H):</u>** • 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	**<u>Draft Environmental Management Programme (Appendix H):</u>** The EMPr 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 EMPr 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. **<u>Geotechnical Report (Appendix G4):</u>** • 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

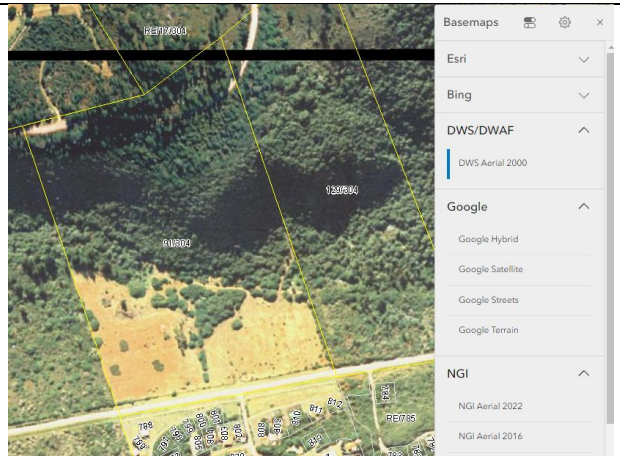
• High groundwater tables around the site • Unconfirmed availability of bulk water supply or adequate description of alternative supply • The precedent that this type of development in this area will set in terms of density. • Lack of consideration of cumulative impacts on water resources • Lack of consideration 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. **<u>Geotechnical Report (Appendix G4):</u>** 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.	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.
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 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 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.
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 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.

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



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.

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.

Annexure 4: Issues and Response Register

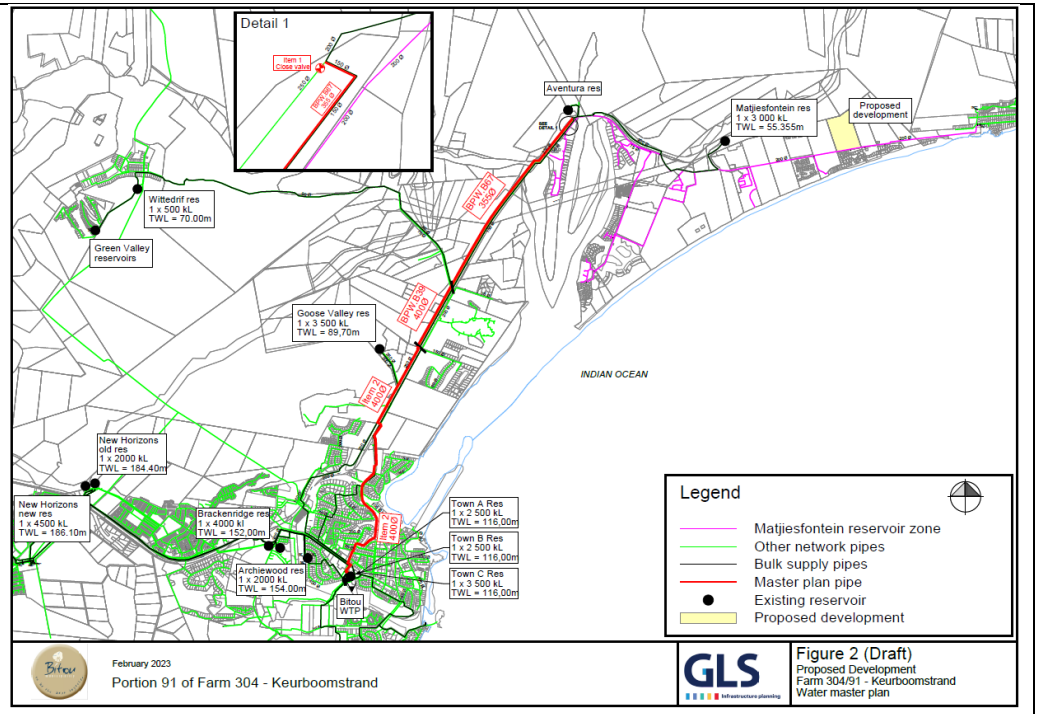
COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO THE PUBLIC PARTICIPATION PROCESS FOR THE DRAFT BASIC ASSESSMENT REPORT – 24/03/2025 – 25/04/2025	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning (DEA&DP) – 13/12/2022	
1. The Draft Basic Assessment Report dated 20 March 2025 as received by the Department on 20 March 2025, refers.	
2. This Directorate: Development Management (Region 3) ("this Directorate") has reviewed the Draft Basic Assessment Report ("DBAR") and provides the following comment:	
2.1 Requirements of the Basic Assessment Report It is noted that the Applicant has not signed the Declaration on page 98 of the DBAR. Therefore, it is understood that the applicant does not take responsibility for the information contained in the DBAR and supporting documentation. This was an issue that raised during the pre-application phase as well. Furthermore, this Department has determined the format for the declaration to be signed by specialist(s). As such, it must be ensured that the various specialists sign the declaration template which can be found in the Basic Assessment Report template (April 2024) and include such in the BAR to be submitted to this Department.	The Applicant has signed the Declaration which was included in the submission as a separate document, however, was not contained within the Draft BAR document. The Declaration will be included within the Revised Draft BAR.
2.2 Conservation of the natural forest vegetation on the property This Directorate understands that an area of approximately 8.3ha is too steep to be developed and also contains intact forest vegetation. It is understood that this portion of the property will be zoned to Open Space Zone III and managed for a conservation purpose in accordance with a Conservation Management Plan ("CMP"). This Directorate notes the CMP which has been included as Appendix L of the DBAR. It is understood that consideration is being given to entering into a Biodiversity Stewardship Agreement with CapeNature. As such,	The property was presented to CapeNature at their Biodiversity Stewardship Review Committee meeting on 3 June 2025. As per the comments from CapeNature dated 09 May 2025 - *The consultancy has approached CapeNature for inputs into the Conservation Management Plan, however the site has not been assigned a status yet and will only be presented at CapeNature's Stewardship review committee meeting in June 2025. Once a status has been assigned, CapeNature will provide input. The objective of natural CBA is to remain in a natural condition and therefore we support that the northern section be formally protected into the Western Cape Protected Areas Expansion Strategy.*

	you are required to consult with CapeNature with regard to the requirements of such an agreement and obtain their written comment in respect of the CMP. Furthermore, it is understood that it is recommended fencing be placed tight around the development footprint and that no fencing be permitted along the boundary either side of the corridor. This management measure is supported by this Directorate. However, it must be stated that no fencing be permitted along the eastern and western boundaries of the conservation area (including the 20m corridor) to form a continuous corridor with neighbouring properties. This measure must be adopted by the Applicant and it must be demonstrated how it will be practically and contractually implemented during the operational phase of the proposed development.	Input from CapeNature on the CMP will therefore only be provided after the Stewardship meeting. The agenda for the meeting with CapeNature is included as Appendix L2. This measure has been incorporated into the EMPr.
2.3	Development within the estuarine functional zone It is understood that the entire development footprint is below the 5m contour above mean sea level which is considered as the estuarine functional zone ("EFZ"). The EFZ is defined in the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (Government Notice No. R. 982 of 4 December 2014, as amended) 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)". The findings of the Aquatic Biodiversity Assessment in this regard are noted inter alia that no estuarine species from any of the tidal habitats including saltmarsh or supra-tidal vegetation were identified. However, according to the assessment one of the risks of development within the EFZ relates to flooding which can be exacerbated by climate change and associated sea level rise. It has been found that the property is located on the edge of the 1:100 year floodline. According to the assessment 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.	Comment was received from Bitou Municipality on 12 May 2025 (Annexure 6). Comment was received from DEA&DP Coastal Management Unit on 23 April 2025 (Annexure 6). Comment was received from The Department of Forestry, Fisheries, and the Environment (DFFE); Branch Oceans & Coasts (O&C) on 22 May 2025 (Annexure 6).

Considering the above, the EAP is required to consult this Department's Sub-Directorate: Coastal Management as well as the Branch Oceans & Coasts (Estuary Management) within the National Department Fisheries Forestry and the Environment, as well as the Bitou Municipality. Written comment must be obtained from said organs of state in respect of the impact of the proposed development on the EFZ and vice versa.	
2.4 Proposed upgrades to the existing bulk water supply network	
2.4.1 Disposal and treatment of sewage It is understood that the Ganse Valley Wastewater Treatment Works ("WWTW") currently does not have capacity for any new developments within its catchment. Furthermore, according to the Bulk Services and Civil Engineering Infrastructure Report (Project No: 23G210; Date: June 2024; Version 5) compiled by Poise Consulting Engineers certain rising main upgrades are required to the bulk sewerage system, which is dependent on municipal funding for implementation. It is understood that no timeframe can be guaranteed for the implementation. In light of the above, it is understood that a 30kℓ per day sewage package plant will be developed as part of the proposed development in order to treat the sewage to special limits and that the effluent will be used to irrigate within the development footprint. Furthermore, it is understood that the Bitou Municipality has agreed to this proposal but that the temporary WWTW must be decommissioned once the upgrades to the Ganse Vallei WWTW have been completed. In light of the above, you are required to provide this Directorate with the description of the process to decommission the sewage package plant and assess the impact of the decommissioning of the package plant in the BAR.	The process for decommissioning the Bio Sewage System has been included in the EMPr under Section 4.8. Impacts associated with the decommissioning are included in the EMPr under Section 4.9. *The Bio Sewage Systems plant comprises an underground anaerobic tank and an above ground containerized bio reactor plant. Sludge is recycled within the plant system and there will be no sludge accumulation requiring removal on decommissioning.* *On decommissioning of the Plant a sewerage pump station will be required which will pump the effluent to the municipal system. The Plant underground anaerobic tank will serve as the future pump station sump and will be designed in the initial stage to accommodate the later conversion. The decommissioning requirements will therefore only comprise the emptying and removal of the above ground containerized bio reactor plant.* *The decommissioning process will therefore be as follows:* • *Construct the future pump station outlet valve chamber adjacent to the existing anaerobic tank, including installation of outlet valve manifold.* • *Construct the rising main from the outlet valve chamber to the site gravity municipal connection.* • *Install the permanent pumps in the anaerobic tank/future pump sump, connect to the outlet chamber manifold and commission the pump station.* • *Close the Bio Sewage Plant anaerobic tank extraction valve and empty the contents of the containerized plant into the pump sump.* • *Clean and disinfect the containerized plant by pumping chlorinated water through the plant.*

		• *Remove the containerized above ground component to new usage or approved disposal site.*
2.4.2	Potable water supply It has been reported that the proposed development falls within the Matjiesfontein Reservoir Distribution Zone. According to the Engineering Report there is sufficient capacity in the existing reticulation system and reservoir. However, it has been reported that there is insufficient capacity in the bulk water mains to service the proposed development during peak seasonal periods. It is understood that water alternative water sources have been considered such as rainwater harvesting for domestic use and the use of treated greywater for irrigation purposes. Written comment on these alternatives must be obtained from the Bitou Municipality and the Department of Health. According to the report compiled by GLS Consulting (Pty) Ltd. dated 27 February 2023 accommodation of the proposed development in the present reticulation system will require no upgrading of the existing reticulation system to comply with pressure and fire flow criteria. However, it has been reported that the bulk water system to Matjiesfontein reservoir is at capacity and should be upgraded before additional developments within the reservoir supply area can be accommodated. It is reported that the following items are the minimum upgrades required to accommodate the proposed development in the existing system. • 3.6km long, 400mm diameter pipeline to replace the abandoned 300mm diameter asbestos cement pipeline; • 0.9km long, 400mm diameter pipeline to replace the existing 150mm diameter bulk pipeline 1km long; • 355mm diameter pipeline to replace the existing 150mm diameter bulk pipeline. The above upgrades have not been reported on in the DBAR and it is unclear what the timeframe is for such upgrades given the municipal funding uncertainty and / or implementation timeframes. Furthermore, it is unclear	The recommended upgrades have been included in the Revised BAR under Section E (11). The detail pipeline route investigations and specific requirements such as materials and methods are not yet available to assess for incorporation into this environmental impact assessment process. The Applicant for the upgrade of the bulk water mains is the Bitou Municipality who will take the responsibility for the required process. It should be noted that the upgrade is not specific to this development only and will service the greater Matjesfontein area. The developer is taking necessary steps to reuse water and collect rainwater to supplement the requirements for potable water supply from the municipality. The developers intent is to optimize the use of rainwater harvesting for domestic use and the use of treated greywater for irrigation purposes within economic feasibility. Detailed spolutions will be addressed in the detailed design stage and will be to Bitou Engineering Department approval. Please also see Appendix As per the GLS report - *Take note that the routes of the proposed pipelines are schematically shown on Figure 2 attached, but have to be finalised subsequent to detail pipeline route investigations.* *The minimum upgrades required to improve the existing bulk supply system in order to accommodate the proposed development in the existing system are:* • *Master plan item 2 (3,6 km x 400 mm Ø replace existing 300 mm Ø abandoned AC pipe).* • *Master plan item BPW.B39 (0,9 km x 400 mm Ø replace existing 150 mm Ø bulk pipe).* • *Portion of master plan item BPW.B67 (1,0 km x 355 mm Ø replace existing 150 mm Ø bulk pipe).*

whether the prerequisite authorisations (if any) have been obtained for the implementation of such upgrades. In this regard, please be advised that this Department does not support incremental decision making, and it is strongly advised to incorporate the upgrading within this environmental impact assessment process.



Please also see Appendix E16 that confirms bulk service capacity within the Bitou Municipalities network, subject to conditions. Conditions relevant to potable water are as follows:

- *That the developer enters into and sign a Service Level Agreement with Bitou Municipality,*
- *That the developer makes payment of the prescribed Augmentation contributions in order for the municipality to implement the bulk upgrade of services as detailed and required.*

As per the Appendix E16, the Bitou Municipality state the following:

The GLS report confirms The Matjiesfontein reservoir currently has sufficient capacity to accommodate the development. The bulk water supply to the reservoir is however inadequate and, to meet current demand and that of projected future developments, upgrades are required to the bulk watermains over the full length from the Town Reservoirs to the Matjiesfontein Reservoir.

	*Implementation of partial upgrade of the bulk watermains is in the **planning stage**.* *We confirm that Master planning is in place for all aspects of the abovementioned upgrading requirements.* *However, the implementation of upgrades is entirely dependent on the availability of funding (**developer contributions**, as well as Council funding where applicable), and no time frame can be guaranteed for such implementation.* *The implementation of the proposed development and the conclusion of a services agreement can only occur subject to upgrades having taken place and the availability of capacity at that time.* It should be further noted that the municipality requires Augmentation fee contributions in order to implement the upgrade. Augmentation fees help fund the upgrade of services needed to support new developments. Implementation of the development may be subject to the required upgrade to the bulk water supply but should not be denied based on the prerequisite authorisations being obtained for the implementation of such upgrades.
2.5 National Water Act, Act No. 36 of 1998: This Directorate is aware that a Water Use License Application ("WULA") for the relevant water use activities in terms of Section 21 of the National Water Act, Act 36 of 1998, has been commissioned by the applicant. However, the information in respect of the WULA has not been included in the DBAR. Notwithstanding that the WULA has preceded the application for environmental authorisation, the information in respect of the two applications must be synchronised. As such, you are required to include the information and / or any formal correspondence from the Breede-Olifants Catchment Management Agency ("BOCMA") in respect of the WULA in the BAR. Please be advised that the omission of any reports/information may prejudice the success of the application for environmental authorisation.	The WULA Technical Report is attached as Appendix G10. The WULA Comment and Response Report is attached as Appendix F2. Correspondence with BOCMA regarding the WULA is provided as Appendix E3.
2.6 Environmental Management Programme The contents of the Environmental Management Programme ("EMPr") must meet the requirements outlined in Section 24N (2)	This has been addressed in the EMPr under Section 3 and10.

and (3) of the NEMA (as amended) and Appendix 4 of the EIA Regulations, 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).	
This Department has reviewed the EMPr as included and received as part of the pre-app BAR. The following aspects must be addressed:	
2.6.1 Monitoring / Reporting According to Section 7.1 of the EMPr an Environmental Control Officer ("ECO") must audit the site and compile an audit report on a monthly basis until rehabilitation is successful. In this regard, a clear distinction must be made between the environmental monitoring reports and post-construction rehabilitation reports by the ECO and the environmental audit report to be compiled by an independent person with the relevant environmental auditing expertise. In this regard, please note that the environmental auditor cannot be the EAP or the ECO. Furthermore, take note of the auditing requirements with regard to environmental authorisations and EMPr's under Regulation 34 of the EIA Regulations, 2014 (as amended). In this regard, the EMPr must be amended to ensure compliance with the requirements. The contents of the environmental audit report must comply with Appendix 7 of the EIA Regulations.	This has been addressed in the EMPr under Section 7.
2.6.2. Monitoring / Reporting: According to Section 7.1 of the EMPr an Environmental Control Officer ("ECO") must audit the site and compile an audit report on a monthly basis until rehabilitation is successful. In this regard, a clear distinction must be made between the environmental monitoring reports and post-construction rehabilitation reports by the ECO and the environmental audit report to be compiled by an independent person with the relevant environmental auditing expertise. In this regard, please note that the environmental auditor cannot be the EAP or the ECO.	See above.
2.6.3. Map with environmental sensitivities:	This has been included in the EMPr under Section F.

The EMPr must include a map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.	
2.6.4. Monitoring / Reporting: The EMPr does not include a copy of the curriculum vitae of the author of the document. In accordance with Appendix 4 of the EIA Regulations, 2014 a copy of the EAP who compiled the EMPr must be included in the EMPr.	The CV of the EAP is included as Appendix A of the EMPr.
2.6.5. Frequency of ECO site inspections: The frequency of site inspection by the ECO during the non-operational (construction) phase is unclear. This Directorate recommends that site visits are conducted once a week during the initial development period, especially the demarcation of the buffer area and the initial clearance of the proposed site. Visits by the ECO may taper, at the discretion of the ECO thereafter. The frequency of site visits by the ECO must be properly described in the EMPr to address the aforementioned.	This has been addressed in the EMPr under Section 7.
2.6.6. Demarcation / fencing of the development footprint With reference to the demarcation of the conservation area prior to the construction on the proposed development, the EMPr must stipulate that the site preparation must include the development of the site boundary fence. The area outside the boundary fence must be regarded as no-go area and no persons may be allowed enter such area prior to obtaining permission from the ECO.	This has been included in the EMPr under Section 10.
3. Submission of Basic Assessment Report The BAR must contain all the information outlined in Appendix 1 of the 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 Please be reminded that 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. However, if significant changes have been made or significant new	The EAP has requested an additional 50 days and has notified the Department in writing.

	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. NOTE: Furthermore, in accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.	
4.	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.	Noted.
5.	This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.	Noted.

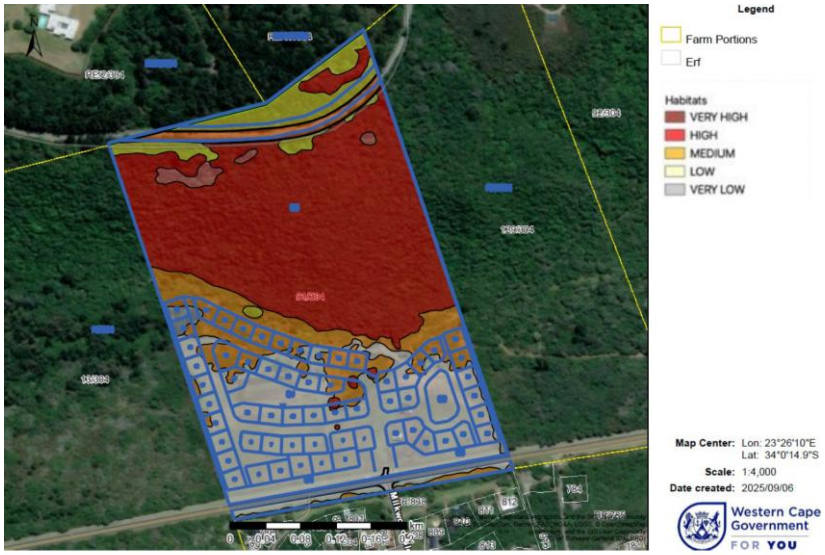
Department of Environmental Affairs and Development Planning (DEA&DP) – Coastal Management (Mercia Liddle) – 23 April 2025	
1. CONTEXT	
1.1 The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations".	
2. COMMENT	
The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:	
2.1.1 The development concept entails 60 group housing stands with average erf sizes of approximately 500m2 each within a gated security complex. Farm 91/304 is currently unutilised vacant land that is currently being used as a horse-riding centre, falls within the urban edge and is in alignment with the relevant guidelines as stipulated in the MSDF. No alternatives were identified.	No alternative sites were identified.
2.1.2 The applicant has considered all critical biodiversity and ecological support areas in accordance with the to the Western Cape Biodiversity Spatial Plan (2023). It is stated in the DBAR that the southern portion of Farm 91/304 where the proposed development is said to occur, forms part of a transformed area that is less sensitive to disturbance and there is no remaining natural habitat. Furthermore, the proposed open space systems correspond to the position of indigenous vegetation.	Correct.
2.1.3 The applicant adequately considered Farm 91/304 in relation to the Coastal Protection Zone ("CPZ") and its purpose as defined in Section 16 of the NEM: ICMA, however on page 20 of the DBAR it should be corrected that the NEM: ICMA is	This has been corrected.

	indeed relevant legislation for the subject property as it is located within the CPZ.	
2.1.4	The applicant adequately noted that Farm 91/304 is located seaward of the Garden Route District's Coastal Management Line ("CML"). The technical delineation of the CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, inter alia and was delineated in conjunction with and supported by organs of state. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and pro-active planning for future development.	Noted.
2.1.5	Although Farm 91/304 is located seaward of the CML, the SD: CM notes that the subject property is unlikely to be impacted by coastal processes due to its proximity to the highwater mark; the subject property is not located within the 1:100-year floodline; nor is it located in close proximity to the Departmental coastal risk zones or erosion projections. The SD: CM also notes that the applicant has done their due diligence to consider the Departmental coastal risk information in relation to the subject property. However, it is recommended that new development seaward of the CML should be limited.	
2.1.6	The proposed development area of Farm 91/304 occurs within the estuarine functional zone ('EFZ') however the applicant indicated that according to the freshwater specialist, there are no aquatic features present on the site and no hydrodynamic indicators in the soil. Furthermore, the Keurbooms-Bitou Estuarine Management Plan also indicated that Farm 91/304 is located above the 1:100-year floodline with no flood risks associated with the subject property.	Noted and agreed.
2.1.7	The SD: CM can confirm that the proposed development will not affect public coastal access or public coastal property due to Farm 91/304's proximity to the coast.	Noted.

2.1.8	The SD: CM notes the proposed mitigation measures as stipulated in the draft EMPr to address environmental concerns, are both appropriate and practical and should be strictly adhered to should the application be successful.	The mitigation will be strictly adhered to, as stipulated in the EMPr.
2.1.9	Although the applicant seems to have conducted due diligence, the SD: CM is concerned with the volume of structures proposed within the EFZ and seaward of the CML. It is therefore advised that the applicant proposes alternatives that comprises lower density development as well as considers more suitable design for structures proposed within the EFZ, as the DBAR illustrates in Figure 12 on page 46, that the development area forms part of a wetland. Although the freshwater specialists indicated that there are no tidal influence on site, considering the location of the development area within the EFZ, the competent authority must consider a precautionary approach for Farm 91/304.	The Applicant has already considered reducing the density of the development such that the proposed 73 unit development was reduced to 60 units. Figure 12 on page 46 of the DBAR was extracted from the Aquatic Impact Assessment (Appendix G2) and indicates "Estuary" as per the legend. As per the Aquatic Assessment - *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 and low-lying areas in general. However, this must always be ground-truthed to confirm the presence / absence of estuarine conditions.* The Aquatic specialist has adequately assessed the site and determined that it is not part of an estuarine functional zone for the following reasons: • In the grazed open area which corresponds with the mapped EFZ, the dominant plant species 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 *Juncus kraussii*, *Cyperus laevigatus*, *Ficinia nodosa* or *Phragmites australis*. • 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. 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%). The proposed development is not within an EFZ as confirmed by ground-truthing.

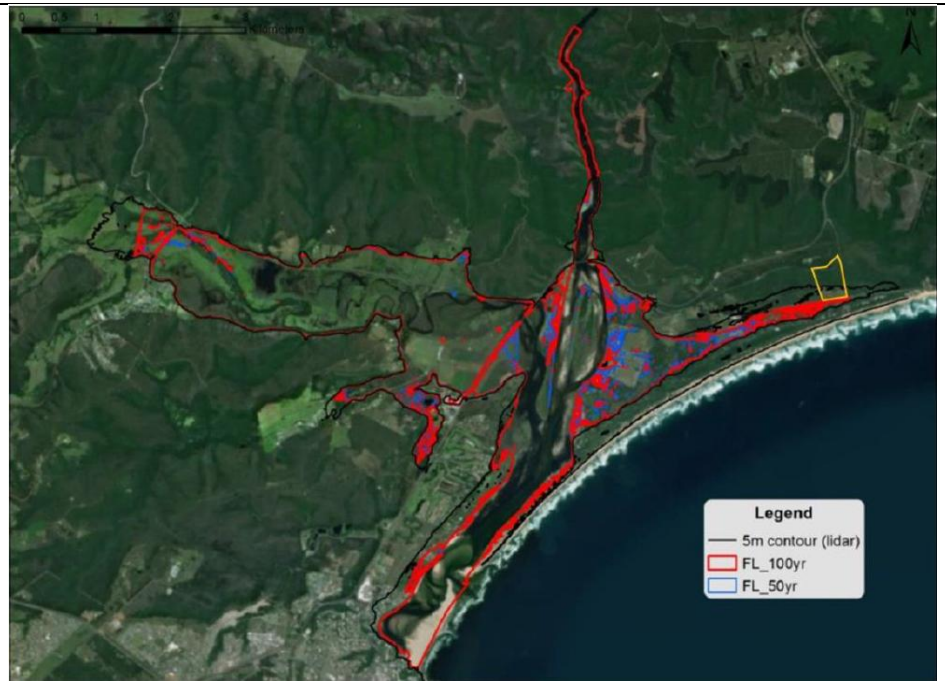
3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "…Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment…" together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.	Noted. The general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA is included in the EMPr (Section 1).
4. The SD: CM reserves the right to revise or withdraw its comments and request further information from you based on any information that may be received.	Noted.
Department of Forestry, Fisheries and the Environment (DFFE) - Protected Areas Planning and Management (Mashudu Mudau) – 15 April 2025	
The Directorate: Protected Areas Planning and Management Effectiveness would like to thank you for the opportunity to review the proposed Residential Development on Portion 91 of Farm Matjes Fontein 304, Keurboomstrand, Plettenberg Bay, Western Cape Province.	
Portions 91 of the Farm Matjes Fontein 304 is situated in the Keurboom area in the Bitou Municipal Area to the northeast of Plettenberg Bay. This site was used for a horse-riding centre which was relocated in 2024, and is directly opposite the Milkwood Glen Residential Complex, which consists of about 50 Group Housing erven and communal open space.	This is correct.
The architecture will be based on green principles which will include smaller but well-designed houses, which are more cost-efficient, energy-efficient and healthy. The proposed development includes 60 single residential house stands with average erf sizes of ±500m². 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.	
After conducting the review of the submitted documents, we have noted that the proposed developments will not take place within a protected area in terms of Section 9 of the National Environmental Management: Protected Areas Act (NEMPAA), Act No. 57 of 2003.	This is noted.

However, the proposed development is located within the buffer zone of a protected area. Farm Matjes Rivier 304 is located within 0.6km Cape Floral Region Protected Areas and 3,37km Garden Route National Park as identified in terms of NEMPAA. The proposed development further falls within the Garden Route Biosphere Reserve.	
The land is currently zoned as Agriculture 1 in terms of the Section 8 Zoning Scheme and is used for equestrian purposes (riding school). The property will be rezoned to Subdivisional Area to allow for the residential development.	This is correct, however the property is no longer used as a riding school.
As per the Garden Route National Park Management Plan, the proposed area falls within an area zoned as priority natural areas. These areas are important for ecological connectiveness of protected areas with their surrounding environment. It is therefore important that the proposed development must limit developmental area as much as possible. The layout plan must leave natural vegetation surrounding the houses, this will also reduce the visual impacts.	The layout incorporates large open space areas within the development, as per the preferred SDP. A 20m wildlife corridor will allow for the movement of animals at the foot of the slope and forest area to the north of the development.
The EAP must consult the DFFE Directorate: Protected Areas Multilateral Programmes for the attention of Mr. Vongani Maringa @ VMaringa@dffe.gov.za.	DFFE Directorate: Protected Areas Multilateral Programmes have been requested to comment.
The EAP must further consult the management authority of the protected areas within 5km of the developmental area, including SANParks.	SANParks and CapeNature have been requested to provide comment.
Department of Forestry, Fisheries and the Environment (DFFE) - Biodiversity Conservation (Mr Seoka Lekota) – 23 April 2025	
The Directorate: Biodiversity Conservation has reviewed and evaluated the reports. The Western Cape Biodiversity Spatial Plan (WCBSP) shows that the entire northern area (60%) of the site (except the road) is within a Critical Biodiversity Areas (CBA1) area for terrestrial and forest, while the remaining area is transformed. 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. Development within these areas is not permitted. CBAs areas	The development will be to the south of the property, with overlap into CBA1. The development does not occur within an area of VERY HIGH sensitivity, only MEDIUM to LOW sensitivity. Only the milkwood trees that have VERY HIGH sensitivity are within the development area. It is the intension of the Applicant to keep as many of these milkwood trees as possible. The following mitigation will also be undertaken - *Plant additional milkwoods in the development as part of the final landscaping. These can be planted along with other appropriate coastal forest species, but the proportions and composition should reflect habitat that would have occurred naturally at this site.*

must be maintained in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate.	Areas identified as secondary vegetation (medium sensitivity) within the 20m wildlife corridor will be restored. Steps will be taken to rehabilitate areas within the buffer zone and encourage growth of species, such as *Pterocelastrus tricuspidatus* and *Sideroxylon inerme*, that are mesic and fire-resistant. An open space management system will be developed to formalize such steps for forest protection.  Habitat sensitivity on site (Plants, Animals & Terrestrial Biodiversity Assessment by David Hoare Consulting). The following mitigation will also be undertaken to support rehabilitation of degraded areas – *Rehabilitate and improve the small dam on site, including introducing pond margin vegetation typical of mountain ponds in forested areas. This will provide good habitat for various frogs, including potentially Afrixalus knysnae.* Rehabilitation of disturbed areas, as well as previously invaded areas, should promote establishment of site-appropriate indigenous species.
Following the procedures within the Species Environmental Assessment Guidelines, the forests on site have been assessed as having Very High sensitivity / Ecological Importance, secondary vegetation as having Medium sensitivity / Ecological Importance, and remaining areas Low or	Impacts were assessed as LOW to VERY LOW. The residual impacts are therefore considered NOT to be moderate or higher. A biodiversity offset is not required for this development provided that all recommended mitigation measures are undertaken / implemented.

Very Low sensitivity. According to the Species Impact Assessment Protocols (2020, as amended), residual impacts on threatened biodiversity which remain MODERATE or HIGH, must investigate offset mitigation.	
Large milkwood trees (*Sideroxylon inerme*) were found on site that are protected under the National Forests Act, comments from Directorate Forestry must be obtained should there be any need to disturb or remove it.	The following will be undertaken as per the mitigations recommended by the Terrestrial specialist – • Retain existing large trees within proposed development. • If any trees need to be removed or pruned then a permit is required, according to the National Forests Act. • Plant additional milkwoods in the development as part of the final landscaping. These can be planted along with other appropriate coastal forest species, but the proportions and composition should reflect habitat that would have occurred naturally at this site.
The property is located within the Coastal Protection Zone, add Branch: Ocean & Coast to the list of relevant stakeholders and obtain comments.	Branch: Ocean & Coast have been requested to comment. Comment was received on 22 May 2025.
To ensure the continued persistence of ecosystems and that national conservation targets are achieved, it is essential that impacts on sensitive and highly localised habitats are minimized or avoided altogether.	Mitigations to minimise impacts on the sensitive habitats as per the specialists recommendations will be undertaken/implemented, and are included in the EMPr.
The Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.	The Directorate: Biodiversity Conservation (BCAdmin@dffe.gov.za) is a registered I&AP and will receive all notifications.
Garden Route District Municipality – 15 April 2025	
With reference to your request titled – NOTIFICATION OF PUBLIC PARTICIPATION : DEADP REF: 16/3/3/1/D1/13/0001/25 - DRAFT BASIC ASSESSMENT REPORT - PORTION 91 OF FARM MATJIESFONTEIN 304, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE dated 2025-03-20. Your request was distributed. File Reference 18/3/4/4 Record Reference 41861892 To follow-up this request please contact us on 044 8031300.	Receipt of documents is noted.
Department of Water and Sanitation – 03 April 2025	
Although you may take me off your dissemination list for any projects in Gouritz surrounds, I wish to question if the current proposal has fully	The Aquatic Impact Assessment and the Geohydrological Report have proposed mitigations measures regarding potentially flooding of the site, which

addressed the flood and storm water management that occasionally floods this residential area when the Keurbooms River and Estuary is flooded?	will been incorporated into the stormwater management design and EMPr in order to reduce flooding risks to negligible levels. These mitigations include 1. Sustainable Drainage Systems (SuDS). 2. Permeable pavement and green infrastructure (limit coverage of surface area by infrastructure as far as possible. 3. Rainwater Harvesting. 4. Retention and Detention Basins. 5. Design stormwater drainage systems to handle increased rainfall events by incorporating overflow pathways, sump pumps, and flow control structures. 6. Installation of piezometers to track groundwater level. 7. Inspect and maintain drainage systems, stormwater infrastructure, and mitigation features. It should be noted, as per the Geohydrological Report, that the sandy subsurface has high permeability, reducing the likelihood of groundwater mounding and flooding. The Geotechnical Report did note that the fine sandy soil conditions generally had moderate permeability and drainage characteristics, but surface water was expected to accumulate temporarily after heavy rainfall events. This however can be dealt with in the Stormwater Management Plan and implementation of the mitigation measures. As per the Aquatic Impact Assessment, 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 which are shown in Figure below. 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 should be considered in the design and layout of the property, and stormwater management should not further exacerbate the flood risk. To this end, Sustainable Drainage Systems (SuDS) should be fully implemented should the development proceed.

	 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.
Bitou Local Municipality, Planning and Development: Land Use and Environmental Management (Anjé Minne) – 12 May 2025	
Bitou Local Municipality would like to thank you for the opportunity to review and comment on the Draft BAR for the proposed development on Portion 91 of Farm 304, Keurboomstrand, within the Bitou Municipal area. Please note that these comments have been drafted by the Land Use and Environmental Management department within the Planning and Development directorate. Additional comments may be required from other relevant departments within the Bitou Local Municipality.	Noted with thanks.

The following information was taken from the supplied report and summarise the proposed activities. DESCRIPTION OF ACTIVITY The proposed development involves establishing a residential estate consisting of 60 group housing stands, each with an average erf size of approximately 500m², on Portion 91 of Farm 304, Keurboomstrand. The total area allocated to the 60 residential erven is approximately 29,471m², with an internal road network covering around 12,013m², resulting in a total permanent disturbance footprint of 41,484m². Additionally, the development will include a communal Open Space II area of roughly 9,642m², featuring landscaped gardens and stormwater infiltration pond systems. The remaining 83,512m² of undeveloped land will be designated as Open Space III and managed as a conservation area under a Conservation Management Plan. This conservation area will also include an ecological corridor to facilitate wildlife movement. LOCATION The proposed development is located on Portion 91 of Farm Matjesfontein 304 in Keurboomstrand, within the Bitou Local Municipality of the Garden Route District. The site lies northeast of Plettenberg Bay, accessible via Keurboom Road (MR00394/PO394), about 1.8 km west of Keurboomstrand and 7 km from Plettenberg Bay's centre. The property is bordered by environmentally sensitive forest to the north, vacant land to the east and west, and partially developed residential areas to the south. It lies opposite the Milkwood Glen Residential Complex and approximately 5.8 km along the coast from the Keurbooms Estuary mouth. Topographically, it features a steep forested north and a flatter southern portion, where the development is planned between 3–6m above sea level. The development footprint is mostly below the 5 m contour and falls within the Estuarine Functional Zone (EFZ) and a wetland corridor defined by KELASP. The site also falls within the Outeniqua Sensitive Coastal Area (OSCA) and the Coastal Protection Zone (CPZ). Following a review of the documentation and appendices the following comments are made:	
The Municipality acknowledges the designation of approximately 83,512 m² of land within the proposed development as Open Space III, which will serve as a conservation area and ecological corridor. To ensure the long-term protection and legal recognition of this sensitive area, it is	The proposed development was presented to CapeNature at their Stewardship Review Committee meeting on 3 June 2025. It was agreed by the committee that the property would fall into a Biodiversity Agreement based on its biodiversity value.

strongly recommended that the landowner pursue the formal declaration of the Open Space III areas as a Protected Environment under Section 28 of the National Environmental Management: Protected Areas Act (Act 57 of 2003). Declaring the area as a Protected Environment will: • Provide statutory protection for ecological corridors, forested slopes, and habitat for priority species. • Strengthen the enforceability of the associated Conservation Management Plan. • Ensure land use compatibility is maintained in perpetuity, even in the case of future ownership changes. The Municipality may support this declaration process in coordination with the relevant provincial conservation authority (e.g., CapeNature). This declaration is aligned with the municipality's broader biodiversity conservation and climate resilience objectives and should be considered a condition for final development approval.	
2. While the ecological surveys may indicate a lack of current estuarine habitat on the specific development footprint, the property's location within the mapped EFZ below the 5m contour and on the edge of the 1:100 year flood line presents a demonstrable risk of flooding, particularly in the context of climate change and sea-level rise. As such, flood resilience must be rigorously demonstrated prior to construction. It is therefore required that a registered geohydrological or hydrological engineer certify that: All residential and service infrastructure (including the temporary wastewater treatment works, stormwater attenuation ponds, and access roads) are located above the 1:100-year flood line. The design levels of the development are based on accurate flood modelling that accounts for both historic flood data and projected climate change impacts, including sea-level rise and increased storm intensity. This certification must be submitted to the Municipality prior to final building plan approval and must form part of the approved Stormwater Management Plan. Where portions of the development fall within flood-prone areas, appropriate engineering mitigation or exclusion from development must be demonstrated.	A Groundwater Impact Assessment was undertaken by DHA Groundwater Consulting Services (February 2025), a registered Hydrogeologist. It was concluded in the study that with the recommended mitigation strategies, monitoring framework, and proactive management measures in place, the potential negative impacts on groundwater quality, recharge, and flooding can be reduced to negligible levels. This will ensure the protection of groundwater resources, safeguard water users, and uphold environmental sustainability throughout the construction and operational phases of the development. The entire development and associated infrastructure are located outside of the 1:100-year flood line. Below is the relevant feature from the KELASP, extracted from the Aquatic Impact Assessment (Appendix G2).

