



Comments and Response Report – Pre-Consultation

The Proposed Development of a Primary Dwelling and Access Road on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape

Pre-Consultation PPP

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO THE PRE-CONSULTATION DRAFT BASIC ASSESSMENT REPORT – 21 May 2025 – 23 June 2025.	
CapeNature – Megan Simons - 26 June 2025	
THE BASIC ASSESSMENT REPORT: PRE-CONSULTATION FOR THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF FARM 205, RUYGTE VALLEY, SEDGEFIELD, KNYSNA LOCAL MUNICIPALITY, WESTERN CAPE.	
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: The property is within the Wilderness Lakes Protected Environment. According to the Western Cape Biodiversity Spatial Plan (CapeNature 2024)1 the property has Critical Biodiversity Areas (CBA 1: Terrestrial and Forest to the north and CBA 2: Terrestrial and Forest to the south) and Ecological Support Areas (ESA 1: Terrestrial to the north west). The fine-scale vegetation map describes the vegetation as Wilderness Forest-Thicket and Hartenbos Primary Dune (the latter along the southern section) (Vlok et al., 2008)2. The National Biodiversity Assessment (Skowno et al., 2018)3 mapped the vegetation unit as Goukamma Dune Thicket which is Least Concerned (SANBI 2022) 4. The 2024 update of the Vegetation of South Africa (Beta	We acknowledge CapeNature's review and thank you for your input regarding the proposed development. The following points address and respond to the key comments: <u>Biodiversity Spatial Planning Context</u> ▪ The presence of Critical Biodiversity Areas (CBA 1 and CBA 2) and Ecological Support Areas (ESA 1) on the property, as identified in the Western Cape Biodiversity Spatial Plan (WCBSP, 2024), is confirmed. ▪ CBA 1: Forest and CBA 1: Terrestrial areas are located primarily in the northern portion of the property. ▪ CBA 2 and ESA 1 areas occur along the southern and central portions.

VegMap, 2024)5 mapped the vegetation of the property as Goukamma Strandveld. Following a review of the application, CapeNature wishes to make the following comments:

The property does not have any freshwater features but falls within the Coastal Protection Zone and the Coastal Management Line is towards the southern end of the property. Following a review of the application, CapeNature has the following comments:

- The proposed development footprint has been described as being positioned between these zones, but not within mapped natural forest or formally delineated CBA1/ESA1 polygons.

Vegetation Classification

- The National Biodiversity Assessment (NBA, 2018) maps the vegetation as Goukamma Dune Thicket (Least Concern).
- However, the updated site-specific assessment (BioCensus, 2025) confirms that:
 - The vegetation fits more accurately within Goukamma Mesic Dune Thicket, a subunit of Goukamma Strandveld, as described in Cowling et al. (2023).
 - This vegetation is structurally and floristically distinct from the broader Goukamma Dune Thicket and contains significant forest-like elements, including dense stands of *Sideroxylon inerme* (Milkwood) and other forest-associated species.
- The report also references the Vlok et al. (2008) classification of the area as Wilderness Forest-Thicket and Hartenbos Primary Dune, supporting a fine-scale mosaic of dune forest, thicket, and coastal strandveld systems.

Ecological Sensitivity and Conservation Status

- Although the NBA status of the mapped vegetation is Least Concern, the actual site condition is one of high ecological integrity, as confirmed by the 2025 assessment.
- The report explicitly states that the vegetation present matches the profile of Western Cape Milkwood Forest, a nationally protected forest type under the National Forests Act (1998).
- This forested thicket forms part of the intact ecological buffer to the Goukamma Nature Reserve and supports long-term biodiversity connectivity in the broader Wilderness-Groenvlei coastal corridor.

Coastal Context

- The property is correctly identified as falling within the Coastal Protection Zone (CPZ), and the Coastal Management Line (CML) is confirmed to occur toward the southern end of the property.
- The proposed development has been set back beyond the CML and more than 100 m from the High-Water Mark, in an effort to avoid direct coastal risk exposure and maintain dune system integrity.

1. The property is largely in a natural state and falls within a Critical Biodiversity Area (CBA). While the proposed development is located within a degraded CBA, this does not imply reduced sensitivity. We do not support the specialist's view that the degraded CBA is a preferable option, as its management objectives clearly state: "Maintain in a functional, natural, or near-natural state, with no further loss of natural habitat. These areas should be rehabilitated." Degraded CBAs must be managed in line with these objectives, including rehabilitation, unless a qualified rehabilitation specialist confirms that restoration is not feasible.	<u>In light of the above:</u> • The applicant acknowledges the high ecological sensitivity of the site and the importance of fine-scale vegetation mapping in guiding land use decisions. • Acknowledging the updated mapping (Vlok et al. 2008; Cowling et al. 2023; Beta VegMap 2024), the applicant will revisit the proposed layout, with further input from the botanical specialist, to ensure that the development: ◦ Avoids CBA 1 and 2 and ESA 1 areas. ◦ Avoids natural forest and Milkwood thicket. ◦ Does not disturb vegetation identified as Goukamma Strandveld or forested dune vegetation. • The development will remain off-grid, of low-impact footprint, and subject to reduced scale if necessary to meet biodiversity safeguards. The applicant remains open to engaging with CapeNature to explore potential stewardship options for the undeveloped portions of the property and will ensure that all recommendations from the spatial and specialist assessments are incorporated into the final Basic Assessment Report (BAR) and Environmental Management Programme (EMPr). While the proposed development footprint has been situated in an area identified by the Terrestrial Biodiversity Assessment (March 2025) as previously disturbed, this does not diminish the ecological importance or management intent of its designation as a Critical Biodiversity Area (CBA) under the Western Cape Biodiversity Spatial Plan (2023). We acknowledge that the management objectives for all CBAs, regardless of condition, are clear: "Maintain in a functional, natural, or near-natural state, with no further loss of natural habitat. These areas should be rehabilitated." Accordingly: • The proposal will be revised to align with the management objectives of the CBA. The presence of historical disturbance will not be used to justify development unless supported by site-specific findings. • The view expressed in the specialist report that degraded areas are more suitable for development will be reassessed, and the BAR will clarify that
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2. The presence of invasive alien species on the property indicates that it has not been managed. In terms of the National Environmental Management: Biodiversity Act (Act 10 of 2004)⁶ and its associated Alien and Invasive Species Regulations⁷, landowners are legally obligated to control and remove listed invasive species from their properties. The presence of these species should not be used to justify the proposed development, as it reflects non-compliance with existing environmental obligations rather than a reduced ecological value. 3. CapeNature does not support the currently proposed development location, as it lies within 100 metres of the High-Water Mark. We recommend that the development be relocated further inland within the forested area. Consultation with the Department of Forestry, Fisheries and the Environment (DFFE) is advised to identify the most ecologically	rehabilitation, not replacement with built infrastructure, is the default management response unless proven otherwise. • If a portion of the site is to be considered truly non-rehabilitatable, this will be confirmed only through input from a qualified ecological or rehabilitation specialist. • The Environmental Management Programme (EMPr) will include rehabilitation measures for any impacted portions of the CBA, and the final layout will avoid unnecessary clearance within CBA-mapped areas. The applicant fully recognises the legal obligations under the National Environmental Management: Biodiversity Act (Act 10 of 2004) and the accompanying Alien and Invasive Species (AIS) Regulations (2014, amended 2020). These regulations require all landowners to: • Identify, control, and remove listed invasive species from their properties. • Prevent their spread. • And implement ongoing management to maintain ecosystem health and integrity. The applicant does not rely on the presence of alien vegetation to justify the proposed development. Instead, the presence of invasive species is acknowledged as a compliance and land stewardship issue that must be addressed irrespective of the development proposal. <u>To that end:</u> • An Invasive Alien Species Management Plan will be compiled and included in the Environmental Management Programme (EMPr). • This plan will detail the removal of Category 1b and 2 species, methods for control, monitoring timelines, and responsible parties. • The applicant will initiate alien clearing prior to construction and commit to post-construction maintenance to prevent reinvasion. CapeNature's recommendation regarding the relocation of the development further inland is noted. The concern that the currently proposed development footprint lies within 100 metres of the High-Water Mark (HWM) has been carefully considered in light of both coastal sensitivity and the presence of protected forest and Milkwood trees.
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appropriate site. The development should be sensitively positioned to avoid impacting the forest and should be designed to retain and build around the protected milkwood trees.	Based on the findings of the Terrestrial Biodiversity Assessment (BioCensus, March 2025), the development was originally positioned to avoid the most intact forest patches and steep dune slopes while maintaining a distance of over 100 metres from the HWM. However, we acknowledge that this buffer may vary in effectiveness due to topography, vegetation cover, and the lack of a formally surveyed HWM line. A detailed Site Constraints Map has been compiled and attached as part of the Draft Basic Assessment Report (Appendix B2). This map illustrates the delineated High-Water Mark (HWM) setback, forest edge, slope constraints, and CBA2 boundaries, clearly demonstrating that the selected development footprint occupies a disturbed and previously degraded portion of the site, while avoiding intact forest and steep slopes exceeding 25°. The outcomes of the specialist studies (Preliminary Geotechnical and Geomatic Report, Terrestrial Biodiversity Assessment, and Visual Compliance Statement) collectively indicate that the preferred development area at BM or HW2 offers the most balanced solution, remaining north of the 100 m HWM while minimising ecological and visual intrusion. The layout has been revised accordingly to reflect these findings.
4. The site is steep, and we remind the applicant that steep slopes increase the chance of erosion and siltation which can also result in land slipping. Also, heavy rainfall events may also exacerbate the soil condition.	The applicant is fully aware of the steep terrain present on portions of the property, particularly along the southern coastal edge and recognises that steep slopes increase the risk of erosion, siltation, and slope instability, especially during heavy rainfall events. This concern is confirmed and supported by the findings of the Preliminary Geotechnical and Geomatic Report (Rock Hounds (Pty) Ltd., March 2024), which identifies that: • The southern slopes consist of unconsolidated Holocene dune sands that are poorly structured, highly erodible, and inherently unstable. • These dune slopes are highly susceptible to slumping, collapse, and deep erosion, especially if natural vegetation cover is removed.

5. As noted, the property falls within the Wilderness Lakes Protected Environment, is bordered by the Lake Pleasant Private Nature Reserve, and lies within a Priority Focus Area of the National Protected Areas Expansion Strategy. We recommend that the landowner consider placing the remaining portion of the property under formal conservation through a biodiversity stewardship agreement in perpetuity. This would, in the long term, contribute to linking the property with the Goukamma	• The report explicitly recommends that development not be placed on or immediately above these slopes, and that vegetation must be retained as a stabilising agent. The Site Constraints Map (Appendix B2) incorporated into the Draft BAR clearly illustrates these high-risk slope areas, the coastal cliff line, and the corresponding no-go zones. The preferred development footprint has been positioned outside the steep-slope hazard area, on a more stable portion of the property, consistent with the map's geotechnical and ecological constraints. <u>In response to these findings:</u> • The development footprint has been realigned to avoid all steep or erosion-prone slopes identified on the Constraints Map. • A buffer zone is being applied along the top of the coastal cliff to preserve slope stability and avoid geotechnically unsafe areas. • The EMPr will include the following slope-risk management measures: ◦ Retention and protection of indigenous vegetation to stabilise soils. ◦ Formal runoff and stormwater control to prevent erosion channels. ◦ Prohibition of excavation, levelling, or grading on steep slopes. ◦ Post-construction monitoring of erosion and slope movement, as recommended by the geotechnical specialist. These measures align with the outcomes of the Constraints Map and specialist studies, ensuring that no infrastructure is placed within the steep-slope hazard zone and that long-term slope stability is safeguarded. The applicant fully recognises the strategic conservation importance of Portion 79 of Farm Ruygte Valley No. 205, given its location within the Wilderness Lakes Protected Environment, its proximity to the Lake Pleasant Private Nature Reserve, and its inclusion within a Priority Focus Area of the National Protected Areas Expansion Strategy (NPAES). The potential to contribute to connectivity between the Goukamma Cluster, the Garden Route Complex World Heritage Site, and adjacent nature
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Cluster of the Garden Route Complex World Heritage Site and Nature Reserves.

reserves is a key consideration in the applicant's long-term planning for the property.

In line with this, the applicant is open to and actively exploring the option of formal conservation through a biodiversity stewardship agreement for the undeveloped portions of the property. Specifically:

- Discussions will be initiated with CapeNature's Biodiversity Stewardship Programme to assess the suitability of the site for designation as a Biodiversity Agreement Area, Contract Nature Reserve, or Protected Environment extension, depending on the outcome of site assessments and landowner capacity.
- A stewardship agreement would provide legal protection in perpetuity for the remaining intact forest, thicket, and coastal habitat, ensuring it is managed in accordance with conservation best practices and aligned with regional biodiversity targets.
- The landowner sees this as a mechanism not only to secure ecological integrity but also to demonstrate long-term accountability, which goes beyond zoning tools such as Open Space III.

6. The Basic Assessment Report (BAR) identifies a Biodiversity Offset Agreement as a proposed mitigation measure. However, biodiversity offsets should only be considered as a last resort, after all other steps in the mitigation hierarchy have been fully applied. The BAR must clearly outline how the mitigation hierarchy has been applied, step-by-step. As per the National Biodiversity Offset Guidelines (2023)¹⁰ (hereafter NBOG). The NBOG also stress that offsets should not be applied in areas with irreplaceable biodiversity, including Critically Endangered ecosystems. While the mapped vegetation type is classified as Least Concern, the property includes patches of indigenous forest, which have high biodiversity value.

The applicant fully concurs that biodiversity offsets must only be considered as a last resort, in strict accordance with the National Biodiversity Offset Guidelines (2023) (NBOG). These guidelines clearly state that offsets are not a substitute for proper avoidance, minimisation, and on-site rehabilitation and should never be applied in areas containing irreplaceable biodiversity, such as Critically Endangered ecosystems or protected natural forest.

While the SANBI 2018 map classifies the site's vegetation as Goukamma Dune Thicket (Least Concern), the Terrestrial Biodiversity Assessment (BioCensus, March 2025) confirms the presence of protected forest habitat, notably Western Cape Milkwood Forest, and mature stands of *Sideroxylon inerme* (Milkwood), both protected under the National Forests Act (Act 84 of 1998). These areas are of high biodiversity value and represent habitat that is functionally irreplaceable within the Goukamma ecological corridor.

In response:

- The applicant confirms that a biodiversity offset will not be proposed or relied upon as a mitigation strategy for the current development layout.

