PORTION 91 OF FARM MATJESFONTEIN NO.304
RESPONSE TO COMMENTS AND OBJECTIONS RECEIVED

A . INTRODUCTION

1. PUBLIC PARTICIPATION PROCESS

In accordance with the Bitou Municipality Land Use Planning By-Law, public participation forms an integral part of the land use application process. This process ensures transparency and provides affected parties with an opportunity to submit input regarding the proposed development. This document outlines the details of the public participation process, including all comments received from the public and relevant authorities as per the prescribed procedures. The Bitou Municipality sent notices out to direct neighbours on 11 November 2024 and Planning Space also informed the Interested and Affected Parties that registered during the Environmental Authorisation process on 19 November 2024. A notice was placed in the local newspaper on 14 November 2025. The Objection period expired on 20 December 2024.

2. PROOF OF PUBLIC PARTICIPATION

The following proof of public participation is appended:

Annexure A1: List of neighbouring property owners contacted by the Bitou Municipality.
Annexure A2: List of registered Interested and Affected parties notified by the applicant.
Annexure B: Newspaper advertisement published in the “What’s new in Plett” of 14 November 2024.
Annexure C: Public comments and objections received during the public participation process.

1. Plett Ratepayers Association.
2. Dr. Nicholas Fruutco.
3. Jeanne Muller on behalf of several residents in Milkwood Glen (including Dr. Fruutco and Dr. Hartwig).
4. Wayne and Cindy Mackenzie.
5. Debbie Taskes Obo Taskes Family.
6. Hartwig and Berna Euler.
7. Cullinan and Ass obo residents of Milkwood (with Annexure 71-7.5).

3. ADDITIONAL STATUTORY APPLICATION PROCESSES AND PUBLIC PARTICIPATION

In addition to the land use application process prescribed under the Bitou Land Use Planning By-Law, two additional regulatory applications have been pursued, each requiring independent public participation processes:

a) Water Use Licence Application **(WULA**) in terms of the National Water Act, 1998 (Act No. 36 of 1998): The necessity for a WULA arises due to the development being within a regulated area (500m) of a watercourse, specifically the spring, as defined in GN4167. Furthermore, the proposed package plant and the potential use of treated water for irrigation also necessitate an application. The Water Use Licence application was submitted in Jan 2024 (Ref No: WU34534). The Final Technical Report in support of the Water Use Licence Application was submitted in March 2025. The summary of the Technical Report is attached as Annexure F.

b) Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA). The proposed development triggers several listed activities under the **NEMA** Environmental Impact Assessment (EIA) Regulations, necessitating an environmental authorisation process. The Draft BAR has been re-submitted to the Department of Environmental Affairs and Development Planning in March 2025 and a final round of public participation will be conducted during April 2025, whereafter the Final BAR will be submitted. See the letter of acknowledgment of receipt from DEADP. The full Bar can be downloaded from ECO Route Website Draft Basic Assessment Report: Proposed Residential Development on Portion 91 of Farm Matjesfontein 304, Keurboomstrand, Plettenberg Bay, Western Cape | Eco Route or https://ecoroute.co.za/node/67.

4. AUTHORITY COMMENTS RECEIVED

The application was circulated to various authorities for comment and or approval. The comments are attached as Annexure D (1-10)

1. DEADP (Planning and Development).
2. DEADP (Act 70 of 70 Exemption).
3. Western Cape Department of Agriculture.
4. Western Cape Heritage.
5. Western Cape Roads.
6. Internal Departmental Comment from Bitou Municipality: Spatial Planning.

7. Internal Departmental Comment from Bitou Municipality: Technical Services 2024-07-23.
8. Internal Departmental Comment from Bitou Municipality: Electrical and Energy division 2024-12-14.
9. BOCMA acknowledgment of Receipt of Water Use Licence (5 March 2025).
10. DEADP (Environmental) 17 March 2025.

The comments received from the authorities and their response thereto are summarised in **SECTION D.**

5. KEY PUBLIC CONCERNS AND SPECIALIST INVESTIGATIONS

The majority of objections received across all three public participation processes raised similar major concerns, primarily related to:

1. Potential flooding risks due to the site's low-lying nature.
2. Impact on groundwater, given the presence of a low water table.
3. Municipal Infrastructure concerns.
4. Functioning and management of the proposed wastewater treatment plant.
5. Urban Edge and compatibility with the Bitou Spatial Development Framework
6. Density concerns.
7. Impact on the character of the area.
8. Environmental concerns.

To address these concerns scientifically and objectively, additional specialist studies have been commissioned. The following reports have been prepared to provide further technical clarity and mitigation measures:

Report Title	**Compiled by**	**Date of report**	
Revised Aquatic Specialist Assessment: Aquatic Biodiversity Impact Assessment	Confluent Environmental	March 2024 (Updated Feb 2025)	ANNEXURE E
Water Use Licence Application Summary Report	Confluent Environmental	February 2025	ANNEXURE F
Wastewater Treatment Plant Method Statement	Bio Sewage Systems	-	ANNEXURE G
Bulk Services and Civil Engineering Infrastructure Report Revision 7	Poise Structural and Civil Engineering Design Consultants	June 2024 (updated Feb 2025)	ANNEXURE H

Poise Engineering technical response to the Huge Report	Poise Structural and Civil Engineering Design Consultants	January 2025	ANNEXURE I
Geohydrology Report	DHS Groundwater	February 2025	ANNEXURE J
Conveyancer Certificate	Logan Martin Attorneys	March 2025	ANNEXURE K
CIPC documentation confirming that S Roux is the sole owner of the Family Roux Eiendomme Beperk	Companies and Intellectual Properties Commission	1997	ANNEXURE L

B: MAIN OBJECTION THEMES

1. FLOOD RISK

Concerns were raised that, due to the low-lying nature of the site (below 4.5m above the MSL) as well as being within the mapped Estuarine Functional Zone, there is a risk of flooding to the property, which could also enlarge the risk of flooding of surrounding properties.

RESPONSE

1.1 Mapped Estuarine Functional Zone:

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 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 Debrovski 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 flood line. 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 Annexure E).