This requirement is essential to ensure the safety of future residents and infrastructure and to prevent the displacement of floodwaters onto neighbouring properties or public roads.	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. *The proposed development area is located outside of all these features, and is therefore not flagged from a heightened flood risk perspective.*  The recommendation to appoint a registered geohydrological or hydrological engineer to certify that all residential and service infrastructure (including the temporary wastewater treatment works, stormwater attenuation ponds, and access roads) are located above the 1:100-year flood line and to develop appropriate engineering mitigation will be undertaken prior to building plan submission. However, it must be considered that this has already been considered and assessed during the Basic Assessment process. The following must be highlighted: • The development has already been assessed by a qualified Hydrogeologist who has provided conclusions and mitigations • A Geotechnical study was undertaken whereby report 10 testpits were dug. Groundwater was found in Testpits 1 and 5, positioned on the southern lowest side of the site, at depths 1,95m and 2,3m respectively. The other 8 pits were dug to depth varying between 2,3m and 3m without encountering groundwater. The preliminary designs indicate that the bottom level of the ponds will all be in excess of 1,5m above the groundwater level. • The housing design has been considered such that site levels will be designed to ensure that homes are not flooded, the floor levels of which will all be set higher than the level of the Road 394, the existing southern flood containment level (Poise January 2025, Appendix F3). • The Development stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact on surrounding properties under flooding conditions. The 3 attenuation ponds will be designed to

	ensure no overtopping under 100 year RI storm conditions (Poise January 2025, Appendix F3). • The development and associated infrastructure are not within the 1:100-year flood line.
The Municipality notes the presence of *Brunsvigia* species on the site, a geophyte known for its seasonal emergence and ecological sensitivity. These plants typically flower in late summer to early autumn, often triggered by environmental cues such as rainfall or temperature changes. Given their cryptic lifecycle, it is essential that a seasonally timed botanical survey be conducted to accurately map and quantify individuals prior to any site clearance or earthworks. The following must be included in the development's Environmental Management Programme (EMPr): A plant rescue and rehabilitation plan for *Brunsvigia spp*, compiled by a suitably qualified botanist. Rescue operations must be timed to coincide with the visible phase of the plants' lifecycle, typically when leaves or flowers are present. Translocated individuals should be moved to appropriate habitat within the designated conservation area (Open Space III) or Open Space II, ensuring similar soil, aspect, and drainage conditions. A monitoring programme of at least three years must be implemented to assess the survival and re-establishment success of translocated plants.	The requirement of a plant rescue and rehabilitation plan for *Brunsvigia spp*, compiled by a suitably qualified botanist has been included in the EMPr. Should environmental approval be granted, this plan will be a requirement before the project can commence, as per the EMPr. This has also been included as a mitigation in the Terrestrial Biodiversity Assessment.
The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received. The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorisation for.	Noted.
Department of Forestry, Fisheries and the Environment (DFFE) - Oceans and Coasts (Sibusiso Mbethe) – 22 May 2025	
Apologies for the delayed response. The Department of Forestry, Fisheries, and the Environment (DFFE); Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Basic Assessment Report for the proposed residential development on portion 91 of Farm Matjes Fontein 304, Keuboomstrand, Plettenberg Bay, Western Cape province. This Branch provides comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").	Noted.

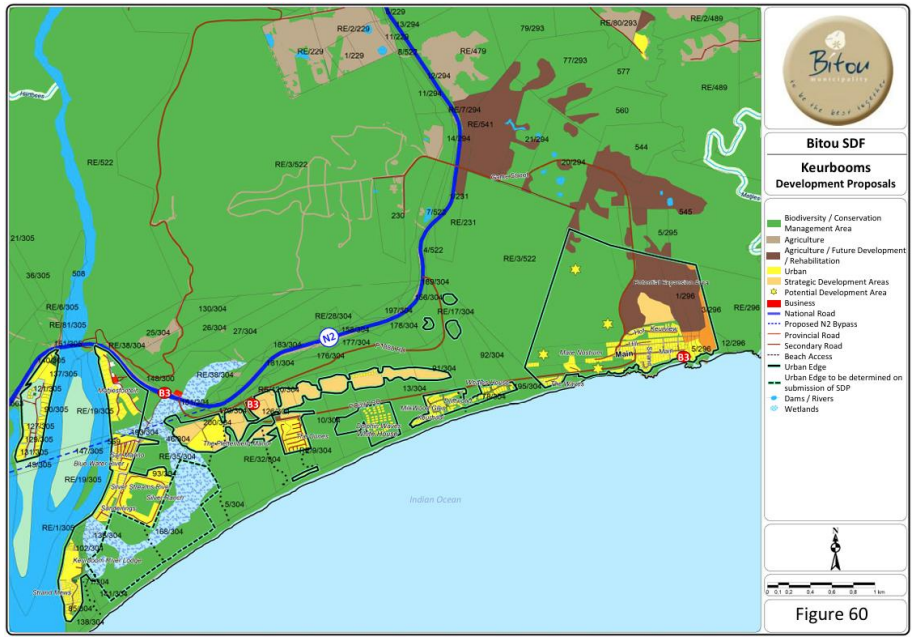
The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the seascapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes. Please note the following comments;	
1. The proposed development falls within the Coastal Protection Zone as defined in the ICM Act. It is observed that the area seaward of the proposed development has already been modified with residential development.	This is correct.
2. The proposed development will not affect the risk zones as delineated by the Western Cape Department of Environmental Affairs and Development Planning. However, it seems it could be affected by the Coastal Climate Change Vulnerability Assessment (CoVu) Coastal Flood Risk, please see the coastal viewer developed by DFFE at https://ocims.environment.gov.za/coastal%20viewer/. Section 3.5. page 51-52 of the BAR also to some extent confirms some coastal flooding in 1:100-year floodlines exacerbated by Climate Change and this may indeed be something to look at in the alternative designs.	The development is 2,8km from 100m high water mark of the estuary, and outside of the 1:100 year backwater floodline. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. The housing design has been considered such that site levels will be designed to ensure that homes are not flooded, the floor levels of which will all be set higher than the level of the Road 394, the existing southern flood containment level (Poise January 2025, Appendix F3). The Development stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact on surrounding properties under flooding conditions. The 3 attenuation ponds will be designed to ensure no overtopping under 100 year RI storm conditions (Poise January 2025, Appendix F3).
3. It is noted that the Forestry Branch of DFFE was notified but could not provide comments. The recommendation by the EAP that if any protected tree is observed on the site, the Forestry Branch of DFFE in Knysna must be contacted is supported. The Knysna office can also be reached through Innocent Mapokgole at imapokgole@dffe.gov.za or Melanie Koen at mkoen@dffegov.za .	If any protected trees need to be removed or pruned an NFA License will be required, according to the National Forests Act. This will be done through the Forestry Branch of DFFE in Knysna.
4. The Conservation Plan is supported but relevant authorities such as Forestry Branch of this Department need to be involved.	The Conservation Management Plan was distributed to DFFE Forestry Branch during the Draft BAR PPP, and will be provided to this Branch again during the Revised BAR PPP. Forestry will be requested to specifically also comment on the Conservation Management Plan.

	It should also be noted that the Conservation Management Plan was reviewed by the Terrestrial Biodiversity specialist, Dr. David Hoare.
5. There seems to have been a lot of objections from the local community as per the previous PP. Meaningful consultation with the local community is important, where meetings are held and more information is presented for an informed consultation. In the *Sustaining the Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others (3491/2021) [2022] ZAECMKHC 55; 2022 (6) SA 589 (ECMk) (1 September 2022),* the meaningful consultation was discussed at length, even though that case dealt with mining matters but it brough sharply the meaning consultation involved in EIA applications.	Various PPP were held during the NEMA process, as well as during the WULA and Town Planning PPP. All I&AP's were given sufficient time and access to all available information during these times. No public meetings have been requested.
6. According to the report on pg. 46 "*No freshwater features such as drainage lines, rivers or wetlands are indicated to occur within the footprint of the property or within proximity to the property*" The absence of mapped freshwater features such as drainage lines, rivers, or wetlands within or near the development footprint reduces the risk of direct impacts on freshwater ecosystems. However, it is recommended that indirect impacts on the estuary via altered hydrology, sedimentation, or pollution must still be carefully managed.	Mitigations measures recommended by the Freshwater Aquatic specialist and Hydrogeologist specialist have been included in the EMPr.
7. Despite the positive measures, the development footprint of approximately 4.15 hectares and associated infrastructure may still pose risks such as increased sedimentation, nutrient runoff, and habitat disturbance if not carefully managed. It is recommended that strict erosion and sediment control measures be implemented during construction to prevent sediment runoff from entering nearby watercourses and ultimately the estuary. The contractor/consultant is encouraged to provide training on best practices for erosion control, sediment management, and spill prevention to all site personnel.	The EMPr will ensure strict adherence to mitigations regarding erosion and sediment control. The suggested mitigation for training on best practices for erosion control, sediment management, and spill prevention to all site personnel, has been incorporated into the EMPr.
8. It is indicated in the report that "*the development will be focused 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*". This necessitates precautionary measures to avoid degradation of estuarine water quality and habitat.	The mitigation measures recommended in the Groundwater Impact Assessment by DHS Groundwater Consulting Services will be strictly adhered to.

9. The report states that "*the northern portion of the property is steep and forested, while the southern portion is very flat with pasture currently grazed by horses. The development will be focused 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*". It is recommended that the northern steep and forested portion of the property likely provides important ecological functions such as habitat connectivity, erosion control, and groundwater recharge, which benefit the estuarine system downstream. These areas should be conserved and protected from disturbance.	The forested portion to the north of the property will be protected and managed in accordance with a Conservation Management Plan.
10. The southern flat pasture area, currently grazed by horses and targeted for development, may be suitable for construction; however, it still requires measures to prevent runoff, sedimentation, and nutrient loading into the estuary.	As per the *Hydrogeologist specialist (Appendix G9) - Despite the limitations in the available data, the risk of groundwater contamination associated with the proposed development is considered minor – negative. However, with the implementation of the appropriate mitigation strategies, the significance of this impact can be reduced to negligible – negative. It is imperative that these strategies are maintained throughout the construction and operational phases to protect the groundwater and the surrounding environment.* The mitigation measures recommended by the Hydrogeologist specialist in the Groundwater Impact Assessment have been incorporated into the EMPr and will be strictly adhered to.
11. The Branch O&C, however, does not object to the proposed development.	Noted.
If further comments or engagement are required with regards to estuarine functional areas, correspondence must be addressed to @OCEIA and further engagement with Estuary team will be coordinated. Kindly note that the Branch Oceans and Coasts reserves the right to revise its comments and request further information based on any additional information received.	Noted.
ORGANS OF STATE	
Breeder-Olifants Catchment Management Agency (BOCMA) – 25 April 2025	
The development triggered water use activities as defined under Section 21 of the National Water Act, 1998 (Act No. 36 of 1998). A Water	The WULA Application has been submitted.

Use Licence Application (WULA) has been lodged in this regard and is currently being processed.	
In accordance with Section 22 of the National Water Act, no activity related to the proposed development that constitutes a water use may commence without an approved Water Use Licence (WUL). Commencing with such activities without authorisation constitutes an offence in terms of Section 151(1)(a) of the Act. Any person found guilty of such an offence, in terms of Section 151(2), is liable on first conviction to a fine, imprisonment for a period not exceeding five years, or both.	Noted.
The onus remains with the property owner to ensure full compliance with the provisions of the Act.	Noted.
CapeNature – Megan Simons, Manager (Conservation Intelligence) – 09 May 2025	
CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments: According to the Western Cape Biodiversity Spatial Plan (CapeNature 2024)1 the site has Critical Biodiversity Areas (CBA 1: Terrestrial, Aquatic, and CBA 2: Terrestrial). The development footprint is within the 100m buffer for the Keurbooms Estuarine Functional Zone (Nel *et al.* 2011)2, which is poorly protected (Van Deventer *et al.* 2019)3. Furthermore, the property is within the National Strategic Water Source Area for surface water for the Tsitikamma region and serves as a water source protection for the South Eastern Coastal Belt. The SWSA for the Tsitsikamma region is of national importance and their ecological functioning must be protected and maintained (Le Maitre *et al*. 2018)4. Approximately 34.4% of the Tsitsikamma SWSA is conserved within protected areas. Therefore, conserving the remaining areas and rehabilitating degraded areas are vital South Africa's water resources. The fine-scale vegetation map describes the vegetation as Sedgefield Coastal Grassland to the north and Keurbooms Thicket-Forest to the south (Vlok *et al.* 2008)5. According to the National Biodiversity Assessment (Skowno *et al*. 2018)6 the vegetation units are **Endangered** Garden Route	

Shale Fynbos (NEM:BA, 2022)7. Following a review of the dBAR and specialist study, CapeNature has the following comments:	
1. The dBAR refers to the 2017 Western Cape Biodiversity Spatial Plan (hereafter WC BSP) as a Biodiversity Sector Plan, which it is not. The 2017 WC BSP is a comprehensive spatial tool that identifies biodiversity priority areas (i.e., CBA and ESA) and support sustainable development by ensuring that biodiversity considerations are integrated into decision-making processes. The 2017 WC BSP has been replaced by the 2023 WC BSP which was developed in accordance with the Western Cape Biodiversity Act (Act 6 of 2021)8.	This has been corrected in the Revised BAR. The 2023 WC BSP have replaced the 2017 WC BSP in the Revised BAR.
2. It is understood that milkwood trees will be retained. As they are protected trees CapeNature recommend the department of Forestry, Fisheries, and Environment provide comments for this application. Furthermore, it is noted that the indigenous forest vegetation to the north, which has a Very High Site Ecological Importance (SEI) will therefore be excluded from the proposed development.	DFFE Forestry Branch have been requested to comment during the Pre-application PPP and Draft PPP. They will be further requested to comment on the Revised BAR.
3. The proposed development is primarily located within pasture/lawn areas, which have a very low Site Ecological Importance (SEI). However, a portion extends into secondary vegetation with a medium SEI. In line with the mitigation hierarchy, avoidance—or at minimum, a reduction in housing units—should be applied in this area. We do not support development within the secondary vegetation, as the specialist's report confirms that vegetation in this band is in a state of recovery. Additionally, this area is mapped as a CBA, where rehabilitation is the recommended management objective.	The secondary vegetation mapped by the specialist is approximately 1.95Ha in extent. The development footprint overlaps with approximately half of the secondary vegetation (±9800m^2). The remainder will be protected within the 20m buffer of the forest margin (wildlife corridor) and open space areas, and rehabilitated in accordance with the specialist recommendations. The following rehabilitation measures will be undertaken in accordance with management objective: • Steps must be taken to rehabilitate buffer zone area and encourage growth of species, such as *Pterocelastrus tricuspidatus* and *Sideroxylon inerme*, that are mesic and fire-resistant. An open space management system should be developed to formalize such steps for forest protection. • Rehabilitate and improve the small dam on site, including introducing pond margin vegetation typical of mountain ponds in forested areas. This will provide good habitat for various frogs, including potentially *Afrixalus knysnae*. • Rehabilitation of disturbed areas, as well as previously invaded areas, should promote establishment of site-appropriate indigenous species. • An ongoing alien invasive management programme should take place on site. This will protect riparian habitats downslope from degradation

	and could potentially be the biggest contribution to maintaining and protecting biodiversity on site and in surrounding areas. Further mitigations relate to areas within the development footprint: • Retain existing large trees within proposed development. • If any trees need to be removed or pruned then a permit is required, according to the National Forests Act. • Plant additional milkwoods in the development as part of the final landscaping. These can be planted along with other appropriate coastal forest species, but the proportions and composition should reflect habitat that would have occurred naturally at this site.
4. Most of the existing development is situated to the south of the site, while the surrounding area of the site has not been developed and is mapped as CBA forming a continuous ecological corridor. Although most the proposed development footprint is transformed, no attempt has been made to restore the vegetation. We therefore do not support the current preferred alternative. The specialist has indicated a preference for Alternative 1, which includes 73 housing units of 375 m² each; however, from a biodiversity perspective, Alternative 2 is more appropriate, as it allows for the rehabilitation of the remaining secondary vegetation habitat, which could then be incorporated into the broader CBA corridor. It is also important to note that the current layout may set a precedent for future development in adjacent, currently undeveloped areas.	It should be taken into consideration that a portion south of the site is earmarked as a "Strategic Development Area" within the urban edge (Figure 60 of the Bitou SDF 2022).  Figure 60 The Plant, Animal & Terrestrial Biodiversity Assessment by Dr. David Hoare has been updated and includes the preferred layout of 60 housing units with an

average erf size of ±500m². This is a reduction in density from the original 73 unit proposal.

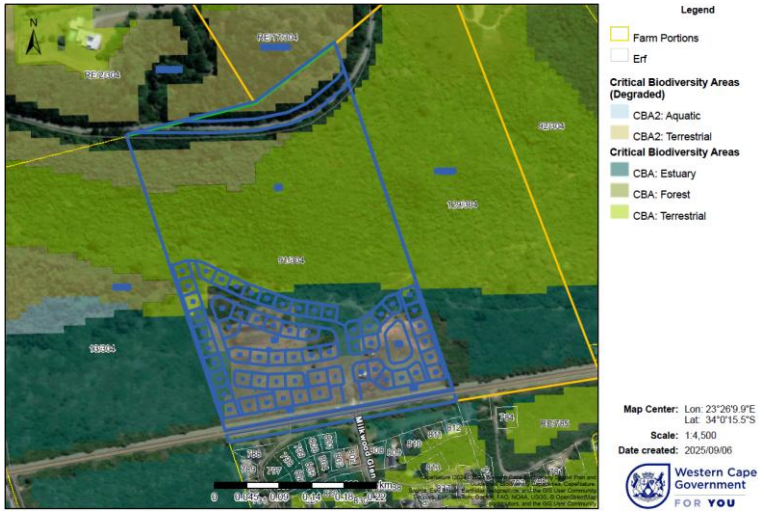
The entire southern portion of the site, where the development is planned, is identified as a transformed area, according to the KELASP Environmental Sensitivity Map (Appendix B2). The prosed density of the development is between 10 and 12 units per ha of the identified transformed footprint, as proposed in the document. Given that the transformed area is approximately 6ha as per the KELASP this calculates to a maximum of 72 units.

Extracted from the KELASP - *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.*

	The alternative layout (Alternative 2) is 19 single residential erven with an average erf size of 800m^2. This layout 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. This layout also encroaches into the secondary vegetation as it is situated further north in the development area, as per the KELASP, as it is contained within the 4.5m contour line in order to comply with the density recommended for this node. The unit density of Alternative 2 is not financially viable for the developer and does not affectively utilise the available transformed areas (very low habitat sensitivity) that would become Private Open Space for beneficial and sustainable development opportunities. The proposed 20m wildlife corridor / buffer area was incorporated into the preferred layout to promote connectivity and a functional ecological corridor through the landscape and across the "Forest Corridor" as per the KELASP (Appendix B2).
5. How will potential human-wildlife interactions and conflicts be managed as part of this development?	Human-wildlife interactions and conflicts are incorporated into the Conservation Management Plan.
6. The consultancy has approached CapeNature for inputs into the Conservation Management Plan, however the site has not been assigned a status yet and will only be presented at CapeNature's Stewardship review committee meeting in June 2025. Once a status has been assigned, CapeNature will provide input. The objective of natural CBA is to remain in a natural condition and therefore we support that the northern section be formally protected into the Western Cape Protected Areas Expansion Strategy.	The property was presented on 3 June 2025 to the Stewardship review committee. The Agenda is attached as Appendix L2. The minutes will be provided in the Final BAR. Preliminary status of Biodiversity Agreement was assigned to the proposed conservation area.
CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	Noted.
PUBLIC	
Cullinan & Associates (Phillipa King & Sarah Kvalsvig) – 24 April 2025	
The Public Participation Process	
4.1 MEGA identifies a number of short comings in the public participation process conducted by the EAP. In particular:	

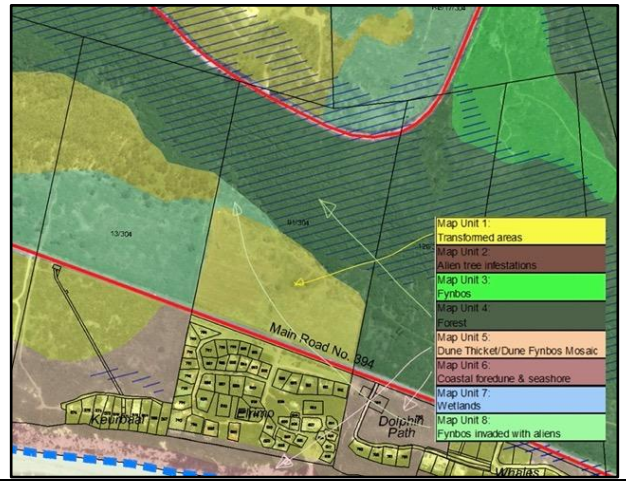
4.1.1 responses contained in the comments and Responses Report ("C&R Report") are not aligned, making it difficult to review;	4.1.1. This has been edited to assist in reviewing the response.
4.1.2 relevant comments submitted by CapeNature in the WULA process have not been addressed in the C&R report;	4.1.2. The comments received from CapeNature during the WULA PPP were addressed by the consultants running the WULA process. CapeNature submitted comment for the NEMA Process which have been addressed in this Comments and Response Report (Annexure 4 of this report). The response from the WULA PPP has been provided under Appendix F2.
4.1.3 comments submitted by I&APs have not been meaningfully addressed in the C&R report (particularly insofar as flooding risks and availability of services are concerned);	4.1.3. Comments have been addressed in more details in the Draft BAR responses to this report. Also please see Appendix F3 which provides responses regarding flooding and services.
4.1.4 comment has not been obtained from authorities concerned with coastal management (i.e. DFFE Oceans and Coasts Directorate) or other relevant authorities (such as Cape Nature and SANParks) and included in the C&R Report notwithstanding the fact that the Property is located within the coastal protection zone;	4.1.4. Comments from O&C branch of DFFE and comment from CapeNature were received. SANParks have not provided comment, but have been included as an I&AP and have been requested to comment.
4.1.5 Comment provided on Pre Application BAR by DEADP is inadequately addressed in the C&R Report:	4.1.5. Comment provided on Pre Application BAR by DEADP do not make mention of the Tshokwane wetlands, Need and Desirability, or socio-economic impact assessment.
4.1.5.1 Inadequate consideration of the relationship of the Property with the Tshokwane wetlands.	4.1.5.1. As per the Aquatic Impact Assessment by Confluent (February 2025, Appendix G2) - The KELASP (2013) was reviewed from the perspective of the proposed development area. 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, page 12 of the Aquatic Impact Assessment, and in the Revised BAR.
4.1.5.2 Assessment of Need and Desirability focussed on town-planning considerations (which were indicated for consideration by DEADP), without giving due consideration to environmental and/or socio-economic impacts.	4.1.5.2. According to the Keurbooms-Bitou Estuarine Management Plan the property and proposed development area are located above the 100-year floodline and outside of any ecologically sensitive areas associated with the estuary or Tshokwane wetlands.
4.1.5.3 No socio-economic impact assessment undertaken.	4.1.5.3. Comment provided on Pre Application BAR by DEADP do not make mention of Need and Desirability, or socio-economic impact assessment. It is assumed that this comment relates to the comments provided on the NOI dated 13 December 2022, as follows:
4.1.6 Inadequate identification and notifications of I&APs.	

	4.1.5.4. *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.* This has been addressed in the Revised BAR. 4.1.5.5. *A socio*-economic study was not required as motivated in the SSRV. Socio-economic aspects have been discussed in detail in Appendix K, the Town Planning Report and Revised BAR. 4.1.6. The identification and notification of I&APs is considered to be adequate in terms of Regulation 41 of the Environmental Impact Assessment, 2014 (Government Notice No. R. 982 of 4 December 2014, as amended).
The approach to need and desirability	
4.2 The MEGA report identifies a number of shortcomings in the motivation provided for the Need and Desirability of the proposed development. In particular:	
4.2.1 In motivating for the desirability of the proposed development on the property, the draft BAR refers to the Western Cape Biodiversity Spatial Plan (WCBSP) categorisation of the southern portion of the Property as "transformed"1. On this basis the draft BAR argues that the site is suitable for development. Such categorisation is however incorrect as the most recent version of the WCBSP, which was published in 2023 and gazetted in December 2024, in fact categorises the southern part of the site as CBA2. These are areas in a degraded or secondary condition that are important for purposes of meeting biodiversity targets, for species, ecosystems or ecological processes and infrastructure. Such areas are earmarked for restoration / rehabilitation and are consequently not suitable for development. Both the Terrestrial Biodiversity Assessment and the relevant section of the draft BAR (Section E) have failed to take account of the updated categorisation of the site in terms of the 2023 WCBSP, resulting in a skewed	The Terrestrial Biodiversity Assessment has been updated to include the 2023 WCBSP maps. The southern part is categorised as having some CBA Aquatic and CBA Terrestrial. The majority of the development footprint will not be within CBA according to the 2023 WCBSP, as shown below. As per the Aquatic Impact Assessment - The WCBSP was updated in 2024 with the result that the area identified as an aquatic CBA1 is now greater in extent than the 2017 version. The area identified does not correspond with any aquatic habitat (estuarine or otherwise) on the property, apart from a spring and associated pond. The reasons for designated Biodiversity Priority Areas (BPAs) in the WCBSP (2024) had not been released by Cape Nature at the time of writing, so it is not possible to determine why the CBA1 area was identified or increased in extent. The remaining secondary vegetation within the CBA will be restored / rehabilitated in accordance with recommended mitigations in the Terrestrial Biodiversity Assessment and Aquatic Impact Assessment. The 20 meter wildlife

	representation of the desirability of the proposed development.	corridor will create a buffer to the forest area which is a crucial habitat for species of conservation concern, as described in the Terrestrial Biodiversity Assessment. 
4.2.2	The need for the development has also been misconstrued and misrepresented on the basis that it will meet an affordable housing for middle income households, when in fact, each is intended to be marketed for R2.5 million – R3 million. It is entirely disingenuous to suggest that the development of residential units in this price range (which is essentially high end residential accommodation) meets an affordable housing need.	According to a recent Article in the Financial Mail[1], the average value for a property in Plettenberg Bay increased by 24% from 2020 to 2021 to R3million, a further 9% in 2022 to R3,3million and 26% to R4,2million in 2023. Entry level asking prices in Plettenberg Bay have increased considerably over the past 4 years. It is currently difficult to find full title homes below R3,500,000. Freehold properties in estates form a substantial portion of Keurboomstrands housing market and attract high-end buyers. Over 57% of the estate freehold sales were above R3 million, with an average transaction value of R6.2 million (Lightstone 2025, Appendix G13). The proposed residential estate development allows opportunity for middle income earners to afford freehold property within an estate by providing properties in an affordable price bracket (R2.5 million – R3 million) relative to the area.

[1] This report was compiled by Steven Neufeld, Manager Principal of Lew Geffen Sotheby's International Realty Plettenberg Bay and Professional Valuer and Court Appointed Appraiser for South African Property Valuations®: 072 417 7731 (or) steven@sapv.co.za

	Keurboomstrand, known for its scenic coastal beauty and exclusivity, typically commands higher property prices compared to inland areas. While specific data for Keurboomstrand is limited, the general trend in the Western Cape, including the Garden Route, shows a strong demand for properties, contributing to rising prices. The middle-income bracket primarily includes two to three-bedroom homes and apartments, often within secure estates offering amenities such as pools, gardens, and proximity to the beach. High-end residential accommodation refers to premium, luxury housing designed for upper-income individuals or households. These properties typically offer superior quality, exclusive locations, and high levels of comfort, security, and amenities. The price range for High-end residential accommodation is typically from R5 million and above. It should be stressed that affordability is in relation to middle-income housing. Common buyers of middle-income housing are generally dual-income earners.
4.3 The Need and Desirability analysis contained in the draft BAR does not provide sufficient justification for the impacts associated with the proposed development, particularly insofar as it seeks to motivate for development with reference to relevant policy, without taking account of relevant policy guidance aimed at discouraging inappropriate development within the Estuarine Management Zone and areas designated as CBAs.	It was determined by the Aquatic specialist that the development is NOT within an Estuarine Functional Zone. As stated, the majority of the development is not within a CBA.
4.4 The responses provided to the Need and Desirability questions (contained in Annexure K of the draft BAR) have failed to provide relevant information required for a competent authority to reach an informed decision. For example responses regarding impacts on the coastal environment have entirely failed to address potential flooding risks associated with the proposed development.	Appendix K has been updated. Flooding risks have been considered and addressed in the Engineering Report, Aquatic Impact Assessment, and Groundwater Impact Assessment. Please also see Section G (3.5) of the Revised BAR. It must be stressed that the 5 m contour is a desktop delineation of estuarine habitat intended to indicate likely areas of estuarine habitat and low-lying areas in general. However, this must always be ground-truthed to confirm the presence / absence of estuarine conditions.
The consideration of alternatives	

4.5 The draft BAR has failed to propose and meaningfully assess alternative which enable the selection of the best practicable environmental option. Alternative 1 and the Preferred Alternative essentially present similar options in that both proposals extend well beyond the developable area delineated in relevant policy. Alternative 2 (which aligns with relevant policy parameters) is however dismissed on the basis of solely financial feasibility considerations without any further consideration. The no-go option is also rejected on tenuous grounds. This means that the alternatives presented do not provide real options for choice by the competent authority.	In the consideration of alternatives, the principles of sustainable development should be practicable, feasible, reasonable, and viable. The preferred Alternative offers a lower density to Alternative 1, and further consideration to environmental sensitivities by including buffers from these areas. The Preferred Alternative was guided by consultation with specialists to find a balance between environmental and financial sustainability. The outcome of consultation with specialists is that the layout of 60 units offers the best practical option that considers sustainable development that is viable, and reasonable within the context of environmental conservation. Alternative 2 was considered as it aligns with the KELASP of 19 units, which takes the 4.5m contour line into account within the identified transformed area. The parameter restricting development below 4,5m contour line was investigated by the freshwater specialist, and was determined to play no role in the functionality of the wetland and is not within an EFZ. Ground truthing by specialists indicated that there is no sound reason why the area below 4,5m contour line should be excluded from the development, as long as all mitigation measures are adhered to. Given this determination, the 6ha of transformed area, as per the KELASP, could be considered for development within the parameter for the development node, as follows - *The 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).* 

	This would calculate to a density of 72 units. It is not unreasonable to propose a 60 unit development within the parameters of 12 units per ha of the identified transformed footprint area (6Ha).
Identification and assessment of impacts	
4.6 The MEGA report also identifies a number of issues with the identification and assessment of impacts in the draft BAR. While the draft BAR has failed to identify many potential impacts, it also contains insufficient baseline information regarding relevant environmental considerations. In particular it has wholly failed to provide a specialist assessment of potential flooding risks. Furthermore the assessment has failed to consider fine scale vegetation maps which show that Sedgefield Coastal Grassland and Keurbooms Thicket-Forest (the former being considered to be critically endangered)2 is present on the property. In this regard it is also significant to note the oversight mentioned above regarding the classification of the property as CBA 2, indicating the imperative to restore/ rehabilitate the property.	Please see updated Impact Assessment Table (Appendix J) and Section G (3.5) of the revised BAR regarding flooding impacts. The updated Terrestrial Biodiversity Assessment discusses other descriptions of vegetation patterns in the area on page 24 to 26 which includes Sedgefield Coastal Grassland, see below. In May 2008 a vegetation map of the Garden Route was produced as part of the process of compiling a conservation plan for the area (Vlok et al. 2008). In terms of interpreting the mapped units, the authors state the following in the introduction to the report: 1. The vegetation was mapped as untransformed units, as it was perceived to be before European settlement in the region. This proved to be a great challenge as vast areas have been altered to such an extent that only a few remnant patches of vegetation still remain in certain areas. 2. The vegetation...was classified and mapped at a scale of 1:50 000. This vegetation map is not suitable for small-scale (< 1:50 000) studies or managerial plans. 3. The vegetation units...and their boundaries are not compatible with those of Mucina and Rutherford (2006), as their map is intended to function at a much larger scale (1: 1 000 000). Furthermore, the map is unpublished and based on expert interpretation of satellite imagery. No floristic field data was collected in support of the map, no data analysis was undertaken to determine floristic units, and no peer-review process happened to verify the mapped units. This is not an uncommon issue - it is a criticism that also applies to the Mucina and Rutherford (2006) vegetation map of the area - and is the reason why, to date, the vegetation of the Garden Route is inadequately described and mapped. Nevertheless, the attempt by Vlok et al. (2008) is commended for providing a description that didn't yet exist.

	For the current site, the Vlok et al. (2008) map indicates the presence of the following units on site and nearby: 1. Covie Coastal Proteoid Fynbos. 2. Keurbooms Thicket Forest. 3. Sedgefield Coastal Grassland. 4. Wilderness Forest Thicket (not on site). 5. Hartenbos Primary Dune (not on site). 6. Garden Route Wetlands (not on site). **Sedgefield Coastal Grassland** is mapped as occurring on the entire low-lying area of the site. It is described in Vlok et al. (2008) as occurring on deep sandy soils that are periodically inundated. They are mostly associated with the outer perimeters of the Wetlands habitat (local lakes and estuaries). The vegetation is dominated by sprawling grasses such as *Cynodon dactylon* and *Stenotaphrum secundatum*. In the past they were probably the "grazing lawns" of Hippo and largely maintained by them, but in the absence of these animals they are now largely overgrown by herbs (especially *Geranium incanum*) and shrubs (especially *Passerina vulgaris*). Few fires occur here, but when they do, a few geophyte species such as *Ixia orientalis* and *Romulea* species can be locally abundant. Fire independent geophytes such as *Brunsvigia orientalis*, is also plentiful. Data collected by the author of the current assessment close to the The Dunes Resort support the existence of this unit in this valley, but due to past cultivation and present alien invasion and secondary thicket development what the extent and boundaries of such a unit may be on site. It must be noted that there is agreement between the studies of Vlok et al. (2008), the vegetation map included in the KELASP (see section below), and the patterns observed for the current study in that the main vegetation on site is Forest/Thicket, rather than Fynbos, and therefore that the SANBI VegMap regional description of the site as containing Garden Route Shale Fynbos is incorrect.
4.7 The presence of Sedgefield Coastal Grassland, together with other factors discussed in the MEGA report, also indicate that the Property (and the surrounding area) may in fact be hydrologically connected to the Keurbooms estuary, which has been entirely overlooked in the aquatic assessment and draft BAR.	This was investigated in the Aquatic Impact Assessment. Ground truthing was undertaken by the specialist, which determined that the property is not influenced by estuarine processes. Please see response above.

4.8 Aside from the failure to identify potential flooding risks, the MEGA report notes that the draft BAR has also failed to comprehensively identify and consider potential impacts on the Estuarine Functional Zone (EFZ), groundwater and terrestrial biodiversity.	Impacts associated with the EFZ, groundwater and terrestrial biodiversity were identified by respective specialists in the relevant field.
4.9 The MEGA report also indicates substantial concerns around the methodology used for rating the significance of impacts, meaning that the conclusions reached by the draft BAR regarding the impacts associated with the proposed development are questionable and do not accurately represent the true nature and extent of impacts associated with the proposed development.	Please see updated Impact Assessment Table (Appendix J). The rating of significance is based on specialist assessments for aquatic, terrestrial biodiversity, plant and animal species, groundwater, and visual, as well as the EAP's assessment of relevant impacts. These impacts are determined by qualified specialists in their respective fields.
5. The MEGA Report should be read with these comments, and is referenced to the extent relevant in the comments which follow below.	See respond to the MEGA report below.
Relevant policy considerations	
6. The Property is located within the 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).	Figure 12 on page 46 of the DBAR was extracted from the Aquatic Impact Assessment (Appendix G2) and indicates "Estuary" as per the legend. As per the Aquatic Assessment - *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 and low-lying areas in general. However, this must always be ground-truthed to confirm the presence / absence of estuarine conditions.*
7. 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."3	
8. From the above, it is clear that development below the 5m contour line should, as far as possible, be avoided as this area is already subjected to flooding and/or 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	As stated in the KBEMP, the EFZ provides a useful guideline for a coastal management line. Careful consideration has been given in respect of town planning and environmental aspects such that specialists were appointed to groundtruth the site and provide recommendations and mitigations.

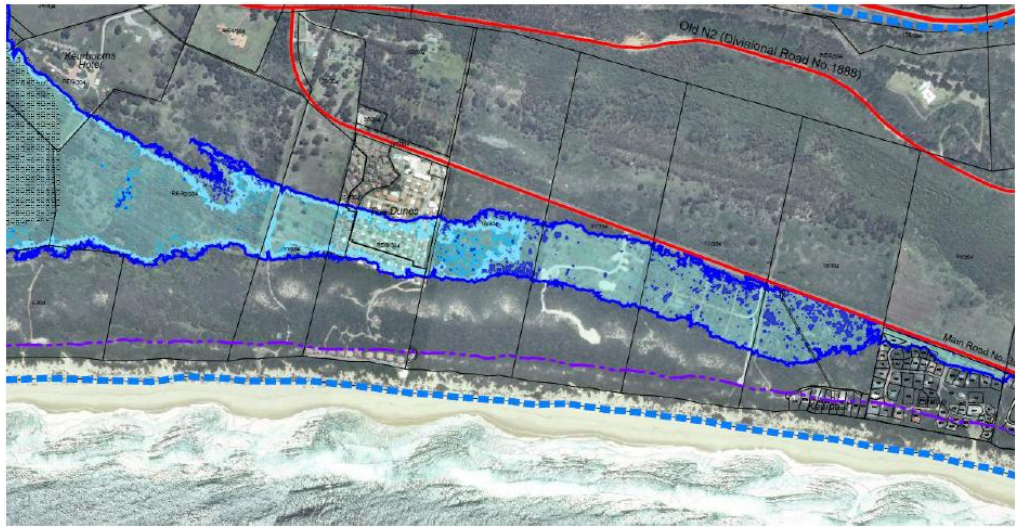
the EFZ therefore requires careful consideration from both a town planning and environmental authorisation perspective.	It should be further noted that the Coastal Management Unit of DEA&DP confirmed in their comments dated 23 April 2025 that - • *Although Farm 91/304 is located seaward of the CML, the SD: CM notes that the subject property is unlikely to be impacted by coastal processes due to its proximity to the highwater mark; the subject property is not located within the 1:100-year floodline; nor is it located in close proximity to the Departmental coastal risk zones or erosion projections. The SD: CM also notes that the applicant has done their due diligence to consider the Departmental coastal risk information in relation to the subject property. However, it is recommended that new development seaward of the CML should be limited.* • *The proposed development area of Farm 91/304 occurs within the estuarine functional zone ('EFZ') however the applicant indicated that according to the freshwater specialist, there are no aquatic features present on the site and no hydrodynamic indicators in the soil. Furthermore, the Keurbooms-Bitou Estuarine Management Plan also indicated that Farm 91/304 is located above the 1:100-year floodline with no flood risks associated with the subject property.*
9. 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, …"4. From the extract from the KELASP annexed as 'C', it is significant to note that:	As per the Engineer response (Appendix F3) - This is considered misinterpretation. The 3 swash lines are 2.5m for sheltered or rocky coastlines, 4,5m for exposed or sandy coastlines and 6,5m for headland and pocket bay beaches. The development is 2,8km from 100m high water mark, and outside of the 1 in 100 year backwater floodline. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. It is clear that in reality no swash whatsoever can be applicable.
9.1 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	The mapped aquatic features at the site are associated with estuarine habitat which is mapped according to the contours (5 m.a.m.s.l.) and not the actual habitat present. Ground-truthing of the site by the aquatic specialist confirmed no estuarine habitat present in remnant vegetation at the site, and no hydromorphic indicators in the soil that would indicate wetland conditions.
9.2 only a narrow area falling between the forested slope and the wetland corridor area on the Property are identified for residential development.	This is in relation to the 4m contour line which limits the area to

10. The Property is also located only just outside of the 1:100 floodline (as is evidenced by the KELASP floodline map annexed as "D").	The floodline, as per the KELASP, is indicated as being on the seaward side of the Keurboomstrand Road, extending into the Milkwood Glen Estate.
11. Significantly, the KELASP also indicates that the development potential of the Property (which is based on a gross density of 12 units per ha) is 19 units on the 1.6ha portion of the site which is identified as suitable for development as it falls above the 4.5m contour.5 The development proposal however seeks to develop 60 residential units on 6ha of the Property, meaning that a substantial portion of the development will be located below the 4.5m contour.	This 4.5m coastal setback recommendation was taken from the 4.5m swash contour and 4.5 m estuary/river flood contour that was a recommendation by the 2010 Eden District Municipality Sea level rise and flood risk model of 2010, commissioned by The Provincial Department of Environmental Affairs and Development Planning. The purpose of this model was to identify areas that are vulnerable to migrating shorelines and tidal reaches, storm associated extreme sea levels and estuary/river flooding. The property 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 Alternative 2 was considered as it aligns with the KELASP of 19 units, which takes the 4.5m contour line into account within the identified transformed area. The parameter restricting development below 4,5m contour line was investigated by the freshwater specialist, and was determined to play no role in the functionality of the wetland and is not within an EFZ. Ground truthing by specialists indicated that there is no sound reason why the area below 4,5m contour line should be excluded from the development, as long as all mitigation measures are adhered to. Given this determination, the 6ha of transformed area, as per the KELASP (yellow area), could be considered for development within the parameter for the development node, as follows - *The 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)*.