7. It is important that the service infrastructure be included to determine whether they will cause any other additional habitat loss. The applicant must demonstrate that there is sufficient municipal capacity to support the proposed development, specifically in relation to potable water supply, sewage treatment, and waste management services. Given ongoing water security challenges, the development should incorporate water conservation measures, including the installation of rainwater harvesting systems (e.g., water tanks). In addition, the development should adopt energy-efficient design principles, such as passive solar orientation, energy-saving appliances, and potentially renewable energy sources (e.g., solar panels).	- The mitigation hierarchy will be applied rigorously in the updated Basic Assessment Report (BAR), with clear, step-by-step demonstration of how: - Avoidance has been prioritised (e.g., excluding forest patches, CBA1, coastal cliffs). - Minimisation has been achieved through low-impact design and layout adjustments. - On-site rehabilitation will be undertaken for any temporarily disturbed areas. - And only if a residual impact remains (unlikely), a formal offset feasibility assessment will be considered in consultation with the competent authority and CapeNature. Based on the ecological sensitivity confirmed by the specialists, the applicant's focus remains on avoiding residual impacts entirely, particularly to protected forest ecosystems and high-value habitats. The proposed development will be entirely off-grid, with all service infrastructure designed to minimise environmental impact. - Water: Supplied via rainwater harvesting tanks at each unit; water-saving fittings will be installed. - Sewerage: Managed via sealed conservancy tanks, to be emptied by licensed contractors—no on-site discharge. - Energy: Provided through solar PV systems with battery backup; buildings designed for passive solar gain and energy efficiency. - Solid Waste: Separated at source and transported by the landowner to the nearest authorised municipal site. All service components have been included in the development footprint of $\pm 1,175 \text{ m}^2$, and the remaining $\pm 5 \text{ ha}$ will be retained in a natural state.
SANPARKS - Dr Vanessa Weyer– 23 June 2025	
SANPARKS COMMENTS, BASIC ASSESSMENT PROCESS, PRE-APPLICATION PHASE, RUYGTE VALLEY 205, PORTION 79, SEDGEFIELD, WESTERN CAPE DFFE Ref No. Not yet Provided	Noted.
Ruygte Valley 205 Portion 79 is in the Buffer Zone of the Garden Route National Park (GRNP) and directly borders state Coastal Public Property (CPP) on its seaward southern boundary (Fig. 1). The property falls within the Coastal Protection Zone (CPZ), as designated in terms of the National	The location of Portion 79 of Farm Ruygte Valley No. 205 within the Buffer Zone of the Garden Route National Park (GRNP) and its direct boundary with Coastal Public Property (CPP) along the southern, seaward edge is fully

Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008) (NEM: ICMA). The CPZ is established to manage, regulate, and restrict the use of land that is adjacent to coastal public property or that plays a significant role in the coastal ecosystem. Critical Biodiversity Areas (CBAs) Category 1 (Terrestrial) and Category 2 (Forest) occur on the northern sector of the property, as mapped in terms of the 2023 Western Cape Biodiversity Spatial Plan (WCBSP) (Fig. 2). These are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. They should 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. Vegetation is mapped as Goukamma Dune Thicket (Least Concern) (Fig. 3).	recognised. These spatial and ecological sensitivities have been carefully considered throughout the environmental assessment process. It is also confirmed that the property lies within the Coastal Protection Zone (CPZ), as defined under the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008) (NEM: ICMA). The CPZ serves to manage, regulate, and restrict land use in areas adjacent to CPP or that perform critical ecological functions, such as dune stabilisation, biodiversity support, and protection of scenic coastal landscapes. The presence of Critical Biodiversity Areas (CBAs)—Category 1 (Terrestrial) and Category 2 (Forest), in the northern sector of Portion 79 of Farm Ruygte Valley No. 205, as mapped in the Western Cape Biodiversity Spatial Plan (WCBSP, 2023), is acknowledged and confirmed in the Terrestrial Biodiversity Assessment prepared by BioCensus (March 2025). CBAs are areas in a natural or near-natural condition, essential for achieving biodiversity targets, ecosystem functioning, and connectivity. As per WCBSP guidelines and the BioCensus report (p. 12–14), these areas must be protected from further loss and managed to maintain or restore ecological integrity. Degraded areas should be rehabilitated, and only low-impact, biodiversity-compatible land uses are permitted. In response: • The proposed development footprint is located outside all mapped CBAs, with infrastructure placed in the southern and central portions of the property, where the vegetation is less sensitive or already disturbed (BioCensus, p. 9, 15). • The layout was directly informed by the WCBSP (2023) and the site-specific findings of the Terrestrial Biodiversity Assessment, ensuring alignment with provincial conservation priorities. • Although the mapped vegetation type, Goukamma Dune Thicket, is classified as Least Concern (SANBI, 2018), the BioCensus report notes that it forms part of a functionally important thicket-forest mosaic, contributing to regional ecological connectivity. • To reduce impact, the development will utilise elevated, removable structures and minimal vegetation clearance.
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Erosion risk lines (Fig. 4) and the high-water mark (HWM) are situated outside but near to the southern boundary of the property (Fig. 5), whilst the Coastal Management Line (CML) is shown within the property near its southern boundary (Fig. 6). Topography is gently sloping in the northern sector, but becomes steeper on the southern foredune, with slopes >25% to <

- The applicant is committed to a rehabilitation and site management plan, which will include invasive species removal, erosion control, and the reintroduction of indigenous species, as recommended in the EMPr and BioCensus report (p. 16).

All relevant commitments and mitigation measures will be reflected in the updated Basic Assessment Report (BAR) and Environmental Management Programme (EMPr).

The proximity of the erosion risk lines and the High-Water Mark (HWM) just south of the property boundary, and the presence of the Coastal Management Line (CML) within the southern portion of Portion 79, is acknowledged and confirmed in the Preliminary Geotechnical Report (Rock Hounds, March 2024) and the Terrestrial Biodiversity Assessment (BioCensus, March 2025).

Topographically, the northern sector of the property comprises gently sloping terrain, while the southern foredune area contains slopes exceeding 25%, particularly near the coastal edge. These steeper areas correspond with high erosion-risk zones, as described in the geotechnical report, which identifies the underlying substrate as unconsolidated dune sands that are highly erodible and structurally unstable.

The Site Constraints Map (Appendix B2) clearly delineates the erosion risk lines, the HWM buffer, the CML position, and the steep-slope (>25%) zones. These mapped constraints informed the refinement of the development footprint, ensuring that all proposed structures are located outside the geotechnically hazardous southern foredune area.

In response to these constraints:

- The development footprint has been positioned outside the erosion risk zone and above the 100 m HWM coastal setback, in accordance with the constraints shown on the Site Constraints Map and consistent with the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008).

Portion 79 of Ruygte Valley 205 is 5.21ha in extent and is zoned, Agriculture Zone I, as per Knysna Municipality GIS Viewer (Fig. 7). The landowner is Daniel Sevenster and Partners Inc. (Mr. Daniel Sevenster). The property falls outside the Urban Edge.

- All infrastructure is restricted to the more stable, gently sloping terrain in the central and northern portions of the site, avoiding all steep and erosion-prone slopes identified in the geotechnical report and Constraints Map.
- No hard infrastructure is proposed within or below the CML, ensuring that the project avoids dynamic coastal processes and Coastal Public Property (CPP).
- To manage residual erosion risk, the project will incorporate the following measures:
 - Retention and rehabilitation of indigenous vegetation buffers as indicated in the Constraints Map.
 - Use of elevated, lightweight, and removable structures to minimise ground disturbance.
 - Adoption of minimal cut-and-fill construction techniques to maintain natural slope stability.

These measures ensure the development remains outside sensitive coastal zones, prevents triggering of coastal erosion processes, and aligns with national coastal legislation, Knysna Municipality coastal overlay regulations, and the specialist recommendations.

Portion 79 of Farm Ruygte Valley No. 205, measuring approximately 5.21 hectares, is currently zoned Agriculture Zone I in terms of the Knysna Municipality Zoning Scheme, as confirmed via the Knysna GIS Viewer (Fig. 7). The registered landowner is Daniel Sevenster and Partners Inc. (Mr. Daniel Sevenster).

It is also confirmed that the property falls outside the Urban Edge, as defined in the Knysna Municipal Spatial Development Framework (SDF).

In light of this, the proposed development will require land use planning approval, either through a consent use or rezoning application, depending on the final land use categorisation applied for. However, to clarify:

- No tourist or commercial accommodation is proposed.
- The three small units reflected in the Site Development Plan are intended solely for private use by the landowner and family, not for rental or visitor accommodation.

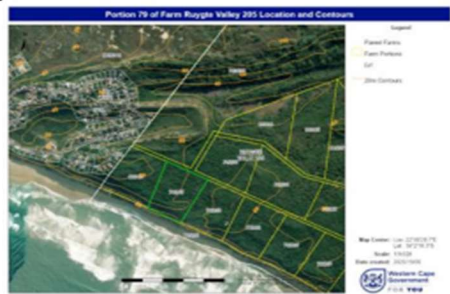


Fig. 1: Location of Ruygte Valley 205 Portion 79 (CapeFarmMapper3).



Fig. 2: Critical Biodiversity Areas 1 (Terrestrial) & 2 (Forest) (CapeFarmMapper3; CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines).



Fig. 3: Goukamma Dune Thicket (LC) is mapped on Ruygte Valley 205 Portion 79 (CapeFarmMapper3).



Fig. 4: Erosion risk lines (20, 50 & 100 year) as situated on the southern boundary of Ruygte Valley 205 Portion 79 (DEADP Coastal Management Map viewer).



Fig. 5: Ruygte Valley 205 Portion 79 falls adjacent to the High Water Mark (depicted blue) (DEADP Coastal Management Map viewer).



Fig. 6: The Costal Management Line straddles the lower southern section of Portion 79 Ruygte Valley 205 (DEADP Coastal Management Map viewer).

- As such, the land use application will not seek to establish a commercial enterprise but will instead pursue approval aligned with private residential use in an ecologically sensitive context, potentially through rezoning to Open Space Zone III or similar, with conservation-compatible overlay provisions.

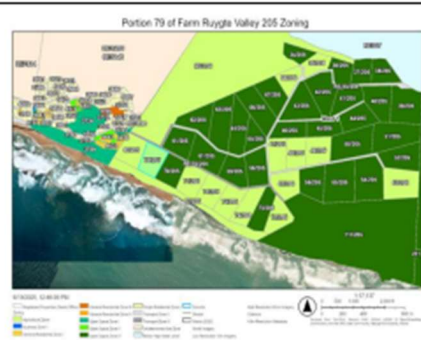


Fig. 7: Portion 79 of Farm Ruygte Valley 205 is Zoned as Agriculture Zone I (Knysna GIS Viewer).

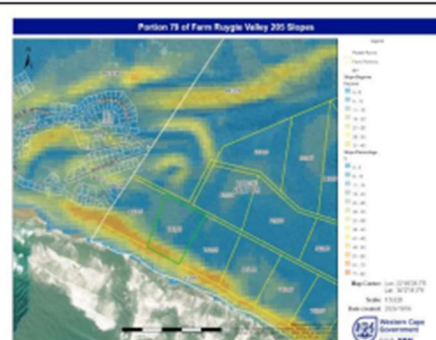


Fig. 8: Slopes of >25% to <80% are evident in parts of the southern sector of the property (CapeFarmMapper3).

The development application submitted is a **“BASIC ASSESSMENT REPORT: PRECONSULTATION (Pre-APPLICATION)”**, refer to extract below from the Environmental Impact report prepared by Eco Route Environmental Consultancy, dated March 2025.

The proposed development encompasses a dwelling of 200 square meters, three self-catering tourist chalets each measuring 65 square meters, 50 square meters of staff housing, an equipment shed totaling 80 square meters, a designated parking area, and a 200-meter long gravel access road with a width of less than three meters. The overall footprint of the development will be 1,175 square meters (0.1175 hectares) within the degraded Critical Biodiversity Area 2 (CBA2) in the southern region. The infrastructure will include rainwater harvesting tanks, conservancy tanks, solar electricity systems, and arrangements for off-site waste removal. This development proposal is in accordance with the Knysna Spatial Development Framework 2020 and the Rural Areas Guidelines 2019, aiming to foster eco-tourism and conservation initiatives through the rezoning process to Open Space III.

The total disturbance area is noted as approximately 1,175 m².



Fig. 9: Site Development Plan for Portion 79 of Farm Ruygte Valley 205 as extracted from Visual Compliance Statement report prepared by Outline Landscape Architects, March 2025

Point 1: Clarity Requested and Issues of Concern

SANParks seeks clarity on the following:

The application states that the 'building footprint' will be 1175m2 then later refers to this as a 'disturbance footprint'. Clarity is required on whether this is a 'building footprint' or a 'disturbance footprint' which differ substantially. SANParks wishes to know the total 'disturbance' footprint which must be inclusive of all buildings (main dwelling, tourist chalets x 3, staff housing x 1, and an equipment shed x 1), building platforms, parking, access roads, boardwalks, infrastructure, services, embankments, vegetable gardens, etc. A Site Development Plan is requested to depict these areas more clearly.

It is further stated in the EcoRoute Pre-consultation Basic Assessment report, March 2025, pg.23 that >10 000m2 /1ha indigenous vegetation will be cleared, which differs from the 1175m2 noted above:

GN R.327 activity 27: The clearance of an area of 1 hectares or more, but less than 20 hectares, of indigenous vegetation, except where such clearance of indigenous vegetation is required for—	Construction of both the primary dwelling and an access road may require the removal of indigenous Goukamma Dune Thicket more than 1 Ha.
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To clarify:

- The building footprint refers to the physical base area of all proposed structures, including the main dwelling (200 m²), three chalets (3 × 65 m²), staff housing (50 m²), and an equipment shed (80 m²), which together total approximately 525 m².
- The total disturbance footprint includes all areas that will be cleared, excavated, or otherwise impacted by construction activities and infrastructure. This includes the building footprints, gravel access road (approximately 200 m in length × <3 m wide), designated parking area, boardwalks, platforms, vegetable gardens (if any), service lines, embankment works, and construction margins.

Based on the Environmental Impact Report prepared by Eco Route Environmental Consultancy and the Site Development Plan extracted from the Visual Compliance Statement (Fig. 9), the total disturbance footprint has been calculated at approximately 1,175 m² (0.1175 hectares). This value includes the areas for the buildings and essential service infrastructure and was verified spatially in coordination with the appointed landscape architect and GIS mapping consultants.

The Site Development Plan (Fig. 9) has been included to visually illustrate the layout and spatial extent of the proposed infrastructure. This figure was sourced directly from the Visual Compliance Statement report (Outline Landscape Architects, March 2025).

We confirm that the statement referring to the potential clearance of more than 10,000 m² (1 hectare) of indigenous vegetation was included as a precautionary estimate during the early planning phase, prior to the finalisation of the site layout and design. However, with the completion of the detailed Site Development Plan and footprint verification, it is now confirmed that the actual total disturbance area, including all infrastructure such as the main dwelling, chalets, staff housing, equipment shed, access road, parking, and boardwalks will amount to approximately 1,175 m².

As such, while the reference to >10,000 m² was not an error, it is no longer reflective of the current or proposed extent of the development.

It is noted that municipal bulk services are not available in the area and that a conservancy tank is proposed for sewage treatment. Clarity on the type and capacity of the sewerage conservancy tank is sought.	Based on the confirmed disturbance footprint of 1,175 m², we confirm that Activity 27 of Listing Notice 1 (GN R. 327 of 2017) is not applicable. Activity 27 refers to: <i>“The clearance of an area of 1 hectare or more of indigenous vegetation...”</i> Since the proposed clearance is well below the 10,000 m² threshold, this activity does not apply to this application. This clarification will be included in the updated draft Basic Assessment Report, along with a commitment that the total area of indigenous vegetation to be cleared will not exceed 1,175 m². It is confirmed that municipal bulk services are not available in the area, and as such, the proposed development will be entirely off-grid, including with respect to sewage management. To address this, a sealed conservancy tank system is proposed for the collection and storage of all domestic wastewater generated by the main dwelling, three chalets, staff accommodation, and any supporting facilities. The conservancy tank will be: - A closed, watertight system, designed to prevent any leakage or infiltration into the surrounding environment. - Constructed from high-density polyethylene (HDPE) or precast concrete, compliant with SANS 10400: P and local health standards. - Sized based on anticipated occupancy rates and usage patterns, with an estimated minimum capacity of 10,000 litres (10 kL), subject to final engineering design. - Equipped with an alarm system to alert when pumping is required. - Regularly emptied by a licensed waste removal contractor and disposed of at an authorised municipal wastewater treatment facility. The design of the conservancy tank will ensure that there is no risk of discharge or overflow, in line with environmental best practice, particularly given the site's sensitivity and proximity to the coastal zone and Critical Biodiversity Areas. Final design details, including tank location, construction drawings, and maintenance protocols, will be included in the Environmental Management Programme (EMPr) and detailed services plan to be submitted as part of the final BAR.
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- Whilst it is desirable that the landowner proposes to rezone the property from Agricultural I to Open Space III, SANParks seeks clarity on whether any discussions on stewardship options have been held with CapeNature, who have a presence in the area (Goukamma Nature Reserve), and considering that several other Private Nature Reserves exist on neighbouring properties (Lake Pleasant No. 2.). Open Space III when combined with a formal stewardship mechanisms may afford stronger long-term conservation outcomes for the property.

The landowner's intention to rezone the undeveloped portion of Portion 79 of Farm Ruygte Valley No. 205 from Agricultural Zone I to Open Space Zone III is in recognition of the site's biodiversity sensitivity and ecological context, particularly its location adjacent to the Goukamma Nature Reserve, within the Coastal Protection Zone, and in proximity to other Private Nature Reserves, such as Lake Pleasant No. 2.

While formal rezoning is currently being pursued through the municipal land use planning process, discussions around biodiversity stewardship options with CapeNature have not yet been initiated. However, the applicant is open and supportive of exploring a formal stewardship agreement in parallel with the rezoning process. This is particularly relevant given:

- The presence of Critical Biodiversity Areas (CBAs) Category 1 (Forest) and Category 2 (Terrestrial) on the northern sector of the property as mapped in the Western Cape Biodiversity Spatial Plan (2023).
- The proximity to the Garden Route National Park buffer zone and the broader Garden Route Biosphere Reserve network.
- The fact that surrounding properties have successfully entered into stewardship agreements, offering a viable precedent and partnership pathway.

The applicant acknowledges that Open Space III zoning alone provides limited statutory protection, whereas when combined with a formal biodiversity stewardship agreement under the CapeNature Stewardship Programme, the site could achieve stronger, long-term conservation security, including potential designation as a Contract Nature Reserve or Biodiversity Agreement Area, depending on site suitability and CapeNature's criteria.

Accordingly, the intention is to initiate dialogue with CapeNature during the next phase of the application to evaluate the most appropriate stewardship mechanism for the remaining natural areas of the property, aligning with SANParks' recommendation and the strategic objectives of the National Protected Areas Expansion Strategy (NPAES).

- The property unfortunately does not fall within SANParks' current Land Inclusion Plan, therefore a SANParks stewardship agreement is not possible at this time.

It is understood that Portion 79 of Farm Ruygte Valley No. 205 does not fall within SANParks' current Land Inclusion Plan, and as such, a SANParks-led stewardship agreement is not possible at this time.