1.1 Proximity of the 1:100-Year Floodline

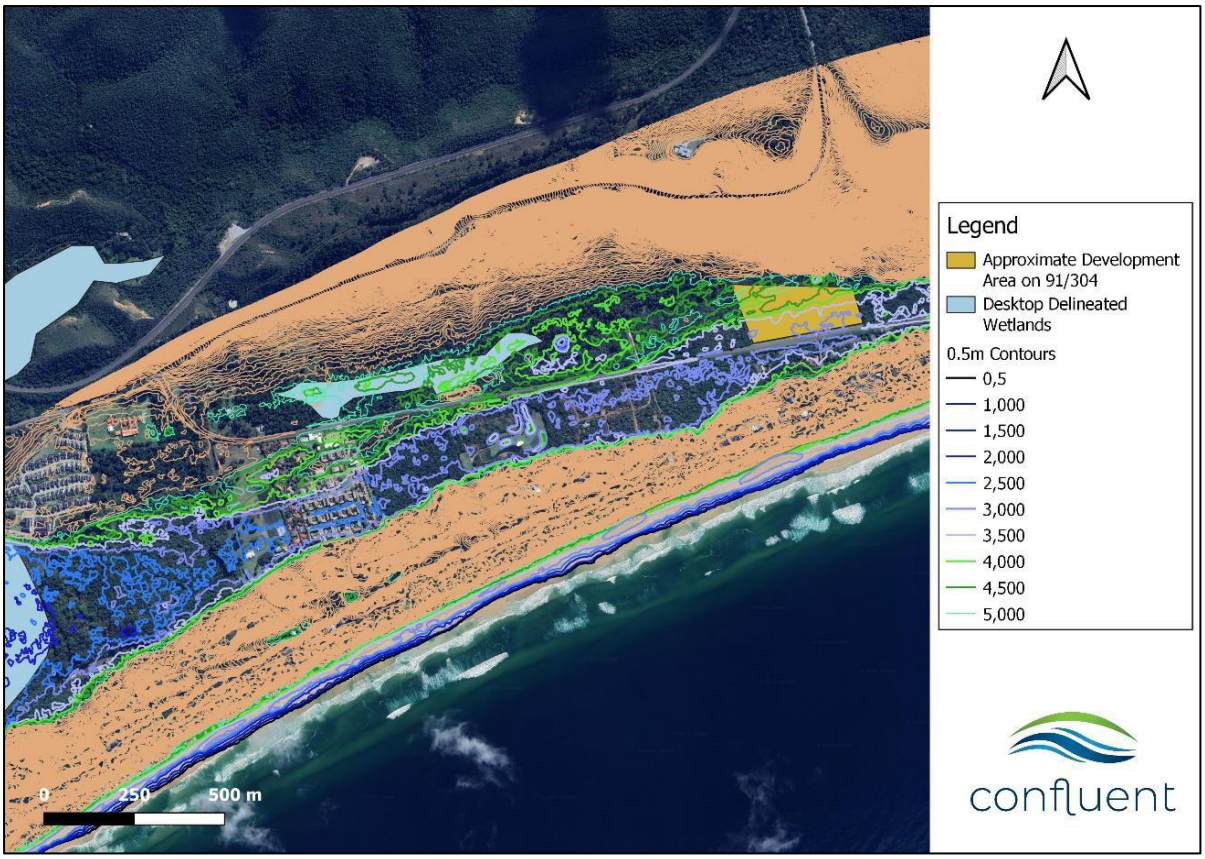
As per the Poise Engineering report (Version 7, January 2025) attached hereto as Annexure H, the site is situated approximately 3 km east of the eastern bank of the Keurbooms River Estuary. The site falls outside of the 1 in 100-year floodline which is indicated in the Keurbooms and Environs Local Area 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 meters above mean sea level (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.

1.2 Topography of the area

The 0.5m Contour Plan for the areas indicates that The Dunes development is generally at 2.5 mamsl while everything east of this area is at 3.0m or higher. The 3m–3.5m contours are concentrated on the southern side of the Keurbooms Road and only extend over a very small area of the proposed development area, close to the road.

As mentioned before, the road itself acts as a barrier at 3.65m between the south (where any flooding would originate) and the north (the development area). It can be seen from the figure below that any floodwaters from the Keurbooms would theoretically move east, but remain mostly south of the Keurboomstrand Road. During severe flooding in the area in 2007 the highest level reached by floodwaters was The Dunes development at around 2.5m amsl, about 1.1km west of the property.

The Contour Plan confirms that any flooding would come from the south (Milkwood Glen side) and move towards Portion 91, not the other way around. But this would likely be stopped by the road. This is most likely why the 1:100-year flood line is indicated as stopping south of the road. The proposed development can, therefore, not result in the flooding of the surrounding area.



1.3 The 4.5m and 5m setback lines

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.

It is submitted that this 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 Management Plan 2018 and the reference to the 4.5m inland contour line is, therefore, less relevant to properties inland of these vulnerable areas.

The 3 swash lines identified 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 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 barriers by building structures and dense vegetation. Furthermore, there is

another development between the development property and the coastline. It is clear that, in reality, no swash whatsoever can be applicable to the site.

It is submitted that, given the site's inland position, the surrounding topography, and the developed nature of the area, the argument that the land is unsuitable for development solely because it lies below the 4.5m contour is not relevant.

The 5m Contour setback as referenced in the BSDF relates to the Estuarine Functional Zone (EFZ) which is identified as any area below 5 m.a.m.s.l. (metres above mean sea level). The Aquatic Biodiversity Impact Assessment 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. Ground-truthing of the site by the aquatic specialist confirmed no estuarine habitat present and therefore the reference to the 5m contour is not relevant to the development area.

1.4 Allegations of previous flooding of the area.

Some objectors made the allegation that the site is prone to flooding and cited photographic evidence of the 2007 floods (Cullinan Report: Annexure G). The reality is that the site has no flood history. The objectors have provided no evidence of actual flooding on the site and no evidence of flooding has ever been formally been recorded on the property, not by the current owner that owned the property since 2000, or the previous owner (Mr. David Steele) whose grandfather purchased the property (and neighbouring portions which were collectively farmed) in the 1950s who stated that no flooding has ever occurred in his time on portion 91/304 (pers. Comm with Peter Bekker from Poise Engineering 29 January 2025).

The photographs presented are not from near the site. These photos were taken at the Dunes Resort, which is 1,1 kilometers west of the site, and at Silverstream and Matjiesfontein Estates, which are 2,9 kilometers west, on the banks of the Keurbooms River and Twin Rivers which 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, and Keurboomstrand Road was not flooded.

1.5 Compromising the natural flood defence

The Huges Report claims that the site is a natural flood defence and that the development impacts this situation.

The Stormwater Management Plan as set out in Section 8 of the Bulk Services and Civil Engineering Infrastructure Report Rev 7.1 is based on SUDS principles and aims to contain all stormwater on the site, as is currently the case. Site levels will be reshaped to drain toward the 3 new ponds and the surrounding pond catchment crest levels will be designed such that the overall site flood storage volume is not reduced from its current natural state. 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 runoff from the forested slope has also been accounted for. See the Poise Engineering Report Paragraphs 8.2 and 8.3. The site is characterised by 2 catchment areas. The Northern Catchment Area 1 consists of the northern forested area with gradients as steep as 50% and a flatter strip at the southern bottom end of the slope. This flat strip has a crest along its southern edge which falls across the site from west to east, and contains the runoff from the northern slope from flowing southward. This strip has a very slight fall eastwards towards a natural spring surrounded by a naturally depressed pond at the base of the slope. The southern Catchment Area 2 is very flat by nature, generally less than 3 percent and falling southwards towards Keurboomstrand Road. The lowest point is in the southeastern corner of the site.

The site has a high permeability and currently, runoff from the slope infiltrates the ground quickly, as there is no record of extensive and/or persistent standing water on the site. This is consistent with the findings in the Geotechnical Report. Runoff from the slope is unlikely to be on the surface given the sandy soils and is far more likely to occur as it flows through the soil. Therefore minimal surface water runoff is expected. If surface runoff occurred in a concentrated form at any point from the slope it would create distinct drainage lines, which are not evident (personal observation, J. Dabrowski, Aquatic Specialist). Regardless, to address the potential for this scenario (surface runoff from the slope), a 2m wide armourflex lined swale is included in the Engineering Report to act as a cutoff drain below the slope, which directs any surface water into the natural pond. This was considered acceptable from a water quality perspective as only clean water would be generated from the well-vegetated slope.