	 This calculates to 72 stands. It is not unreasonable to propose a 60 unit development within the parameters of 12 units per ha of the identified transformed footprint area (6Ha).
12. The footprint of the proposed development also extends well beyond the area designated on the Property for residential development in terms of the Bitou Spatial Development Framework ("SDF")). The Bitou SDF also specifically states that no development may occur within 1:100 floodline6 surrounding rivers and delineates a limited area within the urban edge (which falls above the 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 'E').	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 below 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 have however been identified as sensitive and have been protected with a 20m buffer strip, which is of much greater ecological value than the limiting 5m contour line (Planning Space Town and Regional Planners). 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) (Planning Space, Town and Regional Planners) and the old regional structure plan earmarked it for "Recreational purposes" (Planning Space Town and Regional Planners).

	The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16. Specific site considerations include the confirmation that the site does not have any estuarine qualities that the 4,5m swash line has no bearing on the property and that other more relevant environmental considerations such as protection of the forest and animal corridors have determine the development footprint (Planning Space Town and Regional Planners). The Bitou SDF 2022 defines the conservation management areas as follows: *It is proposed that the "No Go" development areas including the system of ecological corridors be collectively defined as a broader Conservation Area to be managed (on an individual owner or collective basis) in terms of the Cape Nature Biodiversity Stewardship programme or any other similar appropriate conservation management programme.* *The above can be done on a voluntary basis and is to be promoted amongst property owners. In addition committing to an appropriately identified Stewardship / Management Programme should be required as an environmental offset in return for the granting of any additional development rights in future.* The Applicant is in the process of negotiating a Biodiversity Stewardship Agreement with CapeNature, effectively complying with the objective of the conservation management area as per Bitou SDF 2022.
13. 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 functions."7 This is particularly relevant in the context of risks posed to coastal areas by climate change and sea-level rise.	The property is unlikely to be impacted by coastal processes due to its proximity to the highwater mark; the subject property is not located within the 1:100-year floodline; nor is it located in close proximity to the DEA&DP coastal risk zones or erosion projections. Relevant consideration has been given to the DEA&DP coastal risk information in relation to the subject property. Please see Section G (3) of the Revised BAR that addresses Section 63 of the ICMA. The Keurbooms-Bitou Estuarine Management Plan also indicated that Farm 91/304 is located above the 1:100-year floodline with no flood risks associated with the subject property (see comments from DEA&DP CMU). Further

	consideration has been given to potential flood risks in Section G (3.5) of the Revised BAR.
14. The importance of restricting development which is vulnerable to flooding as a result of coastal climate change impacts is echoed in the Garden Route District Climate Change Response Implementation Plan which specifically considers Long-Term Adaptation Scenarios concerning all land below the 5.5 metre contour (which is considered to be the coastal zone) on the basis that "this is the maximum estimated height of land that could be affected by the predicted increases in storm surges, sea level rise and tidal fluctuations by the year 2100".	The development is 2,8km from the 100m high water mark of the estuary, and outside of the 1 in 100 year backwater floodline. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. No swash can be applicable. The property is unlikely to be impacted by coastal processes due to its proximity to the highwater mark; the subject property is not located within the 1:100-year floodline; nor is it located in close proximity to the DEA&DP coastal risk zones or erosion projections.
Site features and historical flooding of the surrounding area	
15. The attached cross-section survey diagram (annexed as "F1") was developed by Beacon Survey based on the Contour Plan Slope Analysis which was included in the BAR (annexed as "F2") and the drone survey undertaken by Beacon Survey (annexed as "F3"). The survey diagram clearly shows that the natural ground level of the proposed development site (surveyed between the two points A-A) is less than 5m above mean sea level.	Noted. This is also indicated on various maps presented using 0.5m contours. E.g. Fig 16 in the aquatic specialist report. The section is not relevant in the context of the proposed stormwater management plan. The section does not correctly reflect the lower natural ground levels on the southern side of Road 394. The indication of the 5m MSL line on the section, and the labelling of it as a high-water mark is subjective and of no relevance to the current or future stormwater management characteristics (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.4 in the document).
16. The 1:100 floodline mapped in terms of the KELASP tracks Keurboom Road, which is at much the same height above mean sea level as the Property. The road is therefore unlikely to act as a barrier to flooding of the Property, meaning that it may well be vulnerable to flooding in the context of a 1:100 flood.	Nonetheless, the mapped 1:100 year floodline is indicated south of the road. It is uncertain whether flooding occurs at this point in Milkwood Glen as it is within this delineated floodline. If that is the case, evidence of such flooding in relation to the road would be welcome (Aquatic Specialist, Confluent). This statement is considered flawed. The exact floodline level is not indicated on the floodline plan, however the position at which the floodline is plotted and comparison to surveyed levels on the southern side of Keurboonstrand Road indicate the floodline to be approximately 500mm lower than the crest of the road (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.5.1 in the document).
17. The need to preserve the Keurbooms valley on the north side of Keurbooms Road as a flood plain 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).	It is noted that the 2007 was a serious event and a good benchmark of the impacts of serious flooding in the area. The Dunes resort (mentioned in the comment) is located well within the mapped 100 year floodline and close to the Tshokwane wetlands (image below from the KELASP). It is a poorly located development and a simple analysis of the floodlines highlights the risk that

During that time, Keurbooms Road was impassable, and the Dunes resort was 1.5 metres 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. The flood attenuation role of this property has also been evident during significant storm events (such as those experienced as recently as May 2023).	materialised. However, portion 91/304 is mapped above the 1:100 year floodline towards the eastern-most extent of the floodline representing a much reduced risk. The flood attenuation role of the property is not going to be diminished because the engineering plan has incorporated a number of SuDS measures including permeable paving on main roads, open pavers (grass blocks on secondary roads, 3 stormwater attenuation ponds, and an armorflex lined swale to intercept runoff from the slope (Aquatic specialist, Confluent).  This statement is considered to be misrepresentative. It refers to "Keurbooms Road", not Keurboomstrand Road, and implies that water spilled over the road at the Dunes Resort. The level of the floodwater at the Dunes Resort was at least a meter lower than Keurboomstrand Road level. We have consulted Keurboomstrand residents who witnessed the 2007 floods, who have asserted that Keurboomstrand Road 394 was not affected by flooding at the Dunes Resort, nor in the vicinity of the Development and was not impassable. Keurboomsriver Road, more than 2 kilometers to the west, was flooded and impassable (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.5.1 in the document).
18. The very real flooding risks for the Property (and the surrounding area) are borne out by the photographs (annexed as 'G') 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.	The photographs presented indicating flooding are not in close proximity to the site. The Dunes Resort is 1,1 kilometers west of the site, Silverstream and Matjiesfontein Estates are 2,9 kilometers west, on the banks of the Keurbooms River and Twin Rivers is further west between the Bitou and Keurbooms River. Reports received from local residents indicate that at the time of the 2007

	floods, the estuary flooding did not back up to the area of the Development (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.5.1 in the document).
19. While the Aquatic Specialist Report (prepared by Dr Jackie Dabrovsky of Confluent) finds that the Property does not appear to support wetland or estuarine habitat, it nonetheless notes that: "One of the development risks within the EFZ relates to flooding which can be exacerbated by climate change and associated sea level rise. … The property is located on the edge of the1:100 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."	The risk of future flooding due to climate change is acknowledged in several documents including the aquatic specialist report quoted. The engineer (Poise Engineering) has responded to this risk through provision of the following mitigation measures: • Site levels will be designed to ensure the effective implementation of the stormwater management system. The minimum floor level of any stand will be 4.0m MSL higher than the Road MR394 flood barrier level. • The site slopes and road levels will be designed to flat gradients to enable maximum infiltration whilst draining on surface to the ponds. • The main access roads will be surfaced with permeable paving and secondary roads with grass block paving • The levels will also be designed to contain flood runoff within the ponds. • The site design levels will protect homes from flooding and will also detain excess site runoff from flooding over the Keurboomstrand Road. The development is 2,8km from 100m high water mark of the estuary, and outside of the 1 in 100 year backwater floodline. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. No swash can be applicable (Poise Engineering Responses to Engineering Comments, Appendix F3).
20. The draft BAR furthermore accepts that "surface water was expected to accumulate temporarily after heavy rainfall events".	This was noted in the Geotechnical Report (Appendix G4) as follows – *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 (TP1 & TP5) 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.* The Geotechnical Report further recommend mitigation measures to deal with site drainage, as follows: Consideration should be paid to stormwater drainage due to the low gradient on the site and the likelihood of stormwater accumulating on surface after

	heavy downpours. Stormwater from roofs can generally be handled in gutters, downpipes and open channels or underground pipes, with suitable discharge locations on the southern side of the site. A well designed road layout can assist in management of stormwater run-off from site, with minor flood events being accommodated within the road prism with raised barrier kerbs and/or side channels. These mitigation measures were considered in the stormwater management contained in the Engineering Report (Appendix G3). The EMPr also incorporates the recommended mitigation measures. Furthermore, the Ground Water Impact Assessment (Appendix G9) stated the following regarding groundwater recharge and flooding risks: • Groundwater recharge occurs regionally rather than being site-specific, meaning the development is unlikely to significantly affect it. • The sandy subsurface has high permeability, reducing the likelihood of groundwater mounding and flooding. • Proper stormwater management, including permeable pavements, retention ponds, and controlled drainage, will be essential to mitigate local hydrological changes.
21. Despite this, and notwithstanding the clear policy guidance discouraging development within the EFZ, the draft BAR largely dismisses potential flooding risks associated with the proposed development on the superficial basis that:	Please see Section G (3.5) of the Revised BAR addressing flooding.
21.1.1 the Aquatic Assessment finds that the soil and plants present on the site is not indicative of a wetland or estuarine environment; and	
21.1.2 the Geohydrological Assessment indicates that sandy soils with high permeability and implementation of stormwater water management measures (including infiltration ponds) should be implemented manage flood risks.	
22. While the draft BAR fails to consider flooding risks posed by the Keurbooms River Estuary generally, it also entirely fails to identify and assess potential flooding impacts on the Property itself and surrounding properties, particularly given that such risks will be exacerbated by the creation of additional hard surfaces associated with the development of 60 residential units and related infrastructure. The draft BAR furthermore does not consider stormwater impacts which may arise should the	The impacts associated with risks of flooding have been included in the Revised BAR and Appendix J. The impact was assessed in the Groundwater Impact Assessment (Appendix G9) and was found that after the implementation of mitigation measures, the consequence becomes negligible, and the significance remains as negligible - negative. The recommended mitigation measures are as follows:

capacity of the infiltration ponds be exceeded and stormwater is discharged into the road reserve and surrounding properties. No provision has however been made for stormwater management along Keurbooms Road, (notwithstanding the increasing likelihood of flooding events).	i) Permeable pavement and green infrastructure (limit coverage of surface area by infrastructure as far as possible. ii) Rainwater Harvesting. iii) Sustainable Urban Drainage Systems (SUDS). iv) Retention and Detention Basins. v) Design stormwater drainage systems to handle increased rainfall events by incorporating overflow pathways, sump pumps, and flow control structures. vi) Installation of piezometers to track groundwater level. vii) Inspect and maintain drainage systems, stormwater infrastructure, and mitigation features. Furthermore, risks of flooding are discussed by the Engineer in Appendix F3. As per the Engineer - All roads and driveway will remain permeable. The impermeable roof areas will amount to approximately 25% of the development area. By nature of the stand layout roof areas will not be in a concentrated location but will be distributed around the development area. Roofs will discharge to Rainwater Harvesting tanks from which excess water will discharge on surface between and around the units. The landscape levels will be modified however the gradients will remain extremely flat and the majority of runoff will therefore infiltrate the ground before reaching the ponds. Under heavy rainfall conditions runoff reaching the ponds will be stored in the ponds whilst the infiltration process is in progress. Water infiltration around the houses and from within the ponds will spread laterally by capillary action. The impermeable areas will have no negative impact on the groundwater recharge process. The site levels will be reshaped to drain toward the new ponds, and the surrounding pond catchment crest levels will be designed such that the overall site flood storage volume is not reduced from that of its current natural state. The site will continue to serve as a soakaway. The site levels will be designed to ensure that homes are not flooded, the floor levels of which will all be set higher than the level of the Road 394, the existing southern flood containment level. Please see Appendix F3 for a detailed response from the Engineer.
Hughes Report	

23. Given the flooding risks associated with the proposed development (both for the development itself and surrounding properties), our client appointed Prof Denis Hughes from Rhodes University (an expert in the field of hydrology) to prepare a review of the water use licence application submitted for the proposed development (the "Hughes Review") which is annexed as "H". The Hughes Review makes the following significant observations regarding the potential flooding risks associated with the site:	Please see response from the Poise Engineering attached as Appendix F3 (see section 8.6).
23.1. "… the topography to the east of the Keurbooms Estuary indicates that there are low-lying areas on the inland side of the coastal dunes (Figure 1). Although quite detailed 2m contour maps were provided, they do not extend all the way to the estuary and it is difficult to definitively conclude that the development site is directly hydraulically connected to the estuary during high floods. <u>However, all the evidence points to the fact that it is connected and will form an inundated backwater area when the estuary is subjected to flooding. This is supported by the cross-section data (approximately north-south through the proposed development property) that indicates that most of the area to be developed is below 5m above mean sea level.</u>	**23.1.** At the time of the 2007 event, which arguably exceeded a 1 in 100 year flood, the estuary backwater did not reach the Development site. The Keurbooms River Estuary is not considered a flood risk (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.6.7 in the document). The development is 2,8km from 100m high water mark of the estuary, and outside of the 1 in 100 year backwater floodline. The minimum house floor level will be 4.0m, which is higher than the Road MR394 flood barrier level. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. No swash can be applicable (Poise Engineering Responses to Engineering Comments, Appendix F3).
23.2. The cross-section data suggests that almost all parts of the development will be below 5m above mean sea level (the black dashed line in Figure 2). <u>There seems to be little doubt that the site does play a role in providing some flood storage, as well as the fact that the site is highly likely to be flooded during heavy and prolonged rainfall events.</u>	**23.2.** The design of the stormwater management system for the Development will take cognisance of and ensure that the current flood storage role of the site is not compromised (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.6.10 in the document).
24. The Hughes Review furthermore observes that:	
24.1.0 "the potential benefits of the proposed stormwater retention ponds for reducing the flooding impacts of surface water runoff during high rainfalls have been quite substantially overestimated". The underlying rationale for this observation is (in summary) that: 24.1.1 the duration of flooding events in the region generally exceed 24 hours;	24.1.1. As per the Engineers response in Appendix F3, Dr Hughes' calculation of the 24 hour rainfall is incorrect. He incorrectly derived it from the figure from the Poise Report after application of the Coefficient of Discharge. The 50-year 24-hour rainfall depth is actually 140 mm. The pond storage values have been tested for storms of all durations up to 72 hours, and are sufficient (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.6.1 in the document).

24.1.2 the effects of antecedent wetness conditions have been entirely overlooked;	24.1.2. The effects of antecedent wetness conditions have not been ignored. The stormwater runoff coefficient used in the calculations includes an adjustment factor which varies for storm return intervals and accounts for higher runoff under higher RI conditions (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.6.2 in the document).
24.1.3 possibility of runoff and near surface drainage from the forested slopes to the North of the site.	24.1.3. The runoff from the forested slope has been accounted for (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.6.4 in the document). The existing runoff is routed via an infiltration swale leading to the spring pond. This status will be maintained. In extreme flooding conditions overflow from the spring pond will be accommodated within the design for the development attenuation ponds. As per the Aquatic Impact Assessment and Stormwater Management Plan - *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. For any surface runoff generated down the slope, the proposal is to develop an armourflex-lined swale which would transfer any surface water along the slope base and towards the natural pond. The runoff is not expected to contain pollutants of any sort and is therefore considered fit for diversion towards the pond. The proposal within the development is to direct stormwater to three retention ponds to be located within the development area.*
24.1.4 the likelihood of low draining gradients (given that the site is relatively flat); and	24.1.4. Impermeable areas will amount to only 25% of the development area and will not be concentrated but will be spread within the development area, with permeable areas between. Roof runoff will discharge to these permeable areas and the flat gradients will enhance infiltration before runoff reaches the attenuation/infiltration ponds. All rainwater falling on the site currently infiltrates within the area of the site the same will apply post development. The overall spread of infiltration will thus not be significantly different to the current status. The overall volume of rain falling on the site will remain unchanged as will the load on the underground storage capacity (Poise Engineering comment). 24.1.5. See point 24.1.4. above. According to the Geotechnical report 10 testpits were dug. Groundwater was found in Testpits 1 and 5, positioned on the southern lowest side of the site, at depths 1,95m and 2,3m respectively. The other 8 pits were dug to depth varying

24.1.5 limited storage capacity for draining of water into soils (as evidenced by the findings of the Geotechnical Report).	between 2,3m and 3m without encountering groundwater (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.2 in the document).
24.2 While the Geotechnical Report suggests that 'Stormwater from roofs can generally be handled in gutters, downpipes and open channels or underground pipes, with suitable discharge locations on the southern side of the site' the cross-section and contour data suggests that there is no drainage route to the south due to the existence of the coastal dune.	24.2. It is correct that there is no drainage route the south. All rainwater falling on the site currently discharges by infiltration and will continue to do so in the developed state (Poise Engineering Comment).
25. Prof Hughes' report concludes as follows regarding the assessment of flood risks posed to the site: "The development plans and proposals generally fail to give due consideration to potential future flooding risks associated with development. My evaluation of the available information suggests that the risks to flooding on the development site itself have been quite seriously under-estimated. This includes the risks associated with large scale flooding from the Keurbooms Estuary, as well as those associated with more localised flooding. The extent to which these flood risks are likely to be extended to adjacent properties is somewhat more difficult to be sure about, but there seems to be little doubt that the development will remove at least some existing flood retention storage and could therefore impact on existing developments, notably those in the relatively low lying areas to the south of the road.11	25. The pond storage values have been tested for storms of all durations up to 72 hours, and are sufficient. The stormwater retention ponds: The pond designs compensate for the lesser infiltration area due to impermeable surfaces for the 1 in 100 year storm interval. The pond catchment basins will ensure that overall storage volume is not less than the current natural state. The design of the stormwater management system for the Development will take cognisance of and ensure that the current flood storage role of the site is not compromised. The Development will not remove any flood retention storage. The stormwater management proposals mitigate reduced infiltration capacity relating to foundations (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.6.1 /8.6.6 /8.6.10 /8.6.12 /8.6.13 in the document). As per the Poise Engineering response in Appendix F3 - Reports received from local residents indicate that at the time of the 2007 floods, the estuary flooding did not back up to the area of the Development. We have consulted Keurboomstrand residents who witnessed the 2007 floods, who have asserted that Keurboomstrand Road 394 was not affected by flooding at the Dunes Resort, nor in the vicinity of the Development and was not impassable. Keurboomsriver Road, more than 2 kilometers to the west, was flooded and impassable. The Engineers also stated that the Development will not remove any flood retention storage.

	It should be further noted that the Coastal Management Unit of DEA&DP confirmed in their comments dated 23 April 2025 that - • *Although Farm 91/304 is located seaward of the CML, the SD: CM notes that the subject property is unlikely to be impacted by coastal processes due to its proximity to the highwater mark; the subject property is not located within the 1:100-year floodline; nor is it located in close proximity to the Departmental coastal risk zones or erosion projections. The SD: CM also notes that the applicant has done their due diligence to consider the Departmental coastal risk information in relation to the subject property. However, it is recommended that new development seaward of the CML should be limited.* • *The proposed development area of Farm 91/304 occurs within the estuarine functional zone ('EFZ') however the applicant indicated that according to the freshwater specialist, there are no aquatic features present on the site and no hydrodynamic indicators in the soil. Furthermore, the Keurbooms-Bitou Estuarine Management Plan also indicated that Farm 91/304 is located above the 1:100-year floodline with no flood risks associated with the subject property.*
Failure to properly consider and assess flood risks associated with the proposed development in the draft BAR	
26. Despite the concerns raised above (which have also been raised in our comments on the pre application draft BAR) the draft BAR does not include any specialist surface hydrological insight which specifically considers flooding risks associated with the proposed development.	The Revised BAR has acknowledged that the development is below 5mamsl, and it further acknowledged that various planning documents recommend that development not take place below the 5m contour. Development at this level is not prohibited, especially considering that the assessment has undertaken extensive specialist studies and ground truthing, and incorporated several mitigation measures (particularly in the engineering services report) that deal with flooding risks. Other developments below the 5m contour have already been approved along Keurboomstrand Road, including Milkwood Glen. The development is 2,8km from 100m high water mark, and outside of the 1 in 100 year backwater floodline. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. No swash can be applicable (Poise Engineering Responses to Engineering Comments, Appendix F3).
27. It is clear that development within the EFZ is strongly discouraged by relevant policy instruments given the associated	Please see the Groundwater Impact Assessment attached as Appendix G9 which serves as a specialist geohydrological assessment, focusing on the

flood risks. While a hydrological assessment is clearly warranted in the current circumstances, where such an assessment has not been carried out, it follows that departure from such policy guidance is entirely unjustified and in stark contrast with the precautionary principle (as is addressed in more detail below).	overall geohydrological characteristics of the site, the potential impacts of the development, and the necessary mitigation measures.
28. The draft BAR consequently does not include substantively relevant information concerning potential flood risks which ought properly to be placed before the competent authority for consideration in its decision regarding the application for environmental authorisation. Any decision made by the competent authority on the basis of the information contained in draft BAR would therefore be fatally flawed as relevant considerations would not have been taken into account by the competent authority.	Please see Section G (3.5.) of the Revised BAR concerning flood risks.
Failure to identify and consider relevant biodiversity impacts	
28.1. As explained above, the MEGA Report notes that the southern portion of the property (where the development is to be located) has incorrectly been classified in the draft BAR and Terrestrial Biodiversity Report as "transformed", rather than as CBA2. This is due to referring to the previous 2017 WCBSP, instead of the updated 2023 WCBSP. It follows that the assessment of biodiversity impacts undertaken in the draft BAR will have been premised on the assumption that the site is transformed, without giving any consideration to the policy imperatives associated with CBA2 designation (i.e that such areas are considered important for purposes of meeting biodiversity targets and are consequently earmarked for restoration/ rehabilitation and essentially not suitable for development). The draft BAR also fails to take account of the fact that fine scale mapping indicates that Sedgefield Coastal Grassland and Keurbooms Thicket-Forest is present on the property. This is particularly relevant in the context of the restoration and rehabilitation imperative associated with the sites CBA2 classification.	The Terrestrial Biodiversity Report has been updated to reflect the 2023 WCBSP. Please see Appendix G5.
28.2. It follows that the Terrestrial Biodiversity Assessment and the draft BAR are flawed insofar as the assessment of biodiversity impacts are concerned. By failing to take account of the designation of the southern portion of the property as CBA2 and the fine scale mapping indicating the presence of Sedgefield Coastal Grassland and Keurbooms Thicket-Forest, the draft BAR	The Terrestrial Biodiversity Report has been updated to reflect the 2023 WCBSP. Please see Appendix G5.

has failed to present a comprehensive assessment of biodiversity impacts which takes account of relevant policy considerations.	
Misrepresentation of Purported Socio-Economic Impacts	
19. The draft BAR states that the proposed development will have various positive socio-economic benefits, including creation of affordable residential opportunities for middle income households. The assertion that the development will provide middle income residential opportunities is entirely disingenuous given that the average selling price for the 60 residential units will be between R2.5 and R3 million. The residential opportunities that will be made available in the proposed development will be well beyond reach for most middle income households.	Please see updated Appendix K and Section E (12) of the Revised BAR. According to a recent Article in the Financial Mail[2], the average value for a property in Plettenberg Bay increased by 24% from 2020 to 2021 to R3million, a further 9% in 2022 to R3,3million and 26% to R4,2million in 2023. Entry level asking prices in Plettenberg Bay have increased considerably over the past 4 years. It is currently difficult to find full title homes below R3,500,000. In the coming years it is critical that the housing shortage in the middle-income bracket be addressed to ensure the efficient functioning of the Plettenberg Bay economy. This development aims to address the housing need of the middle-income earners who lives and work in the area (Planning Report, Appendix G6).
20. The draft BAR has also overlooked potential negative socio-economic impacts related to tourism impacts as well as potential implications for property values in the local area. In particular, the visual impacts associated with the proposed development and related exacerbation of flooding risks will have an inevitable impact on property values of surrounding properties. While this has not been given any consideration in the draft BAR, the report prepared by Jerry L Margolius and Associates (annexed as "I") shows that the proposed development is likely to have significant negative impacts on the property values of surrounding properties. Such impacts must be properly assessed and addressed in the BAR such that they may be taken into account by the competent authority when considering the application for environmental authorisation.	The proposed development matches, the form, density, and quality of the Milkwood Glen development. There is no indication that a comparable, well-planned development would negatively impact property values. It is also worth noting that the site could currently accommodate various agricultural activities, such as intensive animal farming, without requiring further town planning permission. Such activities would likely have a far more detrimental impact on neighbouring property values than the carefully planned residential development being proposed (Planning Space response to Town Planning Comments, Appendix F4). The report by Jerry L Margolius and Associates is duly noted. It however does not take into consideration the mitigation measures that will reduce the visual impacts and intrusions. The report concluded the follow: *We can therefore conclude that the proposed development will probably or, in fact, certainly disfigure the area, will be unsightly and will impact on the environment a neighbourhood, with the affected owners duly raising their valid objections due to the derogation in value of their properties adjoining or neighbouring property.*

[2] This report was compiled by Steven Neufeld, Manager Principal of Lew Geffen Sotheby's International Realty Plettenberg Bay and Professional Valuer and Court Appointed Appraiser for South African Property Valuations®: 072 417 7731 (or) steven@sapv.co.za

	The Visual Impact Assessment that was conducted by Paul Buchholz confirmed that the proposed development's low visual impact design and use of appropriate materials, colour selection, and landscaping will ensure that the development blends in very well with its surroundings, creating a minimal change in the landscape. The proposed development, therefore, has a low visual intrusion and, as such, will have a low impact on the character of the area.
Cumulative impacts	
21. The inadequacies in the assessment of impacts identified above mean that the assessment of cumulative impacts is also compromised. In particular, the wholesale failure to provide a comprehensive assessment of flooding risks associated with the development also means that cumulative flooding impacts associated with the proliferation of development in the local area have not been considered. Similarly, the shortcomings in the biodiversity assessment also mean that cumulative impacts on biodiversity resources will not have been adequately considered, particularly as the site is designated a CBA2 area and fine scale mapping indicates the presence of Sedgefield Coastal Grassland and Keurbooms Thicket-Forest.	Please see updated Impact Table (Appendix J) and Terrestrial Biodiversity Assessment (Appendix G5).
MISREPRESENTATION OF AVAILABILITY AND ADEQUACY OF WATER AND SANITATION SERVICES FOR THE PROPOSED DEVELOPMENT	
29. The draft BAR indicates that:	
29.1. The existing reticulation system and reservoir has sufficient capacity to service the proposed development. However, there is insufficient capacity in the bulk water mains serving the reservoir to maintain the peak seasonal demand. Although a masterplan is in place to upgrade the bulk supply system, it is dependent on the availability of municipal finances. Consequently the timeframes for such upgrades cannot be guaranteed. Alternative water sourcing is therefore proposed in terms of rainwater harvesting for domestic use and to treated greywater for irrigation purposes.1	The GLS report confirms that the Matjiesfontein Reservoir and the reticulation supply line from the Matjiesfontein Reservoir to the site of the proposed development have sufficient capacity to support the development. The supply line feeding the Matjiesfontein Reservoir however requires upgrading and this is being addressed by Bitou, however the timeline cannot be determined. Notwithstanding the above, Bitou have confirmed that they are able to supply water for the Development (Poise Engineering Responses to Engineering Comments, Appendix F3, point 2.1 in the document). See Appendix E16 for the Municipal letter confirming bulk services for the development.
29.2. There is not sufficient capacity in the existing Bitou Bulk Sewage system to accommodate the proposed development until such time as proposed upgrades are completed by the	The municipal letter to confirm that the development site will use a temporary WWTP until such time that it can be connected to the Municipal bulk sewer line, when upgraded, can be found in Appendix E16.

Municipality. A temporary wastewater treatment plant is therefore planned to be installed to treat the development's wastewater pending the planned municipal upgrades.13	
30. GLS Consulting's Infrastructure Planning Report (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.14 This means that while municipal upgrades are likely to be held up due to financial constraints, any additional bulk water and sewage capacity which is ultimately made available might still not be sufficient to cater for the proposed development together with the numerous other intended developments.	A pre-requisite for implementation of the Development will be the conclusion of a Services Level Agreement with Bitou Municipality. Such an agreement will not be concluded until such time as Bitou Municipality is able to allocate water to the Development (see Appendix E16).
31. In the circumstances, the temporary waste water treatment works may be required to be in place for an extended period of time, with associated deterioration concerns. Furthermore, no consideration has been given to how treated effluent will be disposed of during wet periods where there is no irrigation requirement (or where irrigation may in fact contribute to flood risks).	The wastewater treatment plant will have no implications under high rainfall conditions. The volume of daily effluent is 22.5kl which translates to less than 0.5mm over the site development area and less than 1% of the storage volumes of the attenuation ponds (Poise Engineering Responses to Engineering Comments, Appendix F3, point 7.2 in the document).
32. While the development application proposes to address bulk water supply requirements with rainwater harvesting and greywater irrigation, it does not provide any detail regarding the volumes of water that will be made available through such methods. It is therefore not possible to establish whether such measures will in fact be sufficient to supplement the water requirements for the development, particularly during peak season.	The statement that it is insufficient to accommodate the potable water demand is irrelevant. The Development will not be independent of Bitou water supply and there is no such motivation in the Poise Report (Poise Engineering Responses to Engineering Comments, Appendix F3, point 3.1 in the document).
33. Given the significant concerns around the availability of municipal services, our client appointed ZS2 Consult to comment on the civil engineering aspects of the proposed development. The ZS2 Report (which is annexed as 'J') confirms that there are significant concerns around the availability of water and sanitation services for the proposed development:	
33.1. While the existing Keurbooms bulk water line will not have capacity to provide potable water to the proposed development, rainwater harvesting is unlikely to serve to address the shortfall in this regard.	ZS2 Consult states their calculation of maximum rainwater harvesting capacity of 292 kilolires per day per unit (see Appendix G12). Refer to the Poise Report (Appendix G3) Paragraph 4.4. A minimum figure of 170 litres per day per unit is estimated, less than the ZS2 figure quoted above.

33.2. There is no sewerage reticulation currently available at the Property. The proposed disposal of treated wastewater on site by irrigation however poses significant flooding risks (given the significant volume that will be produced and the limited area which will be irrigated).	See the Poise Report (Appendix G3) Paragraph 5.4.2. The stated ZS2 calculation result is incorrect (see Appendix G12, page 12). The annual projected effluent irrigation quantity is 45% of the annual rainfall calculated over the irrigatable area and 22% over the development area (Poise Engineering Responses to Engineering Comments, Appendix F3, point 7.1 in the document). What is however significant is that to dispose of the daily effluent quantity, Irrigation once per week for a period of 15 minutes, of only 52% of the 3.0 hectare irrigatable area will be required. See Poise Report Paragraph 5.4.2.
33.3. The ZS2 report also raises concerns around the effectiveness of the proposed stormwater management infrastructure, and particularly the retention ponds given the high water table on the site.	ZS2 Consult make this assumption without examining the engineering drawings or applying the content of the geotechnical report. According to the Geotechnical report 10 testpits were dug. Groundwater was found in Testpits 1 and 5, positioned on the southern lowest side of the site, at depths 1,95m and 2,3m respectively. The other 8 pits were dug to depth varying between 2,3m and 3m without encountering groundwater. The preliminary designs indicate that the bottom level of the ponds will all be in excess of 1,5m above the groundwater level. The Z2Consult comments on their images presented do not define the ground and water table level at the positions of their depth measurements. Without that information they are incomparable with the conditions on the Development site and the comments are meaningless. The lowest areas of Portion 14/91 are up to 500mm lower than the ground level at Testpit 1. (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.2 in the document).
ASSESSMENT OF ALTERNATIVES	
22. 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.15	This has been done.

23. "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 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."	Correct.
24. 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".	The purpose of the assessment is to determine the best practicable environmental option. Three alternatives were assessed in this regard. A risk-averse and cautious approach was applied in line with the precautionary principle and best practicable environmental option: Ground-Truthing and Specialist Studies: • A range of site-specific specialist assessments (biodiversity, freshwater, stormwater, heritage, services) were undertaken to reduce uncertainty. • Ground-truthing of ecological and hydrological features was used to verify or challenge existing planning overlays, e.g., the relevance of the 4.5 m coastal contour line. • This ensured that planning decisions were made on verified, site-specific information, reducing the risk of unforeseen environmental impacts Adoption of Sustainable Infrastructure Design: The development includes low-impact, self-sufficient infrastructure to reduce its burden on natural systems and municipal resources: • Bio-sewage treatment plant producing effluent to DWS Special Limits for safe reuse • Stormwater infiltration ponds and permeable paving to enhance aquifer recharge • Solar energy integration and rainwater harvesting These measures support long-term environmental resilience and reduce the risk of degradation for future generations Responsive Design Adjustments: The layout was modified in response to specialist input and public participation, including: • Lowered density (from 73 to 60 units) • Realigned roads and erven to improve ecological sensitivity and reduce impact

	This responsiveness reflects a cautious, adaptive planning strategy to reduce risk to both current and future users and the environment.
25. The assessment of alternatives in the draft BAR has however failed to enable the selection of the best practicable environmental option.	In the consideration of alternatives, the principles of sustainable development should be practicable, feasible, reasonable, and viable. The Revised BAR assessed the alternatives in accordance with the Department's Guideline on Alternatives (2013). All alternatives identified were investigated to determine if they are feasible and reasonable.
26. Alternative 1 and the Preferred alternative are essentially similar in that they are both high density developments which extend well beyond the developable envelope recommended in terms of relevant land use planning policies. As such Alternative 1 does not present a real option for choice when considered against the Preferred Alternative. As is addressed in the MEGA Report, the No-Go alternative has also been dismissed on tenuous grounds.	The preferred Alternative offers a lower density to Alternative 1, and further consideration to environmental sensitivities by including buffers from these areas. The Preferred Alternative was guided by consultation with specialists to find a balance between environmental and financial sustainability. The outcome of consultation with specialists is that the layout of 60 units offers the best practical option that considers sustainable development that is viable, and reasonable within the context of environmental conservation. No fatal flaws were identified by the specialists.
27. While layout alternative 2 (which entails the development of 19 residential units) 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 financial viability constraints which are linked to the target market for the proposed development. In this regard the draft BAR states that: "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 has not been further considered as it is not a feasible alternative."	Alternative 2 was considered as it aligns with the KELASP of 19 units, which takes the 4.5m contour line into account within the identified transformed area. The parameter restricting development below 4,5m contour line was investigated by the freshwater specialist, and was determined to play no role in the functionality of the wetland and is not within an EFZ. Ground truthing by specialists indicated that there is no sound reason why the area below 4,5m contour line should be excluded from the development, as long as all mitigation measures are adhered to. Given this determination, the 6ha of transformed area, as per the KELASP, could be considered for development within the parameter for the development node, as follows - *The 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)*.

	 This calculates to 72 stands. It is not unreasonable to propose a 60 unit development within the parameters of 12 units per ha of the identified transformed footprint area (6Ha).
28. As has been addressed above, the draft BAR has failed to provide a comprehensive hydrological assessment to inform a defensible decision regarding the application for environmental authorisation. It follows that the above justification for excluding alternative 2 in favour of the preferred alternative is entirely unfounded, and that a comprehensive assessment of alternative 2 (taking account of input from a specialist hydrologist) must be included in the draft BAR in order to provide meaningful options for choice.	Please see the Groundwater Impact Assessment attached as Appendix G9 which serves as a specialist geohydrological assessment, focusing on the overall geohydrological characteristics of the site, the potential impacts of the development, and the necessary mitigation measures. Alternative 2 has been assessed in the Revised BAR. Although this alternative offers less environmental impacts, it is not considered to be a financially sustainable option. The preferred alternative offers a balance between environmental and financial sustainability.
29. Furthermore, 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 middle income housing market), as well as a different type of development (such as, for example an eco-tourism development). Instead, the only feasible alternatives presented in the draft BAR (i.e alternative 1 (73 units) and the preferred alternative (60 units) are both entirely incongruent with relevant policy, and fail to take account of potential flooding risks and biodiversity sensitivities.	The Revised BAR has considered three alternatives in consultation with the Applicant, specialists, town planners and engineers. The vision for the property aligns with the need of the greater community of Plettenberg Bay, and it is shown to align with the Bitou Local Municipality's Spatial Development Framework (SDF) and Integrated Development Plan (IDP) as it supports key priorities such as community growth, job creation, and economic empowerment. The Revised BAR has considered potential flooding risks and biodiversity sensitivities. This is evident from the preferred layout which incorporates a 20m wildlife corridor that creates a buffer to the forest habitat and spring. This option

	also makes use of the identified pasture/transformed area to the south of the property.
30. In order to provide the competent authority with proper options for choice in order to enable the selection of the best practicable environmental option, the revised BAR must include a proper assessment of available alternatives.	The Revised BAR has considered three alternatives in consultation with the Applicant, specialists, town planners and engineers.
Application of environmental management principles	
31. The environmental management principles set out in section 2 of NEMA "apply throughout the Republic to the actions of all organs of state that may significantly affect the environment" and include the following: • that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions (Section 24(4)(a)(vii)) • that negative impacts on the environment and on people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied. (Section 24(4)(a)(viii)); • that the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied (Section 24(4)(a)(ii)); and • 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. Section 24(40(r)).	The assessment has considered these principles.
32. The proposed development (which entails a residential development within the EFZ of the Keurbooms River) is precisely the kind of situation in which the section 2 principles of NEMA must be given careful attention. This is particularly so given the immense development pressure already being experienced in the Plettenberg Bay area, particularly along the coast.	The assessment has considered these principles, and has undertaken extensive specialist studies and ground truthing, and incorporated mitigation measures to reduce affects to the environment.
33. Despite this, the draft BAR has sought to disregard substantively relevant policy guidance relating to development outside of the urban edge and below the 5m contour based on tenuous historic development rights and questionable availability of	The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16.

municipal services, and without providing any expert surface hydrological insight.	Specific site considerations include the confirmation that the site does not have any estuarine qualities and that the 4,5m swash line has no bearing on the property and that other more relevant environmental considerations such as protection of the forest and animal corridors have determine the development footprint. (Planning Space response to Town Planning Comments, Appendix F4)
34. While such approach is in stark contrast with the section 2 NEMA principles highlighted above, it also demonstrates that the motivation provided in the draft BAR for the desirability of the proposed development is questionable and does not provide a sound basis for the competent authority to make a decision.	The municipal growth projections and land use budget outlined in Annexure A of the Bitou Spatial Development Framework (BSDF) provide a clear indication of demand across various housing segments, including both high- and middle-income markets. According to the BSDF, the demand for high- and middle-income housing was estimated at approximately 2,800 units by 2025, with projections exceeding 8,000 units by 2040. The unreferenced figures cited by the Ratepayers Association are therefore not particularly relevant, as they fall well below the municipality's long-term demand projections (Planning Space response to Town Planning Comments, Appendix F4). On a more practical level, the significant increase in property prices within the area indicates an undersupply in the market. To ensure alignment with market needs, the final building designs will be guided by comprehensive market research, allowing for an informed response to prevailing demand at the time of construction (Planning Space response to Town Planning Comments, Appendix F4). Based on the objections received during the first round of public participation (as part of the Environmental Authorisation process), it was evident that the local community was 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, the development concept was revised by reducing the density from 73 to 60 units, and increasing property sizes from approximately 375m² to approximately 500m². 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. It will, however, result in higher property prices and not reaching the target market that was initially intended (Planning Space response to Town Planning Comments, Appendix F4).