While this is acknowledged, the applicant remains committed to achieving a long-term conservation outcome for the undeveloped portions of the

- Climate Change resilience and adaptation does not appear to have been adequately considered in the application and specialist report (Rock Hounds (Pty) Ltd.). Although 100- year risk and flood projections have been investigated, and it is noted in reports that the coastal zone could advance by 30m over the next century, the effects of severe unpredictable events do not appear to have been considered. Recent storm surges, including that of September 2023, in many areas along the coastline have caused undercutting and dune slumps. A pre-cautionary approach should be included for such scenarios.

property. In light of SANParks' position, the applicant will pursue stewardship discussions with CapeNature, who manage the adjacent Goukamma Nature Reserve and are actively involved in private conservation partnerships in the region, including nearby Private Nature Reserves such as Lake Pleasant No. 2.

As previously indicated, the landowner intends to rezone the balance of the property to Open Space Zone III, and when combined with a formal CapeNature stewardship agreement, this could offer an effective mechanism to secure the ecological value of the site in perpetuity. This would support broader conservation planning frameworks such as the Western Cape Biodiversity Spatial Plan (2023) and the National Protected Areas Expansion Strategy (NPAES), despite the property's exclusion from SANParks' current strategic land priorities.

The importance of incorporating climate change resilience and adaptation into the proposed development planning is fully recognised, particularly given the property's location within the Coastal Protection Zone and its proximity to the coastal foredune and Coastal Public Property (CPP).

The Preliminary Geotechnical and Geomatic Report prepared by Rock Hounds (Pty) Ltd. (May 2024) assessed slope conditions, erosion susceptibility, soil erodibility, dune morphology, and included climate and sea-level rise risk factors. The report noted that coastal erosion could advance inland by approximately 30 metres over the next century and identified steep slope gradients exceeding 25% in the southern sector of the property. It also cautioned that the sandy soils are highly erodible and loosely packed, with poor structural stability near the coastal edge.

The recently submitted Civil and Structural Engineering Confirmation Report (Appendix D5) reinforces these findings and confirms that, while development on stable northern and central portions of the property is feasible, all foundations must be designed specifically to accommodate long-term climate variability, increased storm intensities, and potential erosion effects. The engineering report emphasises the need for elevated, lightweight construction, deepened foundations in certain zones, and

stormwater systems that avoid concentration of flows toward steep or erodible slopes.

Furthermore, the Letter from Dr. E. Spicer (Rockhounds Pty Ltd, 10 September 2025) clarifies that the earlier geotechnical report (RH160524) is preliminary and not a final construction basis. Dr. Spicer expressly cautions that the coastal dune system remains highly sensitive, that slope instability is expected under extreme climate events, and that a detailed, site-specific geotechnical investigation must be undertaken prior to final engineering design due to the risk posed by short-duration, high-intensity coastal storm surges similar to the September 2023 event.

While the findings already acknowledge long-term sea-level rise and slope instability, we take note of SANParks' concern that the potential impacts of severe and unpredictable short-term climate events, such as the September 2023 storm surge, were not explicitly addressed in the earlier report. These types of events have caused widespread dune slumping, coastal undercutting, and erosion in many parts of the Garden Route coastline.

In response, the following precautionary and climate-resilient design principles will be incorporated into the development and reflected in the updated Draft Basic Assessment Report (BAR) and Environmental Management Programme (EMPr):

- All infrastructure is positioned over 100 m inland from the High-Water Mark (HWM), outside the erosion-risk zone and Coastal Management Line (CML), as confirmed by the Site Constraints Map (Appendix B2), the Civil & Structural Engineering Confirmation Report (Appendix D5), and the updated geotechnical findings (Appendix D6).
- The southern foredune and steep slopes (>25%) are entirely avoided. No cut-and-fill is proposed on erosion-prone terrain, and building platforms remain within the stable northern and central topographic zones.
- Structures will be elevated, lightweight, and removable, enabling relocation or adaptation if erosion rates accelerate or coastal retreat is observed.

Adequate setbacks should be applied to safeguard the landowner from potential future climate change risks and to protect the coastal zone; this should be in line with CPZ setback requirements for the property.

- Natural vegetation buffers will be maintained and restored, particularly along the southern boundary, using locally indigenous, deep-rooted species to stabilise dune systems and mitigate wind and water erosion.
- Stormwater will be managed using soft engineering, such as swales, level spreaders, and permeable surfaces, to prevent runoff concentration and downstream erosion.
- The off-grid nature of the development reduces reliance on public infrastructure during extreme climate events and enhances disaster resilience.
- A detailed, site-specific geotechnical investigation will be completed at the final design stage, in accordance with the recommendations of Appendix D6, to ensure foundations and slope-stability measures adequately account for climate-induced variability and extreme weather events.

These climate-responsive measures align with the precautionary principle under the National Environmental Management Act (Act 107 of 1998) and are consistent with the Western Cape Climate Change Response Strategy and the Garden Route District Climate Change Adaptation Plan.

The application of adequate coastal development setbacks is critical both for protecting the coastal environment and for safeguarding the landowner from future climate change-related risks, including coastal retreat, storm surge events, dune slumping, and increased erosion potential.

The proposed development has been designed in accordance with the intent and spatial extent of the Coastal Protection Zone (CPZ) under the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008).

- The development footprint is located more than 100 metres inland from the High-Water Mark (HWM) and outside the mapped Coastal Management Line (CML), as confirmed in the Preliminary Geotechnical and Geomatic Report (Rock Hounds (Pty) Ltd., 2024) and the Visual Compliance Statement (Outline Landscape Architects, 2025).

- The layout avoids the steep, erosion-prone foredune area along the southern boundary, with all infrastructure positioned on stable terrain in the central-northern portion of the site where slopes are gentle and soils are stronger.
- This positioning ensures compliance with precautionary coastal development principles and aligns with the intent of CPZ setback requirements, even in the absence of a formally adopted site-specific setback line.

The Site Constraints Map (Appendix B2) clearly delineates the HWM buffer, CML, erosion-risk zones, and steep (>25%) slopes. The selected development footprint lies entirely outside these high-risk areas, providing a defensible and long-term climate-resilient setback.

The Civil & Structural Engineering Confirmation Report (Appendix D5) and the Letter from Dr E. Spicer (Appendix D6) further support this placement, confirming that:

- **All structures must remain outside the steep southern slopes and dynamic coastal processes.**
- **A 100 m+ setback provides the highest safety margin against climate-driven erosion and storm surge scenarios.**
- **Foundations and stormwater systems must be designed specifically to accommodate long-term climate variability and extreme events.**

Additional vegetation buffers along the southern boundary will be maintained and restored using deep-rooted indigenous species to stabilise soils and strengthen the CPZ function.

The project team acknowledges that climate change will amplify coastal hazards over coming decades. Accordingly, the adopted layout and design prioritise long-term resilience, environmental compatibility, and compliance with the objectives of the Integrated Coastal Management Act and provincial coastal overlay guidelines.

It is noted that the adjacent seaward Portion 71 Ruygte Valley 205 is state owned land. This land is an extension of Coastal Public Property. Section 7 of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (NEM: ICMA) states: <i>Coastal Public Property is held in trust by the state to protect sensitive ecosystems and to secure the natural functioning of dynamic coastal ecosystems</i>".	The commitment to applying and maintaining these coastal setbacks will be formalised in the updated Draft Basic Assessment Report (BAR) and Environmental Management Programme (EMPr). Acknowledged. It is confirmed that the adjacent seaward Portion 71 of Farm Ruygte Valley No. 205 is state-owned land and forms part of Coastal Public Property (CPP). In terms of Section 7 of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (NEM: ICMA), Coastal Public Property is held in trust by the state to protect sensitive ecosystems and to secure the natural functioning of dynamic coastal ecosystems. This principle is fully supported, and the proposed development has been carefully designed to respect the ecological and legal status of CPP. Specifically: • No part of the development encroaches onto Portion 71 or any area designated as Coastal Public Property. • The development footprint has been located entirely outside of the CPP boundary, and well beyond the High-Water Mark (HWM) and the Coastal Management Line (CML). • All infrastructure is set back by more than 100 metres from the HWM, as confirmed in the Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024) and supported by mapping in the Visual Compliance Statement (Outline Landscape Architects, 2025). • The project will retain a vegetated buffer zone along the boundary with the CPP to ensure no adverse edge effects, promote dune and coastal system stability, and uphold the integrity and ecological function of this adjacent state land. The application recognises the importance of CPP as a public and ecological asset, and all proposed land use activities have been screened to ensure they do not undermine the objectives of NEM: ICMA or interfere with the state's custodial duty to preserve these coastal ecosystems in the public interest. This commitment will be explicitly reinforced in the updated Basic Assessment Report (BAR) and the Environmental Management Programme (EMPr), which
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The Applicants attention is drawn to:
Section 15 of NEM: ICMA, which states:

(1) No person, owner or occupier of land adjacent to the seashore or other coastal public property capable of erosion or accretion may require any organ of state or any other person to take measures to prevent the erosion or accretion of the seashore or such other coastal public property, or of land adjacent to coastal public property, unless the erosion is caused by an intentional act or omission of that organ of state or other person.

(2) No person may construct, maintain, or extend any structure, or take other measures on coastal public property to prevent or promote erosion or accretion of the seashore except as provided for in this Act, the National Environmental Management Act, or any other specific environmental management Act.

- In terms of the National Water Act, 1998 (Act No. 36 of 1998), Revision of General Authorisations for the Taking and Storing of Water, GNR. No 40243, 2 September 2016, Section 2.3; a Water Use License (WUL) may likely be required if any proposed boreholes are situated within 500m of the High Water Mark of the ocean.

Section 2.3 states the following exclusions from General Authorisations:

will include measures to ensure ongoing protection of CPP and compliance with all applicable provisions of the Integrated Coastal Management Act.

The applicant takes note of the provisions of Section 15 of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (NEM: ICMA), which establishes important restrictions on the responsibilities and actions of landowners adjacent to Coastal Public Property (CPP). In particular:

- Section 15(1) clearly states that no landowner or occupier may compel an organ of state or any other party to prevent natural erosion or accretion of CPP or adjacent land, unless such erosion is the result of an intentional act by that party.
- Section 15(2) prohibits any person from constructing, maintaining, or extending any erosion control structures on CPP, unless authorised under the ICMA, the National Environmental Management Act (Act No. 107 of 1998), or any other specific environmental management Act.

In full compliance with these provisions, the applicant confirms the following:

- No erosion control measures or physical works are proposed or planned within or on Coastal Public Property (Portion 71 or otherwise).
- The proposed development has been located and designed to avoid areas at risk of active coastal erosion, and no interventions will be made to alter natural coastal dynamics or stabilise dune systems through artificial means.
- The landowner acknowledges and accepts that natural coastal processes, including erosion or accretion, may occur without state intervention, as prescribed in Section 15 of NEM: ICMA.

Furthermore, with respect to water use:

It is noted that, under the National Water Act, 1998 (Act No. 36 of 1998), specifically Government Notice No. 40243 of 2 September 2016 (Section 2.3), the general authorisation for the taking of groundwater does not apply to boreholes located within 500 metres of the High-Water Mark of the ocean, or

	in areas where groundwater abstraction may pose a risk to coastal aquifers or ecosystems. The applicant is aware that: • Should a borehole be proposed within 500 metres of the High-Water Mark, a Water Use Licence (WUL) may be required. • Any proposed groundwater abstraction will be subject to the Department of Water and Sanitation's (DWS) review, and will comply fully with all regulatory requirements, including hydrogeological assessment if necessary. • At present, the proposed off-grid water system is based on rainwater harvesting as the primary supply. A borehole has not yet been drilled or confirmed, and any such proposal would be preceded by appropriate licensing and authorisation processes. These legal obligations and exclusions will be fully reflected in the updated Basic Assessment Report (BAR) and Environmental Management Programme (EMPr), and no actions will be undertaken that contravene the provisions of either the NEM: ICMA or the National Water Act.
2.3. Geographical area and water resources to which the authorisation applies Except where stated differently in the notice this authorisation applies to all land and all water resources in South Africa, subject to the following exclusions: 1. No water that is taken in terms of this authorisation may be taken within a 500 metre radius from the boundary (delineated edge) of a wetland, pan or estuary. 2. No groundwater that is taken in terms of this authorisation may be taken within a 500 metre radius from the boundary of a wetland or estuary, within a 100 metre radius from the delineated riparian edge of a water course or a state dam, within a 500 metre radius of a state dam wall or within 500 metres from the high-water mark of the ocean. • Compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. The owner should join the local Fire Protection Association, if not already a member.	Acknowledged. The applicant is aware of the requirements of the National Veld and Forest Fire Act (Act 101 of 1998) and confirms that compliance measures will be implemented. The landowner will ensure that: • Firebreaks are maintained where legally required and environmentally appropriate. • Fire safety measures are incorporated into the development and operations.

• The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on their property. The owner should formalise an Invasive Alien Vegetation Control Plan as required by the NEM:BA. • A permit from the Department of Forestry, Fisheries & the Environment (DFFE) must be attained should any protected tree species be disturbed on the property, as per the National Forests Act, 84 of 1998, as amended. • Should any resources of suspected heritage value be uncovered during clearing, Heritage Western Cape (HWC) must be contacted immediately for instructions. • The development application will set a precedent for development along this environmentally sensitive coastline. It is noted that only the	• Membership with the local Fire Protection Association (FPA) will be confirmed and, if not already registered, the landowner will initiate the process to join as per the Act's provisions. Acknowledged. The landowner is aware of the obligations under the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) and the Alien and Invasive Species Regulations (25 September 2020). The property has been assessed during the terrestrial biodiversity study, and the presence of invasive alien plant species was noted. An Invasive Alien Vegetation Control Plan will be compiled and implemented as part of the Environmental Management Programme (EMPr). This plan will: • Identify species listed under Category 1–3 of the Regulations. • Outline methods and timelines for removal and control. • Ensure ongoing compliance with NEM:BA and related biodiversity stewardship commitments. Acknowledged. Should any protected tree species, as listed under the National Forests Act (Act 84 of 1998) be encountered within the proposed development footprint or in areas requiring vegetation clearance, a permit will be obtained from the Department of Forestry, Fisheries and the Environment (DFFE) prior to any disturbance, pruning, or removal. The terrestrial biodiversity specialist has surveyed the property for protected species, and the development layout has been designed to avoid sensitive vegetation. Acknowledged. While no formal heritage resources were identified during preliminary assessment, the landowner and contractors will remain vigilant during any site clearing or excavation. In the event that any heritage artefacts, structures, graves, or other resources of suspected heritage significance are uncovered, work will cease immediately in the affected area, and Heritage Western Cape (HWC) will be contacted for guidance and further instruction, in accordance with the National Heritage Resources Act (Act 25 of 1999). Acknowledged. It is noted that Portion 78 is the only currently developed property out of nine coastal properties along the foredune of Ruygte Valley
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adjacent Portion 78 of Ruygte Valley 205, which has one dwelling present has been developed, i.e., one property out of nine along the foredune have been developed. Aerial photographs show the road and a dwelling present in 2004. It may well be that construction on Portion 78 took place prior to when EIA Regulations were first promulgated in 1997. Confirmation of this is requested from the EAP.	205, and that this property had an existing dwelling and road visible as early as 2004. The applicant recognises the sensitivity of this largely undeveloped stretch of coastline and the risk of precedent-setting development pressure. <u>In response:</u> • The proposed development has been scaled and positioned to avoid environmentally sensitive features, is off-grid, and designed with a low-impact footprint ($\pm 1,175 \text{ m}^2$). • It is located well inland from the coastal edge, outside the Coastal Management Line, and avoids all Critical Biodiversity Area 1 and natural forest features. • The landowner supports long-term conservation through rezoning to Open Space III and is open to pursuing a CapeNature stewardship agreement to secure the ecological value of undeveloped areas. These safeguards reflect a deliberate intention to avoid cumulative degradation, protect the coastal zone, and ensure that this development does not serve as an unrestricted precedent for inappropriate intensification along this sensitive stretch of coastline. The concern regarding the timing of development on Portion 78 of Farm Ruygte Valley No. 205 is valid, particularly in relation to the applicability of Environmental Impact Assessment (EIA) Regulations. A review of aerial imagery confirms that the access road and dwelling on Portion 78 were already present by 2004, and preliminary indications suggest that the construction may have occurred prior to the promulgation of the first EIA Regulations in September 1997 under the Environment Conservation Act (ECA). Should evidence confirm that the development pre-dated the 1997 EIA Regulations, this will be stated formally in the updated Basic Assessment Report (BAR). Should it be determined that the development occurred after 1997 without environmental authorisation, a Section 24G rectification process may be applicable to that portion, <u>but this lies outside the scope of the current application for Portion 79.</u>
<u>Points 2: Summary and Way Forward</u>	

SANParks requests clarity on the issues raised in Point 1 above and thereafter wishes to comment on the Draft Basic Assessment Report (DBAR), when this is circulated for public comment.	SANParks' request for clarity regarding the difference between the building footprint and the total disturbance area (as outlined in Point 1) has been addressed. The total disturbance footprint, inclusive of all structures, roads, service areas, platforms, and cleared areas, is confirmed as approximately 1,175 m². This figure has been spatially verified and will be clearly illustrated in the Site Development Plan and Basic Assessment Report (BAR). A revised spatial breakdown and footprint table will be included in the BAR to ensure full transparency. SANParks' concern is appreciated, and the clarification has informed further refinement of the environmental documentation.
It is requested that SANParks' comments be included in the DBAR in their entirety and not just in a Comments and Responses report.	SANParks' request that its full set of written comments be included in the Draft Basic Assessment Report (DBAR) and not only in the Comments and Responses Report is supported and will be honoured. The complete SANParks submission, as received, will be attached in full as an annexure to the DBAR. This will ensure that all commenting parties and stakeholders can view SANParks' inputs in context, and that they are considered as an integral part of the environmental review process.
SANParks reserves the right to revise comments if additional information becomes available.	Noted.