1.6 Mitigation measures proposed to accommodate future climate change

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.

2. HYDROLIGAL CONCERNS

The Cullinan Objection, on behalf of the Milkwood Glen Home Owners, 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" to the Cullinan Objection and to the planning objection as well. Dr Huges admitted that it is difficult to definitively conclude that the development site is directly hydraulically connected to the estuary during high floods, but that it is likely to be connected and will form an inundated backwater area when the estuary is subjected to flooding.

RESPONSE

In response to this review, Geohydrologist Consultant GHS has been appointed as part of the Water Use Licence application process to assess the potential impacts of the development on groundwater resources. The findings have been detailed in the Water Use Licence application submitted to BOCMA (Breede-Olifants Catchment Management Agency), the authority responsible for managing water resources in the Breede and Olifants River catchments. The outcome of the Water Use Licence application is still pending.

The Hydrological Assessment (Attached hereto as Annexure J) confirmed that the site is underlain by a shallow, intergranular aquifer, which is highly permeable and vulnerable to contamination. The report identified risks and impacts with corresponding mitigation measures to limit the impact on the groundwater resource. The conclusion from the geohydrologist was 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 mitigation measures proposed will be taken up in the Environmental Management Plan.

2.1 Potential Groundwater Contamination

Construction phase risks include chemical spills, hydrocarbon leaks, and improper waste disposal. Operational phase risks include leakages from the WWTP and sewage pipelines or seepage from effluent irrigation, which could introduce nitrates, phosphates, and other contaminants.

As per Poise Engineering Report the containment of leakage of the WWTP has been addressed as follows:

The anaerobic tank will be the only underground component of the Plant. The tank will be constructed of reinforced concrete including Penetron Admixture. The durability will therefore be in excess of 50 years, but effectively infinite. The containerised plant is a fully contained unit, sealed against leakage. It is equipped with overflow protection back to the anaerobic tank in the event of an unlikely blockage within the system.

A subsurface drainage system will be installed beneath the anaerobic tank, including a pump sump from which any leakage can be returned to the tank. The drainage system will have an impermeable lining beneath it designed such that no leakage will infiltrate the ground below.

Other mitigation measures include :

-Prevent groundwater contamination, by properly managing hazardous materials, debris, waste, and stormwater runoff during the construction phase.

-Implementing strict protocols for handling, storage, and disposal, along with effective spill containment measures, will significantly minimize the risk of pollution.

-Regular servicing and maintenance of infrastructure throughout the operational phase are essential to ensure long-term environmental protection.

-Monitoring piezometers should be installed to assess at least the shallow aquifer.

-Regular monitoring of the groundwater, makes it easier to identify potential issues such as contamination.

2.2 Groundwater Recharge & Flooding Risks

The Hydrological assessment concluded that 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. The proposed stormwater management, including permeable pavements, retention ponds, and controlled drainage, will be essential to mitigate local hydrological changes.

2.3 Impact on Nearby Water Users

A hydro census was conducted, and apart from the spring on the property, only one irrigation spike (owned by Dr Nick Frootko) was identified within a radius of 1km from the site.

Groundwater samples were collected for analysis and it was found that both water sources were unfit for human consumption due to elevated hardness and, high levels of sodium (Na) and chloride (Cl) further degrading its quality.

A search of the National Groundwater Archive (NGA) and Water Use Authorisation & Registration Management System (WARMS produced zero boreholes within a 1 km radius of the site. The search radius was extended to 3 km and three boreholes were identified of which one is within the “Geohydrological Response Unit”.

With proper mitigation strategies in place, the development's impact on other groundwater can be reduced to negligible levels.

3. MUNICIPAL INFRASTRUCTURE CONSTRAINTS

Water pressure, sewage systems, and solid waste services are seen as inadequate to support the development.

RESPONSE

3.1 Water Supply: The Bitou

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 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 D.7.

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.

The Cullinan objection is supported by an Engineering evaluation done by Zs2 Consult (attached as Annexure C7.5). Poise Engineering has provided detailed comments on technical issues raised in the Cullinan Report as well as in the Zs2 and Huges Report (see Annexure I).

3.2 Sewer:

The GLS Capacity Analysis report confirms that the pump stations have sufficient capacity to accommodate the Development. However, certain rising main upgrades are required, and the wastewater treatment plant is currently at full capacity.

The Bitou Municipality has 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 construct an on-site package plant that can be designed to treat wastewater for reuse. The type of plan proposed is a Bio Sewage Plant, which is a containerised bioreactor plant that delivers treated sewerage to special limits water quality standards. Treated wastewater can be used for purposes like irrigation and toilet flushing, which will also reduce the demand for freshwater sources. In a letter dated 23 July 2024, the Bitou municipality confirmed that they accept the proposed package plant as an interim method to accommodate the sewer on the proposed development. The letter is attached as Annexure D.7.

3. FUNCTIONING AND MANAGEMENT OF THE PROPOSED PRIVATE SEWER TREATMENT PLANT

3.1 Environmental impact and Health risk

Some of the objections received, including from the Plett Ratepayers Association, are concerned about the potential health and environmental risks associated with the planned on-site sewer plant.

RESPONSE

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.

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.

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 as Annexure G). Allegations relating to the Sewage Plan made in the ZsC Report have been sufficiently addressed in Section 6 of the Poise Response to objections received, attached as Annexure I.

3.2 Discharging of treated effluent

The developer proposes to dispose of the treated wastewater on site by means of irrigation and recycling. The Z2C report calculated that the volume of treated wastewater from rough estimated calculations will be in the order of 36000 litres per day and concludes that the volume is more than double the average rainfall, calculated over the irrigatable area and that the volume is too excessive to be disposed of by irrigation.

RESPONSE

Poise Engineering has addressed this allegation in Section 7.12 of their Response to Comments Report (Annexure I). The stated ZS2 calculation result is incorrect. The annual projected effluent irrigation quantity equates to 45% of the annual rainfall calculated over the irrigable area and 22% over the total development area.

Notably, to dispose of the daily effluent volume, irrigation would only be required once per week for 15 minutes, utilizing just 52% of the 3.0-hectare irrigable area. For further details, refer to Paragraph 5.4.2 of the Poise Report.

4. URBAN EDGE AND COMPATIBILITY WITH THE BITOU SDF

The Cullinan objection, as well as the objection from Jeane Muller, both on behalf of the Milkwood Glen Residents, state 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 that takes account of site-specific circumstances. The suggestion is made that the application does not have any site-specific considerations that should allow the extension of the Urban Edge.

RESPONSE

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 Annexure D.7. 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.

5. DENSITY CONCERNS

Many objectors refer to the development as a high-density development that is not appropriate for the area.

RESPONSE

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.

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.

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

6. IMPACT ON THE CHARACTER OF THE AREA

The objection raised by residents of Milkwood Glen regarding the potential impact of the proposed development on the character of the area is noted and it is understandable that existing residents of Milkwood Glen may wish to preserve their current environment without nearby development. However, the concerns regarding the special character and sense of place in Keurbooms must be assessed within the broader planning and policy framework, as well as in the context of existing and approved developments in the area.