Flawed Justification for Development Outside of the Urban Edge	
35. The draft BAR relies heavily on purported alignment with relevant policy to motivate for the need and desirability of the proposed development. In particular, and despite relevant policy instruments clearly discouraging development below 5m contour lines and/or outside of the urban edge, the draft BAR seeks to justify its non-compliance with the urban edge delineated in terms of the SDF on the basis that:	
35.1.1 the Aquatic Assessment confirmed that the area contains no estuarine habitats and is below the 1:100-year flood line of the estuary;	Noted.
35.2 the SDF 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 an exact line with statutory status (and therefore makes provision for limited urban extension on this property); The urban edge is a proposed limit for expansion of any urban node beyond which development should not occur unless the land is already provided with, or can connect directly to existing municipal services infrastructure; and 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"; and	
35.2.1 the Property is traversed by water and sewerage pipelines (meaning that municipal services are available) and was previously approved for a resort development with 50 units (i.e it was previously designated for urban development), meaning that development outside of the urban edge would be considered to be consistent with the SDF in this case.	
36. The justification provided in the respect of the development application's non-compliance with relevant policy considerations is however flawed in the following respects:	
36.1 While the SDF states that the urban edge should be regarded as an indicative measure rather than an exact line, it is clear that it is intended to serve as a limitation to inappropriate sprawling urban development, with limited	The proposed development is consistent with the Bitou SDF in this regard. The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that

cases (where properties are already serviced by or can connect directly to municipal services, or have historically been granted development rights) being viewed as consistent with the SDF.	sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16.
36.2 Even if water and sewerage pipes do traverse the property, the availability of those services has not been established in the draft BAR. In fact, as has been explained above, the availability of municipal services is questionable.	The GLS report confirms that the Matjiesfontein Reservoir and the reticulation supply line from the Matjiesfontein Reservoir to the site of the proposed development have sufficient capacity to support the development. The supply line feeding the Matjiesfontein Reservoir however requires upgrading and this is being addressed by Bitou, however the timeline cannot be determined. Notwithstanding the above, Bitou have confirmed that they are able to supply water for the Development. See letter of confirmation (Appendix E16) Currently, there is no municipal wastewater system with capacity to accommodate the wastewater generated from the proposed development, until upgrades to the rising mains and the wastewater treatment plant at Gansevallei WWTW have been completed by Bitou Municipality. Wastewater from the development will be pumped to a proposed temporary new Bio Sewage System Treatment Plant (WWTP method statement; Appendix G3), with 30 kℓ per day capacity plant or similar approved. See Appendix E16 for the Bitou Municipal letter confirming support for the use of the temporary WWTP. Bulk services constraints will be addressed in the Service Level Agreement between the applicant and the municipality, where the municipality will only support a certain number of houses at a time, i.e. a phased development approach as upgrades to the bulk services is done (Comment provided by Planning Space).
36.3 While development rights may well have been granted for the property in 1978, those rights were for a holiday resort (and not group housing as is sought in terms of the development application), and have now lapsed. In fact, previous development rights are of no relevance and cannot in all reasonableness be used as a basis for motivating inappropriate development on the site when there is clear policy guidance to the contrary. The draft BAR also contains no information relating to the layout, scale and precise location of the purported resort development which may be very different to the current proposal. In this regard it is particularly significant to note that the draft BAR states that "In 1997, the remainder of Portion 14 was subdivided to	Previous development rights associate SDP are included as Appendix E12. The previous development rights do not form the basis of the motivation, however is relevant in current planning documents as being earmarked for development.

separate the undeveloped portion above the road from the resort. At the time it was recommended that the zoning of Portion 91 reverts to Agriculture 1 and that a new application be submitted for development on the northern portion in the event of the owner deciding to develop it in the future". In other words any development rights associated with the property have been surpassed by the reversion of the zoning back to Agriculture 1, with the specific intention of the site specific circumstances being considered in the context of a new application should development of the site be reconsidered.	
36.4 While development decisions have been made in respect of surrounding properties taking account of the fact that those development rights were never exercised, climate change now also presents new risks which must be taken into account in respect of land use decisions concerning properties below the 5m contour. Current land use policy has been developed to take account of risks such as climate change and sea-level rise. In particular the coastal setback line and urban edge have been delineated in the KELASP and SDF, respectively, to guard against the flood risks associated with properties within the EFZ. In other words the site specific considerations relating to the property are very different from those which applied in 1978 when development rights were historically granted for the property.	It is true that increasing unpredictability and extreme events could exacerbate the flood risk to this site given its low-lying nature. Given its location at the 'end of the line' of the Keurbooms floodplain area (See map below, Figure 17 in the Aquatic Report), it is unlikely to impact on other developments in the floodplain, but rather, other developments would be in the line of the flood prior to any waters reaching Portion 91. The engineer has acknowledged this risk for residents by raising the minimum floor levels of houses within the development to 4m amsl. The stormwater attenuation ponds and permeable paving recommended in the stormwater management plan will encourage infiltration of water and retain at least some of the development's flood storage capacity (Confluent, Aquatic specialist response to WULA comments, Appendix F2). It is agreed that new risks such as climate change need to be considered. Climate change as well as planning guidelines contained in the KELASP have been considered in the Revised BAR and Planning Report. The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m.

	Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements. (Planning Space response to Town Planning Comments, Appendix F4)
37. Section 22 of SPLUMA makes it clear that any land development decision must be consistent with the SDF unless site-specific circumstances warrant a departure. Such a departure necessarily requires a motivation which takes account of site-specific circumstances. In the current application, that would require specialist consideration of flood risks and municipal services in particular. LUPA also specifically requires that the a municipal SDF defines the outer limits or lateral extension (which has been done in terms of the Bitou SDF).	The Planning Report attached as Appendix G6 addresses the principles of SPLUMA in relation to the development. The proposed development is also consistent with the Bitou SDF. The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16.
38. While it is clear that historical development rights and availability of municipal services should not justify development outside of the urban edge in this case, relevant site specific motivation has not been provided in the draft BAR or the land use planning application which would justify such a departure given the significant flooding risks associated with development below the 5 meter contour.	No flooding risk has been identified in KELASP planning document for Keurbooms which presents the 1:100 year floodline across the road from the property in a very small area (see clip below from Pg 31 in the report), and recommends certain areas be excluded from development because of their location in relation to floodlines. The report does not exclude Portion 91 and actually identifies the property as having at least 1.6 ha of developable area with development potential for at least 19 units. In contrast, Milkwood Glen (represented by Cullinan, and across the road) has approximately 49 residential erven, some of which are inside the 1:100 yr floodline AND beyond the 100m coastal setback line, covering an area of 6.2 ha, which are very similar parameters to that proposed at Portion 91/304 (Confluent, WULA response to comments, Appendix F2).

Misrepresentation of Need and Desirability	
39. The motivation behind the development is premised on the purported need for affordable housing in the Plettenberg Bay area. However, as has been addressed above, the draft BAR has misrepresented the target market as being the affordable/ middle income housing market, when unit prices will far exceed the budget of most middle income buyers. The desirability of developing a high density residential development on the Property in order to meet a purported affordable housing need is furthermore questionable for the following reasons:	The property is 14.7ha in size and LAYOUT 1 proposed 72 units of approximately 375m², which calculates to a gross density of 5 units per ha. The net 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 a net density of 12 units per ha, which is not regarded as high density. Medium-density housing is generally characterised 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 attempt to labelling this development as high density is inaccurate. (Planning Space response to Town Planning Comments, Appendix F4)
39.1 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 to these comments) 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.	Based on the objections received during the first round of public participation (as part of the Environmental Authorisation process), it was evident that the local community was 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, the development concept was revised by reducing the density from 73 to 60 units, and increasing property sizes from approximately 375m² to approximately 500m². 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. It will, however, result in higher property prices and not reaching the target market that was initially intended. (Planning Space response to Town Planning Comments, Appendix F4)
39.2 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 from the above consideration of the draft BAR's assessment of impacts on the estuarine environment that such justification is misplaced. This is particularly so given the wholesale	The BAR does not seek to downplay flood risks, in fact flood risks have been discussed by various specialists and mitigation measures recommended to address these potential impacts. (Planning Space response to Town Planning Comments, Appendix F4): Portion 91/304 is located within the mapped Estuarine Functional Zone (EFZ), which applies to all coastal areas situated below 5 meters above mean sea level (masl). The EFZ serves as a useful indicator of low-lying areas that may

failure to obtain specialist input regarding surface hydrological impacts associated with the proposed development.	potentially contain estuarine habitat, experience tidal inflows, or form part of a floodplain associated with an estuary. However, the presence of estuarine characteristics must always be verified through on-site assessment by an aquatic specialist. In the case of Portion 91/304, Dr. Jackie Dabrovski confirmed that the site does not contain any estuarine plant species, not even remnants. Additionally, she confirmed that there is no evidence of soil saturation within 50cm below the surface, which would indicate wetland conditions. In terms of flood potential, the site is mapped outside the 1:100-year floodline. These findings align with the spatial assessment presented in the Keurbooms-Bitou Estuary Management Plan (K-BEMP; Figure 15), which excludes the floodplain area from the 1000m buffer around the Keurbooms-Bitou Estuary. According to the 2014 EIA Regulations (GNR985) under NEMA, the EFZ is defined as "the area in and around an estuary, including the open water area, estuarine habitat (such as sand and mudflats, rock and plant communities), and the surrounding floodplain area." The site does not fall under this definition. Further details on this assessment can be found in Section 3.2 of the Aquatic Biodiversity Impact Assessment (Version 4, February 2025 attached hereto as Appendix G2). (Confluent, WULA response to comments, Appendix F2): It is worth noting that Cullinan's point states that the property potentially has a significant flooding risk which would be exacerbated by the development. But no flooding risk has been identified in KELASP planning document for Keurbooms which presents the 1:100 year floodline across the road from the property in a very small area (see clip below from Pg 31 in the report), and recommends certain areas be excluded from development because of their location in relation to floodlines. The report does not exclude Portion 91 and actually identifies the property as having at least 1.6 ha of developable area with development potential for at least 19 units. In contrast, Milkwood Glen (represented by Cullinan, and across the road) has approximately 49 residential erven, some of which are inside the 1:100 yr floodline AND beyond the 100m coastal setback line, covering an area of 6.2 ha, which are very similar parameters to that proposed at Portion 91/304.
39.3 The high-density nature of the development on a scenic route also make it undesirable given the potential implications for tourism (and related socio-economic implications). These impacts coupled	Medium-density housing is generally characterised 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

with the potential flooding risks will also have significant repercussions for surrounding property values (which impacts have been entirely overlooked).	components, can exhibit densities ranging from 40 to 100 units per hectare. Therefore, any attempt to labelling this development as high density is inaccurate. The Visual Impact Assessment that was conducted by Paul Buchholz confirmed that the proposed development's low visual impact design and use of appropriate materials, colour selection, and landscaping will ensure that the development blends in very well with its surroundings, creating a minimal change in the landscape. The proposed development, therefore, has a low visual intrusion and, as such, will have a low impact on the character of the area.
40. In the circumstances the draft BAR does not provide an accurate representation of the need for and desirability of a high-density 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.	As discussed above, the development is not a high-density housing development.
CONCLUSION	
41. In summary, the proposed development will be situated in an area that is a highly sensitive coastal and wetland environment. The draft BAR: **41.1** fails to give due consideration to potential future flooding risks associated with development below the 4.5m/ 5m contour and outside of the urban edge (particularly given concerns around climate change and sea level rise). **41.2** underestimates the biodiversity-related impacts on the lower reaches of the site while failing to include specialist and socio-economic assessments (despite being required to do so by DEADP) or any assessment of cumulative impacts associated with the development; **41.3** fails to provide a comprehensive assessment of alternatives to enable the competent authority to select the best practicable option; and **41.4** 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).	The conclusion made is noted and has been addressed in the responses above.

42. The above-mentioned issues mean that any decision based on the BAR as it currently stands will be fatally flawed as the competent authority will not have been presented with a comprehensive and accurate assessment of the potential impacts associated with the proposed development on which to base its decision	The Revised BAR has not identified any fatal flaws. The Specialist studies provided to inform the assessment have been undertaken by qualified specialists in their relevant fields. The Revised BAR is a comprehensive report developed through extensive studies, consultations, review of relevant documents, and public participation.
43. 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.	Noted.
JEANNE MULLER	
1. Introduction We, Jeanne Muller Town Planning, represent a number of concerned residents of Milkwood Glen and surrounding properties, hereby lodge formal comments and objections against the Draft Basic Assessment Report (Draft BAR) for the Rezoning and Subdivision of Portion 91(Portion of Portion 14) of the Farm Matjesfontein No. 304 as submitted by Eco Route Environmental Consultancy (Eco-Route), dated 20 March 2025. A list of all the interested residents with their contact information is attached as Annexure A to this report.	
2. Proposed Middle-income development The applicant, Eco-Route, and various specialist studies attached to the Draft BAR refer to the proposed housing development on Portion 91 of the Farm Matjesfontein No. 304 to be a middle-income development. Eco-Route made the following statement on page 11, continuing page 12 of the Draft BAR: "The Plettenberg Bay area historically has very little housing opportunities for middle income earners. The recent influx of higher-income families moving to the area has led to a sharp increase in housing prices which has further exacerbated the lack of affordable housing. Many residents are displaced as property values rise to the point of unaffordability. This displacement of the middle class and lack of affordable houses	According to a recent Article in the Financial Mail[3], the average value for a property in Plettenberg Bay increased by 24% from 2020 to 2021 to R3million, a further 9% in 2022 to R3,3million and 26% to R4,2million in 2023. Entry level asking prices in Plettenberg Bay have increased considerably over the past 4 years. It is currently difficult to find full title homes below R3,500,000. Freehold properties in estates form a substantial portion of Keurboomstrands housing market and attract high-end buyers. Over 57% of the estate freehold sales were above R3 million, with an average transaction value of R6.2 million (Lightstone 2025, Appendix G13). The proposed residential estate development allows opportunity for middle income earners to afford freehold property within an estate by providing properties in an affordable price bracket (R2.5 million – R3 million) relative to the area.

[3] This report was compiled by Steven Neufeld, Manager Principal of Lew Geffen Sotheby's International Realty Plettenberg Bay and Professional Valuer and Court Appointed Appraiser for South African Property Valuations®: 072 417 7731 (or) steven@sapv.co.za

has a tremendous effect on the economy of the town, as the middle-class workforce actively contributing to these economies can no longer afford to live here." "The vision of this development is to create an affordable and sustainable housing product specifically targeting the middle-income group (own emphasis). The aim is to create a pleasant yet affordable residential neighbourhood (own emphasis) where the average person can own a home and live with dignity. The architecture will be based on green principles which will include smaller but well-designed houses, which are more cost-efficient, energy-efficient and healthy." The statement above is a misrepresentation of the proposed development as being an opportunity for middle-income earners to purchase a house. The average income for middle income households is estimated at R100 000 to R350 000 per annum. This translates to a monthly income of between R8000.00 and R29 000.00 per month which is in line with the South African Reserve Bank's (SARB) estimated range of the South African middle class. The average middle-income household can afford a house between R700 000.00 and R1400 000.00. (Business Tech, 2024). The proposed development will not be in reach for the average middle-income family. Planning Space Town and Regional Planners responded to various comments during the first round of public participation of the Environmental Assessment Process, specifically on page 78 of Appendix F of the Draft BAR as follows: "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." The statement above is another misrepresentation of information, misleading the public that the proposed development is for the middle-income earners. A simple house search in Keurboomstrand on Property24, on 5 April 2025, had 5 houses for sale between the price	Keurboomstrand, known for its scenic coastal beauty and exclusivity, typically commands higher property prices compared to inland areas. While specific data for Keurboomstrand is limited, the general trend in the Western Cape, including the Garden Route, shows a strong demand for properties, contributing to rising prices. Please see Section E (12) of the Revised BAR.

range of R2 500 000 and R3 000 000. This search excluded flats that were also available in this price range. We understand that this information will vary constantly, however there are properties available in Keurboomstand in the price range the developer proposed to sell these houses. Furthermore, middle-income earners may find it difficult to maintain the Homeowners Association levies for this type of development, as the Homeowners Association (meaning all the property owners) will become liable for the upkeep and maintenance of the protected area (Open Space Zone III) as well as the private open space (Open Space Zone II) between the erven. The protected area is approximately 8,3ha in size and comes with its own responsibilities to maintain and protect the environment. This will include alien eradication, which is in itself a very costly exercise. In the event that the proposed development does materialize, the Homeowners would require an environmental assessment practitioner to guide and manage the maintenance of the protected environment, which is another costly expenditure for a middle-income earner.	
3. Density The Keurbooms and Environs Local Area Spatial Plan (KELASP) indicates the development potential in Node 11 (Node 11 also known as Portion 91 of Farm Matjesfontein No 304) for 19 units. This means that in terms of KELASP the prospects for Portion 91 of the Farm Matjesfontein No 304 was (extremely) low density residential development. The proposed development of 60 units as opposed to the 19 units as per the KELASP is thus an exuberant density increase of 216%. Milkwood Glen Residential development has the development potential of 50 dwelling units on 6,5ha thus a density of 7,7 dwelling units per hectare. The proposed development on Portion 91 of the Farm Matjesfontein No 304 has a proposed amount of 60 dwelling units on approximately 6ha thus a density of approximately 10 dwelling units per hectare. (An observation, that Planning Space Town and Regional Planners stated in the land use planning application that the density for the proposed development is 12 dwelling units per hectare.)	The property is 14.7ha in size and LAYOUT 1 proposed 72 units of approximately 375m², which calculates to a gross density of 5 units per ha. The net 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 a net density of 12 units per ha, which is not regarded as high density. Based on the objections received during the first round of public participation (as part of the Environmental Authorisation process), it was evident that the local community was 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, the development concept was revised by reducing the density from 73 to 60 units, and increasing property sizes from approximately 375m² to approximately 500m². 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. It will, however, result in higher property prices and not reaching the target market that was initially intended.

With the information provided in the Draft BAR, a density comparison was made between the existing Milkwood Glen development and the proposed development of Portion 91 of the Farm Matjesfontein No 304 was investigated to provide clarity on the impact of the proposed higher density development. The proposed new development density will be 30% more than the existing Milkwood Glen.

The question arises; Why was Alternative 2 in the Draft BAR not further investigated? The only reason provided is that the low density was not financially viable. Alternative 2 (Figure 2 below) with the proposed 19 erven is in line with the KELASP, as per Figure 1. Alternative 2 can be a much better alternative to reinstate the natural environment and not only complement the sense of place but also create a development where humans, fauna and flora co-exist.

To provide further context for this density revision, the following table offers a comparative analysis with other developments in the vicinity. Notably, the development density and property sizes are lower than those of the Milkwood Glen Development, the source of the majority of objections. Erf sizes in Milkwood Glen vary between 380 and 950, averaging about 500m² which is similar to what is proposed on Portion 91.

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 intend to reapply	50	37ha	1.3dupa
Whale Haven		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 intend 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

(Planning Space response to Town Planning Comments, Appendix F4):

4. Visual Impact Assessment (VIA)

	The VIA attached as Appendix G7 of the Draft BAR was investigated and we identified several concerns that were not addressed in the report. The VIA indicated viewpoints and the varying amount of visual impact from the respective viewpoints, however the VIA did not include any 3D rendering to indicate the actual impact the proposed development will have on the surrounding environment and sense of place. Dr. N. Frootko obtained an artist impression on his own expense to obtain a clearer indication of the proposed visual impact of the proposed development. We suggest that the VIA be updated to include 3D-renderings from the various viewpoints/visual impact to give the correct interpretation of the extent of the visual impact. Figure 3 below is the artist impression as a visual interpretation of the proposed development with double storey units. The existing development known as Milkwood Glen has a restrictive development footprint of 200m² which includes all roofed and open construction (i.e. decks, patios) with a maximum bulk of 350m² and a maximum height of 8,5m, as per their Architectural guidelines. The proposed development on Portion 91 of the Farm Matjesfontein 304, has likely a similar size dwelling unit, if one uses the ground floor plan provided in the VIA, indicated in Figure 4 below. The proposed dwelling unit as indicated in Figure 4 will have a footprint of 122,8m² (17,960 x 6,840). Multiply by 2 for a double storey unit (the stairs in the drawing indicated that there is another floor) thus a total floor area of 245,6m². The braai-area is another 37m² which brings the approximate unit size to 282,5m² - this excludes the patio and walkway from the lounge to the braai-area. The floor plan provided does not indicate any provision for parking by means of a carport or motor vehicle garage. The style and size of the proposed unit one could assume that a double motor vehicle garage (2 vehicles) will be provided (visible on Figure 5 below), with a standard size of 36m². If the dwelling units will include a motor vehicle garage, the total size would be approximately 320m². Although the dwelling unit size of the proposed development and the existing Milkwood Glen is similar, the amount of greenspace and mature trees in Milkwood Glen provide a serene environment with the sense of place where humans and nature co-exist.	The suggested is noted. The Visual Impact Assessment that was conducted by Paul Buchholz confirmed that the proposed development's low visual impact design and use of appropriate materials, colour selection, and landscaping will ensure that the development blends in very well with its surroundings, creating a minimal change in the landscape. The proposed development, therefore, has a low visual intrusion and, as such, will have a low impact on the character of the area. The need for a 3D rendering of the entire development from various viewpoints was therefore not considered to be a requirement. The development proposes to conserve 8.35Ha for conservation / biodiversity stewardship, which will remain unfenced. The purpose of the fencing between the development and wildlife corridor is to limit human-wildlife interaction. A Conservation Management Plan has been drafted for the management of the open space areas (Appendix L). The proposed open space system of 9 642m² within the development footprint corresponds with the position of milkwood trees. This communal open space area will incorporate landscaped gardens and stormwater infiltration ponds systems. Furthermore, 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 of the development. 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 or suitable plant species are transplanted prior to work commencing on the erf. The mitigation measures as per the Aquatic Assessment related to fencing that must be adhered to as per the EMPr, are as follows – • A perimeter fence is recommended along the northern section of the property to preserve the wildlife corridor and natural area beyond. The fenceline should not extend into the 20m corridor and should aim to separate the development area from the conservation / wildlife area. • Clear vu type fencing would have the important benefit of excluding pets (cats and dogs) from the wildlife corridor area where they could deter or kill wildlife large and small. • Fencing should not extend into the corridor on the neighbouring boundaries as the aim is to have an inter-connected corridor that

In stark contrast to the proposed development, the existing Milkwood Glen, does not allow any fences or walls in between the dwelling units and no domestic animals are allowed, because the focus is to protect and enhance the environment and movement of animals. The proposed development on Portion 91 of the Farm Matjesfontein No. 304 made mention of keeping domestic animals throughout the Draft BAR. They even propose clearvu fencing to separate the corridor from the development area, specifically to keep domestic animals out of the wildlife corridor. This statement is further elaborated on in point 5 below. It seems that the proposed development does not concentrate on the protection of the environment in this environmentally sensitive area but rather on the maximum number of units with little regard for the natural fauna and flora.	extends across properties, should development occur in adjacent areas.
5. Aquatic Biodiversity Impact Assessment The aquatic biodiversity impact assessment by Confluent Aquatic Consulting & Research 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 of 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 (own emphasis) all movement barring very small animals like frogs." In contrast, the Draft BAR's recommendations for the wildlife corridor would be to: "Use clearVu fencing to separate the corridor from the development area. The spring must be incorporated into the corridor. The fence is to keep domestic animals (cats and dogs, etc) out of the wildlife corridor."	The Aquatic Biodiversity Assessment (Version 4 - Updated SDP, mitigation measures & stormwater plan) states the following on page 25: *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 between properties. 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 clear vu-type fencing because it restricts the movement of pets out of the developed area and wildlife into the developed area.* The updated report does not make reference to palisade fencing. This was following the comments received from CapeNature (15 November 2024) during the WULA PPP in which the following was questioned – *Fencing was not recommended along the green corridor and the proposed residential development. So, how will human-wildlife interactions/ conflict be managed?* The mitigation measures associated with fencing were therefore updated to minimise human-wildife interactions and conflicts as follows: • A perimeter fence is recommended along the northern section of the property to preserve the wildlife corridor and natural area beyond. The

It is our assumption that the recommendations form the Aquatic Specialist was not fully implemented, as the Draft BAR states that Clearvu fencing will be implemented to separate the wildlife corridor to keep domestic animals out of the wildlife corridor, but this also means that the Clearvu fence will not allow movement of wildlife through and that the purpose of the wildlife corridor will be lost as the restriction of small fauna will be restricted. This is another clear indication that the proposed development on Portion 91 of the Farm Matjesfontein No. 304 does not have due consideration for the protection of the environment and sense of place. Furthermore, the Aquatic Specialist also recommends that Erf 50 as per the preferred alternative be removed as this specific erf hinders the connectivity along the green corridor as this unit blocks the area with the adjacent property to the east. Erf 50 was not removed from the preferred alternative as is evident in the figure below. In terms of stormwater, the Aquatic Specialist also states on page 5 of the report (Confluent) that the development should direct stormwater to three retention ponds to be located within the development area. No retention ponds are visible on the preferred alternative (Figure 5 above) and concerns are raised that the stormwater management of the proposed development of Portion 91 of the Farm Matjesfontein No 304 is not adequately addressed.	fenceline should not extend into the 20m corridor and should aim to separate the development area from the conservation / wildlife area. • Clear vu type fencing would have the important benefit of excluding pets (cats and dogs) from the wildlife corridor area where they could deter or kill wildlife large and small. • Fencing should not extend into the corridor on the neighbouring boundaries as the aim is to have an inter-connected corridor that extends across properties, should development occur in adjacent areas. Unit 50 which was moved back and out of the wildlife buffer, as reflected on the Preferred Layout. Please see Section E (5) of the Revised BAR. Please see the Stormwater Management Plan, Appendix G3 of the revised BAR.
6. Sewer Currently the Granzevallei Wastewater Treatment Works does not have adequate capacity and can only accommodate the proposed development on Portion 91 of the Farm Matjesfontein No 304, when the upgrades have been completed. There is no timeline for the required upgrades and therefore until such time the required upgrades have been completed, the proposed development should maintain their own temporary wastewater treatment plant on site (meaning a wastewater treatment plant must be located on Portion 91 of the Farm Matjesfontein No 304). The temporary wastewater treatment plant is also not indicated on the preferred alternative and the question arises	The concerns raised regarding wastewater infrastructure and the financial burden on middle-income households are acknowledged and valid. However, the proposed development has carefully considered these factors and proposes a pragmatic and phased approach that allows much-needed housing opportunities to proceed without placing undue strain on municipal infrastructure or the future homeowners. The temporary wastewater treatment plant (WWTP) is a proactive interim solution designed specifically to ensure that the development remains self-sufficient until the Ganzevallei Wastewater Treatment Works (WWTW) upgrades are completed.

whether the developer did plan for the required temporary wastewater treatment plant. Bitou Municipality also states in the Appendix E16 of the Draft BAR that: "A bulk connection to the Bitou sewer network must be commissioned once the Ganzevallei WWTW has been upgraded and the temporary WWTP must be decommissioned and removed from site. All costs for construction, operation, maintenance and decommission will be for the account of the developer." Following the statement above from the Bitou Municipality, the municipality further states that it is the developer's duty to communicate the above statement to all future owners/homeowners Associations and/or Body Corporate. The fact that the proposed development is aimed at the middle-income earners, the lack in municipal sewer services is of great concern as the bulk service contributions to connect to the municipal sewer system in the future will be a costly exercise that will be out of reach of middle-income earners. Another concern is that the temporary wastewater treatment plant must be maintained and in future decommissioned by the homeowners. This is another costly exercise that is not in the normal budget for middle-income families.	Importantly, the costs associated with the construction, operation, maintenance, and eventual decommissioning of the temporary WWTP will be fully borne by the developer — not the future homeowners. Homeowners will only connect to the municipal sewer network once it is available, at which time the temporary plant will be safely removed, again at the developer's expense.
7. Urban Edge In terms of the Western Cape Land Use Planning Act (Act 3 of 2014) the minimum requirements for a Municipal Spatial Development Framework are explained in Part 3, Section 10. More specifically, Section 10(2)(e) of LUPA, 2014 states that the MSDF should consist of a report and maps covering the whole municipal area, reflecting municipal planning including (iv) outer limits or lateral expansion; and (v) densification of urban areas. An urban egde should be an exact area determined for potential future development. SPLUMA states that the outer limits of developable areas are determined in the Municipal Spatial Development Framework. The Bitou MSDF, Figure 60 (Figure 6 in this report) gives a clear indication on existing urban areas, strategic development areas and a solid urban edge around	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 below 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 have however been identified as sensitive and have been protected with a 20m buffer strip, which is of much greater ecological value than the limiting 5m contour line. 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

the existing and future urban areas. Portion 91 of the Farm Matjesfontein No. 304 only have a small area indicated as "strategic development area" with a solid urban edge drawn around the strategic development area. The applicant focused the reader on a statement in the MSDF that mentioned the Bitou Urban Edge is a growth management instrument. Bitou MSDF states on page 97, under Action 2.2 that: settlement sprawl is contained by means of an urban edge as growth management instrument. The statement that the urban edge is a growth management instrument is questioned, because if the urban edge is a pliable matter, it is in direct contradiction with Section 22 of SPLUMA. The Bitou MSDF furthermore states on page 97 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." Although Portion 14 of the Farm Matjesfontein No. 304 obtained approval for a "holiday resort" by means of a subdivision in 1978, it cannot be assumed that the land is consistent with the SDF. The type of development that was proposed in 1978 was specifically for holiday units with recreational areas, situated in the holiday town Keurboomstand. The previous land use approval for a holiday resort and the current rezoning and subdivision proposed on Portion 91(portion of portion 14) of the Farm Matjesfontein No. 304 for a Group Housing development is in stark contrast to each other. The Bitou Municipal Spatial Development Framework, 2022 has delineated the urban edge for Keurboomstrand and all areas are excluded from proposed development that are encumbered by the 1:50 and 1:100-year floodline, 100m coastal setback line, any area below the 5m MSL (mean sea level), estuaries and flood plains. Figure 6 above indicates the Keurbooms Development Proposals. As can be seen from the Figure 6, Portion 91 of the Farm Matjesfontein No. 304 has a	in the Keurboom Local Environs Spatial plan (see table D3) (Planning Space, Town and Regional Planners) and the old regional structure plan earmarked it for "Recreational purposes" (Planning Space Town and Regional Planners). The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16. Specific site considerations include the confirmation that the site does not have any estuarine qualities that the 4,5m swash line has no bearing on the property and that other more relevant environmental considerations such as protection of the forest and animal corridors have determine the development footprint.

limited area identified as "strategic development areas" with the urban edge (black line) tightly around the strategic development areas. For this reason, we strongly object to any development proposal that falls outside the urban edge as drawn in Figure 60 of the MSDF (Figure 6 of this report).	
8. Environmental concerns in terms of planning legislation and policies In a changing environment with climate change being at the forefront of sustainable development, it is with great concern that a portion of the development is proposed to be located below the 5m Mean Sea Level (MSL) and within (mapped at the edge of) the 1:100 year floodline. With the rapid climate change the Western Cape has experienced in the last couple of years, including flooding, severity of storms and sea-level rise it is of utmost importance to only consider development proposals that are sustainable, environmentally cautious and responsible. We herewith object to the proposed development that is below the 5m MSL in a mapped estuarine floodplain and would encourage the Bitou Municipality to follow the Garden Route District Climate Change Adaptation Response Implementation Plan (2024) and not allow any development on land less than 5,5m above MSL. Keurbooms is not a core area (economic hub) and is identified as a tourism area which is limited to holiday accommodation and recreation as its primary function. The proposal as submitted is not in line with the MSDF vision for Keurboomstand and environs and should be reconsidered in line with environmental considerations. It is worthy to note that the Keurbooms estuarine system was determined as the 17th most important estuary in South Africa in terms of its conservation value (National Biodiversity Assessment commissioned by the South African Biodiversity Institute, 2017). Keurbooms is a unique area with environmental importance and due to environmental constraints, the area will never develop into one consolidated settlement area and the resident population should remain seasonal in nature.	It is true that increasing unpredictability and extreme events could exacerbate the flood risk to this site given its low-lying nature. Given its location at the 'end of the line' of the Keurbooms floodplain area (See map below, Figure 17 in the Aquatic Report), it is unlikely to impact on other developments in the floodplain, but rather, other developments would be in the line of the flood prior to any waters reaching Portion 91. The engineer has acknowledged this risk for residents by raising the minimum floor levels of houses within the development to 4m amsl. The stormwater attenuation ponds and permeable paving recommended in the stormwater management plan will encourage infiltration of water and retain at least some of the development's flood storage capacity (Confluent, Aquatic specialist response to WULA comments, Appendix F2). The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m. Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour

	runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements. (Planning Space response to Town Planning Comments, Appendix F4)
9. Conclusion Keurbooms also have a special character and sense of place that should be maintained and protected. Keurbooms is known for recreational purposes for seasonal residents and tourists to enjoy and appreciate the true value of nature. It is believed that the proposed development in its current form will negatively impact the sense of place of Keurboomstand.	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 (Planning Space Town and regional planners).
Sam Duncan	
1. Introduction This submission addresses the Draft Basic Assessment Report (BAR) for the proposed residential development on Portion 91 of Farm Matjes Fontein 304, Keurboomstrand. The purpose of this objection is to highlight significant concerns regarding environmental sustainability, infrastructure reliability, adherence to local spatial planning policies, and the socio-economic feasibility of the development as proposed. Upon reviewing the Draft BAR, numerous inconsistencies and risks have been identified, particularly around the proposed sewage management infrastructure, compliance with local and regional planning frameworks, the potential impact on local tourism, and the affordability for the purported target demographic. These concerns are elaborated upon below.	
2. Sewage Plant Reliability and Risk Management - The proposed on-site bio sewage plant presents substantial risks of odour nuisance and contamination, as evidenced by issues at comparable local facilities (e.g. the Keurbooms Angling Club pump station).	Efficiently designed and operated high quality treatment plants do not give off odours. The comment on the Angling Club odours is based on ignorance. The angling club does not have a sewerage treatment plant and the odours eminate from the adjacent Bitou pump station.

-The draft BAR recognizes that the proposed area is classified as "high risk" as per Figure 1- Section G of "DRAFT BAR Portion 91 of Farm 304 Matjes Fontein 20.03.2025.pdf" below, yet fails to outline adequate contingency plans or clearly demonstrate preparedness for scenarios in which skilled technicians might be unavailable to address operational failures. - Based on the calculations provided by the developer, the proposed plant has a capacity to handle 2 days of effluent (a total of 60 kl) when each dwelling has 3 residents. I would submit that during the peak holiday season in December, it's highly likely that the actual number of residents per erf will be significantly higher. Should any issues occur during December peak season (with public holidays and annual leave), it is unlikely that highly skilled technicians will be able to attend on site within 2 days. The consequences of the on site sewage plant being unable to process more than 30kl / day of sewage for more than 2 days are not addressed anywhere within the proposed plan. In this scenario, the plant would be producing more than 30kl/day of raw sewage that would presumably be flowing onto the land or into the aquifer in an area identified as "high risk".	(Poise Engineering Responses to Engineering Comments, Appendix F3, point 6.5 in the document). A trained maintenance manager will be appointed. Please see Engineering Report (Appendix G3) "Plant Maintenance". As per the Engineering Report – The raw sewage will discharge to an anaerobic underground tank from where it will be pumped to the containerised plant. The plant will operate on an "equals in equals out" basis, however, the preceding anaerobic tank will be designed with sufficient capacity to cater for offline situations and will include for emergency storage of 48 hours. That is 60 kilolitres. The treated discharge from the plant will be pumped to an elevated holding reservoir, also of capacity 60 kilolitres, and situated in the north west corner of the developed area. From this reservoir the effluent will be reticulated with each erf being provided with a connection for irrigation and toilet flushing. Bio Sewage Systems have been established for over 20 years and have over 800 plants, of size ranging from 5 to 200m^3 per day, operating in Southern Africa. Whilst the majority of their plants are outside of Municipal areas, it is notable that that they have had plants approved by both eThekwini and Cape Town Municipalities. Furthermore, the Bitou Municipality require that the temporary wastewater treatment plant be approved by the relevant authorities as part of the civil engineering services for the development.
3. Non-Compliance with Spatial Planning Frameworks - The Western Cape Provincial Spatial Development Framework of 2014 makes important points as below that Plettenberg Bay is a "tourism route with leisure activities of provincial significance". The Keurboomstrand area in general is very much part of the tourism sector in terms of attracting foreign visitors and homeowners who contribute significantly to Plettenberg Bay's finances. The SDF goes on to state that the purpose of the SDF is to maintain "clear settlement edges" and that "the urban fringe must ensure that urban expansion is structured and	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 below 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 have however been identified as sensitive and have been protected with a 20m buffer strip, which is of much greater ecological value than the limiting 5m contour line. Furthermore, the SDF confirms that all land development applications for the use of land abutting an urban edge should be considered consistent with the

directed away from environmentally sensitive land and farming land; agricultural resources are reserved; environmental resources are protected; appropriate levels of services are feasible to support urban fringe land uses, and land use allocations within the urban fringe are compatible and sustainable". I would submit that a high development middle income housing development within this fringe area does not meet this requirement in any way. - As per "TOWN PLANNING REPORT Rev 2", the detailed Local Area Spatial Plan compiled for the Keurbooms area in 2013 identifies the following as "no go" zones: o below the 1:50 and 100: year flood lines; o on any slopes with a gradient steeper than 1:4; o below the 4,5m coastal setback line; o within the 100m high water mark setback; and o within the Tshokwane Wetland system. - The town planning report then proceeds as below to show that 4.5m coastal setback line restriction would result in a development of 19 units. As previously indicated, the developer is more motivated by financial gain than delivering genuine middle income housing, hence they immediately discard this option and state glibly that the 4.5m setback line is "less relevant" to this property. I would submit that the 4.5m setback is a restriction that must be applied - it is not a recommendation that can be ignored based on the developer's financial motives and "scientific" reports submitted by experts who are on the developer's payroll. - In the same vein, the developer disregards the "Bitou Spatial Development Framework 2021" which as below states that the proposed area is outside the urban edge, beyond which "development should not occur" (see Figure 2 - Bitou SDF below). The developer's application states glibly that the urban edge as defined by the SDF should be "viewed as a conceptual, indicative measure". I would submit this as another example where the developer is choosing to view the requirements articulated in planning documents as mere recommendations to be ignored/discarded in the pursuit of financial profit and is inappropriate and counterproductive to sustainable spatial planning.	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) (Planning Space, Town and Regional Planners) and the old regional structure plan earmarked it for "Recreational purposes" (Planning Space Town and Regional Planners). The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16. Specific site considerations include the confirmation that the site does not have any estuarine qualities that the 4,5m swash line has no bearing on the property and that other more relevant environmental considerations such as protection of the forest and animal corridors have determine the development footprint. Medium-density housing is generally characterised 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 attempt to labelling this development as high density is inaccurate. The Visual Impact Assessment that was conducted by Paul Buchholz confirmed that the proposed development's low visual impact design and use of appropriate materials, colour selection, and landscaping will ensure that the development blends in very well with its surroundings, creating a minimal change in the landscape. The proposed development, therefore, has a low visual intrusion and, as such, will have a low impact on the character of the area. (Planning Space Town and regional planners).
4. Impact on Regional Tourism and Environmental Integrity	Please see the response above.