Brede – Olifants Catchment Management Agency – SI Ndlovu – 20 June 2025

RE: BASIC ASSESSMENT REPORT PRE-CONSULTATION FOR THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF FARM 205, RUYGTE VALLEY, SEDGEFIELD, WESTERN CAPE	
Reference is made to the above mentioned Pre-application Basic Assessment Report made available to Brede-Olifants Catchment Management Agency (BOCMA) for comments.	
The following are BOCMA comments relating to Pre-application Basic Assessment for proposed development of a primary dwelling and access road on Portion 179 of Farm Ruygte Valley 205, which should be adhered to:	Noted.

1. The Breede-Olifants Catchment Management Agency has reviewed the pre-application draft Basic Assessment Report and has no objections to the proposed activities.
2. No watercourses observed on site that will be affected by the proposed activities as it is located adjacent to the littoral zone, however the applicant is advised to seek the opinion of a Freshwater specialist.
3. Please note that no water shall be derived from any water resource and used on Portion 79 of Farm Ruygte Valley 205 for any purposes without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998), if activities exceed Schedule 1 limits.
4. Please note that harvesting of rainwater and storing of rainwater in tanks does not trigger any water use(s) in terms of section 21 of the National Water Act, 1998 (Act No. 36 of 1998) and it doesn't require an authorisation.
5. All reasonable measures shall have to be taken to prevent the potential pollution of the groundwater due to the proposed onsite sanitation facilities i.e. a service provider must be appointed to remove domestic wastewater from conservancy/septic tanks.
6. For off-grid sanitation facilities, it is recommended to dispose domestic wastewater into conservancy tank serving no more than 50 households, that must be emptied on regular basis. Sceptic tanks/french drains are not recommended as they are likely to impact on groundwater resources.
7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.

1. Noted.
2. The site is not situated near any mapped or observed watercourses, and the terrestrial biodiversity assessment also confirms the absence of inland aquatic features. However, in line with BOCMA's recommendation, the applicant will seek confirmation from a Freshwater Specialist during the final assessment phase to validate this finding, especially due to the property's location near the littoral coastal zone.
3. The applicant confirms that no abstraction from surface or groundwater resources will occur without the necessary prior authorisation, in line with Section 22 of the National Water Act (Act 36 of 1998). The development will primarily rely on rainwater harvesting, and should a borehole be proposed in future, a hydrogeological assessment will be conducted and, if applicable, a Water Use Licence (WUL) will be obtained before use.
4. The development includes rainwater harvesting tanks on all proposed buildings as the primary water source, and we confirm that this practice does not trigger authorisation under Section 21 of the National Water Act. This sustainable water solution aligns with off-grid principles and climate-resilient design.
5. All onsite sanitation will be managed through a sealed conservancy tank system, with no discharge into the environment. A licensed waste service provider will be contracted to regularly remove the wastewater to a legally compliant municipal treatment facility. These measures will be outlined in detail in the Environmental Management Programme (EMPr) to ensure full compliance with groundwater protection regulations.
6. The proposed development will utilise a sealed conservancy tank system, which aligns with BOCMA's recommendation. The system will:
 - Serve a small number of units (main dwelling, 3 chalets, staff quarters), well below the threshold of 50 households.
 - Be emptied on a regular basis by a licensed service provider to ensure no overflow or risk of contamination.
 - Avoid the use of septic tanks or French drains, which are not suitable for the site due to the sandy, highly permeable soils and sensitivity of nearby groundwater resources.

8. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.	These measures will be detailed in the Environmental Management Programme (EMPr) and a maintenance schedule will be put in place to ensure full compliance with groundwater protection standards. 7. The applicant is aware that, under Section 22 of the National Water Act, 1998 (Act No. 36 of 1998), any activity falling under Section 21 (including groundwater abstraction) requires prior Water Use Authorisation (WUA) if it exceeds Schedule 1 limits or general authorisation exclusions (e.g., within 500 m of the ocean or a wetland). The development currently relies on rainwater harvesting as its primary water source. Should a borehole be proposed in the future: • The location will be evaluated against General Authorisation exclusions (e.g. within 500 m of the High-Water Mark, as stated in GN 40243). If applicable, a formal Water Use Licence (WUL) will be obtained prior to any abstraction, in full compliance with the Act. The applicant recognises the legal and criminal consequences of unauthorised water use, as stipulated under Section 151(1)(a) and Section 151(2) of the Act, and undertakes to ensure all water use activities are lawfully authorised. 8. The applicant fully accepts that the responsibility lies with the property owner to ensure full compliance with the National Water Act, 1998 (Act No. 36 of 1998) prior to commencing with any water use activity listed under Section 21 of the Act. At present, no groundwater abstraction or other regulated water uses are planned.
9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information. 10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation. 11. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at http://www.dws.gov.za/e-WULAAS 12. Should you have further enquiries, the office can be contacted or alternatively contact Mr. SI Ndlovu at the above-mentioned contact number or on sndlovu@bocma.co.za	9. Noted. 10. Noted. 11. Noted. 12. Noted.

Re: NOTIFICATION OF PUBLIC PARTICIPATION: Pre-Application Basic Assessment Report - The Proposed Development of a Primary Residential Dwelling on Portion 79 of the Farm 205 Ruygte Valley, Sedgefield, Western Cape

In my capacity as a professional conservation planner and adjacent landowner, I submit my comments to the BAR here. Thank you for the opportunity to comment on proposed development. The thorough nature of the documentation provided is also noted (although Appendix D5 has a calculation error - the building footprint is 2.27% (and not 0.02%) of the site, which means 97.73%, and not 99.98%, remains "undeveloped").

Although I respect the desires of the owners to construct a dwelling with sea views, the very high ecological and geological sensitivity of the site also need to be respected. I support a single dwelling, with no additional tourism development, away from the cliffs and placed for minimal forest disturbance (i.e. adjacent to currently undeveloped "public" access road). I also recommend that the property apply for Private Nature Reserve status under NEMA (as I have completed for my property), with an appropriate management plan, to secure long term conservation outcomes, to which property owners can be held accountable. In my opinion, rezoning does not hold owners accountable, and far too many proposals promise "future conservation care of the land" simply to get proposal authorized. In addition, the desire to earn income from tourism may be in line with the broader ecotourism objectives for the Garden Route, but it is not sufficient rationale for extra disturbance of an extremely sensitive forested/cliff top environment (and the cumulative impacts that tourism brings). The potential income from tourism will likely be a very small percentage of the investment costs, so I do not view a "financial needs" argument as rational.

Noted.

Your comments and concerns are noted with appreciation. The applicant fully acknowledges the very high ecological and geological sensitivity of Portion 79 of Farm Ruygte Valley No. 205, given its location within the Coastal Protection Zone, adjacent to Coastal Public Property, and within areas mapped as Critical Biodiversity Areas (CBAs) and natural forest in the Western Cape Biodiversity Spatial Plan (2023).

Regarding your support for a single dwelling only:

The applicant confirms that the proposed development is compact and low impact, with a total disturbance footprint of approximately 1,175 m². The layout avoids forest patches, steep cliff-edge slopes, and is confined to previously disturbed or less sensitive areas. Lightweight, removable structures, minimal site clearance, and off-grid services have been proposed to further reduce ecological and visual impact.

Importantly, the three additional chalet structures included in the Site Development Plan will not be used for commercial tourism purposes. These units are intended solely for private use by the landowner and immediate family members, with no intention to operate short-term rentals or tourism accommodation. As such, the development will not introduce external visitor traffic or tourism-related activity and should not be viewed as an income-generating tourism initiative.

The applicant recognises that misunderstandings may have arisen from the terminology used and will ensure that the revised Basic Assessment Report (BAR) clearly states that no commercial tourism or guest accommodation is proposed.

My reasons for my recommend for a single dwelling on the “road” are detailed in various subsections below. The Terrestrial Biodiversity Report provided has picked up on many of these issues, although I do not support the location advised. For almost 30 years now I have been recommending that all the properties in this region be amalgamated into one and that landowners site their private dwellings in an appropriate location with shared access roads and off-grid power/water/security infrastructure, with the remaining area managed for its high conservation value. This requires all the landowners to cooperate, but this has proven impossible to date. It remains something I support, and I would welcome the landowner's views on this.

With respect to your recommendation to pursue Private Nature Reserve (PNR) status under the National Environmental Management Act (NEMA): This is welcomed, and the applicant is open to initiating discussions with CapeNature to formalise a biodiversity stewardship agreement, either through a PNR designation or a Biodiversity Agreement to secure the long-term conservation of the undeveloped portions of the property. The rezoning to Open Space III is also being pursued, but the applicant acknowledges that formal stewardship provides a more enforceable conservation mechanism. In summary, the proposed development is limited to a family-scale, off-grid, non-commercial retreat and does not rely on tourism or financial incentives for justification. Conservation remains the primary land-use goal.

The applicant acknowledges your long-standing commitment to the conservation of this highly sensitive coastal landscape and your consistent advocacy for a collaborative, consolidated management approach across the privately owned properties in this region.

Your recommendation to limit development to a single dwelling located adjacent to the public access road, and your support for shared infrastructure and access, are noted. The terrestrial biodiversity specialist report has indeed highlighted many of the same ecological constraints that inform your position, such as the importance of avoiding forested areas, limiting habitat fragmentation, and maintaining the integrity of Critical Biodiversity Areas (CBAs) and coastal buffer zones. While the current development footprint is located to minimise ecological disturbance and is sited outside of natural forest and CBA1 areas, the applicant takes note of your view that the advised location in the specialist report may still pose ecological risks.

While this application must proceed under the current property ownership structure, the landowner welcomes further dialogue with yourself and others who share this long-term vision. This engagement could also be supported through biodiversity stewardship discussions with CapeNature, in line with the earlier recommendations for formal conservation agreements under NEMA. Your submission and proposals will be reflected in full in the updated draft Basic Assessment Report (BAR).

I also welcome further discussion on any of my comments listed here.

The sensitivity of forests

The area in which the proposed development falls is within a solid thicket/milkwood forest. This forest strip is concentrated along the coast, and is EXTREMELY sensitive to any disturbance, owing to the fact that once the forest is bisected by roads or any other form of clearing, it dies back from the “wound” as its moisture content is altered. Many plants (especially forest trees such as the protected milkwood) and animals (especially birds) rely on large expanses of intact forest to live and breed, and once this forest is fragmented in any way, their core habitat is reduced and they slowly become locally extinct (i.e. extinct to the Groenvlei forest area). This strip of forest is also a very important extension to the Goukamma nature reserve, it contains different species (it is not just “more of the same”), a lot of it falls on primary dunes adjacent to the sea. It is also one of the last remaining stretches of intact solid thicket coastal forest in South Africa. If at all possible, this unique habitat should not be touched in any way, and any authorized development should minimise forest impacts.

Noted.

The applicant acknowledges the ecological importance and extreme sensitivity of the coastal thicket and milkwood forest system along this section of the Garden Route, particularly its role in maintaining intact forest habitat, stabilising dune moisture regimes, and supporting biodiversity corridors linked to the Goukamma Nature Reserve. The Terrestrial Biodiversity Assessment confirms that this forest strip is one of the few remaining continuous, undisturbed coastal thicket–milkwood systems in South Africa, and that it is highly vulnerable to fragmentation, desiccation, and edge effects.

The Site Constraints Map (Appendix B2) clearly shows the extent of the solid thicket/milkwood forest, the CBA1 forest designation, and the sensitive dune-forest interface. The approved development footprint lies outside these mapped forest areas, ensuring no direct loss or fragmentation of intact forest habitat.

In recognition of these constraints and the specialist recommendations:

- The proposed development footprint is located entirely outside all mapped natural forest patches, including areas identified as Western Cape Milkwood Forest, CBA1 Forest, and high-integrity thicket zones, as confirmed in the Terrestrial Biodiversity Assessment (BioCensus, March 2025).
- The site layout has been refined so that no clearing of primary dune forest, solid thicket, or intact milkwood stands will occur, and buffer areas are maintained along all forest edges to prevent microclimatic changes that could lead to die-back.
- The access road has been aligned along an already disturbed track wherever possible. It will be narrow (<3 m), surfaced with permeable gravel, and constructed using elevated or floating boardwalk-type methods in sections where the forest root zone requires protection, thereby avoiding canopy fragmentation and soil compaction.
- All built infrastructure will consist of lightweight, raised, and largely removable structures, requiring minimal platform preparation and

Vegetation mapping

Forest

High resolution mapping done for the Garden Route Initiative classifies the coastal forested area along the Groenvlei seafront as Groenvlei Coastal Forest, which contains protected species (for example the Milkwood). This mapping is of a higher resolution than the broader scale NBA maps for South Africa and should inform a botanical survey of the site.

Vlok, J. H. J., Euston-Brown, D. I. W., & Wolf, T. (2008). A vegetation map for the Garden Route Initiative.

foundation excavation. This approach protects root systems, soil moisture, and forest structural integrity.

- The Civil & Structural Engineering Confirmation Report (Appendix D5) supports the use of lightweight structures and elevated foundations to minimise disturbance to forest root networks and moisture regimes.
- The Letter from Dr. E. Spicer (Appendix D6) further emphasises that intact forest on coastal dune systems is critical for slope stability and erosion control, and should not be disturbed. This has been incorporated into the final placement of the development footprint.

Accordingly, the layout avoids all forested areas, prevents fragmentation of the thicket–milkwood system, and protects the ecological connectivity and moisture dynamics required to maintain this rare habitat.

Your concerns regarding habitat fragmentation, forest dieback, and species loss, particularly in relation to protected forest species such as Milkwood are noted.

Based on the available documents, the botanical and terrestrial biodiversity assessment does not clearly delineate or confirm whether the Groenvlei Coastal Forest or other forest-type vegetation (e.g., dense Milkwood thicket) occurs directly within the proposed development footprint, or only elsewhere on the property.

However, from the previous summary and visual sensitivity mapping:

- The proposed development area has been described in the application and specialist input as being located on the central portion of the site, away from the steep coastal edge and known forest patches.
- The terrestrial biodiversity assessment identifies the northern and eastern portions of the property as containing forest patches, Critical Biodiversity Area 1 (CBA1 – Forest), and sensitive thicket. These areas appear to be outside the proposed disturbance footprint.
- The development has reportedly been designed to avoid mapped natural forest, although the Groenvlei Coastal Forest classification (per Vlok et al., 2008) has not yet been verified on the site specifically.

A VEGETATION MAP FOR THE GARDEN ROUTE INITIATIVE

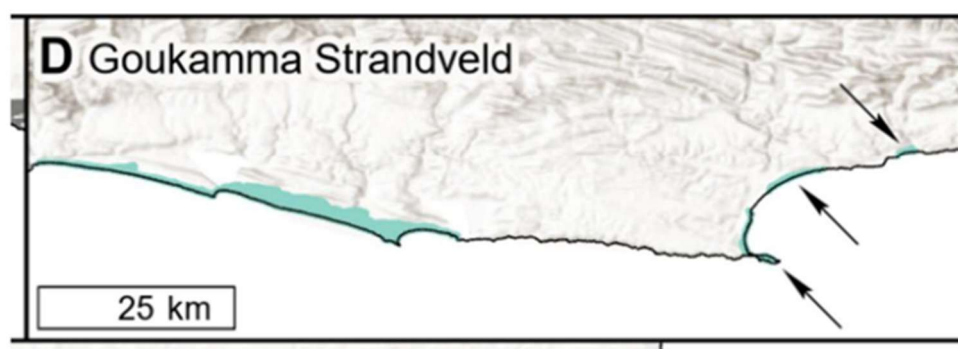
Project Team:

Jan Vlok, Regalis Environmental Services, Oudtshoorn.
Doug Euston-Brown, Scarborough, Cape Town.
Trevor Wolf, Knysna.