RESPONSE

This development shares significant similarities with other developments in the area, such as Milkwood Glen, and is therefore 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 and planned housing landscape. The Spatial Development Framework makes provision for housing development to the north of Keurboom Road, and it can, therefore, be expected that the landscape will change over time.

Furthermore, 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.

7. ENVIRONMENTAL CONCERNS

Many objectors cite environmental concerns, such as potential impacts on local flora, fauna, and wildlife habitats, as reasons to oppose the development.

RESPONSE

This objection appears somewhat selective, particularly coming from the Milkwood Glen community, which itself is situated in a far more environmentally sensitive area than the proposed development site.

This pattern of opposition reflects a common "not in my backyard" (NIMBY) syndrome, where existing residents seek to prevent new developments despite having benefitted from similar developments themselves. Such objections often overlook the fact that responsible development, guided by environmental assessments and mitigation measures, can coexist with ecological sustainability.

The proposed development is entirely within areas mapped as secondary vegetation or pasture that has low biodiversity value and sensitivity, as confirmed by specialist studies conducted on site. The development is supported in the “Plants, Animals & Terrestrial Biodiversity Assessment Report”, on the condition that forest habitats on the property are fully protected. Over 8.3ha of the property is allocated for conservation, preserving forest habitat, biodiversity, and natural vegetation that has been identified as sensitive. In addition, a further 20m buffer has been added along the foot of the hill to promote animal movement and the rehabilitation of the secondary vegetation. The Final Basic Assessment Report, as submitted to the Department of Environmental Affairs and Development Planning, can be downloaded from the Eco Route website. https://ecoroute.co.za/node/67.

C: SUMMARY AND RESPONSE TO INDIVIDUAL OBJECTIONS

1. OBJECTION FROM PLETT RATEPAYERS & RESIDENTS ASSOCIATION DATED 17 December 2024	
COMMENT	**RESPONSE**
1. Impact of Development in Bitou Municipality	
1.1 The proposed development is not unique, as additional similar developments are planned nearby on Portion 192 and Portion 12 of Matjesfontein 304, collectively adding over 100 housing units.	The objection raises concerns about potential market saturation for middle-income housing. However, 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. 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.
1.2 There are at least ten other similar developments planned, totaling approximately 1,300 dwellings within the Bitou municipal area.	
1.3 The market research provided is inadequate, addressing only high-level trends without demonstrating a specific need for these developments.	
1.4 An additional 1,100 middle-income housing units are planned or in the application stage in Bitou.	
1.5 The objection highlights concerns about cumulative demand on municipal services, particularly water, given that government plans also include 4,000 high-density dwellings.	
2. Availability of Resources and Infrastructure	
2.1 Existing municipal infrastructure is already under strain, with limited attention or budget allocated for expansion or maintenance.	See General Response to Municipal Infrastructure Constraints (Section B3).
2.2 There is insufficient long-term water storage, and government funding constraints may delay essential infrastructure projects.	
2.3 The application suggests sourcing water from the Matjesfontein bulk system, but this system lacks capacity for peak demand, which has not been properly addressed. The	Noted and the GLS Report also states that the bulk water system to the Matjiesfontein reservoir is at capacity and should

association opposes any new housing approvals until bulk water storage is expanded.	be upgraded according to the master plan before additional developments within the reservoir supply area can be accommodated. This will be addressed in the Service Level Agreement.
3. **Geomorphic, Physical, and Aquatic Properties of the Site**	
3.1 The site is near the 100-year flood line but mostly below the 5m above mean sea level (amsl) isoline.	See General Notes B.1.2 on proximity to the 1:100 flood line.
3.2 Reports confirm the site is within an Estuarine Functional Zone, historically submerged, with sediment evidence of estuarine origin. Historical maps also suggest past flooding.	See General Notes on Estuarine Functional Zone B.1.1 and Allegations of Previous Flooding B.1.5.
3.3 Flood line calculations are based on historical data and do not account for climate change effects, making future flooding risks unpredictable. Changes in the Keurbooms River outflow have caused recent floods in the area.	See General Notes B.1.7 Mitigation measures proposed to accommodate future climate change.
3.4 The reports lack analysis of deeper aquifers that may serve as potable water sources. Concerns exist about soil permeability and the risk of groundwater contamination due to stormwater runoff and the proposed waste management system.	See General Notes 2 on Impact on Hydrology.
4. Characteristics of the Site Development	
4.1 The proposed bio-sewerage package lacks assurances of efficiency and reliability, posing potential health and environmental risks. There is no timeline for connection to municipal wastewater infrastructure.	See General Notes B4.1: Environmental Impact and Health Risk Associated with the Proposal on-site sewer system.
4.2 The development would negatively impact the greenbelt character of the area, replacing pastoral open space with high-density housing, and altering the natural aesthetic.	See General notes on the Character of the area (Section B.7) and Density (Section B.6).
5. Neighbours' Consent	
5.1 Written consent from neighboring property owners is required before approval of the rezoning and subdivision, which has not been demonstrated.	The Bitou Land Use Planning By-law emphasises the importance of public participation in land use planning processes to ensure transparency and inclusivity. Neighbour's consent is, however, not a pre-requisite for development approval. The requirement is that affected parties must be notified of the proposed development, and they must be

	allowed to comment or object to the proposal. All comments and objections received during the public participation process must be reviewed and considered by the municipality before a decision is made. All the surrounding neighbours have been informed via email. None of the directly adjacent neighbours have objected.
6. Conclusion	
6.1 Approval would be reckless given the lack of municipal infrastructure expansion, particularly for water storage.	See General Response to Municipal Infrastructure Constraints (Section B3)
6.2 The application does not provide adequate market research on housing demand and ignores numerous similar proposed developments.	See the previous comment on housing demand in Bitou.
6.3 The site poses a flooding risk, potentially leading to property damage and loss of life.	See General Note on Flooding (Section B1).
6.4 Environmental risks outweigh potential economic benefits, and the area should remain zoned for agricultural use.	All potential environmental risks were identified during the Environmental Impact Assessment, and mitigation measures have been proposed to ensure no harm to the environment. The outcome of the assessment will determine the final impact.
6.5 Destroying the greenbelt for high-risk urban development is unnecessary, given other available and planned housing options.	See General notes on the Character of the area (Section B.7) and Density (Section B.6)
6.6 No clear plans exist for integrating the development into municipal water and wastewater systems.	See General Notes on Infrastructure Constraints (Section B.3)
2. OBJECTION FROM DR. NICOLAS FRUUTCO (925 824, 833, 832, 831 AND 830 Milkwood Glen	
COMMENT	**RESPONSE**
I object to the proposed rezoning.	
1. Flood Risk The southern portion of the site lies within the Keurbooms-Bitou Estuarine Functional Zone, classified as a floodplain.	See General Notes on Flooding Section B.1
The land is below the high-water mark, with portions of it less than 4m above mean sea level.	See General notes on Topography Section B.1.3