- The Western Cape Provincial Spatial Development Framework (2014) emphasizes maintaining clear settlement edges and preserving environmentally sensitive areas due to their significant tourism value. Introducing a dense residential development directly contradicts these objectives, potentially jeopardizing regional tourism appeal and ecological stability.	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 (Planning Space Town and regional planners).
5. Affordability and Socio-economic Realism - The developer states the housing will be for middle income owners. Taking an upper limit of R29 000 / month as a "middle class" salary (https://businesstech.co.za/news/lifestyle/794239/what-you-need-to-earn-to-be considered-middle-class-in-south-africa-2/) as per Figure 3 - Middle Income Salary below, - This results in an after tax income of R24 476 (https://www.oldmutual.co.za/personal/tools-and-calculators/income-tax calculator/) - Bearing in mind that anyone living in the proposed development would need their own car due to there being no public transport, a conservative view of monthly expenses (transport, food, health etc.) would be R10 000 month. Using these rudimentary figures to calculate bond affordability provides a purchase price of R842 000 (https://www.property24.com/calculators/affordability), stretching to R1.6m for a couple where both partners are working full time. - Page 78 of Appendix F of the Draft BAR states that "The developer's intention is to offer houses and properties at an approximate price range of R2 500 000 to R3,000,000". The lower limit of this range (R2.5m) is already three times the R800 000 affordability threshold calculated above, showing clearly that the developer's claim to be addressing a shortage of middle-income housing is not grounded in reality. - Further, the proposed development will be responsible for maintaining (and subsequently decommissioning) an on-site sewage processing plant - which will require expert maintenance and engineering support. As a member of the Milkwood Glen HOA board of directors I am intimately acquainted with the monthly costs of running and maintaining an estate and have serious concerns around the financial	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 point of 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 (Planning Space Town and regional planners).

capability of "middle income" homeowners to be able to bear these monthly costs.	
6. Conclusion In conclusion, the proposed development, as currently presented in the Draft BAR, fails to adequately address critical environmental, infrastructural, and socio-economic risks. It contravenes established planning frameworks, threatens the sustainability of local ecosystems and regional tourism, and does not fulfill the purported goal of providing genuinely affordable housing for middle-income residents. In light of the approval and 2023 implementation of the Keurbooms Estuary Estuarine Management Plan (2022) by the Province, it is critical to realign the proposed development with this authoritative spatial and environmental directive. The Management Plan explicitly prohibits any new developments on land that lies either: • within the 1 in 100-year flood line, or • below 5 metres above mean sea level, whichever is the greater. These restrictions are non-negotiable planning directives aimed at mitigating flood risk, protecting sensitive ecosystems, and ensuring sustainable development in the estuarine zone. The current proposal for a high-density, middle-income residential development fails to respect these foundational constraints and significantly compromises the environmental integrity and long-term resilience of the Keurbooms region. Therefore, the recommended alternative is a low-density, high-value development strictly limited to portions of land that are: • entirely above 5 metres mean sea level, and • entirely outside the 1:100 flood risk area. This adjusted approach will: • Ensure full compliance with the Keurbooms Estuary Estuarine Management Plan; • Protect the estuarine environment from excessive anthropogenic pressure and infrastructure failure (e.g. sewage leakage); • Preserve the tourism and ecological value of the region by maintaining its low-impact character; • Remove the need for an on-site sewage processing plant, thus avoiding major risks related to odour, contamination, and maintenance challenges; • Align with local and provincial spatial development frameworks, which discourage sprawling urban expansion into sensitive fringe areas. In sum, this alternative balances ecological preservation with	The Revised BAR and specialist studies have addressed these aspects and provided mitigation measures to minimise impacts on the environment and social aspects.

responsible development and is the only viable path forward that aligns with approved policy, topographical constraints, and long-term sustainability.	
Janine Kleinschmidt	
I currently own a property in the Matjesfontein Estate on Keurbooms River Road. I have no financial or business interest in this development, but as a resident of Keurbooms I have a concern/interest in the development of this area.	
I do not believe that the Keurbooms area show become a place for high density housing. I have no problem with middle income properties as there is a need for this. 60 units crammed into this small space is ridiculous, this is not Johannesburg or Cape Town. 30 to 40 units maybe a better idea, and a bigger recreational area, for the people who live there. Just because one is a middle income earner, one does not have to live ontop of their neighbour.	The property is 14.7ha in size and LAYOUT 1 proposed 72 units of approximately 375m², which calculates to a gross density of 5 units per ha. The net 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 a net density of 12 units per ha, which is not regarded as high density. Based on the objections received during the first round of public participation (as part of the Environmental Authorisation process), it was evident that the local community was 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, the development concept was revised by reducing the density from 73 to 60 units, and increasing property sizes from approximately 375m² to approximately 500m². 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. It will, however, result in higher property prices and not reaching the target market that was initially intended. To provide further context for this density revision, the following table offers a comparative analysis with other developments in the vicinity. Notably, the development density and property sizes are lower than those of the Milkwood Glen Development, the source of the majority of objections. Erf sizes in Milkwood Glen vary between 380 and 950, averaging about 500m² which is similar to what is proposed on Portion 91.

	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 intend to reapply / 50 / 37ha / 1.3dupa Whale Haven / / 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 intend 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 (Planning Space response to Town Planning Comments, Appendix F4):
If this property becomes subject to high density housing, the other stands will do the same, then the landscape will be changed forever. There will be no turning back.	As explained above, the development is not high-density housing.
Dr Nicholas Frootko	
Portion 91/304 is a 14.7 hectare, undeveloped coastal property in the Keurbooms valley, classified Agriculture Zone 1 in 1997.The southern boundary is the PO394 road reserve, +/-300metres inland from the high	Correct.

water mark, on a sandy, wave dominated tidal coast, protected by a barrier dune system. The entire property lies within the Coastal Protection Zone and the Outeniqua Sensitive Coastal Area Extension (OSCAE)	
For practical purposes, Portion 91/304, can be divided into a steep indigenous forested northern portion, and a flat southern portion. The flat southern portion lies within: 1) the Coastal Groundwater Zone, where the ocean and ground water are an interconnected water body. 2) The Keurbooms / Bitou Estuarine Functional Zone, less than 5m above mean sea level.. 3) The National Freshwater Ecosystem Priority Area. 4) Below the current high water mark. This flat southern portion is currently classified in the Keurbooms & Environs Local Area Spatial Plan (KELASP) as "Transformed". This is because human activity over many years (continued bush-cutting, live-stock farming, horse stabling), has transformed the land from having "very high" aquatic biodiversity (so classified by The Department of the Environment, Forestry and Fisheries DFFE) to pasture, recently grazed by stable-yard horses. There has been no activity on the site for the past year and already one can observe regeneration of flora. The soils on the southern portion, are permeable estuarine sandy soils, typically found in estuarine zones.	Duly noted.
The northern portion is a steep hill slope (slope 47%.,25.5 degrees.,1 in 2.1), extending to +/-140m above mean sea-level. The slope is vegetated by indigenous Afromontane Forest, overlying mainly unstable sandstone and conglomerate of the Enon Formation. These overlie shale of the Gyro Formation and sandstone and shale of the Baviaanskloof Formation, which outcrop above the DR 1888 road to the west of portion 91/304. The DR1888 road runs through Portion 91/304 close to the northern boundary	
The entire flat southern portion lies within The Keurbooms-Bitou Estuarine Functional Zone (mapped in 2018 to be less than 5m above mean sea-level, with the lateral boundary contour drawn at 5m above mean sea-level. It is an integral part of the flood plain of the Keurbooms-Bitou River estuary.	

This Estuarine Functional Zone, also overlies a National Freshwater Ecosystem Priority Area (NFEPA), mapped as part of the Keurbooms system and the Coastal Groundwater System, where salty waters of marine origin and fresh groundwater of meteoric origin interact.	
The PO394 road (asphalt), including the road reserves on either side of it, and parts of Portion 14/304, are less than 4m above mean sea-level. Almost all of the southern portion of Portion 91/304, is also less than 4m above mean sea-level, with small areas above 4m, and a few islands of land close to the forested portion that are 5m above mean sea-level, as per the detailed survey of VPM Surveys 2023.	
The aerial contour plan of Portion 14/304 and Portion 91/304, together with the detailed Aerial Contour Plan of the southern portion of Portion 91/304,VPM Surveys 2023, provided the contours required to plot a topographical cross-section map of the two properties, the PO394 road and the road reserves.(section A-A'). From these contour plans it can be seen that: 1) Part of the developed Portion14/304, Milkwood Glen site (seaward of Portion 91/304), is less than 5m above mean sea-level. 2) All of the PO394 road and the road reserves either side, are less than 4m above mean sea-level. 3) Almost all of the southern flat portion of Portion 91/304, is less than 4m above mean sea-level. All of the above mentioned sites ie 1), 2) and 3) are BELOW the high water mark. All of the above mentioned sites ie 1), 2) and 3), are situated in the Keurbooms-Bitou Estuarine Functional Zone, a flood plain, which is less than 5m above mean sea level	
The 1 in 50 and 1 in 100 year flood lines are mapped in the Keurbooms Estuary: Estuary Management Plan (2022). This shows that the 1 in 100 year flood line extends to the southern side of the PO394 road. ie the road is regarded and mapped as the f lood barrier. This is questionable because the road, the road reserves and most of Portion 91/304 are NOT above the 1 in 100 year flood line. They are below the mapped flood line.	
The Keurbooms Estuary floods frequently (fluvial flooding). (E H Schumann, 2015). In the compound floods of 2007 (fluvial and heavy rainfall), the PO394 road was flooded and the undeveloped vacant	

land to the north of the road flooded and acted as a flood water "soak away".	
In the November 2007 floods the water level measured at the Angling Club on the Keurbooms River was 4.23m above mean sea level, based on benchmark 36H59A. (Personal communication with S.J. McMillan Surveys, Plettenberg Bay).	
In addition to this flooding we can often observe surface water on the southern portion of Portion 91 of 304, that remains there for days and sometimes weeks. This happens more frequently in the winter months following heavy prolonged rains accompanied by rain water "run-off" from the steep forested northern slopes and the spring water.	
The surface soils become super-saturated and when this flooding accompanies high tides, the surface soils become super saturated, and this resembles groundwater shoaling.	
(Please also refer to the photographs in the appendix (attached) taken the day after the floods of 2007 in the Keurbooms Estuarine Zone. Ref Cullinan & Associates comments.) I would strongly agree that the 1 in 100 year flood line, should therefore be reviewed, as per the recommendations of the Garden Route District Climate Change Adaptation Response Implementation Plan (2024).	
As mentioned previously, the predominantly open tidal Keurbooms-Bitou estuary and its Functional Zone, are prone to episodic flooding (freshwater floods and marine (storm) floods),and this flooding has had catastrophic consequences for landowners and infrastructure and posed a risk to human safety.	
In response to this flooding, together with climate change weather predictions, and rising sea-levels, the Keurbooms Estuary Estuarine Management Plan (2022) was approved by Province and implemented in 2023.	
This plan recommends NO NEW DEVELOPMENTS on land within the risk area, defined as within the 1 in 100 year flood line, or less than 5m above mean sea-level. ie NO NEW DEVELOPMENTS ON LAND LESS THAN 5 METRES ABOVE MEAN SEA LEVEL OR WITHIN THE 1 IN 100 YEAR FLOOD LINE, WHICH EVER IS THE GREATEST.	Keurbooms Estuary: Estuarine Management Plan (2022) states on page 83 that in 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. The EMP does not in fact prohibit development in this area, but rather recommends no new developments within the risk area (see page 10 of the Keurbooms Estuary: Estuarine Management Plan (2022)). As per page 80 of the Estuarine Management Plan (2022) - The 5 m topographic contour encapsulates the Estuarine Functional Zone (EFZ), which in turn is defined by 2014 EIA Regulations (GNR 985) under the National Environmental Management Act (NEMA 1998) as "*the area in and around an estuary which*
The Bitou Municipal Spacial Development Framework (MSDF) (2022) recommends similar setback lines, within the urban edge for Keurboomstrand, and includes estuaries and flood plains.	
It is therefore my logical interpretation that the recommended 5m above mean sea- level set back line should be adopted, when considering new coastal developments in the Keurbooms-Bitou Estuary	

Functional Zone at the present time. I also understand that the Keurbooms Estuary Estuarine Management Plan, and the Garden Route District Climate Change Adaptation Response Implementation Plan (2024), will be subject to change based on new data published from time to time. It is probable that flood lines and new development set back lines will continue to be raised in the coastal areas of South Africa in the future.	*includes the open water area, estuarine habitat (such as sand and mudflats, rock and plant communities) and the surrounding floodplain area…*". In this way, certain activities are not permitted within an estuary without prior Environmental Authorization. It 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). Although the 5 m contour falls well within the 1 000 m Coastal Protection Zone (CPZ); it must be included in all planning documents.
The developer refers only to the former 4.5m setback line as per KELASP (2013). My interpretation is that the KELASP(2013) set back line of 4.5m above mean sea level, has been superseded by the Keurbooms Estuary Estuarine Management Plan (2022) and the Bitou MSDF (2022), which recommends a 5m above mean sea level set back and no development in flood plains. Even this may already be superseded by the Garden Route District Climate Change Adaptation Response Implementation Plan (2024), which recommends a 5.5m above mean sea level set back.	"Floodplain" can be defined as the intertidal and supratidal area of the estuary and the 1:100 year flood line. As such the 5 meter contour is also a guideline, whereby specialist ground-truthing should inform the presence of estuarine habitat in terms of the definition of an EFZ as per NEMA 1998. The EFZ serves as a useful indicator of low-lying areas that may potentially contain estuarine habitat, experience tidal inflows, or form part of a floodplain associated with an estuary. However, the presence of estuarine characteristics must always be verified through on-site assessment by an aquatic specialist. In the case of Portion 91/304, Dr. Jackie Dabrovski confirmed that the site does not contain any estuarine plant species, not even remnants. Additionally, she confirmed that there is no evidence of soil saturation within 50cm below the surface, which would indicate wetland conditions. (Planning Space response to Town Planning Comments, Appendix F4).
WHY FLOODING OF THE PROPOSED DEVELOPMENT ON THE SOUTHERN PORTION OF 91/304 IS INEVITABLE	
SEA LEVEL RISE AND COASTAL GROUND WATER Portion 91/304 Matjes Föntein is in the Coastal Zone, where by definition, salty waters of marine origin and fresh groundwater of meteoric origin interact. (Jiao and Post. 2019). Policy makers and town planners have concentrated on sea-level rise, coastal erosion, excessive rainfall events, higher tides, higher wave action and storm surges, affecting coastal developments. Rising coastal groundwater has been largely ignored, either because they have been unaware of this or because the bias has been towards addressing problems that can easily be seen. (K Pierre-Louis, 2021).	It is true that increasing unpredictability and extreme events could exacerbate the flood risk to this site given its low-lying nature. Given its location at the 'end of the line' of the Keurbooms floodplain area (See map below, Figure 17 in the Aquatic Report), it is unlikely to impact on other developments in the floodplain, but rather, other developments would be in the line of the flood prior to any waters reaching Portion 91. The engineer has acknowledged this risk for residents by raising the minimum floor levels of houses within the development to 4m amsl. The stormwater attenuation ponds and permeable paving recommended in the stormwater management plan will encourage infiltration of water and retain at least some of the development's flood storage capacity (Confluent, Aquatic specialist response to WULA comments, Appendix F2).

The ocean and coastal groundwater systems are an interconnected water-body, and coastal ground-water levels are influenced not only by sea-level rise, but also by the action of ocean tides and waves.The action of ocean tides and waves tends to cause cyclic and irregular flows of water through the groundwater system and other connected inland water bodies. Tides and waves also act like a pump to elevate the water table in the coastal groundwater system, above the mean water- level of the ocean or estuary. (D H Anderson. 2017). The obscured realm of marine influenced groundwater is such that rising groundwater levels, can occur decades before sea level rise-induced surface inundation. (S Habel et al.2024.Simon C. Cox et al. 2025.). At Milkwood Glen (Portion14/304), immediately seaward of the proposed development site, we are able to observe this when we measure the height of the shallow (less than 2m) ground water table in the open water-abstraction pit, close to the PO394 road. The ground water table rises and falls with the tides and with drought and rainfall events . Sometimes the water is more salty. This can also be observed on the large man-made lake seaward of the PO394 road on Portion 11/304 (Keurbooms Cottage), to the west of Portion 91/304. (Ref Fig. 1: The lake at the bottom right hand corner of the photograph)	
As a result of planetary heating, global mean sea-level has increased since the end of the nineteenth century. Sea-level rise is now accelerating and will continue to rise over the 21st century and beyond. (L C Allison et al, 2022). Sea-level rise will also continue to influence coastal groundwater by elevating the water table and shifting salinity profiles landward, making the subsurface increasingly corrosive. (R Rahimi et al. 2020, K Pierre-Louis. 2021, S Habel et al 2024). This can be explained as follows: The water beneath our feet, nestled in sediments underground, started as rain, that seeped down to form a layer of saturated soil, that rests below a layer of unsaturated soil. The boundary between the two is known as the water table. In the Keurbooms Estuarine Zone, this layer of saturated soil, which is probably many meters thick, rests on top of salt water from the ocean and the tidal Keurbooms Estuary. As sea-levels rise, the fresh coastal groundwater gets pushed up, because salt water is denser than fresh water.	

Low lying coastal areas are susceptible to multiple types of flooding from marine, subsurface and surface sources. (Y Sangsefidi et al. 2023). Coastal groundwater levels have been rising and will continue to rise in concert with sea-level rise. This together with predicted more frequent and severe storm surges, higher tides, higher wave action and more frequent and severe rainfall events, will result in flooding of ground infrastructure and surface structures. Ground water will also become more saline, causing untold damage to ground infrastructure, that is not salt resistant. (R Rahimi et al 2020, K Pierre- Louis. 2021, Y Sangsefidi et al. 2023, S Habel et al 2024).)	
The southern portion of Portion 91/304, the PO394 road and its road reserves, together with some northern parts of Milkwood Glen (Portion14/304) are less than 4m above mean sea level. All these areas are already below the high water mark and ground water levels have been measured at approx 2m below natural ground level on Portion 91/304 (February 2023 and 2025),and at 1.5m-1.8m (April 2024 and April 2025), below ground level on Portion 14/304. The expert for the developer, Dr Jackie Dadrovski Pr.Sci.Nat., of Confluent Environmental, (Ref: draft BAR June 2023), does not mention rising coastal groundwater in her report. Nonetheless she does report as follows: "The property is located on the edge of the 1 in 100 year flood line, 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 co-incident with sea-level rise and high tide events, it is not impossible that minor flooding could affect low-lying area of the property in future". It is apparent that climate change will continue to increase sea-levels, cause more frequent severe weather events associated with higher tides and wave action, more frequent and severe rainfall events and more frequent and severe storm surges. Compound storms involving two or all three of these events will also occur. As a result, flooding of Portion 91/304 and the surrounding low-lying areas will come from marine inundation, groundwater inundation and surface inundation	Please refer to the Groundwater Impact Assessment (Appendix G9). The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m. Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements.

	(Planning Space response to Town Planning Comments, Appendix F4)
CONCLUSION Given our present knowledge about the predicted effects of climate change on the Garden Route Coastal Region, it is inevitable that a development on the southern portion of Portion 91/304, almost all of which is less than 5m above mean sea- level, will flood repeatedly over the foreseeable future and will eventually be permanently flooded. It is the responsibility of the Western Cape Government to ensure that Spatial Planning and Development Planning, reduces risks to people, infrastructure and assets (Western Cape Climate Change Response Strategy (Vision 2050) Nov.2021. Draft for public discussion.). My view is that it would not only be irresponsible to allow this development to proceed, it would be a dereliction of the Bitou Municipality's duty to protect society and preserve the inherent value of the ever changing and dynamic Western Cape coastal zone, at a time of rapid climate change	The conclusion reached is noted and has been addressed above.
RECOMMENDATION Because of my concern about flooding, I would recommend that Portion 91/304 remains Agricultural zone1.It lies within the most easterly of the proposed Keurboomstrand Spacial Development nodes, most of which is less than 5m above mean sea level and therefore inappropriate for mass housing development. I recommend therefore, that only one farmhouse dwelling, and necessary ancillary farm buildings, be allowed to be built on the site, on ground 5m above mean sea level, and with floor levels at least 5.5m above mean sea level. That much of the southern part be allowed to rehabilitate, with restoration of endemic flora. The spring should be allowed to continue to function naturally and without hinderance, contributing as it has done for centuries to the hydrology of the area and as a fresh water source for flora and fauna	It is worth noting that the site could currently accommodate various agricultural activities, such as intensive animal farming, without requiring further town planning permission. Such activities would likely have a far more detrimental impact on neighbouring property values than the carefully planned residential development being proposed (Planning Space, Appendix F4 page 30).

ANOTHER RISK TO THE PROPOSED DEVELOPMENT IS LANDSLIDE The northern portion of Portion 91/304 is a forested hill with a slope of 47%, 25.5 degrees, 1 in 2.1, approx.270 m wide and approx. 140 m high. The Afro-Montaine forest grows on an unstable sandstone and conglomerate substrate. We believe that there is a potential for a heavy rainfall induced landslide to occur, with catastrophic consequences to people and housing in the vicinity of the northern slope on Portion 91/304. This is apparently what happened in the severe "cut-offf low" weather and heavy rains in October 2023, when a landslide occurred onto the the Kaaimaans Pass N2 road at Wilderness. Landslides and mudslides also occurred in the Franschoek and other areas in September 2023, following heavy rainfall. More recently there were similar events in the heavy rainfall "cut- off low's" in the Western Cape between the 6-9 June 2024	The 20m wildlife buffer from the development will protect the forested hill and allow rehabilitation / restoration of indigenous vegetation within the buffer area. There are no foreseeable impacts to the forested hill that would cause instability. It is intended for this area to be preserved for conservation. This scenario would therefore apply to the entire forest hill in the Keurbooms area.
Plettenberg Bay Community Environment Forum – 21 April 2025	
1. **Non-Compliance with Spatial Planning Guidelines** The application does not align with the Keurboomstrand Local Area Spatial Plan (KELASP) and the Bitou Spatial Development Framework (BSDF), which specifically identify limited areas of the site suitable for development based on the 4.5m and 5m contours. • Urban Edge Encroachment: The proposed development encroaches on areas beyond the delineated urban edge, contributing to urban sprawl and undermining the growth management strategy set by the BSDF (2022). The BSDF aims to preserve the area's character, and the proposed density threatens to erode these efforts. The DBAR refers to the Draft Bitou SDF of 2013. This is no longer valid and has been updated (2022). • Potential for Overdevelopment: Allowing this proposal would set a negative precedent for future developments, encouraging applications that disregard established guidelines, which could lead to irreversible changes to the area's character and identity. • Cumulative Impact on Coastal Corridor Development: The development, if approved, risks damaging the very environmental assets that attract tourism and investment into the	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 below 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 have however been identified as sensitive and have been protected with a 20m buffer strip, which is of much greater ecological value than the limiting 5m contour line. 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) (Planning Space, Town and Regional Planners) and the old regional structure plan earmarked it for "Recreational purposes" (Planning Space Town and Regional Planners). The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as

region, which have been carefully managed in the BSDF and KELASP.	Appendix E16. Specific site considerations include the confirmation that the site does not have any estuarine qualities that the 4,5m swash line has no bearing on the property and that other more relevant environmental considerations such as protection of the forest and animal corridors have determine the development footprint. Medium-density housing is generally characterised 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 attempt to labelling this development as high density is inaccurate. The Visual Impact Assessment that was conducted by Paul Buchholz confirmed that the proposed development's low visual impact design and use of appropriate materials, colour selection, and landscaping will ensure that the development blends in very well with its surroundings, creating a minimal change in the landscape. The proposed development, therefore, has a low visual intrusion and, as such, will have a low impact on the character of the area. (Planning Space Town and regional planners).
2. Inadequate Justification for Density and Layout Decisions The proposed density of 60 units far exceeds the proposed density in the KELASP for development above the 4.5m contour. • Financial Viability vs. Environmental Considerations: The argument that higher density is required for financial viability overlooks the environmental and planning constraints. Economic factors should not override sustainable development goals. • Environmental Constraints: The planning frameworks, based on extensive research, are designed to preserve the region's natural resources and rural character. The proposed density exacerbates risks to local infrastructure, environmental systems, and community character. • Impact on Keurbooms' Character: Introducing urban intensity into an area known for its tranquil, low-density environment would significantly alter the area's character. This proposal undermines long-term sustainable planning and risks setting a precedent for overdevelopment in other sensitive areas.	The property is 14.7ha in size and LAYOUT 1 proposed 72 units of approximately 375m², which calculates to a gross density of 5 units per ha. The net 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 a net density of 12 units per ha, which is not regarded as high density. Based on the objections received during the first round of public participation (as part of the Environmental Authorisation process), it was evident that the local community was 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, the development concept was revised by reducing the density from 73 to 60 units, and increasing property sizes from approximately 375m² to approximately 500m². 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. It will, however, result in

• Incompatible Layout: The small erven sizes with insufficient space for natural areas will lead to visual and environmental impacts that do not align with the area's natural or rural character. Furthermore, the claim that there will be "ample open spaces" contradicts the proposed density and site limitations.

higher property prices and not reaching the target market that was initially intended.

To provide further context for this density revision, the following table offers a comparative analysis with other developments in the vicinity. Notably, the development density and property sizes are lower than those of the Milkwood Glen Development, the source of the majority of objections. Erf sizes in Milkwood Glen vary between 380 and 950, averaging about 500m² which is similar to what is proposed on Portion 91.

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 intend to reapply	50	37ha	1.3dupa
Whale Haven		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 intend 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

(Planning Space response to Town Planning Comments, Appendix F4):

3. Social Considerations and Sense of Place The development fails to address concerns about preserving the unique sense of place in Keurboomstrand. This type and density of development is not in keeping with the sense of place for Keurbooms Village which is a valuable tourism asset to the economy of Plettenberg Bay. • Mismatch with Community Needs: The site is not suited for middle-income housing, as it is located far from employment opportunities and essential services in Plettenberg Bay. This development would be impractical for potential residents. • Visual Sensitivity: The proposed density and visual impact of the development would significantly detract from the area's aesthetic value. The idea of using vegetation to "hide" the development is insufficient and unlikely to mitigate the long-term impact on the sense of place. • Cumulative Development Impacts: The cumulative development impacts along the 'coastal corridor' on Main Road has been explicitly considered in the Bitou SDF and KELASP. This application fails to address this.	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. 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 (Planning Space Town and regional planners).
4. Groundwater and Geotechnical Concerns The application overlooks critical aspects of groundwater and flood risks: • Groundwater Levels: The geotechnical assessments raise concerns about the site's groundwater levels. The absence of data on the seasonality of groundwater levels undermines the reliability of the findings. • Flood Risk: The site, historically a floodplain, remains prone to high water levels during heavy rainfall, with flooding risks exacerbated by development in the area. Concerns about groundwater table levels need to be addressed, particularly given the region's history of flooding. • The soil profile, according to the Geotechnical report, states that the "soil profile is dominated by estuarine sandy soil". This seems contrary to the aquatic report but supports other reports	According to the Geotechnical report 10 testpits were dug. Groundwater was found in Testpits 1 and 5, positioned on the southern lowest side of the site, at depths 1,95m and 2,3m respectively. The other 8 pits were dug to depth varying between 2,3m and 3m without encountering groundwater (Poise Engineering Responses to Engineering Comments, Appendix F3, point 8.2 in the document). The following was noted in the Geotechnical Report (Appendix G4) as follows – *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 (TP1 & TP5) 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.*

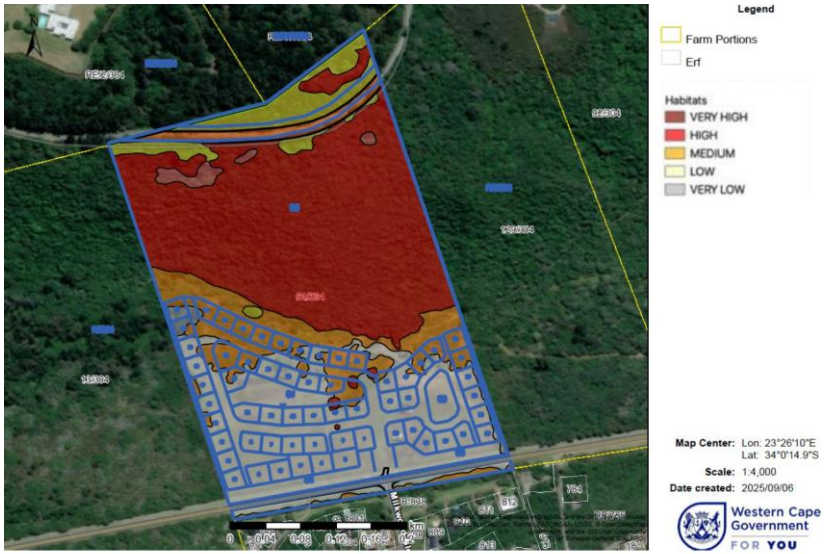
where it has been shown that the area forms part of the Tshokwane Wetland. • The Geotechnical report also highlights that "surface water was expected to accumulate temporarily after heavy rainfall events". This would imply that there should be concerns around flooding during such heavy rainfall events. • Despite comments in the application, we do not believe that one or two site visits are adequate to determine potential flooding. The National Freshwater Ecosystem Priority Areas (NFEPA) includes this portion as being part of the Keurbooms system. • It is interesting that there is debate regarding the various established set back lines (1:50 and 100 year flood lines, 4,5m coastal setback line [the coastal management line], 100m high water mark, Tshokwane Wetland system). Eden District Municipality, Bitou Municipality, the KELASP, CapeNature, SANBI, CSIR, Water Affairs, Environmental Affairs (and others) have identified these bio-physical constraints. Are these documents incorrect? • Photographs, maps, guideline documents and local knowledge (below) all demonstrate the potential for flooding on Portion 91. Historic knowledge, experience and scientific expertise all show the site to be unsuitable for development as proposed. • Furthermore, the Town Planning Report for the BAR clearing shows that the proposed development site falls within the Estuarine Functional Zone (EFZ). • The Keurbooms Local Area Spatial Plan recommends that future development below the 6.5mamsl swash contour and 4.5m coastal management contour line should be monitored, and preferably prevented. • The Bitou SDF refers to the 1:100 flood line and states that no development should occur in these areas and that the precautionary principle should apply. • Aside from past experience and flooding events, the application has failed to consider the increased risks of flooding as a result of the development (hard surfaces, removed vegetation, etc).	The Geotechnical Report further recommend mitigation measures to deal with site drainage, as follows: *Consideration should be paid to stormwater drainage due to the low gradient on the site and the likelihood of stormwater accumulating on surface after heavy downpours. Stormwater from roofs can generally be handled in gutters, downpipes and open channels or underground pipes, with suitable discharge locations on the southern side of the site. A well designed road layout can assist in management of stormwater run-off from site, with minor flood events being accommodated within the road prism with raised barrier kerbs and/or side channels.* These mitigation measures were considered in the stormwater management contained in the Engineering Report (Appendix G3). The EMPr also incorporates the recommended mitigation measures. Furthermore, the Ground Water Impact Assessment (Appendix G9) stated the following regarding groundwater recharge and flooding risks: • Groundwater recharge occurs regionally rather than being site-specific, meaning the development is unlikely to significantly affect it. • The sandy subsurface has high permeability, reducing the likelihood of groundwater mounding and flooding. • Proper stormwater management, including permeable pavements, retention ponds, and controlled drainage, will be essential to mitigate local hydrological changes. The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m. Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under

	flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements. (Planning Space response to Town Planning Comments, Appendix F4)
5. Rehabilitation of Pastures The claim that historically cultivated pastures cannot recover to a natural state is questionable. With time, effort, and proper rehabilitation practices, such lands can indeed be restored. Dismissing this possibility undermines sustainable land management principles.	Response from Dr. D Hoare regarding restoration of secondary vegetation – *My assessment was regarding whether what <u>currently</u> 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 <u>back to secondary vegetation</u>, 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. The development will be to the south of the property, with overlap into CBA1. The development does not occur within an area of VERY HIGH sensitivity, only MEDIUM to LOW sensitivity. Only the milkwood trees that have VERY HIGH sensitivity are within the development area. It is the intension of the Applicant

to keep as many of these milkwood trees as possible. The following mitigation will also be undertaken -

Plant additional milkwoods in the development as part of the final landscaping. These can be planted along with other appropriate coastal forest species, but the proportions and composition should reflect habitat that would have occurred naturally at this site.

Areas identified as secondary vegetation (medium sensitivity) within the 20m wildlife corridor will be restored. Steps will be taken to rehabilitate areas within the buffer zone and encourage growth of species, such as *Pterocelastrus tricuspidatus* and *Sideroxylon inerme*, that are mesic and fire-resistant. An open space management system will be developed to formalize such steps for forest protection.



Habitat sensitivity on site (Plants, Animals & Terrestrial Biodiversity Assessment by David Hoare Consulting).

The following mitigation will also be undertaken to support rehabilitation of degraded areas –

Rehabilitate and improve the small dam on site, including introducing pond margin vegetation typical of mountain ponds in forested areas. This will provide good habitat for various frogs, including potentially Afrixalus knysnae.

	Rehabilitation of disturbed areas, as well as previously invaded areas, should promote establishment of site-appropriate indigenous species.
6. Traffic Flow and Controlled Access The addition of 60 units will exacerbate traffic challenges on local roads. The proposed single entrance with a minimum 15m setback raises concerns about its adequacy to handle traffic, especially during peak tourist seasons when traffic is already a concern. Additionally, the assertion that roads will function as "open spaces" is ambiguous and lacks practicality.	The traffic Impact Study has assessed the peak season peak hour traffic impact of the Development to be insignificant. See Appendix G8 of the Revised BAR.
7. Architectural and Landscaping Standards We strongly support the recommendation to appoint a qualified Landscape Architect and emphasise that the Landscape Plan should prioritise locally indigenous, non-invasive vegetation to ensure ecological integrity. However, the lack of detail on architectural style and green principles weakens the case for sustainable 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 of the development. 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 or suitable plant species are transplanted prior to work commencing on the erf.
8. Environmental Concerns The development includes areas below the 5m Mean Sea Level (MSL) and within the Estuarine Functional Zone (EFZ), which exposes the area to flooding and sea-level rise risks:	
Flood Risk: The site's location near the 1:100-year flood line raises concerns, especially as climate change threatens to intensify flooding risks. Flood management strategies need to be detailed and evaluated through flood modelling and simulations.	It is true that increasing unpredictability and extreme events could exacerbate the flood risk to this site given its low-lying nature. Given its location at the 'end of the line' of the Keurbooms floodplain area (See map below, Figure 17 in the Aquatic Report), it is unlikely to impact on other developments in the floodplain, but rather, other developments would be in the line of the flood prior to any waters reaching Portion 91. The engineer has acknowledged this risk for residents by raising the minimum floor levels of houses within the development to 4m amsl. The stormwater attenuation ponds and permeable paving recommended in the stormwater management plan will encourage infiltration of water and retain at least some of the development's flood storage capacity (Confluent, Aquatic specialist response to WULA comments, Appendix F2). The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m. Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements. (Planning Space response to Town Planning Comments, Appendix F4)
Coastal Management Lines: The proposed site falls within the identified Coastal Management Lines which are the recommended set back lines to address coastal flooding. In the event of a disaster, who will be the responsible agent should coastal/estuarine/wetland flooding occur up this valley?	The Coastal Management Unit of DEA&DP confirmed in their comments dated 23 April 2025 that - • *Although Farm 91/304 is located seaward of the CML, the SD: CM notes that the subject property is unlikely to be impacted by coastal processes due to its proximity to the highwater mark; the subject property is not located within the 1:100-year floodline; nor is it located in close proximity to the Departmental coastal risk zones or erosion projections. The SD: CM also notes that the applicant has done their due diligence to consider the Departmental coastal risk information in relation to the subject property. However, it is recommended that new development seaward of the CML should be limited.*

	• *The proposed development area of Farm 91/304 occurs within the estuarine functional zone ('EFZ') however the applicant indicated that according to the freshwater specialist, there are no aquatic features present on the site and no hydrodynamic indicators in the soil. Furthermore, the Keurbooms-Bitou Estuarine Management Plan also indicated that Farm 91/304 is located above the 1:100-year floodline with no flood risks associated with the subject property.*
Environmental Management Plan (EMP): The lack of a comprehensive EMP for post construction monitoring and mitigation is concerning. A long-term environmental management plan that includes required roles and responsibilities is essential to mitigate the ongoing environmental impacts of the development.	A Conservation Management Plan is included as Appendix L. The EMPr includes roles and responsibilities under section 5.3. and further designates responsibilities in Section 10.
Sewage and Wastewater Treatment Plants: The application states that if necessary, "excess effluent will be discharged to the stormwater infiltration ponds system". However, it is concerning that the Breede Olifants Catchment Management Agency's comments require confirmations from the appropriate government agencies and Municipal departments regarding wastewater treatment capacity, the dam, etc. These are not attached under Appendix E3.	A WULA was undertaken by Confluent, the technical report is attached as Appendix G10 of the Revised BAR. BOCMA comments and correspondence are attached as Appendix E3. The need for a WULA is due to the development itself being in the regulated area of a watercourse, the spring, as defined in GN4167. The proposed package plant and possible irrigation with the treated water for the development, also necessitates an application for a 21(g) and 21(e) water use under the National Water Act (NWA), as it is the disposal of waste in a manner which may detrimentally impact on a watercourse, in this case the spring. No other watercourses as defined in the NWA are located within 500 m of the development area.
Wastewater: The Municipal wastewater system lacks capacity to manage additional wastewater loads. Until this has been addressed and the Municipal infrastructure upgraded we believe it to be irresponsible to rely on a privately managed Bio Sewage System Treatment Plant as, should issues be encountered that impact the environment in the vicinity of this development, the question of the responsible body to rectify/rehabilitate will become a contested point.	A Plant maintenance manager will be appointed, who will be given comprehensive up front training and will visit site and inspect the plant on a daily basis. Bio Sewage Systems do also have support teams available at short notice should any unusual issues arise. Please see Plant Maintenance in the Engineering Report, Appendix G3 (5.4.3) of the Revised BAR. The Polluter Pays Principle will also be enforced – Those responsible for environmental harm must bear the cost of preventing or remedying damage. The applicant must ensure that any negative water-related impacts are mitigated, and costs are borne by the responsible party.
Sewage Plant: Similarly, a privately installed and managed sewage plant that is required to manage a capacity of 60 residential units is, in our opinion, highly risky considering the management and risk responsibilities and we object to this. Excess effluent being discharged into the stormwater infiltration ponds system is not acceptable.	Bio Sewage Systems have been established for over 20 years and have over 800 plants, of size ranging from 5 to 200 m^3 per day, operating successfully in Southern Africa (Poise Engineering, Appendix G3).