Date of report: May 2008

Suggested Reference to maps and report:
Vlok, J.H.J., Euston-Brown D.I.W. & Wolf, T. 2008. A vegetation map for the Garden Route Initiative. Unpublished 1:50 000 maps and report supported by CAPE FSP task team.

Goukamma Strandveld In addition, Cowling et al. (2023) have recently reclassified the (non-forested) Goukamma Dune Thicket of the area to a narrow band of Goukamma Strandveld. Cowling, R. M., Cawthra, H., Privett, S., & Grobler, B. A. (2023). The vegetation of Holocene coastal dunes of the Cape south coast, South Africa. PeerJ, 11, e16427



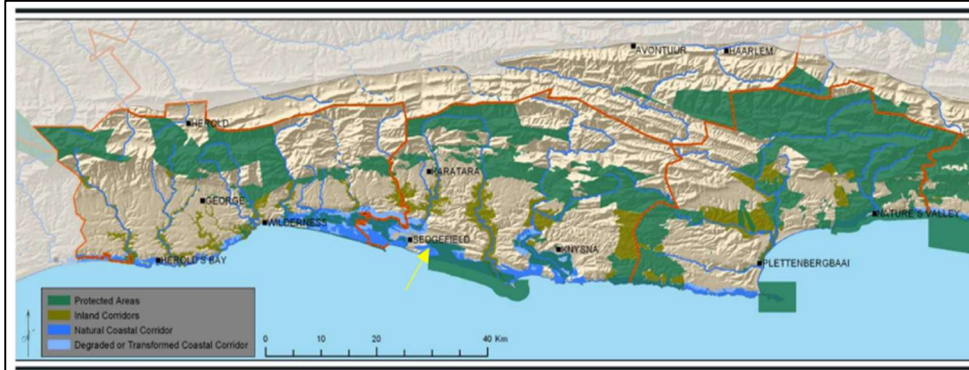
Species The area also includes many species of special concern (endangered, vulnerable or threatened), for example *Erica glandulosa* subsp. *fourcadei*, *Satyrium princeps*, *Athanasia*, *Selago*, possibly *villicaulis*,

This reclassification is ecologically significant, as Goukamma Strandveld is more restricted in extent and likely to have unique floristic and structural attributes compared to the broader "Least Concern" Goukamma Dune Thicket unit in the SANBI National Vegetation Map (2018).

The potential presence of species of special concern, including *Erica glandulosa* subsp. *fourcadei*, *Satyrium princeps*, *Athanasia* spp., *Selago* spp., and possibly *Selago villicaulis* is noted and aligns with known botanical records for the broader coastal and dune systems in the region.

which should also be identified by a botanical survey of the site and would trigger a full EIA.

Coastal corridor Many documents classify the forested strip along the coastline as a coastal corridor, for example, the Garden Route National Park maps (see below)



GRNP_WC_Corridors.jpg and the Rapid Assessment done by Lombard et al. (2005). Lombard, A.T., T. Strauss, J. Vlok, T. Wolf and M. Cameron. (May 2005).

The Terrestrial Biodiversity Assessment (BioCensus, March 2025) included a walkthrough survey of the property, which recorded dominant species and vegetation structure, and identified the habitat as mesic Milkwood-dominated thicket and transitional dune vegetation. However, no formal targeted survey for species of conservation concern was undertaken due to timing and survey limitations.

In response:

- The updated Basic Assessment Report (BAR) will reflect this gap and include a recommendation for seasonal botanical surveys, specifically timed to coincide with the flowering period of locally threatened species.
- Should any Threatened or Protected Species (TOPS) or species listed under the National Forests Act or provincial conservation lists be confirmed on site, the appropriate permits will be obtained, and avoidance or relocation measures will be implemented as required.

Acknowledged. The classification of the forested strip along the coastline as part of a coastal ecological corridor is noted and supported by various conservation planning frameworks, including mapping associated with the Garden Route National Park, the Garden Route Biosphere Reserve, and the Western Cape Biodiversity Spatial Plan (2023).

This corridor plays a critical role in:

- Maintaining coastal biodiversity connectivity between protected areas such as the Goukamma Nature Reserve and adjacent natural habitats.
- Providing habitat for forest-dependent species.
- Supporting ecosystem services such as erosion control, microclimate regulation, and pollination pathways.
- And enhancing resilience to climate change through landscape-scale connectivity.

In recognition of this:

- The proposed development has been located outside of this coastal forest corridor, with infrastructure confined to more disturbed and stable inland areas.
- No clearing or fragmentation of the mapped forest-thicket mosaic that contributes to the corridor function will occur.

A Rapid Conservation Assessment and Corridor Design for the Knysna Municipality. Report 8, Biodiversity Conservation Unit, Wildlife and Environment Society of South Africa.

http://bgis.sanbi.org/download_docs/Knysna_conservation_assessment.pdf



- Vegetation buffers will be retained along the southern edge of the property to reinforce the corridor's integrity and minimise edge effects.
- These measures are consistent with the recommendations of the Terrestrial Biodiversity Assessment (BioCensus, 2025) and will be formalised in the Environmental Management Programme (EMPr).

The applicant fully supports the corridor's conservation function and will avoid any activity that could compromise its continuity or ecological value.

Acknowledged. The findings and recommendations of the Rapid Conservation Assessment and Corridor Design for the Knysna Municipality (Report 8, Biodiversity Conservation Unit, Wildlife and Environment Society of South Africa) are noted, including the identification of the coastal forest strip within which Portion 79 of Farm Ruygte Valley No. 205 is situated as a priority ecological corridor.

This assessment highlights the importance of:

- Maintaining habitat connectivity along the coastal belt to support the movement of fauna and the ecological functioning of fragmented forest patches.
- Protecting sensitive dune forest and thicket vegetation that is critical for regional biodiversity and under increasing pressure from coastal development.
- Ensuring that development avoids compromising the integrity of mapped ecological corridors, especially in buffer zones adjacent to formal conservation areas.

In response to these objectives:

- The proposed development footprint has been sited outside the mapped forest corridor, avoiding fragmentation of natural forest and intact coastal thicket.
- The layout was informed by the Terrestrial Biodiversity Assessment (BioCensus, March 2025) and aligns with the corridor avoidance and buffer recommendations.
- The applicant supports the intent of the conservation corridor strategy and is committed to:
 - Avoiding clearing within mapped forest corridors.

The site (yellow arrow) within the Groenvlei dunefields east of Swartvlei mouth. A type locality for classic examples of compound ascending parabolic dunes. Should be added to the existing Goukamma Nature and Marine Reserve or given some other protection status (e.g. Geological Reserve) (Tinley 1985). (From Lombard et al. 2005) This corridor forms a narrow strip along the coastline and provides for movement of plant and animal forest species (many of which are threatened).	○ Reinforcing ecological buffers along the property's southern boundary. ○ And engaging with CapeNature on potential stewardship options to secure the long-term ecological integrity of the undeveloped portions of the site. Acknowledged. The location of the site within the Groenvlei dunefields, as identified by Tinley (1985) and referenced in Lombard et al. (2005), is recognised as being of geological and ecological significance, particularly due to its position within a classic compound parabolic dune system. The recommendation that this area be added to the Goukamma Nature and Marine Reserve or granted formal protection status (e.g. as a Geological Reserve) is noted and reinforces the broader conservation value of this landscape. The role of this area as a coastal ecological corridor is further acknowledged, particularly its function in supporting the movement of forest-dependent plant and animal species, many of which are threatened or habitat-sensitive. This corridor provides critical connectivity between fragmented habitats, supporting genetic flow, seasonal migration, and ecosystem resilience in the face of climate change. <u>In response:</u> • The proposed development footprint is located outside of the primary dune system and avoids areas that contribute directly to dune formation or corridor continuity, as confirmed in the Preliminary Geotechnical Report (Rock Hounds, 2024) and the Terrestrial Biodiversity Assessment (BioCensus, 2025). • The design avoids forest patches and maintains a vegetated buffer along the southern edge of the site to preserve corridor function and ecological integrity. • The applicant supports the recognition of this area's geoconservation importance and is committed to avoiding any land use or infrastructure that would compromise its geological, ecological, or corridor values.
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Western Cape Biodiversity Spatial Plan (WCBSP)

This plan has either been accepted or is in the process of being accepted into legislation. Either way, decisions should be made in the spirit of this plan since it is publicly available.

The property falls within two categories:

- i) Most of it falls within an area that includes:
- Ecological processes (11.3),
 - Indigenous Forest Type (5.04),
 - Threatened SA Vegetation Type (8.74),
 - Water resource protection (11.3)

Feature_1: Coastal resource protection- Eden

Feature_2: Indigenous Forest Type

Feature_3: Southern Cape Dune Fynbos (VU)

Feature_4: Water source protection- Swartvlei

Summary_1
Ecological processes (11.3), Indigenous Forest Type (5.04), Threatened SA Vegetation Type (8.74), Water resource protection (11.3)

Summary_2
Feature_1
Coastal resource protection- Eden

Feature_2
Indigenous Forest Type

Feature_3
Southern Cape Dune Fynbos (VU)

Feature_4
Water source protection- Swartvlei



<https://bgisviewer.sanbi.org/>

- ii) A small southern component includes:

Acknowledged. The importance of the Western Cape Biodiversity Spatial Plan (WCBSP) as a leading conservation planning tool is fully recognised. Although formal legislative adoption may still be underway, the WCBSP is a publicly accessible, scientifically validated spatial framework and, as such, must be treated as a material consideration in environmental and land use planning decisions.

According to the WCBSP, Portion 79 of Farm Ruygte Valley No. 205 falls within multiple biodiversity priority layers, including:

- Ecological processes (11.3): indicating the property's role in maintaining landscape-scale ecosystem function and connectivity, especially along the coastal corridor.
- Indigenous Forest Type (5.04): denoting the presence or proximity of sensitive forest ecosystems that support protected species and require strict avoidance and buffering.
- Threatened SA Vegetation Type (8.74): likely referencing the updated reclassification of Southern Cape Dune Fynbos (VU – Vulnerable) and/or Groenvlei Coastal Forest.
- Water resource protection (11.3): associated with Swartvlei and related wetland or aquifer systems contributing to regional hydrological stability.

Additionally, the property is flagged under the following specific features:

- Feature_1: Coastal resource protection – Eden District
- Feature_2: Indigenous Forest Type
- Feature_3: Southern Cape Dune Fynbos (Vulnerable)
- Feature_4: Water source protection – Swartvlei catchment

In response:

- The proposed development footprint has been carefully sited to avoid all mapped forest patches, Critical Biodiversity Area 1 (CBA1) zones, and areas of known wetland or hydrological sensitivity, as confirmed by the Terrestrial Biodiversity Assessment (BioCensus, March 2025) and Geotechnical Report (Rock Hounds, 2024).
- The layout avoids direct disturbance of the coastal corridor and has been refined to maintain the integrity of identified ecological process areas.
- The Southern Cape Dune Fynbos is recognised as a Vulnerable ecosystem, and any clearance within this vegetation type will be



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- Coastal Habitat Type (1.75)
- Ecological processes (18.1)
- Indigenous Forest Type (5.4)
- Threatened SA Vegetation Type (7.21)
- Threatened Vertebrate (1)
- Water resource protection (14.04)

Feature_1: Coastal resource protection- Eden

Feature_2: Foredune

Feature_3: Indigenous Forest Type

Feature_4: Southern Cape Dune Fynbos (VU)

Feature_5: Threatened Reptile

Feature_6: Water source protection- Swartvlei

Critical Biodiversity Areas (CBAs)

The site falls within a CBA, and the assertion that development should occur on the coastal/cliff end in a previously degraded area is flawed, for the following reasons:

- If there is any degradation the owners are responsible for this and would have required permission under OSCAER, NEMA, etc., to transform any vegetation here. If there are aliens such as rooikrans, landowners are

minimised and subject to site-specific rehabilitation measures and ongoing alien vegetation control.

- All infrastructure is located outside the mapped Coastal Management Line (CML) and includes off-grid services and stormwater attenuation measures to prevent runoff into sensitive dune or water source areas.
- The proposed development footprint has been carefully sited to avoid all mapped forest patches, Critical Biodiversity Area 1 (CBA1) zones, and areas of known wetland or hydrological sensitivity, as confirmed by the Terrestrial Biodiversity Assessment (BioCensus, March 2025) and Geotechnical Report (Rock Hounds, 2024).
- The layout avoids direct disturbance of the coastal corridor and has been refined to maintain the integrity of identified ecological process areas.
- The Southern Cape Dune Fynbos is recognised as a Vulnerable ecosystem, and any clearance within this vegetation type will be minimised and subject to site-specific rehabilitation measures and ongoing alien vegetation control.
- All infrastructure is located outside the mapped Coastal Management Line (CML) and includes off-grid services and stormwater attenuation measures to prevent runoff into sensitive dune or water source areas.

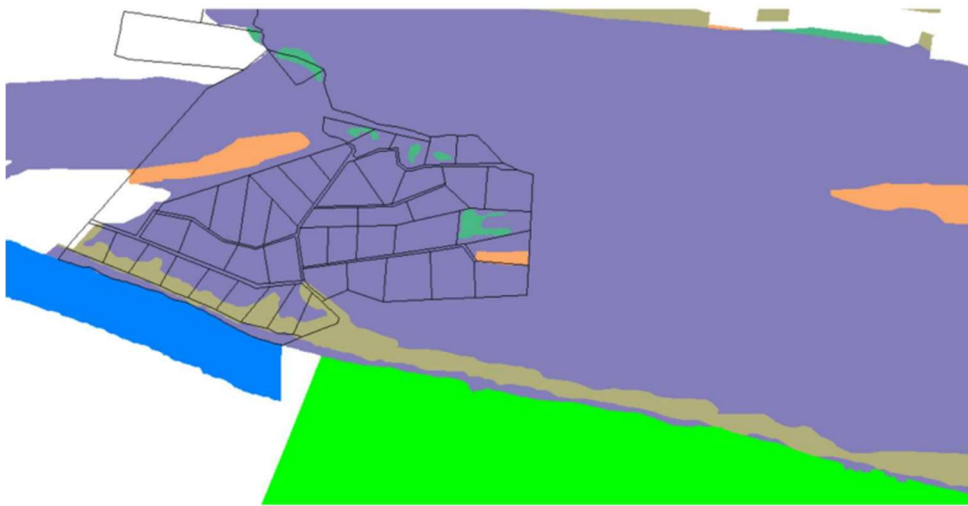
The applicant fully supports the intent and spatial priorities of the WCBSP and confirms that the development will be aligned with its objectives. These commitments will be integrated into the updated Basic Assessment Report (BAR) and Environmental Management Programme (EMPr).

As per the Terrestrial Biodiversity Assessment (BioCensus, March 2025), the proposed development footprint lies within a portion of the site mapped as CBA2 and described as "partially disturbed thicket"—not within CBA1 (forest) or undisturbed indigenous vegetation.

The specialist report clarifies that while alien invasive species (e.g. *Acacia cyclops*) are present in the central portion of the site, no natural forest or

required to clear them (not use their presence as a reason to site developments). CBAs require any degraded land to be restored. Many environmental consultants try to exploit the previously “degraded” option without understanding that CBAs require restoration, and that any previous unauthorised land use change is not a basis for further degradation.

- A site visit would likely show that the area defined as “degraded” on the CBA map is incorrect (it is difficult to discern invasive species canopies from Groenvlei Coastal Forest canopies from satellite as was done for the development of the CBA maps). For example, the CBA map shows this entire brown strip, extending into the Goukamma Nature Reserve, as “degraded”, which is not true. The area is coastal forest; thus, the desire to build on the cliff is for views, not because the area is degraded.



primary dune vegetation will be cleared. However, it is accepted that alien infestation alone does not justify development in a CBA.

The updated Basic Assessment Report (BAR) will include a clear mitigation and rehabilitation plan, as per the EMPr, with the following measures:

- Alien invasive species removal, as legally required under the NEM: Biodiversity Act (2004) and associated regulations.
- Restoration of cleared edges and temporary construction zones.
- Management of residual ecological disturbance with indigenous planting.

The CBA maps, as produced in the Western Cape Biodiversity Spatial Plan (2023), are based on desktop interpretation and remote sensing, and may not always differentiate dense natural thicket/forest canopy from alien cover.

However, the Terrestrial Biodiversity Assessment included an on-site visual ground-truthing survey and mapped the vegetation as a Milkwood-dominated mesic thicket, transitioning toward Southern Cape Dune Fynbos. The development footprint avoids areas classified as CBA1 (Forest) and is positioned in the central zone, where disturbance by alien encroachment and historical clearing (e.g. informal paths) was observed.

The updated BAR will include a refined site sensitivity overlay, validated by fieldwork, and not solely reliant on the CBA shapefiles. Additionally:

- The layout avoids forest canopies and root zones.
- The cliff edge is excluded from the disturbance footprint.
- Building placement is not justified by degradation, but by proximity to less sensitive vegetation, as confirmed by the specialist site sensitivity map.