Historical data and expert reports indicate frequent flooding due to fluvial and marine events, particularly during high tides, storm surges, and extreme rainfall.	See General Notes Allegations of previous Flooding B1.5
Climate change projections suggest rising sea levels and groundwater levels, further increasing the risk of flooding.	See Mitigation Measures proposed (Section B.1.7)
The Keurbooms Estuary Estuarine Management Plan (2022) and the Bitou Municipal Spatial Development Framework (2022) recommend no development below 5m above mean sea level, which the proposed site does not meet.	See General note on setback lines Section B.1.4
2. Coastal Groundwater and Infrastructure Risks The area lies within the Coastal Groundwater Zone, where groundwater levels fluctuate due to ocean tides and rainfall. Rising groundwater levels could lead to subsurface flooding, saline intrusion, and damage to infrastructure. The development does not adequately address the long-term sustainability of underground infrastructure in an environment prone to water saturation.	See General Notes on Hydrology Section B.2
3. Environmental Sensitivity The property is located within the Coastal Protection Zone and the Outeniqua Sensitive Coastal Area Extension (OSCAE). Historically, the area supported high aquatic biodiversity, but human activity has transformed it into pastureland. Development could further degrade the natural hydrology, impacting local ecosystems	See General Notes on Environmental Concerns.
4. Landslide Hazard The northern portion of the property consists of a steep, forested slope (47% gradient, 140m high) with an unstable sandstone and conglomerate substrate. Heavy rainfall events have previously caused landslides in similar terrain (e.g., Kaaimans Pass in 2023). Development on or near this slope poses a potential geotechnical risk to residents and infrastructure.	There have not been any landslides recorded in the area and the development will not have any impact on the stability of the densely vegetated slopes.

3. OBJECTION JEANR MULLER ON BEHALF OF MILKWOOD GLEN	
COMMENT	**RESPONSE**
No Conveyancer Certificate provided, alternatively a copy of all historical deeds.	It is agreed that Section 38 (1) of the Bitou Land Use Planning By-law requests a conveyancer's certificate indicating that the application is not restricted by any condition contained in the title deed pertaining to the application property or a copy of all historical title deeds; This has not been submitted as the Bitou Municipality generally only request this if the title deed is complicated or unclear. In terms of Section 38(2) the Municipality may at a pre-application consultation, add or remove any information or documents contemplated in subsection (1) for a particular application. It is unfortunate that there are no minutes to this effect available, but omitting this document is not regarded as a fatal flaw, especially in the light of the fact that the condition referred to in the objection does not hold any restriction to the development. To address this technical concern, we attached hereto a Conveyancer's Certificate as well as the previous Title Deeds and a copy of the water court servitude (See Annexure K).
Furthermore, Condition B of the Title Deed T73549/2000 relates to servitude in terms of the water Court and has not been properly addressed.	The Water Court Servitude deed has been requested and is attached as Annexure K. The Servitude dates back to the 1950ties before Portion 91 or even Portion 14 was created. The Conveyancer certificate confirms that there is no such servitude registered over this portion of the original property It may be of interest to note that the condition that is posing such a concern to the Milkwood residence is also replicated in the title deeds of each of the Milkwood Glen properties, as well as those of surrounding farms.
Condition C (1) refers to several condition that requires the approval of the Provincial Roads Authority.	The Roads Authority has consented to the application in terms of the provision of Title Deed condition C, in a letter dated 16 April 2025 (see the letter attached As Annexure D.5).

The applicant did not provide a CIPS Certificate to ensure that the Company resolution is legally correct.	Noted, CIPC attached as Annexure L, confirming that Stephan Roux is the only Director and owner of the Family Roux Eiendomme Beperk.
The Applicant did not motivate any site-specific circumstances to motivate the proposed portion of the development that falls outside the urban edge.	See General Notes on 5. Urban Edge and Compatibility with The Bitou SDF (Section B.5)
Environmental concerns in terms of planning legislation and policies: Object to the proposed development that is below the 5m MSL and in a mapped estuarine floodplain,	See General notes on Flooding (Section B1.4 above)
The area is not in a core area where development is encouraged. The development is more suitable for an order 1 node.	The development is very similar to the Milkwood Glen development which has proven to be successful even if it is not within the "core" urban area. A portion of the property has been identified as a strategic development area within the urban edge and the proposal complies with densities prescribed for the area.
Keurbooms also have a special character and sense of place that should be maintained and protected, and the development will negatively impact this character.	See General Notes on Character of the Area (Section B. 7)
Proposed density: The proposal is in line with the 12 unit /ha density envisaged in the NMSDF but it will have a negative visual impact if not mitigated.	The mitigation measures contained in the Visual Impact Assessment will be adhered to.
MITIGATING PROPOSALS: No development (whether it is inside or outside the demarcated urban edge) should be allowed below the 5m/5,5m MSL and the 1:100 year flood line.	See General notes on Flooding (Section B1.4 above)
Development should only be allowed in the designated strategic development area and therefore no development outside the urban edge should be permitted;	See General Notes on Urban Edge (Section B.5).
The units/erven should be clustered together and only located within the identified strategic development area. This will create bigger open space areas/green areas to assist with the visual impact;	
The proposed dwelling units should be limited to a single-story unit;	No reason has been provided for the request to limit the height or size of dwellings. The Visual Impact Assessment

The size of the dwelling units should be restricted;	confirms that the visual impact of the development is low and did not recommend any height restrictions lower than the normal 8,5m that is prevalent in most residential areas**.**
Each land unit/erf should be limited to one dwelling unit only;	This will be the case due to the General Residential I zone that is proposed.
A landscape plan and list of vegetation should be submitted. Only Indigenous plants and trees may be permitted within the proposed development;	Noted, the Visual Impact Assessment recommends a landscape plan as part of the conditions of approval, and this will be accepted as a condition of the approval.
The disturbed land below the 5m MSL should be rehabilitated to a natural area, which should be maintained by the proposed Homeowners Association.	There will not be any Homeowners' Association if the 5m line must be observed as there will not be any development footprint left, taking into account the 20m setback from the foot of the hill.
Indigenous trees of 100litres each, approximately 3m apart (or as determined by a landscape architect) should be planted along the perimeter of Portion 91 of the Farm Matjesfontein No. 304 to minimize the visual impact on the landscape;	Noted, the layout makes provision for a landscape berm of ±10m wide along the Keurboom Strand Road, which will create a vegetation screen that will soften the visual impact of the development.
The colour scheme of the houses should be of natural colours to blend into the natural forest.	Noted.
Outside lighting should not be more than 1m high from the natural ground level, to minimize light pollution.	Noted.
It is of utmost importance to carefully consider the environmental factors relating to the proposed development, prior to decision making.	Noted, the Planning Decision will be informed by the information provided during the Environmental Authorisation process and must be considered as part of the relevant information.
4. OBJECTION FROM Wayne and Cindy Mc Kenzie (KeurView)	
COMMENT	**RESPONSE**
Our electricity infrastructure is already under severe pressure and power outages are frequent, especially	See comment from Electrical Department: Annexure D.8.
Roads and pedestrian safety along the pathway would be severely affected.	Traffic Impact Assessment confirms that the proposed access is safe and that the road network can accommodate the existing load.
5. OBJECTION FROM Debby Taskes on behalf of the Taskes Family (Keurview)	
COMMENT	**RESPONSE**
Environmental Impact: This natural zone typically supports	See notes on Environmental Impacts (Section B.8).