Light Pollution: Given the sensitivity of the environment, any proposed lighting should be designed to minimise light pollution, ensuring the protection of the local wildlife and scenic value. We note that this has been given consideration. However, it seems logical that the proposed density will inevitably result in light pollution.	Mitigation measures provided in the Visual Impact Assessment related to light pollution will be adhered to as per the EMPr.
Water: The application address "bulk infrastructure capacity" but does not address the availability of raw water. Is there confirmation from the Municipality and/or Department of Water Affairs that there is an adequate supply of raw water to provide for the cumulative water needs of this and other pending development applications?	Please see Bitou Municipality services capacity letter attached as Appendix E16 to the Revised BAR.
Aquatic Report: This report includes assumptions and limitations and it is notable that the site assessments are "undertaken on a once-off basis" but that two site assessments were conducted. How reliable are these assessments if the information is only based on two visits? Can two visits be sufficient to determine the EFZ?	The site was visited on 28 June 2022 and again in March 2024 by the aquatic specialist, which is considered mid-winter and late summer respectively. During the winter period the area had received good rainfall, and therefore any surface aquatic features at the site would be expected to be apparent. The entire site was inspected for evidence of estuarine habitat, wetlands, drainage lines, or any other watercourse. During the site visit in March 2024 additional augering was undertaken following very heavy rainfall.
Wildlife Corridor: We support the inclusion of the wildlife corridor. However, we note that the development will be a "gated security complex" and will be fenced. What type of fencing will be used to enable animal movement?	Mitigation measures associated with fencing to minimise human-wildife interactions and conflicts recommended by the Aquatic Specialist were incorporated into the EMPr, and are as follows: • A perimeter fence is recommended along the northern section of the property to preserve the wildlife corridor and natural area beyond. The fenceline should not extend into the 20m corridor and should aim to separate the development area from the conservation / wildlife area. • Clear vu type fencing would have the important benefit of excluding pets (cats and dogs) from the wildlife corridor area where they could deter or kill wildlife large and small. • Fencing should not extend into the corridor on the neighbouring boundaries as the aim is to have an inter-connected corridor that extends across properties, should development occur in adjacent areas.
In conclusion, the Plettenberg Bay Community Environment Forum strongly objects to the proposed development for the following reasons: • Inappropriate density proposed, detrimental to the character of the area	The objection is noted and has been addressed above.

• Proposed development in "no-go" areas of site in the 4,5m flood contour/coastal setback lines • Extremely sensitive environment 6 • High groundwater tables around the site • The precedent that this type of development in this area will set in terms of density • Lack of consideration of cumulative impacts of this and 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 • Lack of reference to the capacity of raw water sources and availability	
Plettenberg Bay Ratepayers and Residents Association – 24 April 2025	
MATJESFONTEIN 304, PORTION 91 (PORTION OF PORTION 14), KEURBOOMSTRAND COMMENT ON THE PROPOSED BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT We refer to your email of 20 March 2025 inviting comment on the Proposed Basic Assessment Report ("BAR") in respect of Matjesfontein 304 Portion 91 ("Site"), to build a residential development in Keurboomstrand, Plettenberg Bay, Western Cape ("Proposed Development"), which is open for public comment until 25 April 2025. The Plettenberg Bay Ratepayers and Residents Association ("Association") represents its members who are residents and ratepayers within Bitou Municipality and is concerned with orderly and sustainable urban development within Bitou Municipality. This Association is opposed to the Proposed Development on the Site and submits the following comments having studied the set of reports, as made available on your website https://www.ecoroute.co.za/node/67;	
1 BAR P13 AND ELSEWHERE - SERVICES -WATER 1.1 The BAR addresses the water supply and it states that "*The water connection for the development will be off the existing 200mm water main in Keurboomstrand road*" and indicates that water supply this will be adequate.	*Response from Planning Space.* Water Supply: The GLS Capacity Analysis Report confirms that the existing reticulation system and reservoir have sufficient capacity to service the development. There is, however, insufficient capacity in the bulk water mains serving the reservoir to maintain the required reservoir storage during peak seasonal periods. The Bitou

1.1.1 In the Water Licence Application report, (previously reviewed), it indicates that the water supply will not be adequate during peak demand periods. 1.1.2 The BAR documents superficially addresses the critical aspect of the source of bulk water and that Bitou Municipal area has serious bulk water storage capacity restrictions. The town's current water storage capacity is limited to the equivalent of a few weeks of consumption and there are also further restrictions on the town's water treatment plant capacity. In common with applications for other proposed developments in Bitou, there is an assumption that water will magically be available out of a nearby municipal pipe, without any regard for the town's limited water storage capacity or infrastructure limitations from source. Despite the fact that plans have been in place for many years to augment the town's water storage capacity, there is no concrete development plan being implemented or funded or committed for future development. Any prolonged drought or breakdown in the Keurbooms river pumping system would have an immediate and massive negative impact Bitou's water supply. These aspects are critical failures of the BAR	Municipality has confirmed that Master Planning is in place for the necessary upgrades to the bulk supply system. However, the implementation of upgrades is entirely dependent on the availability of finance, and no time frame can be guaranteed for such implementation. Notwithstanding the above, in a letter dated 23 July 2024, the Bitou municipality confirmed that they have enough bulk infrastructure capacity in their network to accommodate the proposed development. The letter is attached as Annexure E16. The approval of the application will be subject to a service level agreement, which will set out the developer's contribution to the cost of the upgrades required, and the development will not be able to be implemented until the service level agreement has been signed. As per the Engineering Report - The Developer's intent is to optimise the use of rainwater harvesting for domestic use and the use of treated greywater for irrigation purposes, within economic feasibility. Based on a minimum roof area of 175 square meters an average of 106 kilolitres of rainwater per year could be harvested per stand. With due cognizance to rainfall patterns, subject to efficient management of storage draw off, an average in excess of 170 litres per day per stand, could be sourced from rainwater harvesting.
2 BAR P 13 - SERVICES – SEWER 2.1 The statements in this section are contradictory, opportunistic and irresponsible. It states **"***The sewer connection for the Development will be to the existing 160mm reticulation pipe situated immediately opposite the site on the southern side of Keurboomstrand Road***"**. And then *Currently, there is no municipal wastewater system with capacity to accommodate the wastewater generated from the proposed development, until upgrades to the rising mains and the wastewater treatment plant at Gansevallei WWTW have been completed by Bitou Municipality. Wastewater from the development will be pumped to a proposed temporary new Bio Sewage System Treatment Plant*	Biological sewage treatment systems have been used in South Africa for several decades and have proven to be safe and easy to maintain, provided they are designed and installed correctly. It is not new experimental technology. The Bio Sewage Systems Company has been established for over 20 years and has over 800 plants, of size ranging from 5 to 200m3 volumes per day, operating successfully in Southern Africa (Poise Engineering, Appendix G3). Dr Hughes himself notes that the development does include an interim solution for wastewater treatment which seems to be appropriate. In light of the 2022 Green Drop report by the Department of Water and Sanitation—which revealed that over half of South Africa's municipal wastewater treatment plants are failing, with 334 out of 850 in a critical state and billions of litres of raw or partially treated sewage entering rivers and oceans each year—privately funded and maintained sewer systems present a significantly lower risk to both the environment and public health.

2.2 The plans to implement an interim on-site "Bio sewage package" are not acceptable. If there is no capacity available to link it to the Municipal sewage plant then, the development should not be approved to proceed. There is inadequate assurance provided as to the reliability and efficiency of such "packaged" systems, which although possibly effective, depend on the quality and consistency of the ongoing management. However in this environment, with a relatively high water table, the potential for ponding, in a paleo- estuarine, active, river floodplain, between only 3 and 6 m above mean sea level (BAR P. 62), there is an unacceptably high risk to the environment and to the health and safety of any future residents of this and neighbouring properties. 2.3 Further, there is no indication as to when the development on this Site would be connected to the municipal waste water system. This eventuality would rely on the Ganse Vlei Waste Water facility being expanded, for which there is no certainty provided as to when, or if, this will happen (Page 39 of the BAR). The BAR further states on P39 that the expansion of the waste water plant is on the Bitou Master plan, but there is no guarantee of the date of completion. In reality, many infrastructure items have been on the Municipal Master plan for years and commonly are deferred, year after year. Also the expansion is dependent on available finance (from Central Government) which is becoming increasing constrained. 2.4 The Proposed Development should not be allowed to rely on a "Packaged Sewerage Plant" and should not be approved until the Municipal wastewater plant has been expanded to sufficient capacity.	A private biosystem has a one-time setup cost and low operational costs that can be absorbed by the Homeowners Association levies, avoiding being reliant on municipal funding. Bio-treatment systems use natural bacteria to break down waste, requiring minimal intervention compared to large municipal plants that need constant maintenance and chemical treatments. Unlike municipal plants that rely on aging infrastructure and long pipelines (which often leak or fail), private bio-plants treat sewage onsite, reducing risks of system-wide failures and contamination. Section 5.2 of the revised Engineering Report provides more details of the proposed sewer package plan. In addition, a method statement from Bio-sewer provides more detail on how these systems work and the advantages thereof (the Method statement is attached to the Engineering report). A Plant maintenance manager will be appointed, who will be given comprehensive up front training and will visit site and inspect the plant on a daily basis. Bio Sewage Systems do also have support teams available at short notice should any unusual issues arise. Please see Plant Maintenance in the Engineering Report, Appendix G3 (5.4.3) of the Revised BAR. The municipal letter to confirm that the development site will use a temporary WWTP until such time that it can be connected to the Municipal bulk sewer line, when upgraded, can be found in Appendix E16.
3. GEOMORPHIC, PHYSICAL AND AQUATIC PROPERTIES OF THE SITE. BAR Pages 28, 44, 45, 46 and 62 3.1. The various sections of the BAR and other appended reports set out the argument that the site is only marginally close to the 100 year flood line, 3.2. The same reports however state that the site is within an "Estuarine Functional Zone", and also that the sediments excavated in the test pits are of an estuarine origin. Thus it is established that in the recent past this area was under water in an estuary. This is supported by an 18th century map of the Bitou	3.1. As per the Poise Engineering report (Version 7, January 2025), the site is situated approximately 3 km east of the eastern bank of the Keurbooms River Estuary. The site falls outside of the 1 in 100 year floodline which is indicated in the Keurbooms and Environs Local Area Spatial Plan (KELASP; 2013) and the Keurbooms-Bitou Estuary Management Plan (KBEMP). The 1 in 100 year floodline reaches approximately 30m from the southern boundary of the site and is effectively stopped by the Keurboomstrand Road. The road is at a height of 3.65 mamsl which effectively creates a barrier between the site and the floodline which is estimated at 3.2 mamsl. Therefore, while the site is undoubtedly low-lying it is not in any mapped floodlines. As a precautionary

	area which shows a lake in the area, some distance east of the current course of the Keurbooms river, towards the area of the Site. Furthermore, Figure 12 on P 46 of the BAR confirms that this area is within the Keurbooms river flood plain. (Daily news of flooding and attendant damage in South Africa are instructive in this regard).	measure, the minimum floor level of each stand will be raised to 4.0 mamsl. The 1 in 50 year floodline is of no significance to the site, terminating approximately 0,95 km west of the site. 3.2. The proposed development areas is indeed located in the estuarine functional zone which is mapped according to the contours (5 m.a.m.s.l.) and not the actual habitat present. Ground-truthing of the site by the aquatic specialist confirmed no estuarine habitat present in remnant vegetation at the site
3.3.	Although regulations refer to the 100 year flood line, such a definition is at best based on historical estimated data, to the extent that for most parts of the country scientifically reliable data does not extend back 100 years, let alone further. What is more relevant now is to factor in, and project to the future, recent changes in weather and climate patterns, which are likely to persist. As is apparent, extreme weather conditions of increased frequency and intensity, be they droughts or floods, are becoming more common, both globally and particularly in South Africa. As a result, the unprecedented record rainfalls in many areas are now causing widespread flooding, with attendant loss of property and life. Similarly, in living memory, there have been significant changes in the position of the outflow channel of the Keurbooms river at the river mouth and have caused flooding of the Keurbooms flood plain even in recent years. This flooding extended along the valley towards the Site. Accordingly, it is not prudent to support a housing development in this potentially high risk environment.	3.3. As per the Poise Engineering document, the site is situated approximately 3 kilometres east of the eastern bank of the Keurbooms River Estuary. The site falls outside of the 1 in 100 year Estuary backwater floodline. The Aquatic specialist acknowledge climate change could cause minor flooding in the future, but propose that SUDS stormwater management principles are adopted for this development to mitigate this impact (e.g. raised floor level of the units). No actual examples or evidence of serious flooding have been provided by I&APs for this site. On-site flood mitigation (in case of severe storms / future climate change) include 3 stormwater attenuation ponds and raising the ground floor of every dwelling to at least 4mamsl. The site is 'last in the property line' in terms of low-lying areas east of the Keurbooms River, and would therefore be impacted last if floodwaters ever pushed beyond previous flooding (which only reached the Dunes).
3.4.	Given that the Proposed Development is situated within 4 to 6 metres of mean sea level and in the Keurbooms river flood plain, and is underlain by estuarine sediments and the above mentioned factors, coupled with the factors relating to the proposed package sewage plant in 2.2 above, render this Proposed Development extremely high risk, and even reckless.	3.4. The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m. Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under

	flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements. (Planning Space response to Town Planning Comments, Appendix F4)
4. **IMPACT ON ECONOMIC DEVELOPMENT IN BITOU MUNICIPALITY AND THE NEED FOR AFFORDABLE HOUSING** **BAR Pages 11, 32, 39** 4.1. Much is made in the BAR of the need for affordable middle income housing. This is indeed correct, however Bitou Municipality have strenuously supported such schemes in recent years and a number of projects are now planned, including one with over 300 housing units and a second one in application for some 220 units. Both of these are far closer to the centre of Plettenberg Bay, which is arguably where the greatest demand for such housing exists. In addition, the Municipal Human Settlement Department has plans for in excess of some 4000 new dwellings in medium to high density suburbs. 4.2. In addition to the above, there are approximately 10 housing estates, of all categories, some with affordable housing that are in various stages, between application and construction, within Bitou. Furthermore in 2022/2023, Bitou Municipality in the annual report reported over 900 applications for new build or alterations to standalone houses. 4.3. Thus the Proposed Development is by no means unique or the only planned development, and its merits must be judged against other comparable proposed developments. 4.4. All of the above developments will require services and resources, and particularly water, from the Bitou municipal infrastructure. Quite simply, adequate infrastructure and long	Please see Section E (12) of the Revised BAR that details the need for affordable housing. This is also addressed in the Planning report, Appendix G6.

term water storage capacity for all of these developments does not exist. Furthermore, the increasing constraints on government expenditure are likely to delay any of the required capital infrastructure projects, on which this Proposed Development and other housing projects rely. 4.5. On page 64, the BAR emphasises the benefit of providing employment, particularly temporary employment, during construction of the proposed development. As can be noted from the numerous other developments set out above, additional temporary construction employment is not what is required, but rather an increase in permanent skilled and semi-skilled opportunities.	
5. CONCLUSION 5.1. This Association considers the Proposed Development to be a high risk proposal which should not be approved on account of the fact that it is situated in an area that could be prone to flooding, with the attendant possibility of loss of property and/or life. 5.2. It is also considered that the environmental, health and financial risks outweigh any economic or residential development benefit. 5.3. It simply does not make sense to destroy the current pastoral greenbelt area for the development of a high risk urban development, when there are many other existing and planned housing developments, with less risk, in the Bitou area. 5.4. The Proposed Development does not take into account the severe restrictions that are imposed on the Bitou municipal resources and infrastructure with the expanding developments in the area. 5.5. In particular, the Proposed Development does not present any realistic plans or timetable as to how it will ever be connected to the reliable municipal water supply, matching peak period consumption, and waste water systems and thus reliance on an interim packaged sewage system is unacceptable.	The conclusion reached is noted and has been addressed above.
MORRIS ENVIRONMENTAL & GROUNDWATER ALLIANCES - 23 April 2025	
1. Introduction	

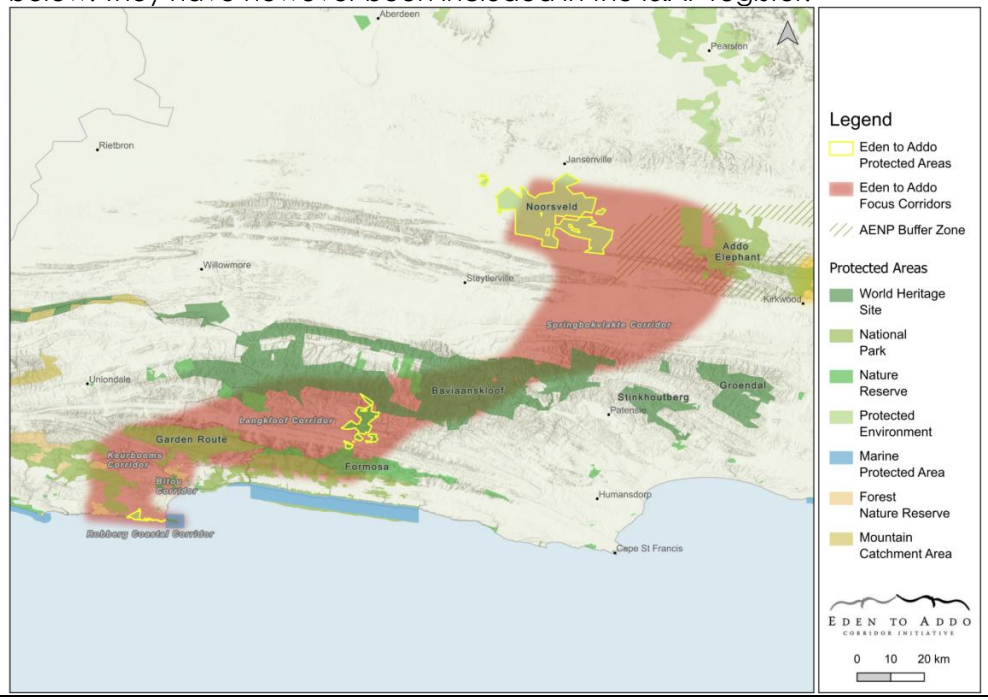
Morris Environmental & Groundwater Alliances (MEGA) was requested by Cullinan & Associates to comment on the Draft Basic Assessment Report (BAR) for the proposed residential development on Ptn 91 of Farm Matjiesfontein 304 located in Keurboomstrand, Plettenberg Bay. Eco Route Environmental Consultancy was appointed as the EAP (Environmental Assessment Practitioner) to undertake the Basic Assessment (BA) process for the proposed project. Throughout this report, any reference to the EAP is also to be read as meaning Eco Route Environmental Consultancy. This review is limited to specific key aspects of a BA process that can be regarded as indicators of whether the legal requirements and intended objectives of the process have been met and whether a comprehensive, independent and scientifically solid process has been followed. The methodology that has been adopted in this review is based on a sampling approach. This means that factual evidence for a comment / finding about the Draft BAR is given, based on particular examples or instances where these are evident. The examples or instances described in this report are not to be taken as being the only evidence of a particular shortcoming. This means that where a shortcoming, inadequacy or gap is noted, it is seen as a symptom of an inadequacy in the BA process in an area that is critically important for achieving the purpose of an environmental impact assessment; they are thus symptomatic of a wider or more prevalent shortcoming, gap or inadequacy. The approach as described herein, can be seen as similar to that applied in environmental auditing, where a sampling approach is commonly applied to test performance against requirements. The audit process involves tracking information, actions, and procedures, on a sampled basis, to establish whether requirements have been met in the correct manner.1 No site inspections or interviews were undertaken in the course of this review. In order to assess the adequacy of the EIA process, the key indicators that have been selected as the basis for assessing the adequacy of the EIA process in this review are those regarded as being central to the to the EIA process: • The Public Participation Process (PPP). • The approach to need and desirability. • The consideration of alternatives.	The EAP acknowledges that Morris Environmental & Groundwater Alliances (MEGA) was appointed to audit the Basic Assessment Report by Cullinan & Associates, who act for the individuals of Milkwood Glen. Many of the objections received from the residents of Milkwood Glen have already been addressed in the Comment and Response Report, Annexure 4 of Appendix F. It should be noted that the Basic Assessment Report was compiled by a EAPASA Registered EAP, whereas this audit was not undertaken by an EAPASA registered EAP. Nonetheless, the concerns raised in this audit have been responded to accordingly.

• The methodology applied to the rating of impact significance. It must, therefore, be noted, based on the review methodology described in this report, that we do not claim to have identified every instance where a particular shortcoming / finding may be present in the Draft BAR and related documentation.	
2. Public Participation Process (PPP)	
Public Participation activities are recorded in Appendix F of the Draft BAR, the Comments and Response Report dated 20 March 2025. The Issues and Response Register (Annexure 4) comprises comments received from Interested and Affected Parties (I&APs) on the Notice of Intent (NOI) and the Pre-Application Basic Assessment Report. These comments are categorised into those from State Departments and those from the public.	
2.1. Issues and Response Register difficult to follow	
1. As a general comment, the Issues and Response Register (Appendix 4) in the Comments and Response Report is difficult to follow. This is due to repetition of both comments and the response. In addition, there are numerous instances where the response does not line up with the comment in the table. This makes it difficult to correlate the comment to the response and also to ascertain if all comments from a particular I&AP have been addressed. Thus, the presentation of comments and responses is somewhat disorderly. It is strongly suggested that the readability and user-friendliness of this document is improved to support an effective PPP.	The comments and corresponding response have been aligned for the Draft BAR PPP for ease of readability.
2.2. Comments from I&APs not adequately addressed	
2. The Draft BAR indicates that comments have not been received from CapeNature. Whilst CapeNature may not have commented on the Pre-Application Basic Assessment Report, the organisation did submit comments on the Water Use License (WUL) application. These comments are not acknowledged or included in the Comments and Responses Report (C&R Report) even though they are of relevance from an environmental perspective.	CapeNature provided comment on the Draft BAR on 9 May 2025. Please see Appendix E2. Comments received from CapeNature for the WULA were responded to in the WULA comments and response report (Appendix F2).
3. Questions were raised in relation to consideration of the Section 63 of the National Environmental Management Integrated Coastal Management Act 24 (Act 24 of 2008) – ICMA. In this comment it is noted that the Pre-Application Basic Assessment Report states the following about section 63 of the ICMA: "The development does not affect Coastal Public Property, or coastal access land. The property is located	This is not true. The DEA&DP Coastal Management Unit were requested to comment. Comments were received on 23 April 2025 (Appendix E14).

within the Coastal Protection Zone. Comment from the Coastal Management Department (DEA&DP) will be requested, and their inputs incorporated into the assessment." Exactly the same Page 2 4. 5. information appears in the Draft BAR dated April 20242, which means that no attempt has been made to obtain comment from any of the authorities responsible or involved in coastal management.	
4. Various water-related issues have been raised3: (i) water scarcity / adequacy of water supply; (ii) potential flooding; and (iii) location of much of the proposed development within a demarcated watercourse zone. Of these three issues, the EAP has responded by pointing to the Engineering Report. (a) The EAP has responded to the concern about water availability and the capacity of the water supply system by merely referencing the Engineering Report and a letter from the municipality. In addition, I&APs are not even provided with the relevant section of the Engineering Report to which reference should be made. This is wholly inadequate. The EAP is placing the burden on I&APs to determine, from a highly technical report, whether and in what manner their concern has been addressed. It is the responsibility of the EAP to provide information in a clear and easy-to-understand manner, failing which, the effectiveness of the PPP will be adversely affected. Put differently, the EAP ought to translate relevant technical information in a manner that is accurate and accessible to I&APs. (b) More importantly, the EAP has failed to substantively address the concern raised about flooding potential. Although the Engineering Report deals with stormwater infrastructure, it does not specifically address flooding potential, flood lines, flood risk scenarios and flood records. This means that the Engineering Report cannot be offered as an adequate response to the concern about potential flooding. (c) Similarly, there is no response to the concern about the project location in relation to a watercourse zone. The Engineering Report does not deal with water courses and therefore does not address the issues / concern that has been raised.	(a) Water availability and impact on capacity can be found in Section 4 of the Engineering Report. The report is quite clear and takes the reader through 5 points related o water supply for the development. Furthermore, Section B (4.4) "Services" in the Revised BAR also includes water supply as extracted from the Engineering report, and Section E (11) further details the required bulk supply upgrades. (b) Flooding has been addressed in Section G (3.5) of the Revised BAR, and several mitigation measures recommended by specialists. (c) As stated in the Aquatic Biodiversity Assessment, the mapped aquatic features at the site are associated with estuarine habitat which is mapped according to the contours (5 m.a.m.s.l.) and not the actual habitat present. Ground-truthing of the site by the aquatic specialist confirmed no estuarine habitat present in remnant vegetation at the site, and no hydromorphic indicators in the soil that would indicate wetland conditions. This finding is consistent with previous specialist assessment by K. Coetzee and the Freshwater Consulting Group as indicated in the KELASP (2013).

	The Aquatic Biodiversity Assessment is provided in Appendix G2.
5. The nett result of the above situation, is that despite concerns being raised during the Pre-Application BAR, these have not been effectively addressed in the Draft BAR, despite the fact that it is almost 2 years since the Pre-Application BAR was released for comment. If this were not the case, these concerns would have been taken into account in the scope of the Basic Assessment process and a hydrological specialist study would have been commissioned.	The concerns raised during the PPP were addressed. Based on the objections received during the initial public participation phase conducted as part of the Basic Assessment process, 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, the original development concept has been revised by reducing the density from 73 to 60 units, concurrently increasing property sizes from approximately 375m²to approximately 500m². 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 while is still allows for enough units to be financially viable and affordable to the end user. Furthermore, a Hydrogeologist was appointed to compile a Groundwater Impact Assessment. The report serves as a specialist geohydrological assessment, focusing on the overall geohydrological characteristics of the site, the potential impacts of the development, and the necessary mitigation measures. Mitigations for potential flooding were provided in terms of the hydrological system.
2.3. Inadequate interaction with relevant authorities	
6. There is no evidence or record in the Draft BAR of any efforts to proactively engage with relevant authorities such as SANParks and CapeNature.	CapeNature have been consulted and have provided comment. Further to this, the Applicant has initiated a Stewardship Agreement by presenting the property at the Stewardship Review Committee on 3 June 2025 (Appendix L2).
7. Similarly, there is no evidence or record in the Draft BAR of any efforts to proactively engage with Directorates or Branches within relevant authorities, including the competent authority, namely the Department of Environmental Affairs & Development Planning (DEA&DP). These include Oceans and Coasts within DFFE, Biodiversity and Coastal Management (DEA&DP), CapeNature (the custodian of the Western Cape Biodiversity Spatial Plan -WCBSP), the Keurboom Nature Reserve (CapeNature), the custodian of the National Biodiversity Assessment (SANBI), and SANParks4.	Notification of the PPP have been provided to DEA&DP (CMU), CapeNature, SANParks, and DFFE Oceans and Coast, as well as DFFE Protected Areas and DFFE Biodiversity Conservation. SANBI have not been consulted as a commenting authority as their role is to provide scientific data and provide a supportive role to commenting authorities such as DEA&DP. SANBI do not have the capacity to comment on all EIA Applications.
2.4. Inadequate consideration of comments from the competent authority	

8. There are various comments from the competent authority that appear to have only been partially addressed. Some examples are: (a) The DEA&DP noted the consideration must be given to the Tshokwane River and associated wetlands, as well as the EFZ.5 In response it is noted that, based on the Aquatic Biodiversity Impact Assessment, the proposed development is located outside of any ecologically sensitive areas associated with the estuary or Tshokwane wetlands. There is extremely limited discussion on the Tshokwane wetlands in the applicable specialist report. For example, the distance from the proposed site to these wetlands is not mentioned and details of the functioning of these wetlands and the extent of their influence is not mentioned. It is, therefore, probable that the issue raised by DEA&DP has not been fully addressed. (b) With regard to Need and Desirability the DEA&DP have made the point that the planning context must be considered among other factors. It is noted in the response that the Town Planning Report by Planning Space addresses the need for and desirability of the proposed activity and that this information has been incorporated into the Draft BAR (Section E). Need and desirability insofar as this applies to planning applications has a different focus to that of environmental impact assessment processes. By way of one example, the provisions of the Keurbooms & Environs Local Area Spatial Plan (KELASP) of 2013 is one plan to which DEA&DP make reference. The response in the C&R Report points solely to the Town Planning report, and the information in the Draft BAR relies heavily on this report. Environmental constraints and how these have been addressed are not mentioned in the response. (c) No socio-economic specialist study has been undertaken and the Town Planning Report is insufficient in this regard.	(a) 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 of the Aquatic Biodiversity Assessment. According to the Keurbooms-Bitou Estuarine Management Plan the property and proposed development area are located above the 100-year floodline and outside of any ecologically sensitive areas associated with the estuary or Tshokwane wetlands. The latter point was confirmed during the site assessment (Aquatic specialist). (b) Please see updated Need and Desirability Report attached as Appendix K of the Revised BAR. The KELASP is addressed in relation to socio-economic aspects in Section 5. (c) As per the comments receive on the NOI from DEA&DP, a Socio-economic assessment was not stated as a requirement. The KELASP must be taken into consideration when addressing the socio-economic impacts of the proposed development, which has been done under Section 5 of Appendix K. It has been demonstrated how this Department's *Guideline for involving social assessment specialists in the EIA process, February 2007*, has been considered in the Need and Desirability report.
2.5. Inadequate identification of I&APs and I&AP database incomplete	

9. Inadequacies in the identification of I&APs, especially among commenting or affected authorities is evident. Examination of the I&AP database in the C&R Report (Annexure 3 in Appendix F) shows that SANBI, the custodian of the National Biodiversity Assessment is not listed. Inclusion of the Ocean and Coasts Branch of the Department of Forestry, Fisheries and the Environment (DFFE) would also be expected given that the Integrated Coastal Management Act is integral to their role.	Notification of the PPP have been provided to DEA&DP (CMU), CapeNature, SANParks, and DFFE Oceans and Coast, as well as DFFE Protected Areas and DFFE Biodiversity Conservation. SANBI have not been consulted as a commenting authority as their role is to provide scientific data and provide a supportive role to commenting authorities such as DEA&DP. SANBI do not have the capacity to comment on all EIA Applications.
10. Given the location of the site of the proposed development, it would be expected that the Eden to Addo Corridor Initiative, would have been identified as an I&AP.	The site is not located within the Eden to Addo Focus Corridor, as shown below. They have however been included in the I&AP register. 
11. There is no indication that adjacent landowners / neighbours were identified as I&APs (e.g. to the east, west and north of the proposed site), as is required in terms of regulation 41(2)(b)(ii).	All immediate landowners have been notified. Please see I&AP Register, Annexure 3 to this report.
12. The I&AP database is incomplete as comments were received on the Pre-Application Draft BAR, but the persons / organisations are not listed (e.g. The Waves Homeowners Association).	Please see I&AP Register, Annexure 3 to this report.
13. The exclusion of emails sent to individuals due to the POPI Act can be overcome by blacking out the contact details (including email addresses) of these persons. It is important that all evidence of the persons with whom there has been communication is on record.	This has been done. Please see I&AP Register, Annexure 3 to this report.

14. There is a list of interest groups in the 2022 Bitou SDF6. It is unclear as to whether the EAP consulted this list, since key interest groups from the Keurboomstrand area do not appear in the I&AP database.7 These include the Keurbooms Estuary Forum and the Keurbooms Ratepayers. It is possible that the existence of these groups was investigated and found to have disbanded; however, no information to this effect is given in the Draft BAR.	Contact information for the Keurbooms Estuary Forum and the Keurbooms Ratepayers were not located.
3. Need and Desirability	
Section E of the Draft BAR is concerned with the planning context, need and desirability and additional detail is provided in Appendix K. The Appendix covers the questions set out in DEA&DP's 2013 Guideline on Need and Desirability, EIA Guideline and Information Document Series (March 2013). These are the same as those in the 2017 DFFE (formerly DEA) guideline8 on need and desirability.	
3.1. Misconception about the meaning and intention of "Need and Desirability"	
According to both the DEA&DP 2013 guideline and the 2017 DFFE guideline, "Need and desirability is based on the principle of sustainability, set out in the Constitution and in NEMA, and provided for in various policies and plans, including the National Development Plan 2030 (NDP). Addressing the need and desirability of a development is a way of ensuring sustainable development – in other words, that a development is ecologically sustainable and socially and economically justifiable." Furthermore, consideration of "need and desirability" relates to aspects such as the nature, scale and location of a proposed and whether this amounts to a "wise use" of land. Another important point to note is that the guideline differentiates between the focus of "need" and that of "desirability". Whereas "need" primarily refers to time (i.e. is this the right time to undertake the development?), "desirability" relates to place (i.e. is it the right place for locating the type of land-use/activity being proposed?). When considering need and desirability, cognisance must be taken of the strategic context relevant to the proposed development and its location. A list of questions which are divided into those that are concerned with ecological sustainability and those that relate to justifiable economic and social development are provided in both guidelines. The guidelines are clear that answering these questions "will ensure that all the relevant considerations have been taken into account." The questions must be	Please see updated Needs and Desirability Report (Appendix K).

used to identify key issues to be addressed in the impact assessment process, as well as to identify alternatives that will better respond to the need to avoid negative impacts or better mitigate negative impacts, or that will better enhance positive impacts.	
15. The responses in the Draft BAR and Appendix K do not meet the requirements of the aforementioned guidelines. In most cases, the responses do not clearly explain how the project responds (or not) or aligns (or not) to the context provided by applicable sustainability plans, policies and objectives.	
16. Important environmental planning tools, such as the Western Cape Biodiversity Spatial Plan (WCBSP), which are central to the question of ecological sustainability, are dealt with in a somewhat cursory manner. Such plans ought to serve as key informants, since they are central to the question of ecological sustainability. They are also central to the question of desirability (i.e. is it the right place for locating the type of land-use/activity being proposed?). Rather, their importance is not fully recognised or is downplayed through comments such as: "The Biodiversity Sector Plan simply provides information on biodiversity (i.e., provides only one information layer of the many layers required in land-use planning), and must be used in conjunction with other land-use or town and regional planning application procedures"9 (emphasis added). A Basic Assessment (BA) is, however, not a town and regional planning process. It is an environmental impact assessment process and therefore biodiversity ought to be treated as a critical and priority informant.	The Western Cape Biodiversity Spatial Plan (WCBSP) have been used as an important tool in the assessment and have informed the layout such that impacts to these areas are minimised. The Terrestrial Biodiversity Report used to inform this assessment incorporates the WCBSP into environmental sensitivity ratings. This important information has not been dismissed in the assessment.
17. Furthermore, it is inaccurate to state that biodiversity is "one layer". It is made up of many layers representing biological capital that sustains life on Earth. It is inconceivable that biodiversity could be described as "one information layer of the many layers required in land-use planning". This demonstrates what is deemed a dismissive approach to an extremely important environmental informant.	This was an error and has been corrected. Please see Section E (4.3) of the Revised BAR.
18. It is stated that "In terms of these maps, the northern section of the property is a Critical Biodiversity Area (CBA), while the southern section is a completely transformed area. Development is not permitted in the CBA area but is generally permitted in transformed areas." Besides being an inadequate and extremely simplistic explanation, this information is factually incorrect. The most recent WCBSP (2023)10 categorises the southern part of the proposed site as CBA2, which are areas in a degraded or secondary condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. Accordingly, these areas have been earmarked for	The Terrestrial Biodiversity Assessment has been updated to include the 2023 WCBSP. CBA's have been discussed in Section E (6) of the Revised BAR. The southern part is categorised as having some CBA Aquatic and CBA Terrestrial. The majority of the development footprint will not be within CBA according to the 2023 WCBSP, as shown below. As per the Aquatic Impact Assessment - The WCBSP was updated in 2024 with the result that the area identified as an aquatic CBA1 is now greater in extent than the 2017 version. The area identified does not correspond with any

restoration / rehabilitation. Whilst this plan is noted in Appendix K – Need and Desirability, the relevant information has not been pulled through into the applicable section (Section E) in the Draft BAR. In addition, the Terrestrial Biodiversity Assessment has not been updated I light of the 2023 WCBSP.	aquatic habitat (estuarine or otherwise) on the property, apart from a spring and associated pond. The reasons for designated Biodiversity Priority Areas (BPAs) in the WCBSP (2024) had not been released by Cape Nature at the time of writing, so it is not possible to determine why the CBA1 area was identified or increased in extent. The remaining secondary vegetation within the CBA will be restored / rehabilitated in accordance with recommended mitigations in the Terrestrial Biodiversity Assessment and Aquatic Impact Assessment. The 20 meter wildlife corridor will create a buffer to the forest area which is a crucial habitat for species of conservation concern, as described in the Terrestrial Biodiversity Assessment.
19. The DFFE and DEA&DP Need and Desirability Guidelines make the point that in collectively considering ecological, social and economic impacts, there may be some trade-offs. In considering trade-offs, it must be borne in mind that in terms of Section 24 of the Constitution, all development must be ecologically sustainable, while economic and social development must be justifiable. "There are therefore specific "trade-off rules" that apply – this specifically refers to the constitutional imperative that ecological integrity may not be compromised and the social and economic development must take a certain form and meet certain specific objectives in order for it to be considered justifiable." Based on the analysis of the information provided in the Draft BAR, it cannot be stated that the proposed development is ecologically sustainable or socially or economically justifiable. In fact, quite the opposite – there is a potentially significant ecological cost and a limited socio-economic benefit.	Please see updated Appendix K. The development proposes to conserve 8.35Ha for conservation / biodiversity stewardship, which will remain unfenced. A Conservation Management Plan has been drafted for the management of the open space areas (Appendix L). The proposed open space system of 9 642m^2 within the development footprint corresponds with the position of milkwood trees. This communal open space area will incorporate landscaped gardens and stormwater infiltration ponds systems. The proposed development supports the Bitou IDP goals by providing dignified, affordable housing for middle-income residents and addresses a critical housing shortage in Plettenberg Bay. In terms of the KELASP, the "no-go" development areas where taken into consideration in the preferred layout, and the proposal is aligned with its 'Envisaged Outcome' - *It will on the one hand protect and enhance the identified conservation worthy areas through potentially "consolidating" and managing these areas by means of an appropriate conservation management agreement / arrangement, and on the other hand identify appropriate opportunities for spatial development which could support local economic development.*
20. The information presented in Section E11 on the need for affordable housing and the socio-economic need of the broader community serves to motivate or 'market' the project. Emphasis is placed on the stated aim of the proposed development "to provide affordable housing for middle income families". Neither of these terms is defined.	