Conclusion:

The applicant does not seek to exploit degraded status within a CBA but rather acknowledges that:

- All CBAs are conservation priorities, regardless of condition.
- Any use of partially disturbed land must be mitigated and restored.
- The layout has been refined based on site-specific biodiversity field data, not just desktop mapping.

These considerations and mitigation strategies will be reflected in the updated BAR and EMPr, in line with NEMA principles and the intent of the WCBSP.

▪ A road development through the property to the cliffs/coastal area will cause far more degradation than is claimed to be present on the cliff area. Forests species respond negatively to edge effects (light, invasive aliens, noise, etc.)	This issue has been considered in detail across the specialist reports prepared for the site. <u>Specialist Input on Proposed Access Route:</u> According to the Terrestrial Biodiversity Assessment (BioCensus, March 2025): • The proposed access road avoids all mapped natural forest patches, including those identified as Critical Biodiversity Area 1 (CBA1 – Forest). • It is aligned through a partially disturbed thicket area with noted alien vegetation presence, which has lower ecological sensitivity compared to the southern forested and foredune zones. • The route was selected specifically to avoid forest fragmentation, and the report cautions against any new clearance within or adjacent to forest patches due to the risk of edge effects (light intrusion, invasion by alien species, noise, and desiccation). The Visual Compliance Statement (Outline Landscape Architects, March 2025) illustrates the access route entering from the northeastern boundary, following an existing informal disturbed track. The road is described as: • Narrow (≤ 3 m wide), gravel-surfaced, and constructed to follow natural contours. • Using elevated or floating methods in sensitive areas to protect root zones and limit soil disturbance. • Entirely outside the Coastal Management Line, high erosion risk zones, and intact forest canopies. The Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024) further confirms that: • The access route runs over stable, gently sloping terrain. • It avoids steep foredune gradients ($>25\%$) and does not traverse the southern portion of the property where coastal forest and geomorphological sensitivity are greatest. <u>Conclusion:</u> Based on the integrated input from the biodiversity, landscape, and geotechnical specialists, the access road has been: • Deliberately aligned along a disturbed zone to minimise new impacts. • Designed to avoid forested and high-sensitivity areas. • Supported by measures in the forthcoming Environmental Management Programme (EMPr) to mitigate edge effects and prevent the spread of alien species along disturbed margins.
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<u>Key Biodiversity Areas (KBAs), the Garden Route Biosphere Reserve (GRBR) and the Garden Route National Park (GRNP)</u> All three of these designations (KBA, GRBR and GRNP) are very broad and do not consider the specific characteristics of the site but give context for the broader conservation planning aspirations for the region. SANBI has recently identified KBAs for South Africa and the site falls within the Garden Route KBA: "This site qualifies as a Key Biodiversity Area of international significance that meets the thresholds for 3 criteria described in the Global Standard for the Identification of KBAs. Based on current available information, 168 species meet one or more KBA. South African KBA NCG. 2024. South African KBAs 2024. Shapefile was produced by the South African KBA NCG and is available from the South African National Biodiversity Institute.	These design choices reflect a precautionary and ecologically responsible approach, consistent with NEMA's principles of avoiding and minimising environmental harm. The applicant acknowledges the broader regional conservation planning context in which the site is situated, as outlined in the national and international designations. Each is addressed below with specific reference to its planning role and how it is being considered in the proposed development: 1. <u>Key Biodiversity Area (KBA) – Garden Route KBA</u> The applicant acknowledges that the site falls within the Garden Route Key Biodiversity Area (KBA), as identified by the South African KBA National Coordination Group (NCG, 2024) and mapped by SANBI. This designation signifies that the area qualifies as a KBA of international significance, meeting thresholds for three criteria under the Global Standard for KBA identification. It highlights the region's role in supporting threatened, endemic, and range-restricted species—with over 168 species meeting KBA thresholds based on current data. In response: - The Terrestrial Biodiversity Assessment (BioCensus, March 2025) has been undertaken to ensure that species- and habitat-level impacts are identified at the site scale, not just inferred from broader KBA mapping. - The proposed development footprint avoids natural forest, CBA1 zones, and priority habitat types where sensitive species are most likely to occur. - The project is being designed with a precautionary approach, consistent with the objectives of the KBA framework, and includes off-grid infrastructure, minimum vegetation clearance, and habitat buffers. The updated Basic Assessment Report (BAR) will explicitly reference the KBA layer and address potential impacts and mitigation measures in the context of this designation.
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▪ The site also falls in the broader Garden Route Biosphere Reserve as well as the Garden Route National Park	2. <u>Garden Route Biosphere Reserve (GRBR)</u> The applicant recognises that the site falls within the Garden Route Biosphere Reserve, a UNESCO-designated landscape that promotes integrated conservation and sustainable development. In response: • The development proposal aligns with the GRBR's zonation principle by concentrating disturbance within already partially transformed areas, while proposing Open Space Zone III for the remainder of the property and exploring CapeNature stewardship options. • The use of nature-based tourism, sustainable land use, and ecological buffers reflects the GRBR's core objectives. The Biosphere Reserve context has informed the planning process and will continue to guide land use management in line with the GRBR's spatial and ecological vision. 3. <u>Garden Route National Park (GRNP) Buffer Zone</u> The site is located within the Buffer Zone of the Garden Route National Park (GRNP), though not inside the formal park boundary. The buffer zone is intended to safeguard core protected areas by encouraging compatible land uses and discouraging habitat degradation or edge pressure. In response: • The development has been designed to avoid encroachment on sensitive habitat types and will not impact the ecological integrity of the adjacent Goukamma Nature Reserve, which forms part of the GRNP network. • A vegetated buffer will be retained along the southern boundary to limit edge effects, and no infrastructure will be located within the Coastal Public Property (CPP) or Coastal Management Line (CML). These actions reflect alignment with the GRNP's buffer management goals, and the project team remains open to consultation with SANParks and CapeNature regarding stewardship and monitoring options. These broader designations are acknowledged as strategic frameworks for guiding land use, and while they do not impose direct legal restrictions at the site level, they form an important part of the planning ethos that has informed the project design, mitigation hierarchy, and conservation commitments.
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Local context

Adjacent land owners in the area have (or are in the process of) declaring their properties as private nature reserves and a conservancy, and any development of the site should support these local aspirations.



The applicant is aware that several adjacent and nearby landowners within this coastal corridor have either formally declared their properties as Private Nature Reserves or are currently in the process of doing so, with the intent of forming part of a broader conservancy network. This regional conservation momentum is commendable and aligns with both the National Protected Areas Expansion Strategy (NPAES) and the Western Cape Biodiversity Spatial Plan (2023).

In support of these local aspirations:

- The applicant has proposed to rezone the undeveloped portion of Portion 79 of Farm Ruygte Valley No. 205 to Open Space Zone III, thereby recognising and formalising the ecological value of this area within the municipal planning framework.
- Furthermore, the applicant has expressed willingness to engage with CapeNature to explore entering into a formal biodiversity stewardship agreement, including the potential for Private Nature Reserve (PNR) designation or a Biodiversity Agreement, depending on site suitability and CapeNature's assessment.
- The proposed development has been confined to a small, central portion of the property, with a total disturbance footprint of approximately 1,175 m², ensuring that the majority of the site remains available for long-term conservation.
- The design intentionally avoids sensitive areas such as natural forest, CBA1 zones, and the coastal foredune, thus supporting landscape-scale ecological integrity and compatibility with neighbouring conservation properties.

These measures demonstrate alignment with the conservancy vision emerging in the Groenvlei coastal corridor and affirm the applicant's commitment to collaborative conservation outcomes alongside neighbouring landowners. This commitment will be detailed in the updated Draft Basic Assessment Report (BAR) and Environmental Management Programme (EMPr).

Zoning and previous applications

In an extensive stakeholder process conducted this year, the Knysna Municipality has chosen to keep the Sedgefield urban edge where it is and not expand it into the East. The site thus remains outside the urban edge, and to my knowledge, has a zoning of agriculture. To my knowledge, only a single dwelling is allowed (if agriculture is not intended). Many of the surrounding properties have been restricted to a single dwelling in the past so I do not believe an exception should be made for this particularly sensitive site. Many of the properties along this “forest strip” have been bought and sold, after landowners realise the environmental restrictions that limit building and road clearing. By allowing multiple dwellings (as is proposed), the Municipality could face legal action from previous owners.

The applicant is aware that Portion 79 of Farm Ruygte Valley No. 205 is located outside the Urban Edge, as defined in the Knysna Spatial Development Framework (SDF, 2020), and confirms that the property is currently zoned as Agriculture Zone I, which typically permits a single dwelling unless alternative land use rights are granted through a rezoning or consent use application.

The applicant further notes the outcome of the 2024/2025 SDF review and public consultation process, in which the Knysna Municipality reaffirmed the existing Urban Edge boundary, choosing not to extend it eastward toward the Groenvlei coastal strip. This planning decision is respected, and the proposal has been prepared with this in mind.

In response to your concerns:

- The development application includes a proposal to rezone only the developed portion of the site to permit tourism accommodation (up to three chalets), while simultaneously rezoning the undeveloped majority of the property to Open Space Zone III to reflect its environmental sensitivity and conservation intent.
- The proposal is not made in isolation. It is informed by:
 - The Terrestrial Biodiversity Assessment (BioCensus, 2025),
 - The Town Planning Report (Appendix D5),
 - And ongoing consideration of stewardship mechanisms under the CapeNature Biodiversity Stewardship Programme.
- The applicant acknowledges that similar properties have been limited to single dwellings in the past and is not seeking preferential treatment. Rather, the application is being submitted through a formal land use planning and environmental assessment process with the necessary public participation and regulatory oversight, allowing all interested and affected parties—including adjacent landowners—to comment.

Regarding potential precedent and legal concerns:

- The applicant emphasises that any decision to allow additional units will be made by the Knysna Municipality and Western Cape Department of Environmental Affairs and Development Planning, based on the merits of the application, site sensitivity, and alignment with relevant policies and environmental legislation.

For example, Erf 77 was sold after an Environmental Impact Assessment was conducted and recommended no development at all. Recommendations were returned as: a) Primary Recommendation: Conservation priority. It is recommended that no development takes place in this area.	• The intention is not to compromise the conservation character of the area, but to demonstrate that limited, off-grid, and environmentally sensitive development can coexist with long-term conservation goals, particularly were supported by Open Space zoning and formal ecological management plans. The updated Basic Assessment Report (BAR) and land use application will fully reflect these points and include a response to cumulative and precedent-related concerns. The applicant is aware that certain nearby properties such as Erf 77 were assessed through previous Environmental Impact Assessments (EIAs) and deemed inappropriate for development due to high ecological sensitivity, including natural forest cover, threatened vegetation types, and conservation planning designations (e.g. CBAs, buffer zones). In the case of Portion 79, the following distinctions and mitigation measures have been taken into account: • The Terrestrial Biodiversity Assessment (BioCensus, 2025) confirmed that the proposed development avoids all mapped natural forest and CBA1 zones and is instead sited within a partially disturbed portion of the property. • The development footprint is limited to approximately 1,175m², which is significantly below the 1 ha threshold that would trigger Listing Notice 1 Activity 27. • The remainder of the site is proposed for rezoning to Open Space Zone III, with the intention of entering into a formal biodiversity stewardship agreement with CapeNature to secure long-term ecological protection. While full conservation of the site remains a valid and respected position, the applicant has followed a precautionary approach and taken steps to ensure that no irreversible ecological damage will occur, with the majority of the site preserved in its natural state.
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b) Secondary Recommendation One: Plan for “absolute” minimum ecological impacts

If any development is approved in this area, it is recommended the project be planned and controlled to have the “absolute” minimum ecological impacts, despite the costs or implications attached. This area is too special to use “high costs” as an excuse to degrade it. For instance, consideration should be given to reducing the dwelling sizes, redesigning the structures and shortening the access track.

To my knowledge, Erf 75 was also sold (or remains undeveloped) after the authorities (including the Knysna Municipality) recommended that buildings be restricted to the road area in the north-east corner of the property (see diagram below as well as an extract from the specialist vegetation report).

The project design fully embraces the principle of minimising ecological impact, in line with the type of guidance given for Erf 77 and other sensitive properties in the area. Specifically:

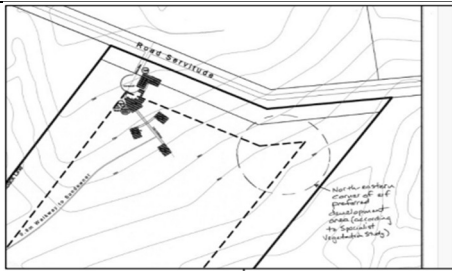
- The buildings are compact, off-grid, and lightweight, reducing the need for excavation, services infrastructure, and vegetation clearance.
- The access road follows an existing disturbed track and avoids steep slopes, forested areas, and erosion-prone terrain, as verified by both the Preliminary Geotechnical Report (Rock Hounds, 2024) and the biodiversity specialist.
- The three proposed chalets are small in scale (65 m² each), and the main dwelling (200 m²) and staff unit (50 m²) have been sited to avoid forest edge effects.
- Elevated or floating foundations will be used where necessary to avoid disturbing root zones.
- Vegetation buffers, alien species removal, and post-construction rehabilitation are included as binding conditions in the Environmental Management Programme (EMPr).

In conclusion, while the application does not propose full conservation without development, it adopts the most conservative and low-impact approach possible under the circumstances—directly reflecting the intent of the Erf 77 secondary recommendation.

The reference to Erf 75 and its restriction to development in the northeastern corner near the road is noted. The applicant recognises this as part of a pattern of precedent-setting recommendations from both the Knysna Municipality and specialist studies aimed at minimising ecological impact across properties situated along the Groenvlei coastal forest corridor.

In response:

- The current proposal for Portion 79 of Farm Ruygte Valley No. 205 aligns with the same planning logic applied to Erf 75. The proposed development footprint is situated in the central to northeastern portion of the property away from natural forest, steep foredune slopes, and coastal edge areas.



sloping dune ridge to the west. This Forest vegetation is also formally protected under the Forest Act.

If development rights were given, this should only be in the form of a small self contained dwelling that is accessed by foot, and is restricted to the north-east corner of the property. Alternatives within this framework should be investigated, and more careful mapping of individual trees would need to be done here to minimise the impacts and improve aesthetic value. This approach attempts to minimise the potential impact that the access way and associated structures will have on this vulnerable coastal corridor system. Any access road deeper into the forest (or to obtain access to the sea views) is seen as highly undesirable from a biodiversity perspective. The impacts that this will have on the forest and thicket ecosystems are regarded as being too high to be considered as viable development options.

OSCAER

In addition to the NEMA legislation (and listed activities which this proposal triggers), OSCAER permits are required for any activity in this area. This process will consider the extreme sensitivity of the site and likely recommend a single dwelling and the location to be along the (currently undeveloped) public road.

- According to the Terrestrial Biodiversity Assessment (BioCensus, March 2025) and the Visual Compliance Statement (Outline Landscape Architects, March 2025), the selected site avoids areas mapped as Critical Biodiversity Area 1 (CBA1), forest, and high-sensitivity thicket.
- The access road follows an existing disturbed track entering from the northeastern boundary, as was similarly recommended for Erf 75. No infrastructure is proposed within or below the Coastal Management Line or in any part of the foredune system.

This approach reflects both the intent and spatial precedent of development guidance provided for Erf 75, namely, that any permissible development should be confined to disturbed areas near the northern boundary, with the remainder of the site preserved for ecological integrity.

This principle is also being carried forward through:

- A proposed Open Space Zone III designation for the remainder of the property.
- Potential biodiversity stewardship discussions with CapeNature.
- And commitments to off-grid, low-impact design, consistent with what has previously been supported by the competent authority for similar sites.

These measures will be fully described in the updated Basic Assessment Report (BAR) and associated planning documentation.

The applicant is aware that in addition to the applicable provisions of the National Environmental Management Act (NEMA) and its Environmental Impact Assessment (EIA) Regulations, the proposed development also falls within the coastal zone and is therefore subject to the Outeniqua Sensitive Coastal Area Extension Regulations (OSCAER), promulgated under the Environmental Conservation Act (Act 73 of 1989).

These regulations apply to properties within designated sensitive coastal areas and require that any activities involving vegetation clearance, earthworks, or the construction of roads or buildings be subject to a separate OSCAE permit process, administered by the Department of Forestry, Fisheries and the Environment (DFFE) in consultation with the local municipality.

In response:

- The applicant acknowledges that an OSCAE permit application will be required prior to any vegetation clearance or construction and undertakes to submit such an application in parallel with the NEMA authorisation process, should the proposed development proceed.
- The sensitivity of the site—including its location within the Coastal Protection Zone, adjacency to Coastal Public Property (CPP), and overlap with Critical Biodiversity Areas (CBAs)—is fully recognised and reflected in the design approach.
- In anticipation of the OSCAE process, the development footprint has been:
 - Confined to a small area ($\pm 1,175\text{m}^2$) of previously disturbed vegetation.
 - Located away from primary dunes, forest patches, and steep coastal slopes.
 - Designed to maintain vegetation buffers and avoid triggering additional land degradation.
 - Supported by off-grid infrastructure and low-impact building techniques.