wildlife habitats, native flora, and fauna. Any large-scale residential development would likely result in habitat loss, disruption to local wildlife, and increased pollution levels, which are detrimental to the natural environment	
Infrastructure and Services: The proposed development would place increased pressure on existing infrastructure, including roads, public transport, water supply, electricity, sewage, and waste management.	See General Response to Municipal Infrastructure Constraints (Section B3).
Traffic and Road Safety Concerns: The development would result in a substantial increase in traffic in an area that is currently not equipped to handle such volumes. The road network is unsuitable for the increased traffic.	Traffic Impact Assessment confirms that the proposed access is safe and that the road network can accommodate the existing load.
Community Concerns: A large residential estate would alter this character significantly and impact the quality of life in the area.	See notes on the character of the area (Section B 7) and Density (Section B6).
6. Hartwig and Berna Euler) Keurbaai and Milkwood	
COMMENT	**RESPONSE**
Object to the application.	
Environmental Impact: This natural zone typically supports wildlife habitats, native flora, and fauna. Any large-scale residential development would likely result in habitat loss, disruption to local wildlife, and increased pollution levels, which are detrimental to the natural environment	See General Notes on Environmental Impact (Section B.8).
NON-COMPLIANCE WITH APPLICABLE LAND USE PLANNING POLICY	
The property is below the 5m contour where formal development should be discouraged due to potential flooding.	See notes on flooding and Topography of the area (Section B.1.3 and B.1.4).
The development is within a wetland corridor	See General Notes on Estuarine Functional Zone (Section B1.1 and B1.4).
No development within the 1:100-year flood line	See General Notes on the 1:100-year flood line (Section B1.2).
7. OBJECTION FROM CULLINAN AND ASSOCIATES ON BEHALF OF SEVERAL OWNERS IN MILKWOOD GLEN (who have also submitted individual objections)	
THE APPLICATION IS INCOMPLETE AND FATALLY FLAWED	

COMMENT	RESPONSE
The application lacks essential documentation, including a conveyancer's certificate and historical title deeds.	See the response to Jeane Muller's Objection.
Restrictive conditions in the title deed have not been addressed, including water servitudes and road-related conditions.	See the response to Jeane Muller's Objection.
Failure to submit an application for administrative consent regarding outdated road servitude conditions	See the response to Jeane Muller's Objection.
2. NON-COMPLIANCE WITH LAND USE PLANNING POLICIES	
The proposed development falls within the Estuarine Functional Zone (EFZ), which is highly vulnerable to flooding.	See General Notes on the Estuarian Functional Zone (Section B.1.1).
The Bitou Spatial Development Framework (SDF), Keurbooms and Environs Local Area Spatial Plan (KELASP), and Garden Route District Climate Change Response Implementation Plan discourage development below the 4.5m, 5m, and 5,5m contours due to flood risks.	See General Notes on the 4,5m swash line (Section B.1.4).
The proposed development extends beyond the urban edge, contradicting municipal planning policies.	See the Compatibility statement from the Bitou Spatial Planning Department attached as Annexure D.6.
The site is within a flood-prone area, with historical flooding events demonstrating its flood retention function.	See General notes on flooding Section B1.
The Bitou SDF also specifically states that no development may occur within the 1:100 floodline.	See General Notes on 1:100 year flood line (Section B.1.2).
.**3. Topographical considerations and Historical Flooding of Surrounding areas**	
The site is less than 5m above sea level	See General notes on Setback lines Section B.1.4
The Property is also located only just outside of the 1:100 floodline. The 1:100-year floodline tracks Keurboom Road, which is much the same height above mean sea level as the Property, meaning that it will be unlikely to act as a barrier to flooding of the Property.	See notes in Section B.1 (Flooding).
The need to preserve the Keurbooms Valley on the north side of Keurbooms Road as a flood plain was confirmed	This statement is considered to be misrepresentative. It refers to "Keurbooms Road", not Keurboomstrand Road, and implies

during November 2007 when the Bitou area experienced high rainfall, resulting in the Keurbooms River bursting its banks and flooding surrounding areas Keurbooms Road was impassable and the Dunes Resort was 1.5m underwater. From here water spilled over both sides of Keurbooms Road.	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.
The very real risks for the property and the surrounding areas are borne out by the photographs (annexed as F) which show high groundwater levels on an adjacent property as well as flooding of properties in close proximity to the proposed development site.	See Notes on Allegations of previous Flooding Section B.1.5).
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".	Poise Engineering has responded in detail to the allegations made in the Huges Report (Annexure I) and an additional Geohydrology study was conducted to assess the potential impact on Groundwater in the area. (Annexure J).
The Hughes Review (Hydrology Expert Report states that the site is at risk of flooding and will reduce flood retention storage, increasing risks for surrounding properties.	Please see the general notes on flooding Section D.1 above as well as Poise Engineering's response to objections relating to civil engineering proposals and flooding.
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 over-estimated".	According to Poise Engineering, Dr Hughes' calculation of the 24-hour rainfall is incorrect. He incorrectly derived it from the figure from the Poise Report after the 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. (See Section 8.6.1 of Poise Comment).
The effects of antecedent wetness conditions have been entirely overlooked.	According to Poise Engineering, this statement is not correct. The stormwater runoff coefficient used in the calculations

	includes an adjustment factor that varies for storm return intervals and accounts for higher runoff under higher RI conditions (See Section 8.6.2 of Poise Comment).
There is a possibility of runoff and near-surface drainage from the forested slopes to the North of the site.	The runoff from the forested slope has been accounted for. See the Poise Engineering Report Paragraphs 8.2 and 8.3.
Limited storage capacity for draining water into soils (as evidenced by the findings of the Geotechnical Report).	See Section 8.2 of Poise Comments Report.
4. INADEQUATE WATER AND SANITATION SERVICES	
Insufficient bulk water supply to meet the demand for the development.	See General Response to Municipal Infrastructure Constraints (Section B3).
The municipal sewer system lacks capacity, requiring a temporary wastewater treatment The planned wastewater treatment works may be required to be in place for an extended period of time, with associated deterioration concerns.	See General Response to Municipal Infrastructure Constraints (Section B3).
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).	See Section 7 of Poise Response to Engineering Concerns as well as General Response concerns relating to the discharge of treated effluent (Section B.4.2).
Stormwater management concerns, with retention ponds unlikely to function effectively due to high water tables	See the revised Engineering Report Section 8 for detailed data and calculations and also Section 8 of the Poise Response to Comment Report.
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.	This will be addressed in the Service Level Agreement.
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 'I') confirms that there are significant concerns around the availability of water and sanitation services for the proposed development:	Please see Poise Engineering's response to objections relating to civil engineering issues raised in the Z2 report as well as the General Response to Municipal Infrastructure Constraints (Section B3).