Suffice to say that housing that will be priced between R2,5 million and R3 million does not constitute "affordable housing" as defined in the South African context.	According to a recent Article in the Financial Mail[4], the average value for a property in Plettenberg Bay increased by 24% from 2020 to 2021 to R3million, a further 9% in 2022 to R3,3million and 26% to R4,2million in 2023. Entry level asking prices in Plettenberg Bay have increased considerably over the past 4 years. It is currently difficult to find full title homes below R3,500,000. Freehold properties in estates form a substantial portion of Keurboomstrands housing market and attract high-end buyers. Over 57% of the estate freehold sales were above R3 million, with an average transaction value of R6.2 million (Lightstone 2025, Appendix G13). The proposed residential estate development allows opportunity for middle income earners to afford freehold property within an estate by providing properties in an affordable price bracket (R2.5 million – R3 million) relative to the area. Keurboomstrand, known for its scenic coastal beauty and exclusivity, typically commands higher property prices compared to inland areas. While specific data for Keurboomstrand is limited, the general trend in the Western Cape, including the Garden Route, shows a strong demand for properties, contributing to rising prices. Please see Section E (12) of the Revised BAR.
21. Accordingly, the motivation for 60 units on the property is based on an argument that is neither 'fish nor fowl'. On the one hand it is intimated that some sort of social need is being met through the proposed project by providing 'an affordable housing product' specifically targeting the middle-income group. On the other hand, the proposed selling price of the individual units is stated as being R2,5 million – R3 million, which is substantially above the bracket of "middle income" and "affordable". There is little doubt that housing in this price range is not classed as "affordable" or a middle income housing product. Rather it is mid-luxury or high-end housing.12 13	
22. For 2022 the Affordable Housing market as calculated by The Banking Association comprises households earning a gross income of up to R27 200 per month. For 2024 the Affordable Housing market as calculated by The Banking Association comprises households earning a gross income of up to R32 000 per month. The banks follow a policy of only granting a mortgage bond whereby repayments may not exceed 30% of the applicant's income. Using the upper limit of R32 000 applicable to the 2024 gross income figure, this equates to a property value of around R1,000,000.14	
23. Inasmuch as affordable housing is needed and there is a focus on both gap housing and affordable housing needs at a policy level, it is doubtful that the proposed site is a suitable location for such housing (e.g. not in close proximity to employment opportunities). Based on the South African context as described in the foregoing points, the need for the proposed project cannot be rationalised on the basis of provision of affordable housing, thereby justifying it on socio-economic grounds.	Affordable housing is not the only socio-economic benefit. There are other economic benefits associated with the construction and operational phase of the development. Please see Section G(8.2) of the Revised BAR. As an economic principle, opportunity cost highlights the trade-offs inherent in decision-making. In this context, it signifies the loss of the projected socio-economic benefits. Not proceeding with the project would result in missed economic opportunities. The anticipated economic impact of the residential development is based on the estimated capital (CAPEX) and operational (OPEX) expenditure costs associated with the development.

[4] This report was compiled by Steven Neufeld, Manager Principal of Lew Geffen Sotheby's International Realty Plettenberg Bay and Professional Valuer and Court Appointed Appraiser for South African Property Valuations®: 072 417 7731 (or) steven@sapv.co.za

	Capital expenditure (CAPEX) outlines the potential economic impact during the construction phase of the proposed development. These impacts are temporary occurring for the duration of the construction period, and involves labour-intensive work, professional input, and machinery to complete the development. Economic Benefits of the Proposed Development during the construction phase: • Increased Demand for Goods and Services: Local suppliers of construction materials—such as cement, steel, and timber—as well as equipment rental companies, are expected to experience a rise in sales due to increased demand during the construction phase. • Boost in Business Productivity and GDP: The project will contribute to economic growth, with construction activity driving an increase in output, labour demand, and sector-specific expertise, thereby positively impacting GDP. • Job Creation: The development will generate temporary employment opportunities, particularly in construction, engineering, and project management. Direct jobs will be created through labour-intensive activities. • Higher Household Incomes: Employment generated by the project will result in increased household income, stimulating the local economy through greater spending on essential goods and services. Following the completion of the construction phase, the development will continue to generate economic impacts through its ongoing annual operational activities such as maintaining and upkeeping the common property. Economic Benefits of the Proposed Development during the operational phase: • Sustained Demand for Goods and Services: The ongoing requirements for maintenance, security, and local retail will generate continuous business opportunities for service providers in the area.

	• Consistent Contribution to GDP: The operational phase of the development is projected to contribute to GDP primarily through services such as property management and utilities. • Creation of Long-Term Employment: The project will establish permanent positions in property management and maintenance, supporting the long-term upkeep and functionality of the estate. the project will continue supporting local employment and economic activity, aligning with the Bitou Municipality's SDF and IDP goals. • Stable Growth in Household Income: The operational phase will provide consistent earnings for workers involved in facilities and maintenance services. • The proposed development is anticipated to enhance the revenue of the Bitou Local Municipality through utility payments generated during its operational phase. Furthermore, it will contribute to municipal income through property rates and taxes paid by residents within the development.
24. As noted in both the 2013 DEA&DP and DFFE 2017 guidelines "desirability" relates to place (i.e. is it the right place for locating the type of land-use/activity being proposed?). This question is not afforded the level of attention given to "need"15 – there is no equivalent discussion to Section E on the desirability of the proposed project.	Please see updated Appendix K and Section E of the Revised BAR.
25. The need and desirability section of the Draft BAR and the associated Appendix K fails to recognise that policies, spatial plans and the like, whilst being concerned with facilitating development, are also aimed at preventing inappropriate development. Instruments or tools such as setback lines, identification of sensitive areas, guidelines for the type of development (if any) to be considered or not considered in particular locations or settings are there for a reason. One of these reasons is the precautionary principle. These tools are based on the best available scientific information at the time. Thus, they ought to be treated as key informants in determining need and desirability and not be discounted through misplaced use of policy / spatial planning information (see Section 3.2 below).	These guidelines and spatial tools have been considered. Please see updated Appendix K and Section E of the Revised BAR.
3.2. Inadequate and / or incomplete and / or inaccurate information on need and desirability	
26. The need and desirability information does not adequately address the proposed project in the local context. Keurbooms16 (in relation to	Please see updated Appendix K which addresses the KELASP.

CBA aquatic) and Keurboomstrand (in relation to the coastal corridor)17 are each mentioned once. Discussion on how the project aligns with the CBA Aquatic objective is absent. There is information on the coastal corridor, which is focused on the development nodes identified and the applicable density in local plans (Bitou SDF and KELASP – Keurbooms and Environs Area Spatial Plan). It is stated: "The approval of this application would not compromise the integrity of the applicable policy documents agreed to by the relevant authorities."18	
27. What is notable by its absence in the above statement, is the fact that whilst the density of the proposed development may comply with that set out in local planning instruments, the footprint does not. The footprint extends far beyond the identified developable area in the KELASP, being around 6.4ha (including about 1 ha of open space comprising landscaped common garden areas), as opposed to the 1.6 ha of developable space identified in the plan. That is, the footprint of the proposed development is 4 times larger than the developable area shown in the KELASP for the site. The omission and lack of recognition of the misalignment between the KELASP and the proposed development is material in the context of need and desirability.	Please see updated Appendix K which addresses the KELASP. Alternative 2 was considered as it aligns with the KELASP of 19 units, which takes the 4.5m contour line into account within the identified transformed area. The parameter restricting development below 4,5m contour line was investigated by the freshwater specialist, and was determined to play no role in the functionality of the wetland and is not within an EFZ. Ground truthing by specialists indicated that there is no sound reason why the area below 4,5m contour line should be excluded from the development, as long as all mitigation measures are adhered to. Given this determination, the 6ha of transformed area, as per the KELASP, could be considered for development within the parameter for the development node, as follows - *The 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).* 

	This would calculate to a density of 72 units. It is not unreasonable to propose a 60 unit development within the parameters of 12 units per ha of the identified transformed footprint area (6Ha).
28. Furthermore, it needs to be borne in mind that the KELASP (2013)19 pre-dates the 2017 WCBSP and more importantly, the 2023 update of this plan. It also predates the 2018 National Biodiversity Assessment, in which the Aquatic CBA and the EFZ is shown on the site. This means that the KELASP must be read with the most recent WCBSP and NBA and take these into account in the discussion on need and desirability.	This has been done. Please see updated Appendix K which addresses the KELASP.
29. The descriptions provided to items 4.2 and 4.3 in the Draft BAR are non-responsive: (a) In the case of item 4.2, instead of discussing the Integrated Development Plan (IDP) of the local municipality, the Garden Route SDF is discussed, focussing on what the plan advocates in urban areas (intensification through infill and redevelopment). This information is then used to support the notion that the proposed development is aligned to this plan as "This vacant site presents an ideal opportunity for densification and urban infill." There is no evidence in the KELASP that densification is a desirable outcome. Quite the contrary in fact. In accordance with the KELASP for the proposed site, the following applies: "No new developments (involving the construction of multiple buildings on single erven, or the sub-division of existing erven) should be permitted below the 5 m AMSL"20. Furthermore, it is debatable whether Keurboomstrand in general and more specifically, the area surrounding the site can be regarded as urban (in the commonly understood sense) and as requiring densification and infill, even though a small section of the site is located within the urban edge. The 2022 Bitou SDF does not mention densification or infill in association with the Keurboomstrand area and states: "Due to environmental constraints the Keurbooms area will never develop into one consolidated settlement area"21. Objective 2 in the 2022 Bitou SDF states: "Direct and align growth to capacity, resources and opportunity in relation to a regional settlement hierarchy." In terms of this hierarchy, the SDF states:".....areas like Keurbooms and Nature s Valley are limited to holiday accommodation and recreation as primary functions."22 (b) (b) In the case of item 4.3, instead of considering the SDF of the local municipality (i.e. Bitou), the EAP deals with an old version	This statement is contained in the Tshokwane Situation Assessment and Rehabilitation Plan 2013 by Freshwater Consulting appended to the KELASP. The statement is as follows: *No new developments (involving the construction of multiple buildings on single erven, or the subdivision of existing erven) should be permitted below the 5 m AMSL contour line, within the boundaries of the watercourse, or within at least a 50 m buffer of the edge of any wetland. This will protect the wetland from the impacts of development, and avoid encroachment into the riverine corridor, which is necessary for inundation during high flow events.* The KELASP document speaks to the 4,5m contour line. The Bitou Municipality has provided a consistent ruling that the development is in line with the Spatial Development Framework and specifically stated that sufficient motivation has been provided to include the section that is not on the urban edge. See the letter from the Spatial Planning Department attached as Appendix E16. Specific site considerations include the confirmation that the site does not have any estuarine qualities that the 4,5m swash line has no bearing on the property and that other more relevant environmental considerations such as protection of the forest and animal corridors have determine the development footprint. (b) the Terrestrial Biodiversity Assessment has been updated to include the 2024 WCBSP. Section E (4.3) of the Revised BAR has been corrected.

(i.e. 2017) of the WCBSP. The most recent Bitou SDF was approved in 2022. It incorporates the KELASP and therefore shows the same developable area for the proposed site as the KELASP. As previously noted, in relation to the 2017 WCBSP maps, the following is stated in item 4.3: "In terms of these maps, the northern section of the property is a CBA area, while the southern section is a completely transformed area. Development is not permitted in the CBA area but is generally permitted in transformed area." In fact, no specific categorisation is given to the southern part of the proposed site in the 2017 WCBSP. This has changed in the 2024 plan, as noted elsewhere. In any event, whether the southern section of the proposed site is completely transformed is not considered an accurate description, since it comprises old pastures and indigenous species were recorded there by the Terrestrial Biodiversity Specialist. This means this area is probably not completely and / or irreversibly transformed, which would correlate with the change in designation in the 2024 WCBSP to CBA 2 (degraded and earmarked for restoration and the purpose of achieving conservation targets). As shown in the following maps.	
30. Turning to Appendix K, responses to many of the questions are either incomplete, do not answer the substance of the question, provide a misdirected answer or irrelevant information. Some examples are given below. (a) Question: How will this development (and its separate elements/aspects) impact on the ecological integrity of the area? 23 The answer focuses solely on the proposed site and does not consider the broader area. This means that the impact of the proposed project on ecological integrity of the area is not adequately addressed. There is no discussion on biodiversity pattern and process. Ecological integrity relates to the ability of an ecosystem to support and maintain ecological processes and a diverse community of organisms. It is conceivable that the proposed development could affect ecological corridors, for example. Whilst a 20m corridor is proposed along the forest edge (i.e. east-west), this self-same corridor may interrupt the link between the forest area and the low-lying portion of the site. Basically, the response to this question is largely a restatement of information on the project proposal and its layout / design as	(a) Please see updated Appendix K.

provided elsewhere in the Draft BAR. The information has therefore not been considered in a strategic way and is therefore largely non-responsive to the substance of the question. (b) Question: How were the following ecological integrity considerations taken into account? Threatened ecosystems? The answer given is that the appointed specialist did not find any threatened or near threatened species that would be directly impacted by the development. Again, this answer does not respond to the question, which is concerned with threatened ecosystems. The proposed development, as noted elsewhere in this report, is located in an endangered ecosystem, namely the Garden Route Shale Fynbos. This is not mentioned. Furthermore, as noted elsewhere, the site falls within the Sedgefield Coastal Grassland vegetation unit (Vlok Variant – CR) – this fact is not mentioned at all anywhere in the Draft BAR documentation. Neither is the fact that the most recent WCBSP has designated the location of the proposed development as being CBA 2 and as requiring restoration / rehabilitation. This has not been addressed in the specialist report on Terrestrial Biodiversity. In fact, the specialist seems to have refuted restoration as a possibility (see points 74 and 75 in this report). Finally, it is unlikely that the conclusion that "no listed threatened or near threatened species would be directly impacted by the project" can be sustained. Only one site visit was conducted and it is improbable that every single species on the site would have been observed, especially as there are geophytes associated with the Garden Route Shale Fynbos. According to Musina and Rutherford (2006)24, there are 3 endemic species associated with the Garden Route Shale Fynbos, none of which are mentioned in the Draft BAR or the Terrestrial Biodiversity Assessment. Furthermore, it is understood that the specialist did not survey the forest area. Whilst this area appears to be largely outside the proposed development footprint, this does not necessarily mean that there will be absolutely no impact on it.	(b) Please see updated Appendix K. Terrestrial Biodiversity specialists response: I have updated the report to include a description of what was mapped for the site in the Vlok and de Villiers (2007) map. Note that the report accompanying this map (Vlok et al. 2008) indicates that the map is intended for use at 1:50 000 scale, and that "zooming beyond this level will result in inaccuracies". Sedgefield Coastal Grassland is mapped by Vlok and de Villiers (2007) as a broad band up the valley that is quite wide. Field surveys I have undertaken in areas closer to The Dunes Resort indicate that it is much narrower and more restricted in distribution than indicated in this map (Vlok and de Villiers 2007) and appear to only occur as narrow meandering areas that follow water-flow in the lowest parts of the landscape (only visible closer to The Dunes). These only occur some distance to the west of the current site and become much more dissipated upstream (towards the east), including on the current site. It is probable that the hydrological processes that maintain these patterns are important in this valley, but this is no longer reflected in the current terrestrial vegetation patterns on site. The most recent version of the WCBSP shows no CBA2 areas in the development footprint. The original Terrestrial Biodiversity report was correct at the time that it was submitted. It was assessed that no SCC were likely to occur on site, therefore no impact was assessed on SCC. This is consistent with the requirements and recommended approach given in the PROTOCOL FOR THE SPECIALIST ASSESSMENT AND MINIMUM REPORT CONTENT REQUIREMENTS FOR ENVIRONMENTAL IMPACTS ON TERRESTRIAL PLANT SPECIES The mapped listed (threatened ecosystem for the site is Garden Route Shale Fynbos. It was verified during the site visit that no indigenous natural fynbos occurs on site. The only original natural vegetation occurring on site is forest. The occurrence of forest on site is confirmed by the map of Vlok and de Villiers (2007), which show the presence of Sedgefield Coastal Grassland and

	Keurbooms Thicket-Forest on site. The habitat map included in the KELASP also only shows forest in the part of the site containing natural vegetation. Historical aerial photography shows that this pattern has been historically constant. The only vegetation occurring within the development footprint is "Secondary thicket" and "Lawns/pastures", neither of which have the characteristics of the original ecosystem, whether it was fynbos or forest. This approach to defining the current state of the ecosystem is consistent with the methodology recommended in the SPECIES ENVIRONMENTAL ASSESSMENT GUIDELINES for determining Site Ecological Importance, which specifically addresses the current state of the ecosystem/s observed on site. The forest area on site was not specifically surveyed, but this does not mean that the author has no knowledge of it. The author of the Terrestrial Biodiversity report has undertaken several surveys on neighbouring properties with the same forest ecosystem. The data and knowledge from these areas was extrapolated to the current site. The author has also assessed several forest and thicket areas in other parts of the Garden Route coastal areas and has an understanding of the ecological functioning and composition of these ecosystems. Note that no development is to take place in the forest and that designating this as a "no-go" area was a recommendation of the Terrestrial Biodiversity report.
(c) How were the following ecological integrity considerations taken into account? 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 answer given is that the development is not located close to coastal shores, estuaries, wetlands or similar systems. The proposed development is located within a designated (in the National Biodiversity Assessment) Estuarine Functional Zone (EFZ). The limitations in relation to how the question of the EFZ has been addressed in the Draft BAR is dealt with elsewhere in this report. Furthermore, whilst the site is not located within the 1:100 year floodline as determined in 2018 and which is located on the seaward side of the road, the site is mere metres away from this floodline. The impact of the proposed development on the flooding regime in the area is not addressed.	(c) Please see updated Appendix K.

(d) Question: How were the following ecological integrity considerations taken into account? Conservation targets? The answer does not respond to the question. A list of conservation targets for CBAs (Critical Biodiversity Areas) is given but there is no commentary on whether the proposed development will affect these or compromise their achievement. It is self-evident that as the footprint of the proposed development coincides Garden Route Shale Fynbos CBA 2 (Degraded but earmarked to meet biodiversity targets), that the associated conservation target will almost certainly be compromised, if not impossible to achieve.	(d) Please see updated Appendix K.
(e) Question: In terms of location, describe how the placement of the proposed development will result in investment in the settlement or area in question that will generate the highest socioeconomic returns (i.e. an area with high economic potential)? The response references the need for middle-income housing in Plettenberg Bay. Housing prices of between R2,5 million and R3 million are proposed. Such pricing is outside that generally acknowledged as being middle income.25 Affordability remains a key characteristic in the housing market. A recent housing market report26 places housing priced at between R1,5 and R 3 million as the mid-luxury market. Similarly, Lightstone define properties between R1,5 and R 3 million as high value and those above R3 million as luxury value.27 Based on the accepted understanding and thresholds applied to affordable housing and middle income households, the proposed project cannot in all reasonableness, be put forward as addressing a socially justifiable need in the form of provision of affordable housing.	(e) Lightstone define properties between R1,5 and R 3 million as high value, however it is not specified what type of property this refers to. Appendix K provides further details regarding the concept of the development in terms of the provision for much needed housing.
(f) Question: In terms of location, describe how the placement of the proposed development will take into account special locational factors that might favour the specific location (e.g. the location of a strategic mineral resource, access to the port, access to rail etc.). The information provided does not address this question. There are no specific locational factors related to strategic resources such as water or minerals, or infrastructure such as rail. It is, therefore, debatable as to whether this question is relevant. The response again raises the point that "an affordable and sustainable housing product" will be provided,	(f) Please see updated Appendix K.

which has no bearing on specific locational factors as indicated by the manner in which the question has been framed.	
(g) Question: How was a risk-averse and cautious approach applied in terms of ecological impacts? In response it is stated that the "EAP, Town Planner and Specialists conducted site visits and completed reports to prevent negative ecological impacts….". This statement cannot be taken as factually correct. By way of one example, the layout protrudes into indigenous vegetation (described as secondary vegetation), which is rated as being of "medium sensitivity" by the Terrestrial Biodiversity specialist and is in an area categorised as CBA 2, as mentioned elsewhere in this report. Site layouts show it also protrudes into the forest (CBA) on the western side of the proposed site (Figure 8 in Draft BAR).	(g) Please see updated Appendix K.
(h) Question: In terms of location, describe how the placement of the proposed development will result in the creation of residential and employment opportunities in close proximity to or integrated with each other? The answer provided does not address the creation of residential and employment opportunities that are integrated with each other or in close proximity to each other. It is stated that "several communities reside in the area that will be able to benefit from employments opportunities". The location of these communities is not described; nor is it given on a map showing where they are situated relative to the proposed development. It is, therefore, considered unlikely that this claim can be sustained. A more probable scenario is that it would be unlikely that construction employees, unskilled and semi-skilled labour or domestic workers would come from close by to the proposed development. There is no indication that informal housing, low-income housing or social housing settlements are located in close proximity to the proposed site.	(h) Please see updated Appendix K.
(i) Question: Describe how the development will impact on job creation in terms of, amongst other aspects, the number of temporary versus permanent jobs that will be created? The question is not answered – the number of jobs that will be created, whether temporary or permanent is not provided.	(i) Please see updated Appendix K.
	(j) Please see updated Appendix K.

(j) Question: Describe how the development will impact on job creation in terms of, amongst other aspects, whether the labour available in the area will be able to take up the job opportunities (i.e. do the required skills match the skills available in the area)? Again, the question is not answered, with the response given as: "Yes. Only local labour will be used." (k) Question: Describe how the development will impact on job creation in terms of, amongst other aspects, the distance from where labourers will have to travel? It is reported that workers will need to travel about 10 kilometres to get to work. Thus, it is clear that the proposed project does not offer any particularly notable or unique contributions from an employment opportunity perspective. It is also not at a particularly accessible location for job seekers.	(k) Please see updated Appendix K.
31. The physical opportunities and constraints presented in Section E of the Draft BAR are not legible because of the dark shading used against black text.28	This has been changed to be more legible.
4. Consideration of Alternatives	
The identification and assessment of alternatives is provided in Section H of the Draft BAR. Alternatives are primarily focused on the layout of the project.	
4.1. Rationale for rejecting alternatives is flawed	
32. One of the key objectives for considering alternatives, is to assess the relative significance of impacts across alternatives as a means of identifying the most appropriate alternative (which may be the "no go" option) from an environmental perspective. Reasonable and feasible alternatives, from an environmental perspective, need to be considered.	In the consideration of alternatives, the principles of sustainable development should be practicable, feasible, reasonable, and viable. The Revised BAR assessed the alternatives in accordance with the Department's Guideline on Alternatives (2013). All alternatives identified were investigated to determine if they are feasible and reasonable.
33. The assessment of layout alternatives as presented in the Draft BAR is not balanced as it is skewed by financial feasibility / viability insofar as the developer (landowner) is concerned. This serves to favour a layout that covers the entire southern area between the steep forested slope and the road. Two similar alternatives were considered, the first comprising 73 erven / residential stands and the second with 60 units / stands. The latter is put forward as the 'preferred layout'. Scant attention has been paid to options that involve a less intense development with fewer erven / units and more undeveloped space in areas where	The preferred Alternative offers a lower density to Alternative 1, and further consideration to environmental sensitivities by including buffers from these areas. The Preferred Alternative was guided by consultation with specialists to find a balance between environmental and financial sustainability. The outcome of consultation with specialists is that the layout of 60 units offers the best practical option that considers sustainable development that is viable, and reasonable within the context of environmental conservation. No fatal flaws were identified by the specialists.

indigenous vegetation is present, and where the 2024 WCBSP shows CBA 2 and where restoration of indigenous vegetation is desirable.	
34. A single layout alternative of a lower density has been considered as this was required by the DEA&DP. This alternative arises from the developable area identified in the Spatial Development Plan for the area - KELASP (Keurbooms and Environs Local Area Spatial Plan). It comprises 19 erven in order to comply with the specified density for developable areas in the KELASP. This developable area is also shown in the Bitou SDF.29 This alternative has been rejected, even though it is more closely aligned to the relevant spatial plans (KELASP (2013), WCBSP (2024) and the Bitou LM SDF (2022). The reason given is that this option is not feasible as follows30: "This option is not financially viable for the landowner and will not reach the affordability levels for the intended target market." (a) The financial feasibility of an alternative is not the primary concern of an environmental impact assessment process. It also ought not to be the primary reason for rejecting an alternative. Alternatives are to be assessed in terms of environmental feasibility, which in turn is linked to environmental sensitivities and constraints that exist at the proposed location. (b) The quest to "reach affordability levels for the intended target market" is also not an environmentally-based reason to reject this alternative. Framing this development proposal in terms of an "affordable housing" product is misplaced, because the term "affordable" insofar as housing goes has a very particular meaning in the South African context. The proposed development cannot be 'shoe-horned' into a being a project that provides affordable housing for the middle-income market so as to create the impression that it is addressing a socio-economic need. The notion of "affordable housing product" is deemed to be misleading and is therefore irrelevant in the context of socio-economic justifiability criteria. (c) The following comment is regarded as fatally flawed and stands to be rejected: "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 has not been further considered as it is not a feasible alternative." The EAP does not	Alternative 2 was considered as it aligns with the KELASP of 19 units, which takes the 4.5m contour line into account within the identified transformed area. The parameter restricting development below 4,5m contour line was investigated by the freshwater specialist, and was determined to play no role in the functionality of the wetland and is not within an EFZ. Ground truthing by specialists indicated that there is no sound reason why the area below 4,5m contour line should be excluded from the development, as long as all mitigation measures are adhered to. Given this determination, the 6ha of transformed area, as per the KELASP, could be considered for development within the parameter for the development node, as follows - *The 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).*  This calculates to 72 units. It is not unreasonable to propose a 60 unit development within the parameters of 12 units per ha of the identified transformed footprint area (6Ha). Appendix K has been updated to address affordability in more details, and expands on socio-economic benefits.

clarify to which scientific studies reference is being made. No such definitive conclusion could be found in either the Aquatic Biodiversity or the Hydrogeological specialist reports.	
4.2. Assessment of alternatives inadequate	
35. A comparative assessment of the alternatives is not provided. This may assist in clarifying why a layout of 73 units was rejected and that of 60 units considered preferred, when there appears to be a very limited difference in the footprint of these options.	All three layout alternatives have been assessed in Appendix J. Please see Section E (5) and Section H (1.3) of the Revised BAR.
36. A comparative assessment of the 60-unit option and the lower density 19-unit option is not provided. Instead, the 19-unit option was rejected on financial feasibility ground, thereby circumventing the need to undertake such a comparative assessment, based on environmental grounds.	Based on the objections received during the initial public participation phase conducted as part of the Basic Assessment process, 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, the original development concept has been revised by reducing the density from 73 to 60 units, concurrently increasing property sizes from approximately 375m²to approximately 500m². 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 while is still allows for enough units to be financially viable and affordable to the end user. The proposed density is high enough to be financially viable, yet low enough to fit into the surrounding area. In addition to the 10m buffer around the pond, a 20 m wildlife corridor was incorporated into the Preferred Layout to be established along the base of the steep slope which is continuous with neighbouring properties and remains unfenced. The purpose is to provide animals with sustained access to water and opportunities for movement in areas of low gradient. This also protects the slope base in terms of groundwater recharge which is an important function of this zone.
37. The fact that no comparative assessment based on environmental criteria has been undertaken means that the requirements of the EIA Regulations have not been met and due cognisance of the feedback from the DEA&DP has not been taken.31. The 'positives' and 'negatives' are listed for each alternative in isolation in Section H of the Draft BAR. Similarly, the impacts associated with the construction and operational phases are presented for each individual alternative (73, 60 and 19 residential stands). This does not constitute a comparative assessment as	Please see Section H (4) of the Revised BAR.

it does not show the 'positives' and 'negatives' of the alternatives relative to each other. There is no discussion or interpretation relating to the impacts associated with each alternative, relative to each other or in comparison to each other. This is critically important information so as to clearly show how the benefits / advantages and disadvantages of each alternative compare and thus which alternative offers the best environmental option.32	
4.3. Rationale for rejection of 'no development' option is weak	
38. The description of the "no go" alternative as "No-go Alternative: Undeveloped urban land"33 is inaccurate. This land is not zoned as urban and only a small section of the property is located in an area identified for development in the applicable KELASP and Bitou SDF. What is the intention of describing the property in this manner?	This has been corrected to "undeveloped land".
39. The reasoning for rejection of the "No Development" option includes reasons unsupported by facts. For example, it is stated that "Management of alien invasive plants may not be implemented or monitored effectively." That this is even considered a factor is inexplicable, since this would suggest non compliance with legislation requiring alien vegetation control is an option for the landowner. Similarly, the point that rehabilitation of forest margins will not take place suggests that no responsible stewardship of the land will be undertaken by the landowner.	Further socio-economic aspects have been included. "Management of alien invasive plants may not be implemented or monitored effectively" was included to stress the fact that although the landowner is required by law to remove alien invasive species in terms of NEMBA, without long term management through the mechanism of stewardship and/or in terms of an EMPr / Conservation Management Plan, this may not be as effective. This does not imply that alien vegetation control will not occur for the no-go alternative. Similarly with rehabilitation of forest margins such that the EMPr outlines mitigations for such, which would be strictly adhered to during construction and operational phases.
40. The points made elsewhere in this report about 'middle income, and 'affordable housing' is of relevance to the statement about "Much needed housing opportunity for middle-income earners will be lost." It is highly debatable about whether such a need exists and this statement does not align with what is in the Bitou SDF or the KELASP.	Please see updated Appendix K.
4.4. Key objective for consideration of alternatives not met	
41. A key objective for the consideration of alternatives has not been achieved, which is to identify a location / footprint for the activity within the site based on the lowest level of environmental sensitivity (item 2(e) of Appendix 3 of the 2014 NEM EIA Regulations).	This has been achieved through consultation with specialists. Please see Section E (5) of the Revised BAR.
5. Identification and assessment of impacts	
The findings, impact management and mitigation measures are presented in Section I of the Draft BAR and the Impact Assessment table is provided in Appendix J. Criteria for determining significance are described in item 3 of Section H - Methodology to determine the	

significance ratings of the potential environmental impacts and risks associated with the alternatives.	
5.1. Insufficient baseline information on environmental resources	
42. Comprehensive flood risk analysis information is lacking. This issue ought to be assessed by an expert in the field of hydrology and more specifically flood risk, including the potential impact of climate change. This has not been done. Such information is of critical importance for obvious reasons. One only needs to consider the experience in KZN of flooding in coastal areas and also the Eastern Cape (e.g. Gqeberha in2024) to understand why a thorough investigation of the issue is required by a relevant expert.	The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low. This has been taken into account in the design and layout of the development that allows for open areas that can function as retention ponds. The stormwater management plan is based on Sustainable Drainage Systems (SuDS) which include the principles of discharge of runoff by infiltration through permeable paving and grass block roads surfaces and infiltration ponds. It is also recommended that the floor levels of the dwelling be raised to 4m. Poise Engineering stated that the Development's stormwater management plan mitigates the impact of flood conditions for the Development and ensures that the Development will not negatively impact surrounding properties under flooding conditions. It provides information on the Sustainable Urban Drainage system (SUDS), which will enhance simple adherence to the regulatory SUDS reduction specifications. Under point 8.6 of the Poise Engineering Report, the rainfall volumes and retention data are explained. The attached Stormwater Management Data Table indicates the areas of the 3 catchments, the pond areas, the 24-hour runoff volumes, and the maximum stored volumes, for the 1 in 100-year return interval storm. The data indicates that the infiltration ponds will have considerably more storage capacity than the modelled requirements. (Planning Space response to Town Planning Comments, Appendix F4)
43. The Engineering Report only makes mention of the 50-year return storm event. This suggests that other extreme events such as the 1:100 flood have not been considered. This despite the fact that it is noted in the Draft BAR that flooding can be "exacerbated by climate change and associated sea level rise."34	Please see above response. It is true that increasing unpredictability and extreme events could exacerbate the flood risk to this site given its low-lying nature. Given its location at the 'end of the line' of the Keurbooms floodplain area (See map below, Figure 17 in the

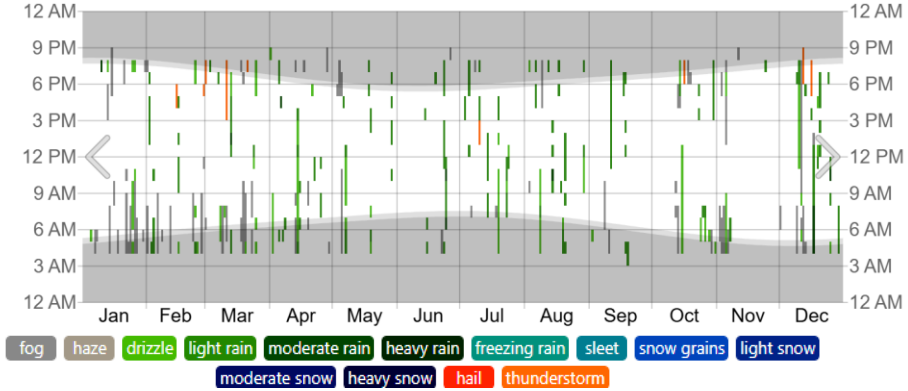
	Aquatic Report), it is unlikely to impact on other developments in the floodplain, but rather, other developments would be in the line of the flood prior to any waters reaching Portion 91. The engineer has acknowledged this risk for residents by raising the minimum floor levels of houses within the development to 4m amsl. The stormwater attenuation ponds and permeable paving recommended in the stormwater management plan will encourage infiltration of water and retain at least some of the development's flood storage capacity (Confluent, Aquatic specialist response to WULA comments, Appendix F2). Please see the Groundwater Impact Assessment attached as Appendix G9 which serves as a specialist geohydrological assessment, focusing on the overall geohydrological characteristics of the site, the potential impacts of the development, and the necessary mitigation measures.
44. An inadequate level of detail is evident in the way baseline information has been recorded. For instance in the Terrestrial Biodiversity Assessment states: "The time spent on site was adequate for understanding general patterns across affected areas." A single site visit was undertaken on 9 September 2022. It is noted that this is the most suitable time to undertake field work in the fynbos biome. The time period spent on site is not specified. It is also not stated whether one visit is sufficient in the circumstances – it may be adequate to understand "general patterns" but whether one visit is sufficient to gain a comprehensive understanding of aspects such as ecological infrastructure, biodiversity pattern and process, identify or check for all potential Species of Concern (SCC) and consider edge effects (especially given the proximity of the forest area to the proposed development) is questionable. Given that the environmental assessment process commenced in 2022, there has been more than sufficient opportunity for a more detailed field investigation across more than one season.	Terrestrial Biodiversity specialist's response: Several hours were spent on site. There was no limitation on the time spent on site and the field survey was concluded once all relevant data had been collected and observed patterns verified. The desktop assessment of SCC was undertaken prior to the site visit and any flagged species were deliberately searched for during the field survey. Mapping of habitats was undertaken by interpretation of aerial photographs prior to the site visit. The field survey was undertaken to verify the habitats that occurred on site, as well as compile checklists of species within each habitat. Fieldwork was concluded once these tasks were completed. The field survey approach aligns with best practice, as described in the SPECIES ENVIRONMENTAL ASSESSMENT GUIDELINES. Edge effects on the forest would be mostly limited to marginal zone below the forest, which is why it was recommended that this area be omitted from development. The specific recommendation given was: "*A buffer zone should be retained along the base of the slope to protect the forest margin.*"
45. Another shortcoming is that it does not appear that any conservation authorities were consulted and the comments provided by CapeNature on the Water Use License Application (WULA) have not been considered, even though they are relevant to biodiversity.	This is not true. Please see comments received from CapeNature, DFFE Protected Areas, DFFE Biodiversity Conservation under, DFFE O&C, and DEA&DP CMU and responses under Annexure 4 of this report.
46. It is stated that the species composition of the secondary vegetation found on the site is not representative of Garden Route Shale Fynbos, without providing the scientific rationale that underpins this conclusion. What species composition would be regarded as representative of this vegetation type? What is it about the species composition that enables	Terrestrial Biodiversity specialist's response: The report contains a species list for GRSF, as published by SANBI. One or two of the species listed does not constitute GRSF.

the specialist to make such a definitive conclusion? If the species composition within the secondary vegetation is not representative of Garden Route Shale Fynbos, then what vegetation type / unit does it represent?	The species listed for the secondary vegetation do not constitute a vegetation type, they constitute secondary vegetation on transformed land. A proper description of a natural vegetation type needs to take into account species composition as well as vegetation structure. Garden Route Shale Fynbos is defined as follows: "*Structurally this is tall, dense proteoid and ericaceous fynbos in wetter areas, and graminoid fynbos (or shrubby grassland) in drier areas. Fynbos appears confined to flatter more extensive landscapes that are exposed to frequent fires—most of the shales are covered with afrotemperate forest.*" The published species list for Garden Route Shale Fynbos includes a wide diversity of species. In a natural fynbos area it would not be expected that all of them would occur at any particular single locality, but a representative portion of them should occur there. Fynbos is also recognised as naturally containing a mix of proteas, ericas and restios, a compositional and structural mix that is missing from the vegetation seen on site. The presence of one or two species that are included in the general description for a vegetation type do not in themeselves indicate the presence of that vegetation type, because they may be widespread species, or pioneers, that would be expected to occur under a variety of other ecological conditions. The species composition in the secondary vegetation, as seen on site, is representative of secondary vegetation. This is determined on the basis of the history of the site (previous cultivation) in combination with the current vegetation structure and species composition in these areas, which contains mostly lawn grasses, weeds and pioneer species.
47. CapeNature commented on the Water Use License Application (WULA) in a letter addressed to the EAP dated 15 November 2024. These comments do not appear to have been considered, as the Terrestrial Biodiversity Assessment predates this letter. CapeNature note that the fine scale vegetation maps prepared by Vlok and de Villiers (2007) show the presence of Sedgefield Coastal Grassland and Keurbooms Thicket-Forest on Portion 91 of Farm Matjiesfontein 304, Keurboomstrand. This has been confirmed on Cape Farm Mapper where information from the fine-scale mapping of the Garden Route vegetation undertaken in 200835is available.	Please note that the WULA comments have been responded to in Appendix F2. Terrestrial Biodiversity specialist's response: I have updated the report to include a description of what was mapped for the site in the Vlok and de Villiers (2007) map. Note that, despite the reference to "fine scale vegetation maps" the report accompanying this map (Vlok et al. 2008) indicates that the map is intended for use at 1:50 000 scale, and that "zooming beyond this level will result in inaccuracies". Sedgefield Coastal Grassland is mapped by Vlok and de Villiers (2007) as a broad band up the valley that is quite wide. Field surveys I have undertaken in areas closer to The Dunes Resort indicate that it is much narrower and more

	restricted in distribution than indicated in this map. The historical cultivation of the site (as evidenced from an aerial photograph from 1962) makes it difficult to determine the original distribution of such an ecosystem on site. All the previously-cultivated areas in this valley system have reverted (after cultivation) back to thicket rather than hydrologically-driven grasslands, except for very narrow channels that follow water-flow in the lowest parts of the landscape (only visible closer to The Dunes). These areas only occur some distance to the west of the current site, indicating that hydrological processes leading to the development of such systems become much more dissipated upstream (towards the east), including on the current site. It is probable that these hydrological processes are important in this valley, but this is no longer reflected in the current terrestrial vegetation patterns on site. The issue is therefore preservation of hydrological processes, rather than terrestrial ecosystem patterns, a factor that is addressed by the aquatic / hydrological specialists. The presence of Keurbooms Thicket-Forest on Portion 91 is confirmed by field observations, as well as current and historical aerial photography. In addition, the KELASP map also shows thicket in this area. The presence of this thicket/forest vegetation contradicts the patterns mapped in the VegMap vegetation map of the area, which shows Garden Route Shale Fynbos as occurring on site.
48. There is no discussion or reference to Sedgefield Coastal Grassland and Keurbooms Thicket-Forest in the Terrestrial Biodiversity Assessment and thus information that is critical to providing insight into the sensitivity of the site is missing. This information is readily to hand (refer to map on next page). Various biodiversity specialist reports36 have referenced the work undertaken by Vlok et. al. (2008), including reports prepared under the auspices of the EAP undertaking the environmental application for Portion 91 of Farm Matjiesfontein 304, Keurboomstrand. Similarly, the terrestrial biodiversity specialist involved in this same application, has referenced the work undertaken by Vlok et. al. (2008) in work undertaken for other projects. Sedgefield Coastal Grassland is described as Vlok Variant- CR, which is understood to mean this grassland is Critically Endangered.	Please see page 24 to 26 of the updated Terrestrial Biodiversity Assessment, other descriptions of vegetation patterns in the area are discussed as well as Sedgefield Coastal Grassland. Terrestrial Biodiversity specialist's response: I have updated the original report to include a description of what was mapped for the site in the Vlok and de Villiers (2007) map. This was omitted from older reports that I undertook, but I include this information in current reports, specifically to obtain this insight.
49. The site falls within an Estuarine Functional Zone (EFZ), as noted elsewhere and is also located within a National Strategic Water Source Area (NSWSA) for surface water for the Tsitikamma (this is pointed out in the aforementioned CapeNature letter). The NSWSA is not discussed at all and although the EFZ has been considered, additional detail is required. This is because various pieces of information point to the	The site is described as being within the Tsitsikamma Strategic Water Source Area (SWSA). Please see Section G (2.3) of the Revised BAR. These points have been taken into consideration. The presence of estuarine characteristics must always be verified through on-site assessment by an aquatic specialist. In the case of Portion 91/304, Dr. Jackie Dabrovski

possibility of a hydraulic connection to the Keurbooms Estuary and marine environment: (d) Soils at the site are described as being dominated by "estuarine sandy soil" and that with "scattered marine shell fragments" are present in the layer beneath the topsoil."37 (e) Furthermore, Vlok et. al (2008) identify the Sedgefield Coastal Grassland as the single vegetation unit within the Coastal Grassland habitat.38 This habitat is described as occurring "on deep sandy soils that are periodically inundated. They are mostly associated with the outer perimeters of the Wetlands habitat (local lakes and estuaries). The vegetation is dominated by sprawling grasses such as Cynodon dactylon and Stenotaphrum secundatum. In the past they were probably the "grazing lawns" of Hippo and largely maintained by them, but in the absence of these animals they are now largely overgrown by herbs (especially Geranium incanum) and shrubs (especially Passerina vulgaris). Few fires occur here, but when they do, a few geophyte species such as Ixia orientalis and Romulea species can be locally abundant. Fire independent geophytes such as Brunsvigia orientalis, is also plentiful. (f) In the Terrestrial Biodiversity Assessment, it is stated (based on information gathered during the site visit) that the pasture areas were found to be dominated Stenotaphrum secundatum, that is the same species that Vlok et.al (2008) describe as dominating coastal grassland habitat in which there is one vegetation unit, namely. This means that a dominant species found in the pasture areas is characteristic of Sedgefield Coastal Grassland, a factor that has not been considered in the baseline biodiversity information. Another species associated with coastal grassland habitat, Brunsvigia orientalis was also found during the site survey by the biodiversity specialist.	confirmed that the site does not contain any estuarine plant species, not even remnants. Additionally, she confirmed that there is no evidence of soil saturation within 50cm below the surface, which would indicate wetland conditions. 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. Terrestrial Biodiversity specialist's response: The presence of *Stenotaphrum secundatum* on its own is not an indicator of Sedgefield Coastal Grassland. It is a species that is commonly planted as a lawn grass and readily available as a horticultural species. It often grows as a pioneer in previously disturbed areas. In a natural state, I would expect hydrologically-driven grasslands, such as Sedgefield Coastal Grassland, to be dominated by indigenous grass and sedge species that would include a variety of other species, such as *Setaria sphacelata*, *Cenchrus sphacelatus*, *Cyperus* species, and others. Note that the map and description of vegetation units undertaken by Vlok et al. (2008), although very valuable, was not based on detailed floristic data collection and analysis, and are probably not complete. I agree that the bottomlands on site play an important hydrological function in the landscape, but the original natural vegetation no longer exists there. Any assessment should therefore be with respect to impacts on hydrological processes. The presence of *Brunsvigia orientalis* is not unexpected, since it commonly occurs in sandy soils in proximity to the coast. These plants occur on sandy lowland coastal areas from southern Namaqualand to the Cape Peninsula and through to beyond Plettenberg Bay. They occur in many habitats other than grassland, the key factor being sandy soils. They disperse easily and grow readily from seeds, which means that they readily colonise previously disturbed areas (vegetation disturbance may actually favour their establishment and persistence). I have provided a more detailed reply regarding the possible distribution of Sedgefield Coastal Grassland in this Keurbooms valley in a previous comment and refer to that.