The applicant also notes that recommendations emerging from the OSCAE assessment, including restrictions on the number of units and development placement, will be respected and may be incorporated into the conditions of approval or inform final layout refinements.

The recommendation that any development on Portion 79 of Farm Ruygte Valley No. 205 be confined strictly to the area closest to the existing access point, specifically the northeastern corner (as marked in yellow), is noted and appreciated. This position aligns with a precautionary, impact-avoidance approach rooted in conservation planning principles and past decisions on adjacent properties.

In response:

- The proposed development footprint has been sited in the central to northeastern portion of the property, directly accessible from the existing

Position of development

As mentioned previously, no development should be considered anywhere on this site except for a location that minimises the access roads, i.e. it should be placed in the area marked yellow below, subject to a detailed species-level botanical survey. Of note is that no road had been developed along the areas marked red (unless this has occurred recently with the required permissions).



disturbed track that enters the site from the public road along the northern boundary.

- No new road has been constructed in the area marked red, nor is any such road proposed in the current layout. The applicant confirms that no construction or earthworks have been undertaken in this area, and any future road or access works will be subject to the required approvals, including compliance with NEMA, OSCAE, and municipal planning regulations.
- The proposed access track is limited in width (<3 m) and will follow the existing disturbed alignment, as shown in the Visual Compliance Statement (Outline Landscape Architects, 2025) and confirmed by the Preliminary Geotechnical Report (Rock Hounds, 2024).

Regarding the need for a detailed species-level botanical survey:

- The Terrestrial Biodiversity Assessment (BioCensus, March 2025) included a walkthrough survey and vegetation classification at a community level but did not conduct a targeted seasonal botanical survey for species of special concern.
- The applicant acknowledges this limitation and is committed to commissioning a follow-up, seasonally timed botanical survey prior to any vegetation clearance, to verify the presence of any threatened, protected, or endemic plant species within the final development footprint.
- Should any species of conservation concern be confirmed, the layout will be adjusted accordingly and permits under the National Forests Act or NEM: Biodiversity Act (TOPS regulations) will be sought where required.

The Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024) confirms that:

- The southern foredune and cliff edge of the property are characterised by steep slopes exceeding 25%, highly erodible sandy soils, and limited structural stability, particularly during heavy rainfall or coastal storm events.
- The report advises that this area is unsuitable for any infrastructure, citing a high risk of slumping and erosion, especially over the medium-to-long term under predicted climate change and sea-level rise scenarios.

The continuous coastal erosion on the cliffs is of major concern (yellow), with frequent slope slips occurring. Seabirds also nest along these cliffs. Coastal erosion is predicted to increase (and accelerate) with time – another reason to avoid building near this area.



- Coastal retreat of up to 30 metres over the next century is projected for similar dune-cliff interfaces along the Garden Route.

The Engineering Constraints Report (2025) further reinforces these findings by identifying:

- Critical structural-risk zones where foundations cannot be supported due to loose sand, voiding, and shallow failure planes.
- The D7 point as a “strict no-build zone” due to deep structural fractures and insufficient bearing capacity, making any permanent infrastructure unsafe.
- That all development must be placed on gently sloping terrain (<15°) with verified compaction potential, outside all mapped geotechnical hazard areas.
- That elevated, lightweight structures with minimal foundation excavation are required throughout the property to avoid loading unstable dune sands.
- That no cut-and-fill platforms may be created on the southern slopes under any circumstances.

In response, the proposed development:

- Is not located near the cliff edge or within the high erosion-risk zone identified in the geotechnical and engineering reports.
- Maintains a setback of more than 100 m from the High-Water Mark, fully respecting the Coastal Management Line (CML).
- Avoids the southern foredune entirely, with all infrastructure placed on more stable, gently sloping terrain in the central-northern portion of the property.
- Complies fully with the Engineering Constraints Report by restricting all building platforms to stable geotechnical zones (BM and HW2), where bearing capacity, slope angle, and soil stability meet minimum structural safety thresholds.

Seabird Nesting Habitat:

<u>Paleo significance</u> The eroding cliff face is of further significance from a Late Pleistocene perspective, with both early human and Pleistocene animal fossil footprints recently discovered:	The Terrestrial Biodiversity Assessment (BioCensus, March 2025) acknowledges the ecological sensitivity of the coastal cliffs, including their function as potential nesting habitat for seabirds and resting sites for avian species reliant on undisturbed cliff faces and buffer vegetation. • The development does not encroach upon this habitat zone and includes vegetation buffers along the southern boundary to prevent disturbance from human activity, noise, or lighting. • No infrastructure or access routes are proposed near the cliff edge, thereby avoiding direct or indirect impact on these important nesting areas. <u>Conclusion:</u> The applicant shares the concern about coastal erosion, slope instability, and sensitive cliff-top ecosystems and has taken these risks into account in the design and layout of the project. The development remains well inland, on stable terrain, and fully outside of erosion-prone and ecologically sensitive cliff areas. The integration of the Engineering Constraints Report ensures that all structural, geotechnical, and safety requirements are met, and confirms that the selected footprint is the only viable and safe location for development within Portion 79. These precautionary measures will be formalised in the updated Basic Assessment Report (BAR) and the Environmental Management Programme (EMPr), and the applicant is committed to ensuring that no activity will occur within or near erosion-prone coastal areas. • The proposed development is not located near the coastal cliff face, and the layout has been carefully positioned in the central-northern portion of the property, well inland from the erosion zone where fossil-bearing strata are most likely to be exposed or disturbed.
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	• The Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024) confirms that the cliff and foredune edge are highly unstable and recommends that no infrastructure be placed within this zone. • Although no palaeontological specialist study was commissioned at pre-application phase, the applicant acknowledges the potential heritage significance of the southern coastal margin and confirms that any ground disturbance will be subject to: ◦ The protocols of the South African Heritage Resources Agency (SAHRA). ◦ The requirements of Section 35 of the National Heritage Resources Act (Act 25 of 1999). ◦ And, if necessary, the inclusion of a Phase 1 Heritage Impact Assessment (HIA) or palaeontological field verification in consultation with Heritage Western Cape. Should any fossil traces or subfossil deposits be encountered during future site activities, work will cease and Heritage Western Cape will be notified immediately, in accordance with the “chance finds procedure” that will be included in the Environmental Management Programme (EMPr).
Helm, C.W., McCrea, R.T., Cawthra, H.C., Lockley, M.G., Cowling, R.M., Marean, C.W., Thesen, G.H., Pigeon, T.S. and Hattingh, S., 2018. A New Pleistocene hominin tracksite from the Cape South Coast, South Africa. Sci Rep 8: 3772 [online]	Noted.
Helm, C. W., McCrea, R. T., Lockley, M. G., Cawthra, H. C., Thesen, G. H., & Mwankunda, J. M. (2018). Late Pleistocene vertebrate trace fossils in the Goukamma Nature Reserve, Cape south coast, South Africa.	Noted.
REMAX Coastal - Noleen Davel – 26 & 27 May 2025	
Good morning Please could you email me a draft of what interested parties are allowed to do on vacant land been sold in the Uitzicht farms and in particular to farm 216/	Please note that the permissions will ultimately depend on the zoning, environmental sensitivities, and municipal planning frameworks applicable to the specific portion of land. <u>Please note the following:</u>

Dear Eco Route Team, I hope this message finds you well. I am writing to inquire about the current and future zoning status of Farm 73/216 located in Uitzicht. Specifically, I would like to confirm whether there are any plans for rezoning the property for development purposes, or if it will remain designated as conservancy land. In the event that the land retains its conservancy status, could you kindly provide clarity on the following: What types of buildings or structures, if any, are permitted under the current zoning regulations?	• Zoning: Farm 216 is zoned Agriculture Zone I, allowing one primary dwelling and agricultural activities. Additional uses (e.g. accommodation) require consent use or rezoning. • Environmental Sensitivities: Portions may fall within Critical Biodiversity Areas, coastal zones, or sensitive slopes, requiring authorisation under NEMA and possibly an OSCAE permit. • Development Limitations: No clearing, roadworks, or infrastructure may occur without the necessary environmental and municipal approvals. • Access: Road access is typically from the northeastern boundary, and some areas may be limited due to topography or conservation buffers. • Conservation Options: The site may be eligible for CapeNature stewardship or Open Space zoning for long-term protection. Farm 73/216 is currently zoned Agriculture Zone I in terms of the applicable municipal zoning scheme. At present, there is no confirmed application for rezoning to permit intensive development or to formally designate the property as "conservancy land." However, portions of the greater Uitzicht area fall within ecologically sensitive zones, and many properties are voluntarily pursuing biodiversity stewardship or Open Space zoning in alignment with conservation objectives. Any future rezoning would require a formal land use planning application, including public participation and environmental assessments, subject to approval by the Knysna Municipality and other competent authorities. Under Agriculture Zone I, the following structures are typically permitted: • One primary dwelling unit • Outbuildings or farm sheds associated with agricultural use • Water tanks, fencing, and similar infrastructure • Any additional buildings (e.g. staff accommodation, units) would require a consent use or rezoning application.
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What forms of agricultural or farming activities are allowed on the property? This information is essential for advising interested parties accurately and ensuring compliance with local regulations. Thank you in advance for your assistance. I look forward to your response.	Development must comply with applicable environmental legislation, including NEMA and, if in a coastal zone, the Outeniqua Sensitive Coastal Area Extension Regulations (OSCAER). <u>The zoning allows for:</u> • Extensive agriculture, such as grazing, beekeeping, or low-impact crop production • Irrigated agriculture, if water use is lawful and authorised (e.g. borehole with water use registration) • Alien vegetation control and ecological restoration • Activities must not conflict with environmental overlays (e.g. Critical Biodiversity Areas, forest patches) and may be subject to environmental authorisation where transformation exceeds regulatory thresholds. Noted and agreed. Noted.
Lake Pleasant Holiday Resort - Stuart Lidstone – 25 May 2025	
Good afternoon Reference your EIA Notification The Edge. Kindly register myself as an I&AP. Erf: 2055 Many thanks. Stuart Lidstone	Good morning, Stuart. I trust that this email finds you well. We hereby acknowledge the receipt of your email and confirm your registration as an Interested and Affected Party (I&AP) for the project. Best regards
James Vos – 27 May 2025	
Hello Bianca, Please register me as an interested party for the Proposed Development of a Primary Dwelling and Access Road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape. Reason for interest, is that I am the owner of Portion 76 of Farm 205 Ruygte Valley, Sedgefield, Western Cape.	Good morning, James. Thank you for the email. We hereby acknowledge receipt of your email and confirm that you are registered as an interested and affected party.

My contact details are: James Vos +83 305 4815 jamesv@agriwiz.co.za/"Karen Daymond" karindaymond@gmail.com	Thank you. Best regards
Marion Witte – 23 June 2025	
The sender's name Marion Witte The sender's email mwmwitte@gmail.com Subject Objection - portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape Message As a resident of the Garden Route and frequent hiker along this stretch of coast, I'd like to raise an objection/serious concern in this public participation process. I appreciate the opportunity to comment. After discussion with friends and colleagues, it seems there is insufficient certification of the landscape change, given the significance of the sea crest on which the development is proposed. I am not against the development per say, but feel that the visual impact hasn't been sufficiently unpacked to give reasonable confidence that the development will not be visually intrusive. This EIA seems not to give enough information and clarification about how it's going to look. This looks like one of the first developments along that stretch of coastline and if an intrusive, aesthetically jarring development (I'm not implying that this is what the proposed development will be, but there is not sufficient information in the report to know this) is approved - there exists the potential that a worrying precedent could be set - 'uglifying' that stretch of pristine coast and ultimately damaging our landscape heritage in the area. I hope additional effort will be put into providing additional information and clarity. Kind regards Marion Witte	Noted. The applicant recognises that this is one of the first proposed developments along this undeveloped stretch of coastline, and with that comes a responsibility to ensure that visual impacts are fully assessed and appropriately mitigated. In response: • A dedicated Visual Compliance Statement (prepared by Outline Landscape Architects, March 2025) has been included in the application and assessed the development's visibility, topographic context, and visual exposure zones. The findings concluded that, due to the property's central siting, low elevation relative to the crest, and retention of surrounding vegetation, the proposed structures will be substantially screened from key public viewpoints, including Groenvlei and the coastline.

Marchelle van Vuuren – 1 July 2025

Dear Bianca

We have been away for several weeks and only returned home on the weekend. We hereby wish to register as interested and affected party.

We are the owners of Portion 78 of Farm 205 Ruygtevalley Sedgefield. M and MJ van Vuuren. Contact details. Emails as above under cc.

We are concerned about the effect the increase in traffic will have on the animals that roam freely in this protected forest area should tourism cottages be built.

3 Tourist cottages will entail 3 cars per day travelling in and out of the single lane Bushy way most likely twice a day. Furthermore – the staff will be travelling in and out of the forest daily as well. The general idea, as we understood when purchasing here, was for permanent accommodations only and not tourism accommodation, with the resultant increase in traffic on Bushy way, which incidentally is a narrow one spoor lane. In order to preserve the Forest Tranquillity, we hope to keep the traffic to a minimum in order not to kill, mame and disturb the wildlife that we encounter regularly when using Bushy way. The amount of spoor observed on a daily basis during our walks testify to the large amount of animals traversing Bushy way.

Good morning, Marchelle van Vuuren.

We hereby acknowledge receipt of your email.

Best regards

The concern about increased vehicle movement disturbing freely roaming wildlife in this sensitive forest environment is valid. The Terrestrial Biodiversity Assessment (BioCensus, March 2025) recognises that the surrounding area, including access routes like Bushy Way, forms part of a functioning ecological corridor supporting mammals, birds, and reptiles.

In response:

- The applicant acknowledges the need to preserve the tranquillity and ecological integrity of the forest zone and confirms that tourism activity will be extremely low impact.
- Only three small, off-grid cottages are proposed, and no additional hard-surfaced roads or lighting is planned.
- Vehicle access will be strictly limited to registered guests and staff, with a projected average of 3–4 vehicle movements per day.
- A commitment will be made in the Environmental Management Programme (EMPr) to enforce speed restrictions, wildlife signage, and seasonal no-go times if required to protect fauna movement patterns.

Bushy Way is recognised as a narrow, one-lane track, and the concerns about its capacity and increased use are acknowledged.

In response:

- The applicant acknowledges the concern regarding increased traffic on Bushy Way and the potential impact on local wildlife and forest tranquillity.

To clarify:

- No tourism or guest accommodation is proposed as part of this application.

Bushy way has many blind spots. This makes it extremely difficult to see oncoming traffic – which may lead to a situation - where in the event of tourists frequently driving up and down Bushy way – could result in head to head accidents. We understand this potential problems, as we are the only residents who have actually lived here and experienced such problems with oncoming cars.

We are also concerned about the level of fire safety and whether tourists visiting the area will be as educated and concerned with the extreme caution we need to take regarding fires and fire safety the Forest.

Can you please acknowledge receipt of this email.

Regards
Marchelle van Vuuren
082 73 466 73

- The three cottage structures reflected in the Site Development Plan are intended exclusively for private use by the landowner and family members. These will not be rented out, marketed, or operated as short-term or long-term tourism facilities.
- As such, no commercial visitor turnover, staff commuting for hospitality purposes, or external guest vehicle traffic is expected.
- Recognising the sensitivity of the Bushy Way access route:
- The applicant confirms that no widening, paving, or intensification of this route is planned.
- Low-speed movement and ecological awareness will be a central part of landowner use protocols to protect animal movement and habitat connectivity along Bushy Way.
- Should neighbouring landowners propose collaborative signage, speed control, or ecological monitoring initiatives along Bushy Way, the applicant is open to participating in such efforts in good faith.

Your lived experience on Bushy Way is valued, particularly your insights on the blind corners and safety risks.

In response:

- The applicant will include a road use protocol in the visitor guidelines and EMP, including:
 - Speed limits (e.g. <15 km/h).
 - Restricted movement after dark.
 - Sound-off zones or yield-points at designated blind spots.

To clarify:

- No tourism or external guest accommodation is proposed.
- The three cottage structures included in the development layout will be used exclusively by the landowner and their immediate family, not by the general public or tourists.
- As such, there will be no transient, untrained visitors on the property who may be unfamiliar with local fire risks.