FAILURE TO ADEQUATELY MOTIVATE FOR AND/OR JUSTIFY NON-COMPLIANCE WITH RELEVANT POLICY CONSIDERATIONS	
Land development decisions must be consistent with the SDF unless site-specific circumstances warrant a departure. Such a departure necessarily requires a motivation that takes account of site-specific circumstances. In the current application, that would require consideration of flood risks and municipal services in particular	See General Comment on SDF and Compatibility with the Bitou SDF (section B.5).
MISREPRESENTATION OF NEED AND DESIRABILITY OF THE PROPOSED DEVELOPMENT	
The motivation behind the development is premised on the purported need for affordable housing in the Plettenberg Bay area as well as providing employment opportunities in the construction sector. While such needs may well exist, the desirability of a high-density residential development on the Property in order to meet those needs is questionable for the following reasons:	The proposal does not constitute a high-density development. See General Comment on Density (Section B.6).
Inadequate identification and assessment of impacts associated with the proposed development	Incorrect, the application process commenced in 2022 and underwent extensive environmental impact assessment and the development proposal went through various iterations to accommodate any concerns. Specialist studies have identified potential impacts and have provided the necessary mitigation measures to reduce potential impacts. The Final Basic Assessment Report has been prepared and includes the additional assessment that was done in response to the objections received.
Failure to comply with relevant policy guidance. Given the limited delineation of the developable area on the Property, there does not appear to be a need for the development of the scale and density proposed in the development application on this particular property.	See notes on Urban Edge and compatibility with the Bitou Spatial Development Framework (Section B.5).

The footprint of the development 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).	See General notes on Flood risk and 4.5m contour (Section B.1.4).
Inappropriate location: The development is marketed as addressing affordable housing needs, but: It is 7 km outside Plettenberg Bay, with no evidence of adequate public transport.	While the Milkwood residents believe the development is inappropriately located, they appear quite comfortable living in the same location Similarly, those who choose to reside in Keurboom will likely have the means to own cars, just like the residents of Milkwood Glen and The Dunes for example.
The high-density group housing model does not align with the surrounding area's character.	See notes on the Character of the area Section B.7 and Density B.8).
The development would significantly impact property values in the area.	The claim that the proposed development will significantly lower property values is unfounded and lacks supporting evidence. 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.
Visual impact concerns as it is located along a scenic route, potentially affecting tourism.	Please refer to the findings of the Visual Impact Assessment Report.

D: SUMMARY AND RESPONSE TO AUTHORITY COMMENTS

COMMENT	RESPONSE
DEADP: DEVELOPMENT MANAGEMENT 10 January 2025	
The Department **SUPPORTS** the application.	No response is required.
DEADP: DEVELOPMENT MANAGEMENT 6 December 2022	
The Department confirms that the property is not subject to the provisions of Act 70 of 70	No response is required.
WESTERN CAPE DEPARTMENT OF AGRICULTURE	
The Department **SUPPORTS** the application and confirms that the land is not used for agricultural purposes and that it is not earmarked for agriculture.	No response is required.
WESTERN CAPE HERITAGE	
The Department **SUPPORTS** the development and confirmed that there is no reason to believe that the proposed housing will impact heritage resources.	No response is required.
WESTERN CAPE TRANSPORT AND INFRASTRUCTURE	
The department **APPROVES** the application, subject to conditions:	
Main Road 394 (MR00394) and Divisional Road 1888 (DR01888), both Building Restriction Roads (in terms of Act 21 of 1940), for which this Branch is the Road Authority (in terms of Roads Ordinance 19 of 1976), are affected by this application. Although MR00394 might have been proclaimed 25m wide and although DR01888 might have been proclaimed 20m wide, is it likely that both MR00394 and DR01888 have been taken up (fence line to fence line) wider than those proclaimed minimum widths. MR00394 is classified as a functional class 3 road and DR01888 is classified as a functional class 4 road, with both roads traversing through a semi-rural roadside environment in the vicinity of Farm 304/91.	MR00394 has been taken up (fence line to fence line) the fence along the northern side of the road has been surveyed and will form the northern boundary of the road reserve. The southern side of the road reserve has been created with the subdivision of the Milkwood Glen Estate. The distance between the fences is calculated to ±25m. DR01888 has not been demarcated by a fence line. The embankments along the road will have to be surveyed to determine the width of the road reserve, presently the subdivision indicates a 20m road reserve. The final position of the road reserve will be confirmed with the department.
The 2 Transport Zone II Erven (proposed as Erven 67 – 68) are this Branch's MR00394 and DR01888, and the 1 Open Space III Erf (proposed as Erf 66) is	Noted.

assumed to be part of this Branch's DR01888 road reserve too – this, however, must / will be confirmed once the road reserve boundaries (paragraph 3.2 of this letter) are confirmed, at which stage access will then (if required) addressed as well.	
The existing road reserve boundary fence lines along both MR00394 and DR01888 must be surveyed and compared to their respective proclaimed widths. Whichever is wider between the proclaimed width and the width taken up determines the road reserves of (both) MR00394 and DR01888. That information must be carried over to and approved by this Branch (via the offices of the District Roads Engineer).	Noted.
Unless otherwise approved by this Branch only one access off MR00394 at ±km2.65 LHS (Left Hand Side) in favour of this proposed development (including the Remainder Farm 304/91) exists off that road. Access off DR01888 is nearly impossible due to the steep slope that the road was cut through.	Noted, access from DR01888 is not required.
The bellmouth, driveway and access structure (security-controlled gate) at the approved access off MR00394 at ±km2.65 LHS must be designed by an appropriately registered civil engineering professional.	Noted.
Although the minimum stacking distance (of 6.5m) between the shoulder of MR00394 and the access gate was calculated based upon methods that residents and visitors will be allowed into the gated development, the minimum provided stacking distance must be able to accommodate at least two passenger vehicles (that will then be accommodative to a passenger vehicle plus trailer too) in the single entrance lane, which is why at least 13m must be provided. A similar (slightly longer) stacking distance (of ±15m), like the opposite Milkwood Glen's, is however recommended.	The layout makes provision for a stack distance of at least 15m from the shoulder of MR00394. The final gate position will be submitted to the branch with the bellmouth design.

The 5m Building Line (Roads Ordinance 19 of 1976) adjacent to MR00304 must be indicated on the relevant drawings and must remain unaffected by any structures and/or infrastructure unless approved by this Branch.	Noted, this will be added to the final drawings to be endorsed by the department.
The boundary wall/fence that will be constructed on the road reserve boundary of MR00394 must carry the approval of both Bitou Municipality and this Branch.	Noted.
No external services, due to this development being approved, will be allowed within the road reserve of MR00394. The 5m Building Line (Roads Ordinance 19 of 1976) may be utilised for such purposes, once approved by this Branch. Road crossings will, however, be allowed by this Branch.	Noted.
Stormwater must be collected on-site and orderly transferred. No additional stormwater (pre- versus post-development) may be allowed to be discharged into the road reserve of MR00394.	Noted. The stormwater plan allows for on-site stormwater retention.
At least the recommended 2.25 parking bays per unit must be provided within the perimeter of this proposed development.	Noted, this is in accordance with the Bitou Zoning Scheme parameters.
Refuse must be collected by Bitou Municipality within the perimeter of this proposed development without causing any blockage to any vehicle entering this proposed development off MR00394. If refuse is wished to be collected at the entrance gate, then must such a design (for the refuse truck to stop, collect, turn around, and exit without hindering any traffic flow) be included in the abovementioned (paragraph 3.4) bellmouth and access structure design.	Noted, the design of the refuse collection point will be included in the bell mouth and entrance gate design to be submitted to the Department.
Any advertisement in favour of this proposed development that will be visible off the proclaimed provincial road network must carry Bitou Municipality's approval in terms of its approved Advertising By-Law.	Noted.