50. It is unclear as to how the various statements from the Aquatic Biodiversity Impact Assessment relating to the aquatic / wetland / estuarine environment correlate.39 (a) No typical wetness/wetland indicators (dark areas and more dense vegetation in wet areas) are evident on the southern portion of the site in any of the aerial photos. As the dominant vegetation cover was historically forest / thicket this also suggests that there was no estuarine or wetland habitat on the site either, as this typically presents as open vegetation. It is unclear as to how this conclusion was reached if no imagery pre-1960 was considered. (b) The 1960 image indicates that clearing was widespread across the original Matjesfontein Farm, and the present vegetation cover has recovered substantially on adjacent farm portions, but Portion 91 was never allowed to revegetate and was maintained in an open condition. Given the description of the Coastal Grassland habitat by Vlok et. al (2008), might this be explained by the fact that the adjacent sites have been largely overgrown by herbs due to the absence of grazing, whereas this is not true of Ptn 91 because of the presence of horses? And might the predominance of herbaceous species on adjacent sites have affected the evidence of wetland characteristics?	(a) Photographic evidence from 1960 represents a significant amount of time (65 years). The imagery used from 1960 to 2022 in the Aquatic Assessment is a sufficient guide in determining historical land use and vegetation cover. (b) Assumption can be made in this regard, however ground truthing of the site by the aquatic and terrestrial specialist was thoroughly undertaken. As per the Terrestrial Biodiversity Assessment - The vegetation that occurs on site does not match the mapped units shown in the latest national vegetation map. Mesic Thicket that is verified as occurring on site and which is clearly visible on aerial photographs is shown in the vegetation map as Garden Route Shale Fynbos, but should be shown as a (presently) unmapped thicket unit. Studies by the author on this and other nearby sites indicate that this entire south-facing slope (from Keurboomstrand to the N2) should be mapped as Mesic Thicket (or forest). Fynbos is only present on the exposed summits of slopes where the gradient decreases and which are more vulnerable to natural fires. This is acknowledged in the Keurbooms and Environs Local Area Spatial Plan (KELASP), where "Forest" is shown as the main vegetation type occurring through the central part of the site. The southern parts of the site on the flatter lowlands is also more likely to have originally contained some form of coastal thicket (not fynbos), but this is difficult to verify due to historical cultivation of these areas - the evidence for this statement is based on vegetation recovery at other nearby sites within this topographical position of the slope, where mixed thicket emerges, rather than secondary fynbos.
51. The following additional difficulties exist in respect of the baseline information provided in the Aquatic Biodiversity Impact Assessment. It is stated that the site assessment served to confirm that the proposed project site falls outside of any ecologically sensitive areas associated	The Aquatic Biodiversity Assessment was undertaken in accordance with the relevant protocols for an aquatic biodiversity assessment. Field work is considered adequate to inform the assessment.

with the estuary or Tshokwane wetlands. It is understood that the site assessment consisted of a desk top study and two site visits.40 (a) The site was visited on two occasions 28 June 2022 (mid-winter) and March 2024 (late summer). "Good rainfall" is reported to have occurred in the 2022 winter period. There are no details about when the rainfall occurred relative to the date of the visit and the amount of rainfall received. What does "good Rainfall" mean? (b) It is also not clear as to whether two site visits undertaken almost 2 years apart is adequate. (c) Furthermore, it is not known if the site visit took place after an extended dry period or within a period of extended rainfall. For example, was it specifically scheduled to coincide with a time when there would be a strong possibility of observing conditions of waterlogging / puddles / areas of standing water on the property? In the absence of more detailed information on weather conditions, it is impossible to judge the context within which of the site visit took place. (d) It may also have been useful to obtain information from the occupants of the site (i.e. horse owners) so as to get additional insight into site conditions and also to follow-up with I&APs that raised anecdotal evidence of flooding in comments on the Pre-Application BAR?41	Fieldwork was conducted mid-winter and late summer. The graph below shows the rainfall event during 2022. June experienced moderate to heavy rainfall according to Weather Sparks (Plettenberg Bay Winter 2022 Historical Weather Data (Western Cape, South Africa) - Weather Spark).  Please see Section 3.1 of the Aquatic assessment (Appendix G2) that states the following: *During the site visit in March 2024 additional augering was undertaken in the horse paddock area as indications from Interested and Affected Parties were that the area becomes waterlogged under very heavy rainfall. Soil augering indicated no mottling features in the upper 50 cm of the profile, and zero wetland plants were present in the area of the horse paddocks. To the contrary the plants that have escaped grazing in this area are indicative of terrestrial habitats and do not reflect waterlogging associated with wetland or estuarine conditions. Compaction of the soil by horses combined with addition of layers such as bark chips could reduce permeability of the soil surface exacerbating standing water during periods of very high rainfall.* Insight from I&APs were obtained and further investigated by the aquatic specialist, as shown in their report.
5.2. Identification of impacts inadequate	
52. Concerns have been raised in the PPP and these have not been addressed. The associated impacts are not identified and therefore not assessed. Key amongst these is the impact on the flooding regime. This has not been addressed from the perspective of the potential role the proposed site plays in flood attenuation. The potential increase in flooding risk for surrounding areas has also not been considered.	Flooding risks have been considered and addressed in the Engineering Report, Aquatic Impact Assessment, and Groundwater Impact Assessment. Please also see Section G (3.5) of the Revised BAR.

53. Whilst it is noted in the Draft BAR42 that severe flooding events could increase due to climate change, this has not been investigated (e.g. through a specialist study) and the impacts assessed. It is stated that: "It is not impossible that minor flooding could affect the low-lying area of the property in future."	
54. It is clear from the KELASP that development below the 5m contour line should be avoided as this area is either already subjected to flooding or is vulnerable to future flooding events. This is in accordance with the precautionary principle, which is encompassed in the principles in section 2 of the National Environmental Management Act – NEMA. The implications of not adhering to this principle and the guidance provided in the KELASP has not been identified as an impact and is therefore not assessed.	
55. The impacts from the Hydrogeological Impact Assessment are not included in the Draft BAR or in the relevant Appendix J. These include potential pollution impacts on groundwater and impacts on groundwater recharge / flooding risk. The former relates in particular to hazardous substances that may be used during the construction phase (e.g. fuels), to the proposed sewage treatment facility and the proposal to use treated sewage effluent for irrigation purposes.	These have been included in Appendix J.
56. The hydrogeologist has effectively concluded that the flooding risk is low and the impact negligible This conclusion appears to be based on consideration of groundwater recharge which in turn is linked to the permeability of the soil. However, this is a one-dimensional approach, since flooding is influenced by many factors. Baseline information on flooding risk is materially inadequate.	The risk of future flooding is acknowledged in several documents including the aquatic specialist report. The engineer (Poise Engineering) has responded to this risk through provision of the following mitigation measures: • Site levels will be designed to ensure the effective implementation of the stormwater management system. The minimum floor level of any stand will be 4.0m MSL higher than the Road MR394 flood barrier level. • The site slopes and road levels will be designed to flat gradients to enable maximum infiltration whilst draining on surface to the ponds. • The main access roads will be surfaced with permeable paving and secondary roads with grass block paving • The levels will also be designed to contain flood runoff within the ponds. • The site design levels will protect homes from flooding and will also detain excess site runoff from flooding over the Keurboomstrand Road. The development is 2,8km from 100m high water mark of the estuary, and outside of the 1 in 100 year backwater floodline. The floodplain of the estuary downstream from the Development is extensively barriered by building structures and dense vegetation. No swash can be applicable (Poise Engineering Responses to Engineering Comments, Appendix F3).
57. Based on the information provided about the hydrogeologist's experience45, it is clear that this does not include the conducting of flood risk analyses. The specialist has not examined rainfall patterns, flood records, surface water systems in the broader area etc. No hydrological or flood modelling was conducted, which is typical in flood risk studies. In fact, a wholly inadequate information base has been used to draw the conclusion that the flooding risk is low and the potential impact negligible. This conclusion cannot be relied upon as it is unproven.	

	It is true that increasing unpredictability and extreme events could exacerbate the flood risk to this site given its low-lying nature. Given its location at the 'end of the line' of the Keurbooms floodplain area (See map below, Figure 17 in the Aquatic Report), it is unlikely to impact on other developments in the floodplain, but rather, other developments would be in the line of the flood prior to any waters reaching Portion 91. The engineer has acknowledged this risk for residents by raising the minimum floor levels of houses within the development to 4m amsl. The stormwater attenuation ponds and permeable paving recommended in the stormwater management plan will encourage infiltration of water and retain at least some of the development's flood storage capacity (Confluent, Aquatic specialist response to WULA comments, Appendix F2). The developer is aware that the frequency of 100-year flood events could be increasing due to climate change, and when coinciding 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 the future. The flood risk is however mainly applicable under the scenario of extreme events and future climate change predictions because the present risk is extremely low (Planning Space response to Town Planning Comments, Appendix F4).
58. Impacts on the Estuarine Functional Zone have not been addressed. This may well be due to the fact that aquatic specialist noted no evidence of wetland conditions (refer also to point 50 in this report) and more importantly that the EAP has concluded that "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 estuarine functional zone."46 This fact cannot be accepted as scientifically correct, since no hydrological specialist study has been conducted. Furthermore, to claim in such a definitive manner that the area below the 4,5m contour is not subject to flooding is a flawed approach because a hydrological specialist study has not been conducted. There is a reason that the KESLAP identifies this area as a "no go" zone for development, and that is a precautionary approach.	The statement has been revised. "*It has been scientifically proven through specialist studies that the area below the 4,5m contour line plays no role in the functionality of the estuarine functional zone.*"
59. None of the impacts identified in the Aquatic Biodiversity Impact Assessment consider the EFZ or flooding potential, even though the EFZ is defined on a precautionary basis.	
60. The identification of impacts in the Terrestrial Biodiversity Assessment is inadequate. Three impacts are noted: (i) Loss of natural vegetation (ii) Loss of individuals of protected tree species (iii) Loss of habitat for threatened animal species. There is no evidence that the impacts on biodiversity pattern and process have been considered, although there is reference to these in the significance criteria described by the	Please see updated Terrestrial Biodiversity Assessment (Appendix G5) that includes "The Loss of Terrestrial CBAs" and the 2023 WCBSP maps. Terrestrial Biodiversity specialist's response:

specialist.47 Notwithstanding, it would be expected that, among others, impacts in relation to loss of the opportunity for restoration of indigenous vegetation (within the development footprint), potential loss of plant SCC (Species of Conservation Concern) as well as potential loss of ecological connectivity / corridor (e.g. from forest to lowland area), loss of CBA2 area earmarked for the purpose of achieving conservation targets. This may be a result of the specialist report not having been updated in light of the 2024 WCBSP, which was formally gazetted in December 2024.	*The report has now been updated to include latest updates to the WCBSP. The original report was correct at the time that it was submitted.* *I have assessed additional impacts in the report, including on CBA1 areas.* *No indigenous vegetation occurs in the development footprint, only secondary vegetation and pastures.* *According to the current 2024 WCBSP, no CBA2 areas occur within the development footprint.* *It was assessed that no SCC were likely to occur on site, therefore no impact was assessed on SCC. This is consistent with the requirements of the PROTOCOL FOR THE SPECIALIST ASSESSMENT AND MINIMUM REPORT CONTENT REQUIREMENTS FOR ENVIRONMENTAL IMPACTS ON TERRESTRIAL PLANT SPECIES*
61. There is confusion about the difference between a project activity that causes an impact and the impact itself. Project activities are listed as impacts. Examples are Clearance of vegetation (construction phase); Earthworks and vegetation clearing for construction activities (construction phase); Stormwater runoff (operational phase) and Formal gardens (operational phase), among others. These are not impacts – they are the cause of the impact. The relationship between what takes place in the form of actions, activities and operations on the site is the cause of an impact – the impact is the consequence or the effect. It is critically important to present this relationship between cause and effect clearly, because without this, the identification of comprehensive and effective mitigation measures will be compromised.	This has been amended in the Impact Assessment (Appendix J).
62. Several impacts are rolled into one in the impact description. This means that the differences in impacts and more importantly the significance of the impacts is unclear. Furthermore, the nuances of how individual environmental resources or attributes might be impacted is lost. For example, the very first impact description in Appendix J is given as "Loss of sensitive vegetation, habitat loss for terrestrial wildlife, mortalities to various species unable to evade the disturbance, loss of vi viable propagules, fragmentation of ecological infrastructure." As a result of all of these impacts being considered as one entity, they are also rated as one entity. Hence any differences between them in terms of how they may be affected as represented by the rating criteria are lost (duration, intensity, extent, reversibility etc.). For instance, the extent of the impact on vegetation loss may differ to that of mortalities of various species, or fragmentation of ecological infrastructure, and so on.	These impacts were assessed by a SACNASP registered qualified specialist and are deemed to be adequate to inform the assessment. A further impact was identified and included which is "The Loss of CBAs", based on the 2023 WCBSP.

5.3. Significance rating methodology is flawed	
63. It is unclear as to whether a consistent significance rating methodology has been applied between those shown in Appendix J of the Draft BAR and the specialist studies. The ratings provided by specialists have been downgraded by the EAP. For example, in the Aquatic Biodiversity Impact Assessment, all the identified impacts are rated as LOW. It is not clear what criteria have been applied and whether this refers to the pre-mitigation or post-mitigation situation. Notwithstanding, the EAP has rated these impacts as MINOR (-ve) without mitigation and NEGLIGIBLE (-ve) after mitigation.	MINOR (-ve) is described as having a low significant effects and will require minor mitigation. This would be the impact before mitigations, as recommended in the Aquatic Assessment.
64. In the Terrestrial Biodiversity Assessment "Loss of habitat on site (within the proposed development footprint) is considered to be 'probably fully REVERSIBLE - secondary vegetation can easily be restored to its current state through active rehabilitation in combination with natural succession. "48 If the loss of habitat is considered PERMANENT, then the impact cannot also be REVERSIBLE. This does not follow logic. These criteria are surely mutually exclusive. Furthermore, no mitigation measures are offered in relation to restoration. This is one example where little reliance and confidence can be placed on the completeness of the identification of terrestrial biodiversity impacts and on the significance rating of those impacts	Terrestrial Biodiversity specialist's response: *Loss of habitat is permanent in the sense that it would be unexpected for the infrastructure to be removed once built.* *However, vegetation loss is reversible in the sense that it is secondary therefore rehabilitation (or natural succession) can replace it to the same state as currently exists. This versus natural vegetation, for which no amount of rehabilitation is likely to lead to it returning to a site in its original state.* Mitigation measures for the rehabilitation of the secondary vegetation have been recommended by the terrestrial and aquatic specialists: 1. Areas identified as secondary vegetation (medium sensitivity) within the 20m wildlife corridor will be restored. Steps will be taken to rehabilitate areas within the buffer zone and encourage growth of species, such as *Pterocelastrus tricuspidatus* and *Sideroxylon inerme*, that are mesic and fire-resistant. An open space management system will be developed to formalize such steps for forest protection. The following mitigation will also be undertaken to support rehabilitation of degraded areas – *Rehabilitate and improve the small dam on site, including introducing pond margin vegetation typical of mountain ponds in forested areas. This will provide good habitat for various frogs, including potentially Afrixalus knysnae.*

	Rehabilitation of disturbed areas, as well as previously invaded areas, should promote establishment of site-appropriate indigenous species.
65. The criteria used to assess significance are Listed in Appendix J and in Section H of the Draft BAR. It is stated that the significance of impacts is determined through a synthesis of the assessment criteria. No information on the methodology for this synthesis is provided. Moreover, the weight or priority applied to each criterion is not explained.	The significance rating is derived from specialist studies in most cases, whereby the rating is based on the assessment carried out in the specialist impact assessment.
66. It is therefore not known whether a low rating in one criterion is offset against a high rating in another criterion in a manner that serves to make the impact appear less significant than it really is. Given the pre-and-post mitigation significance ratings, it can only be concluded that criteria that carry a LOW rating are being offset against those that have a HIGH rating. This is clear from the following points.	The impact rating does not aim to make a significance rating less than it really is. These ratings are based on specialist assessments. It should be noted 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).
67. Almost every single adverse impact listed for the construction phase and the operational phase is rated either MINOR (-ve) and NEGLIGIBLE (-ve) after mitigation. There are a few that are rated with a few rated as NEGLIGIBLE (-ve) prior to and after mitigation. This is highly improbable, particularly for biodiversity impacts in a sensitive environment. There can be no other conclusion than that there is a fatal flaw in the significance rating methodology.	No plant species of concern were found on site, but a small number of free-standing, relatively large milkwood trees (*Sideroxylon inerme*) were found on site that are protected under the National Forests Act. These are shown as being retained within the proposed development. There are two sensitive animal species that are likely to use that particular habitat / part of the site. They can use it for foraging on rare occasion (e.g. the Bustard and raptor species). The other listed (e.g. the insects) have a low probability of presence while the small antelope may use the transition zones near dense trees and shrubs on rare occasions.
68. An example of the shortcomings of the rating system that is being applied and the interpretation of criteria used to rate significance is given in the diagram overleaf. It is inconceivable that the impact can be MINOR (-ve) prior to mitigation when it is permanent and definite, of high intensity, of low reversibility and irreplaceability is high. It is also implausible that this impact can be reduced to NEGLIGIBLE (-ve) post mitigation, when the development takes up virtually the entire lower portion of the site. The ~1 ha of open space, which would be situated between the residential stands hardly offers any mitigation opportunities.	
69. For the operational phase, the potential for alien species invasion is rated as HIGH (-ve)49 in the pre mitigation situation. It is implausible that this impact is allocated a more significant adverse rating than the loss of sensitive vegetation (construction phase impact) which is permanent. It should be noted that alien vegetation control is obligatory in terms of the law and therefore alien vegetation control is not dependent on the implementation of the proposed project.	It is understood that alien vegetation control is obligatory, this however does not imply that the impact of such should not be assessed. The significance rating for Eradication of Alien Vegetation during the operational phase Moderate (Medium).
70. It is also implausible that the only adverse impact that is rated as High (-ve) is that of the potential for invasion by alien invasive species. Given the biodiversity sensitivities (e.g. CBA2), this is scientifically illogical,	

especially since alien vegetation control is legally required. Disturbance caused by the development could increase the potential for alien invasive species to establish, but this cannot be regarded as being more of a risk or a greater negative impact than the permanent loss of sensitive vegetation, disruption to connectivity or disturbance of faunal habitats that are currently intact.	
71. The significance rating system is ineffective and scientifically illogical. The significance rating for every single impact is the same for all 3 alternatives (i.e. 73 residential stands; 60 residential stands; 19 residential stands). This makes no sense given the relative difference in the development footprint between 19 residential stands and either 73 or 60 residential stands. In particular, it is implausible that impacts such as loss of sensitive vegetation can be the same across all 3 alternatives pre- and post-mitigation. In all cases, this impact is rated as minor (-ve) without mitigation and negligible (-ve) with mitigation. This is scientifically illogical.	The significance rating for loss of sensitive vegetation is the same, however it is not the same for loss of secondary vegetation for the 19 residential stands Alternative. All three alternatives do not encroach into sensitive vegetation, however the secondary vegetation is impacted.
5.4. Inadequate mitigation measures and application of mitigation hierarchy	
72. The mitigation measures are framed in non-definitive language through the use of the term 'should' instead of 'must' and 'possible mitigation measures' (e.g. Terrestrial Biodiversity Assessment.	This has been amended in the EMPr for the mitigation measures.
73. The recommendation from the Aquatic Biodiversity Impact Assessment that "Unit 50 be removed to improve connectivity along the green corridor as this unit currently blocks the area with the adjacent property to the east"50 has not been carried through into the Draft BAR - Section I: Findings, Impact Management and Mitigation Measures.	Please see Section E (5) of the Revised bAR.
74. The lack of consideration of the potential loss of CBA2 must be emphasised, because this would be a permanent impact. An associated issue is the opportunity cost related to restoration – the loss of this opportunity would be in perpetuity. These issues are not confined to the proposed site – they have implications for the meeting of conservation targets and for the broader ecological landscape. In fact, when viewed against criteria such as the desired future state of the landscape, thresholds and limits of acceptable change, there is only one conclusion that can be drawn, and that is that these impacts must be avoided.	Please see the updated Terrestrial Biodiversity Assessment that incorporates "Loss of CBAs".
75. In response to a comment from DEA&DP about secondary vegetation, the Terrestrial Biodiversity specialist stated that secondary vegetation can only be restored to secondary vegetation and not back to the original vegetation.51 No scientific research references are	Terrestrial Biodiversity specialist's response: There are very few cases in South Africa where the original vegetation can be restored once it is lost. This is especially true on older geological substrates.

provided. It is a well-known fact that SANParks have been monitoring restoration in areas that were under commercial forestry and have now been incorporated into the Garden Route National Park52: Their research indicates that the regeneration of indigenous vegetation in previously disturbed areas depends on past activities and ecosystem dynamics. This indicates that there is not a blanket answer to the question about the feasibility of restoration. SANParks have found that the recovery of fynbos through natural regeneration has occurred. There is other research in the fynbos biome53 on restoration approaches, strategies and lessons learnt. This information shows that it cannot be definitively stated that restoration of Garden Route Shale Fynbos is not possible. Factors such as the presence of indigenous vegetation on the forest fringe and the pasture areas and the fact that the site is not heavily invaded with alien species must surely all have an influence on the potential for restoration.	Possibly the only likely exception is on recent sandy substrates (Holocene to Pleistocene dunes, for example), where the current vegetation has developed over relatively short geological timescales and is characterised by the presence of species that disperse easily and mostly grow from bird, animal or wind-dispersed seed. These environments also have a naturally high disturbance regime due to the mobility of the sand. The species that occur there are adapted to this ecological regime and the chances of restoration are improved due to these characteristics. In contrast, any vegetation that is dominated or characterised by re-sprouting species, for example natural grasslands and mountain fynbos, will (in human timescales) never be recoverable once it is lost. As indicated above, there are specific cases where fynbos recovery is possible, but the restored vegetation is a poorer version of what was originally there. It also depends to some degree on the original disturbance. For example, where fynbos has been lost to plantation forestry, it has been found that some fynbos species have persisted through dormancy under the soil. There are also cases where strips of original vegetation have remained on the edges of the original disturbance and these act as sources of proapagules for the rehabilitated areas. The result of SANParks monitoring in the Garden Route National Park clearly indicates that regeneration success (however that is defined) depends on past activities. It also highlights the fact that vegetation restoration has been found to be incredibly difficult with low success rates. This does not mean vegetation regeneration should not be attempted, since it can result in ecologically functional landscapes that can support various plant and animal species, and maintain landscape-level ecological processes. In the current case, it is clear that surrounding areas on neighbouring properties that were also historically ploughed have recovered to a form of secondary thicket, which is characterised by bird-dispersed woody species, but this is not fynbos.
76. Given the above, the question remains as to the evidence for the definitive statement that the site could only be restored to secondary vegetation because: "….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."54	Terrestrial Biodiversity specialist's response: Secondary vegetation can be ploughed up, and then secondary vegetation restored to that location, therefore technically reversible. Whereas original natural vegetation, once ploughed up, is (according to dominant evidence) not recoverable, therefore the loss is not reversible.
77. From the list of species noted on the site, many are indigenous and at least two are associated with the Garden Route Shale Fynbos (i.e.	Terrestrial Biodiversity specialist's response:

Passerina corymbose and Helichrysum cymosum). The specialist has not explained the role of the secondary vegetation on the site in terms of succession processes, the vegetation unit / ecosystem this secondary vegetation represents and how it relates to the Garden Route Shale Fynbos, the Sedgefield Coastal Grassland and the forest.	*Passerina corymbosa* and *Helichrysum cymosum* are common pioneers in previous plantation forest areas, as well as old lands. They are indigenous fynbos species, but not unique to nor characteristic of GRSF as both occur in many vegetation types. The secondary vegetation on site is not representative of any of the described ecosystems, definitely not GRSF. The secondary thicket is most similar to recently stablised dunes in the Garden Route. The secondary grasslands / pastures are more similar to an urban lawn than to anything in a natural state.
6. Concluding remarks	
78. The United Nations Environment Programme (UNEP) definition of EIA as "a tool used to identify the environmental, social and economic impacts of a project prior to decision-making. It aims to predict environmental impacts at an early stage in project planning and design, find ways and means to reduce adverse impacts, shape projects to suit the local environment and present the predictions and options to decision-makers."55 This BAR process has not met the intention of an EIA process as expressed in this definition.	The concluding remarks are noted, and it is trusted that the above responses have addressed these. Further to this it should be taken into account that the assessment has been undertaken by an independent EAPASA Registered EAP. The assessment is also informed by registered and qualified specialists in their respective fields who also act independently. This Basic Assessment was conducted in accordance with the requirements as contained in the National Environmental Management Act (Act 107 of 1998) and EIA Regulations. Other legislation such as NWA, ICMA and NEMBA have been considered throughout the assessment, as well as relevant planning and policy documents. The process has been transparent and has addressed the relevant comments from I&APs.
79. Over time, the role of EIA has broadened to include consideration of sustainability principles and policy frameworks – known as sustainability-led EIA. This is true internationally and is also clearly evident in the legislation that governs EIA in South Africa. Thus, EIA is not just concerned with providing project-level environmental impact information for decision-making purposes. It also requires consideration of the nature of the environmental impacts and their significance within the context of sustainability principles, policies, strategies and plans since these reflect the desired state of the environment. This has not been achieved in the BA process.	
80. A sustainability-led EIA approach is required in order to align with the objectives and principles of the National Environmental Management Act (Act 107 of 1998) – NEMA. The preamble of NEMA states that "sustainable development requires the integration of social, economic and environmental factors in the planning, implementation and evaluation of decisions to ensure that development serves present and future generations." Furthermore, sustainability principles are included in the Act (section 2) and encompassed into the objectives of Integrated Environmental Management in Chapter 5, under which the EIA Regulations are promulgated.	
81. A comprehensive, scientifically rigorous, participative process must be followed, which is undertaken in an independent manner. A process	

that is independent envisages one that is impartial and is neutral insofar as the interests of the developer are concerned. The EIA has a particularly important role to play because it is the vehicle through which the sensitivity of the environment is expressed. If this is not done with due care, there is a risk of irreversible loss of precious resources and irreversible damage to life-support systems, among others, with severe consequences for human communities. The EIA also serves as a means for interested parties, local communities, non-profit organisations, research organisations, relevant authorities etc. to express their concerns, and very importantly share their local knowledge. The value of this should never be discounted and in fact, it is to the advantage of the EIA process to actively seek these inputs. In addition, the EIA process must show awareness of and sensitivity to social conditions and needs.	
82. There is a wide array of issues that need to be considered, evaluated and accurately recorded in order for the decision-maker to be provided with adequate information for decision-making purposes. This means that a significant responsibility falls on the shoulders of the professionals involved in conducting EIAs to ensure that sufficient accurate and scientifically sound information is provided and is assessed on the basis of aa precautionary approach, especially where information is limited. EIA is not intended to be a mechanistic and tick-box exercise or to involve providing information that is not relevant to the issue at hand, as has been pointed out in several instances in the case of the Draft BAR.	
83. A key question to be answered is whether the project is aligned with the 'desired future state' of the area. Another key question to be answered is what trade-offs does the proposed project involve – who / what stands to gain and who / what stands to lose. The BA process for the proposed development of Portion 91 of Farm Matjiesfontein 304, Keurboomstrand has not addressed this question at all.	
84. The proposed development as envisaged by the 'preferred alternative' is not aligned with various policies, plans and / or strategies. As a result, the BA process has been focused on finding a rationale for not meeting the applicable policy objectives. This runs counter to the objectives and purpose of environmental impact assessment, particularly in the context of the shift in focus from merely assessing impacts to a sustainability led impact assessment approach. It also runs counter to the NEMA principles (section 2) and the objectives of Integrated Environmental Management (section 23).	
85. In addition, principles related to mainstreaming biodiversity into the EIA process do not appear to have informed the approach to the BA	

process. Similarly, sustainability-led EIA principles are also not seen to be embedded in the BA process.	
86. The foregoing discourse means that the adequacy of an EIA process is not only to be judged on whether all of the legally required steps in the process have been fulfilled. It is also to be judged on whether it has addressed the question of the sustainable development context, as reflected in policies, plans and strategies. There are numerous weaknesses and shortcomings in the Draft BAR including information gaps, incomplete / missing information, gaps in the identification of impacts, inaccurate and cursory treatment of environmental sensitivities, poor application of the mitigation hierarchy, to mention a few. Suffice to say that the Draft BAR has been found wanting as detailed in this report.	

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.

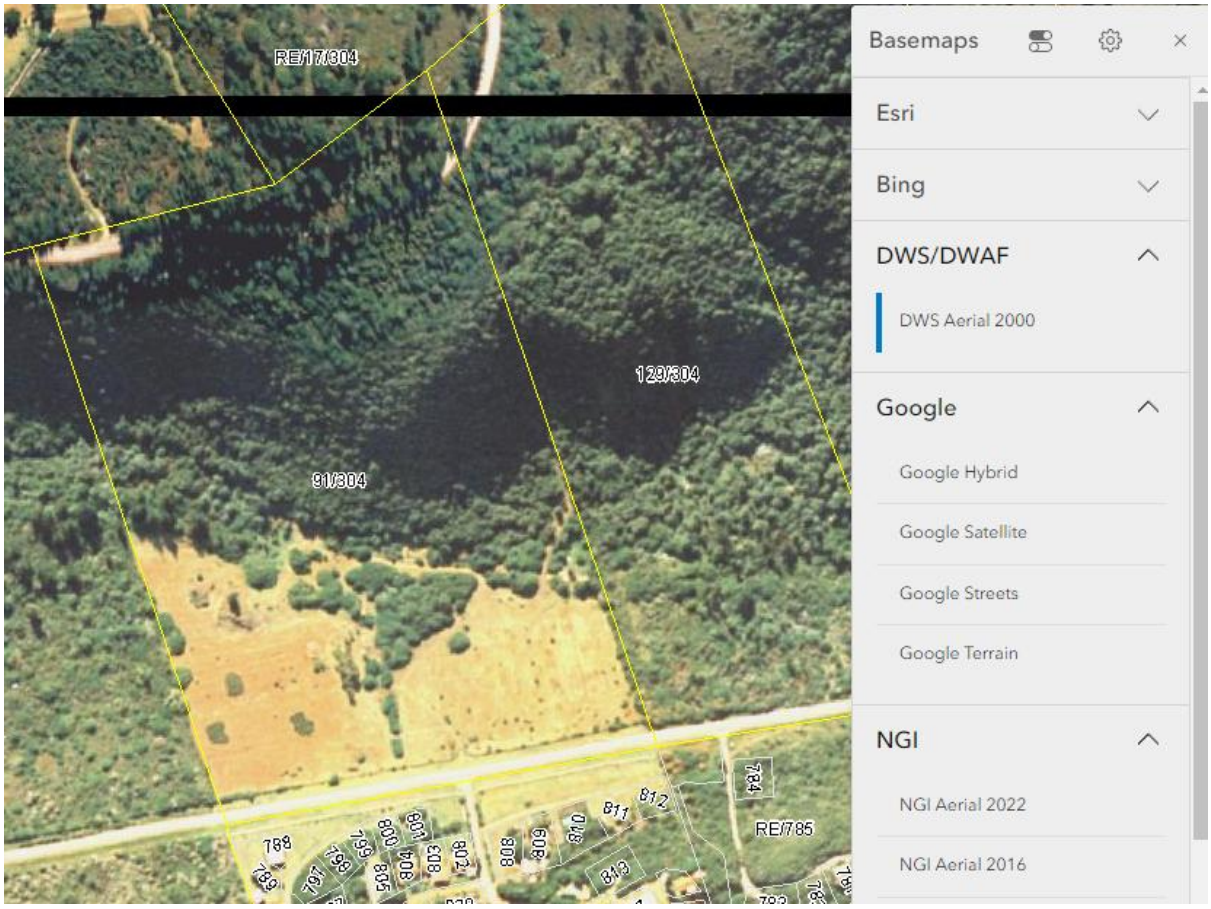
The reason why the proposed development area extends beyond the identified urban edge is because the Aquatic Assessment confirmed that the area contains no estuarine habitats and is outside of the 1:100-year flood line of the estuary and is thus not part of the estuarine functional zone and for this 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).

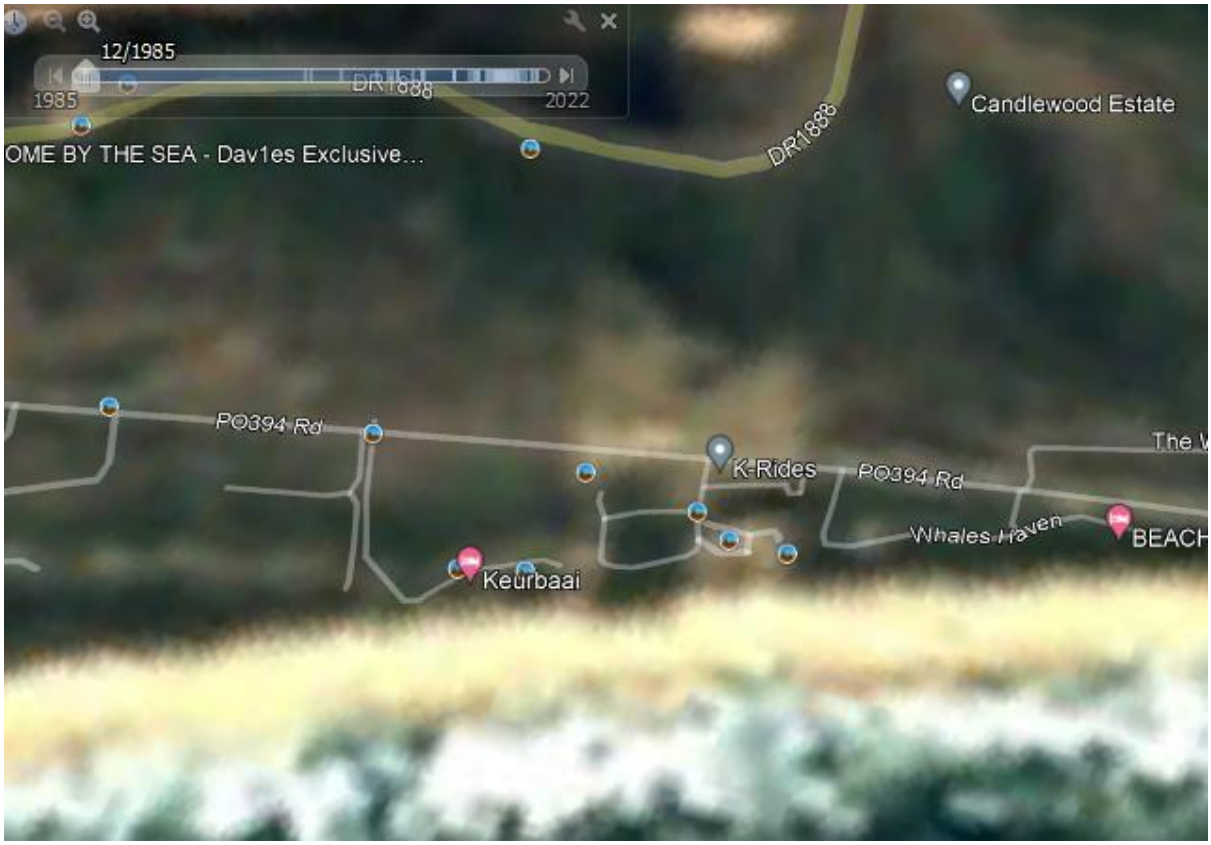
5. Deliberate Degration of Property

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 indicting 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.

Planning Space
Town and Regional Planners

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

David G Steele

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