As controlling Authority, the department approves the proposed subdivision to create the proposed abovementioned (paragraph 3.1 of this letter) erven.	Noted.
As controlling Authority, the department approves the relaxation of the 95m Building Restriction (measured from the centreline of MR00394) to 5m from the northern road reserve boundary (to coincide with the 5m Building Line in terms of Roads Ordinance 19 of 1976).	Noted.
Gives its consent that the restrictive conditions imposed in terms of the said Act in Title Deed T000073549/2000 paragraphs C.1., C.2., C.3. and C.4. may be repealed and need not be carried over into any new Title Deed that will be created.	Noted.
DEPARTMENTAL COMMENTS: PLANNING AND BUILDING CONTROL	
The proposal is considered to be consistent with the relevant forward-planning policy for the area, and is therefore supported from a Spatial Planning perspective (subject to the outcome of any amended/ supplementary aquatic biodiversity and/ or flood line studies that may be carried out as a result of objections received remaining positive/ conducive towards development).	Noted.
DEPARTMENTAL COMMENTS: ENGINEERING SERVICES	
The department confirmed that there is bulk service capacity for the development subject to conditions such as entering into a service level agreement, payment of augmentation levies, and the implementation of a temporary WWTW.	The condition as set out by the department is noted and will be accepted as conditions of the approval.
DEPARTMENTAL COMMENTS: ELECTRICAL SERVICES	
The Department provided estimated augmentation fees and requested that the developer be responsible for the installation of electrical services.	The conditions and cost as set out by the department are noted and will conform to the Service Level Agreement.

Planning Space
Town and Regional Planners

ADDENDUM TO RESPONSE TO OBJECTIONS **28-07-2025**

ADDITIONAL COMMENTS BY JEANNE MULLER TOWN PLANNING – DATED 16 JULY 2025 PROPOSED DEVELOPMENT ON PORTION 91 OF THE FARM MATJESFONTEIN NO. 304

This addendum serves as a formal response to the further comments submitted by Jeanne Muller Town Planning, acting on behalf of residents of Milkwood Glen, in response to the Revised Basic Assessment Report (dated 24 June 2025). The majority of the concerns raised in the second submission are reiterations of issues previously submitted and comprehensively responded to in our original response dated 12 March 2025, submitted originally as part of the Rezoning and Subdivision process.

Nevertheless, to ensure full transparency and clarity, this response provides specific comments on those aspects of the July 2025 submission which may warrant additional clarification.

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1. Urban Edge and Consistency with the Spatial Development Framework (SDF)

The additional comments again assert that the development should not be permitted outside of the demarcated urban edge unless site-specific justification exists. It is submitted that this matter has already been addressed in full. As stated in our previous submission, the Bitou Municipality's Spatial Planning Department has confirmed in writing that the proposal is considered consistent with the SDF. The final decision regarding the scale and nature of the proposed development has not yet been made by the Bitou Municipality, and it will consider the site-specific information and proposed mitigations as set out in the final BAR.

No new information was submitted by the objector that alters the municipality's position or warrants a different interpretation of the Spatial Development Framework.

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2. Flood Risk, Low-Lying Nature of the Site and the Garden Route Climate Change Adaptation Plan

The objector refers to the 2024 Garden Route District Climate Change Adaptation Response Implementation Plan and argues that the development is at risk due to its location below 5.5m AMSL. It is submitted that this matter has also been addressed in detail.

While this document provides important strategic guidance, the present application is supported by a site-specific flood risk assessment prepared by Poise Engineering, which confirms that the site lies outside of the 1:100-year flood line and is physically separated from flood-prone areas by Keurboomstrand Road, which acts as a physical barrier. The road sits at an elevation of approximately 3.65m AMSL, while the lowest areas of the site are higher than the nearby Dunes Resort (2.5m AMSL), which was affected by flooding during the 2007 flood event.

Furthermore, it must be emphasised that the 5.5m contour referred to in the Adaptation Plan is a regional planning guideline, not a binding setback line. In the present case, both site topography and historical flood records indicate that the development area is not susceptible to flooding. This is further reinforced by the absence of estuarine or saturated soil conditions on site, as confirmed by Dr. Jackie Dabrowski in the Aquatic Biodiversity Impact Assessment.

The proposed development includes extensive flood mitigation measures, including elevated floor levels and the implementation of a Sustainable Urban Drainage System (SUDS), with storage volumes exceeding the 1:100-year storm runoff capacity. These measures are designed to address both present-day and projected future climate risks.

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3. Wildlife Corridor and Change in Fencing Specification

The objector raises concerns regarding the change in fencing recommendation between the draft and revised Aquatic Biodiversity Impact Assessments, noting a shift from palisade fencing to ClearVu fencing.

It is our understanding that the change in recommendation was based on further specialist review and was made to ensure protection of the ecological corridor from domestic pets, which pose a significant risk to small mammals, reptiles and ground-nesting species. The fencing of the development can be prescribed by the authorities as conditions of approval and is not a reason to reject a development proposal.

It must be emphasised that the corridor itself remains unfenced internally and will not be obstructed. The 20m ecological corridor, including the natural spring, will remain intact and fully functional. The objective of the corridor is to facilitate undisturbed ecological movement between the forested slope and the surrounding natural areas. This remains unchanged.

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4. Alleged Lack of Mitigation for Surrounding Properties

The comment suggests that no mitigation has been proposed to protect adjacent areas such as Milkwood Glen. This is incorrect. The Poise Engineering Report confirms that the proposed SUDS stormwater system is specifically designed to prevent any increased runoff to surrounding properties. Runoff from the forested slope will be captured

via a shallow swale and directed into an existing natural pond. The development layout avoids altering the site's natural drainage profile and maintains the existing infiltration capacity.

The stormwater management system therefore provides mitigation for both the development site and any potential downstream effects. No increase in surface discharge to Milkwood Glen or other surrounding properties is anticipated.

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7. Development Controls and Restrictions

The objector alleges that Milkwood Glen is subject to strict architectural and environmental controls, whereas the proposed development on Portion 91 of Farm Matjesfontein No. 304 is not. This assertion is factually incorrect and does not take into account the range of development parameters and restrictions that will apply to the proposed development, many of which will be directly informed by specialist recommendations set out in the Basic Assessment Report (BAR) and supporting studies.

Although the application currently seeks land use rights, it is a condition of both environmental authorisation and town planning approval that development controls be implemented through a combination of conditions of approval, homeowners' association (HOA) management rules, Environmental Management Plans for the construction and operational phases and the eventual architectural and landscape guidelines. These measures will ensure that the development proceeds in a controlled and environmentally sensitive manner.

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8. Conclusion

In conclusion, the second round of objections submitted by Jeanne Muller Town Planning do not raise any new material issues that have not already been addressed in the original submission. All relevant planning, environmental, engineering, and legal considerations have been duly assessed through independent specialist input, and mitigation measures have been proposed where necessary.

The concerns relating to the urban edge, flood risk, fencing, cumulative impact, and environmental integrity have been thoroughly evaluated and responded to with supporting technical documentation. No further changes to the development layout or proposal are warranted at this time.

This addendum serves to close out the outstanding matters raised and should be read in conjunction with the original response and attached specialist reports.