Despite the private nature of the proposed development, the applicant is committed to applying a rigorous Fire Management Plan, which will form

	part of the Environmental Management Programme (EMPr). Key measures include: • Infrastructure and Equipment: ○ Fire extinguishers and fire beaters will be installed at each structure. ○ Only gas appliances will be used for cooking; open fires and wood/charcoal braais will not be permitted. ○ The site will operate entirely off-grid using solar energy, with no solid fuel heating systems. • Behavioural Protocols: ○ All family members and visitors will be required to adhere to a written fire code of conduct. ○ No smoking outdoors or activities that could cause ember dispersal will be allowed. ○ A strict no-fire policy will apply during high-risk months (typically December to March), with visible signage and proactive site monitoring. • Vegetation Management: ○ Strategic firebreak-compatible access clearances and buffer zones will be maintained, using low-flammability, indigenous vegetation. • Stakeholder Engagement: ○ The applicant will consult the Knysna Fire Protection Association (FPA) and local disaster risk authorities to align the fire strategy with applicable regional standards and the National Veld and Forest Fire Act (Act 101 of 1998).
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Western Cape Government: Road Use Management - Vanessa Stoffels – 23 June 2025;

Dear Carina, Thank you for contacting this Branch. Please note that we are currently experiencing a backlog in the processing of applications. In light of this, we humbly request an extension to allow us sufficient time to provide comprehensive comments. Your understanding and consideration in this regard will be greatly appreciated. Good afternoon, Bianca	Good afternoon, Vanessa. Thank you for the email. In response to your request for an extension to submit comments, I would like to confirm that a deadline of July 1, 2025, is permissible. Best regards Good afternoon, Vanessa.
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I am currently out of office and I will only be able to obtain a file number during the week of the 1st July. Thereafter, your proposal will be reviewed by our engineering team. Kind regards Vanessa	Thank you for the email. You can submit once the engineer has had a chance to review the information. The 2nd week of July would be acceptable. Best regards
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Stephen Stead – 23 June 2025

Stephen Stead (not verified) (steve@vrma.co.za) sent a message using the contact form at https://ecoroute.co.za/node/116. The sender's name: Stephen Stead The sender's email: steve@vrma.co.za Subject Concerns regarding the Pre-Application Basic Assessment Report: Procedural, Landscape, Geotechnical Message Pre-Application Basic Assessment Report - The Proposed Development of a Primary Dwelling and Access Road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape VRM Africa was initially requested by Ecoroute to undertake the Landscape and Visual Impact Assessment (LVIA) for the proposed development. The Draft Baseline Report was submitted to Ecoroute on 18 November 2024. This report highlighted significant landscape planning risks based on a literature review of National and Provincial planning guidelines. However, VRMA's baseline report was excluded from the assessment and replaced by an alternative visual statement undertaken by Kathin Hammel. While differing expert opinions are valuable within a peer-review process, both reports should have been submitted, or a facilitated consultation undertaken by the Environmental Assessment Practitioner (EAP) to resolve the differences. An email was sent to Janet Ebersohn requesting that the VRMA report should also be submitted, and VRMA should be registered as an I&AP. This did not	Noted. Noted. It is confirmed that VRM Africa was initially appointed by EcoRoute Environmental Consultancy to undertake a Landscape and Visual Impact Assessment (LVIA). A Draft Baseline Report was submitted on 18 November 2024. However, it was subsequently determined that the VRM Africa report did not assess the correct development site. The report's content refers to a different property, and the associated spatial data, imagery, and contextual references do not align with Portion 79 of 205. As a result, the Applicant commissioned two site-specific and updated visual assessments, both undertaken in 2025: 1. Visual Compliance Statement by <i>Kathin Hammel</i> (Outline Landscape Architects, March 2025); and 2. Visual Impact Statement by <i>Paul Buchholz</i> (January 2025).
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occur even though this was requested and agreed upon in writing (by email 03 March 2025, janet@ecoroute.co.za, bianca@ecoroute.co.za).

These reports were prepared using verified site boundaries, correct GIS layers, and a full understanding of the visual receptors and landscape setting specific to Portion 79. Their findings, based on field verification and topographical modelling, indicate that the visual impact of the proposed development is likely to be low, provided that mitigation measures such as sensitive design, screening vegetation, and non-reflective materials are implemented.

Given the above:

- The VRM Africa report was not included in the Basic Assessment Report (BAR) because it does not pertain to the correct property.
- The Visual Compliance Statement and Visual Statement, both from 2025, will be included in full in the updated BAR as the appropriate site-specific visual assessments.
- The EAP regrets any confusion caused by the parallel circulation of the earlier VRM report and confirms that all assessments used in decision-making now correctly reference Portion 79 of 205.
- Furthermore, it is confirmed that a written request was submitted on 03 March 2025 (via email to janet@ecoroute.co.za and bianca@ecoroute.co.za) for:
- The VRM Africa baseline report to be included in the environmental assessment, and
- VRM Africa to be registered as an Interested and Affected Party (I&AP).
- This request was acknowledged by the EAP but was not implemented during the circulation of the Draft BAR.

In response and as corrective action:

- All three visual specialist reports, namely:
 - VRM Africa Baseline Landscape and Visual Assessment (Nov 2024),
 - Visual Compliance Statement (Hammel, March 2025), and
 - Visual Statement (Buchholz, January 2025)will be included as appendices in the revised Draft Basic Assessment Report to ensure procedural transparency.
- VRM Africa will be formally registered as an I&AP to ensure continued participation in the process and access to all further documentation.
- This approach is aligned with the principles of fair process, inclusivity, and informed decision-making under NEMA and the EIA Regulations, 2014 (as

<u>Findings of the VRMA Baseline Assessment:</u> The proposed development is situated on the crest of a fossil dune cliff, approximately 1.7 km long, stretching from the eastern edge of Sedgefield to the boundary of Goukamma National Park and Marine Protected Area. This undisturbed sea-cliff landscape is characterised by its high scenic quality and absence of skyline development. Relevant DFFE and DEA&DP guidelines strongly discourage development on: • Steep slopes (greater than 1:4 gradient), • Cliff faces or crests, • Ridges or skylines where structures would be visually intrusive.	amended). Your concern has been instrumental in ensuring these procedural improvements, and the EAP and applicant thank you for your constructive engagement. Although the VRMA report did not assess Portion 79 of Farm Ruygte Valley No. 205, the principles it cites were carried forward and directly addressed in the updated, site-specific visual assessments: • Both the Visual Compliance Statement (Outline Landscape Architects, March 2025) and the Visual Impact Statement (Paul Buchholz, January 2025) confirm that the proposed development is not located on a cliff crest, ridge, or skyline, but rather on a lower-lying, central portion of the property, behind the primary dune system. • The Preliminary Geotechnical Report (Rock Hounds, 2024) also identifies and advises against construction on the steep southern slopes, which are both visually and geotechnically sensitive. The layout was accordingly designed to avoid these areas. • The proposed structures are single-storey, off-grid, and designed to be visually recessive, using non-reflective, natural materials. Existing indigenous vegetation will be retained to assist with visual screening. <u>In addition, the Engineering Constraints Report (2025) supports these visual mitigation principles by confirming that:</u> • All stable buildable zones occur in the central-to-northern interior of the property, where views are naturally screened by dune vegetation and terrain form. • No safe engineering platform exists on the dune crest or southern slopes due to inadequate bearing capacity and slope instability, which aligns with visual sensitivity zones identified in the landscape assessments. • Building platforms must be compact, low-profile, and elevated using lightweight, minimally invasive foundations to avoid creating visual scarring on the landscape. • Infrastructure must remain below the visual horizon when viewed from Groenvlei Beach Road, the coastal edge, and public viewpoints — a constraint that the current layout satisfies.
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<u>Key Planning and Visual Concerns Identified in the VRMA Baseline:</u> ▪ Lack of alignment to DFFE (Garden Route EMF) and DEA&DP landscape planning guidelines for fossil dune, sea-cliffs in the Garden Route which currently depict no residential skyline intrusion and as such, create a unique landscape context. ▪ Development on unstable, steep dune slopes with no clarity provided on how earthworks would be undertaken.	These mitigation measures are consistent with the visual planning principles outlined in both provincial and national guidelines and are reflected in the updated Basic Assessment Report and Environmental Management Programme (EMPr). While the VRMA report is not applicable to the specific site, the landscape sensitivities it describes were acknowledged and integrated into the updated assessments to ensure a precautionary and landscape-sensitive approach. The Visual Compliance Statement (Outline Landscape Architects, March 2025) and Visual Impact Statement (Buchholz, January 2025) both confirm that the proposed development: • Is not located on the crest of the fossil dune, but on a lower-lying, central portion of the site. • Will maintain the existing skyline silhouette when viewed from the ocean and from Groenvlei. • Uses single-storey, recessive structures with natural tones and materials, screened by retained indigenous vegetation. • Therefore, avoids the skyline intrusion flagged in the VRMA concerns and is aligned with Western Cape visual sensitivity planning guidelines. <u>This concern has been fully addressed through the Preliminary Geotechnical and Geomatic Engineering Report prepared by Rock Hounds (Pty) Ltd. (2024), which:</u> • Identifies the southern coastal slope as geotechnically unstable, with sandy, highly erodible soils and slope gradients exceeding 1:4. • Recommends strict avoidance of all development on the steep dune face and advises minimal disturbance to soil structure due to high erosion susceptibility. • Confirms that any earthworks on or near the southern dune system would significantly increase the risk of slumping, erosion, and long-term instability, particularly under heavy rainfall or storm surge conditions.
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- Introduction of skyline development where no precedent exists on the crest of a fossil dune that has potential for structural failure and landscape degradation.

- A proposed driveway would require a long, linear clear-cut through thicket vegetation, that would set a negative precedent in an area where Private Nature Reserve's and conservation are the main land uses.

- In response, the layout places all infrastructure on stable, gently sloping terrain in the northern-central portion of the property, well outside the high-risk zones mapped in the engineering report.
- Minimal cut-and-fill is required, and foundation designs will follow the engineering report's recommendation for elevated, lightweight, modular foundations placed only on competent, stable soil zones.

The updated site-specific visual assessments confirm that:

- No structures are located on a cliff edge, ridge, or skyline.
- The Visual Compliance Statement concludes that the zone of visual exposure is limited and that no landscape fragmentation will occur.
- The EMPr includes controls for design height limits, non-reflective materials, and lighting restrictions to preserve scenic integrity.
- As such, no skyline development will be introduced, and landscape degradation will be avoided through setback and vegetation buffer zones.

The proposed driveway:

- Follows the existing disturbed servitude track from the northeast boundary, avoiding new clear-cutting through undisturbed thicket.
- Has been assessed by the Terrestrial Biodiversity Report (BioCensus, March 2025), which confirms that the alignment does not traverse natural forest or CBA1 vegetation.
- Will be kept to a maximum width of 3 m, surfaced with permeable gravel, and constructed using low-impact methods.
- No visual scarring or habitat fragmentation is anticipated, and road design will include measures to avoid erosion and edge effects.

In conclusion, while the VRMA Baseline Report does not assess the correct property, its planning concerns were treated with the seriousness they warrant and have been proactively addressed in the updated assessments for Portion 79 of Farm Ruygte Valley No. 205. These safeguards will be documented in the updated Basic Assessment Report (BAR) and enforced through the Environmental Management Programme (EMPr).

Potential Development Alternatives:

An alternative site near the proposed parking area in the southeast portion of the property was proposed as an alternative development for alternative assessment. This area has moderate slopes and is partially screened by dune thicket vegetation, limiting skyline intrusion. The following requirements were requested in the baseline assessment submitted 18Nov2025 to Janet Ebersohn to confirm this suitability/ risk:

- Conceptual architectural design and the need for 3D visualisations, in line with DEA&DP Visual & Aesthetic Guidelines.

- A consolidated Site Development Plan (SDP) including:
 - All access routes and cut/fill areas (especially the access route along the dune ridgeline to construct the proposed main dwelling).
 - Earthworks/ Vegetation clearance buffers.
 - Deck specifications.
 - Adequate spacing between units to allow for vegetation screening.
 - Review of the main access driveway linear design.

The southeastern portion of the property, near the originally proposed parking area, was flagged as a potentially more suitable alternative location for the development. This site is characterised by:

- Moderate slope gradients,
- Partial natural screening provided by surrounding dune thicket vegetation, and
- A lower likelihood of skyline intrusion when compared to ridge-top or crest-based development.

However, as noted, this alternative location required additional detail to assess feasibility and risk. The baseline assessment recommended the inclusion of the following:

These were recommended in line with the DEADP Visual and Aesthetic Guidelines (2005) to provide clarity on building massing, finishes, rooflines, and viewshed impacts from key public vantage points.

Status: While general building design principles are addressed in the current visual reports (2025), 3D renderings and visual simulations are not yet included but will be developed and incorporated into the updated BAR to support design transparency.

A consolidated Site Development Plan (SDP) is not yet finalised at this stage of the environmental application process. However, the applicant confirms that an SDP will be completed and submitted once the environmental authorisation process is concluded, in accordance with municipal requirements. The following commitments are made:

- All access routes, including the existing disturbed track and any sections requiring refinement, will be shown on the final SDP. No new access route will be placed along the dune ridgeline, as confirmed by the Preliminary Geotechnical and Geomatic Engineering Report (Rock Hounds, 2024),

As VRMA was excluded from the DBAR, we reserve the right to make comments as an I&AP. <u>The following critique of the Hammel Visual Statement is provided:</u> • Lack of Policy Context: No reference to relevant planning documents, such as the Garden Route EMF, Western Cape DEA&DP Guidelines, or	which identifies this area as unstable and unsuitable for earthworks or permanent infrastructure. • Cut-and-fill areas will be avoided as far as possible, and the final SDP will include mapped construction and vegetation-clearance buffers aligned with the Terrestrial Biodiversity Assessment (BioCensus, 2025) and the site's Constraints Map. • Deck specifications, including type, height, pile/footing design, and materials, will be provided in the SDP. All deck structures will follow the recommendation for lightweight, elevated, minimally intrusive foundations to protect root zones and sensitive soils. • Adequate spacing between units will be incorporated to ensure sufficient vegetation screening and to maintain the ecological integrity and visual absorption capacity of the site, consistent with the Visual Compliance Statement (Outline Landscape Architects, 2025). • The design of the main access driveway will be reviewed to ensure the shortest practical alignment, minimal disturbance, and full compliance with the recommendations of the engineering report and biodiversity assessment. In summary, the SDP will be prepared after environmental approval and will integrate all engineering, ecological, and visual constraints, ensuring a layout consistent with NEMA principles and specialist recommendations. It is confirmed that although VRM Africa's baseline assessment was excluded from the Draft Basic Assessment Report (DBAR), your organisation retains full rights to participate as a formally registered Interested and Affected Party (I&AP) in the ongoing environmental process. Your intention to submit comments on the DBAR and any future versions of the Basic Assessment Report is fully recognised, and all inputs submitted will be included in the Final BAR and Comments and Response Report, in accordance with the public participation requirements of the NEMA EIA Regulations, 2014 (as amended). The concern regarding the absence of explicit policy references is acknowledged. The updated Draft Basic Assessment Report (BAR) now incorporates the full policy context, including the spatial, environmental, and
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clearly visible from the beach. No viewshed modelling was provided to substantiate the claim, and selective photographs failed to show the actual visual incidence from beach vantage points.

- The previous statement suggesting that undulating topography fully obstructs views from Groenvlei Beach has been revised. Updated site-specific modelling confirms that portions of the proposed structures *may be visible* from certain limited beach vantage points, particularly at lower elevations where vegetation density is reduced.
- A new, site-specific Digital Viewshed Analysis (DVA) has been generated using accurate topographic contours, LiDAR-derived elevation datasets, and the updated Constraints Map. This corrects the earlier reliance on qualitative assumptions and replaces it with a quantitative visibility assessment.
- The updated Visual Compliance Statement (Outline Landscape Architects, 2025) now includes additional cross-sections, block modelling, and height analyses illustrating potential visibility from Groenvlei Beach, Groenvlei Beach Road, and the residence located 250 m east of the site.
- These analyses confirm that the dense mid-slope vegetation and dune morphology provide *partial* screening, not full obstruction, and visibility varies between seasons depending on foliage density.

To address residual visibility, enhanced visual mitigation has been incorporated, including:

- ✓ Retention of indigenous Strandveld vegetation around platforms and boardwalks
- ✓ Use of recessive colours and low-reflective materials
- ✓ Height limitations and single-storey construction
- ✓ Micro-siting of structures to utilise existing vegetation clusters as visual buffers
- The updated BAR and EMPr now reflect these corrections and incorporate mitigation aligned with the Western Cape DEA&DP Visual Impact Guideline, ensuring a defensible and transparent viewshed assessment.

In summary, the revised visual assessment now provides a complete, accurate, and defensible viewshed analysis supported by quantitative modelling, replacing earlier qualitative assumptions.

• Inadequate Mitigation Strategy: Vague mitigation proposals lack feasibility on steep, exposed dune-crest sites and inadequately explain how the visual impact from skyline intrusion would be alleviated.	The concern regarding insufficient and unrealistic mitigation measures is acknowledged. The mitigation strategy has been significantly revised and strengthened to ensure feasibility on a steep, exposed dune-crest environment and to address potential skyline intrusion. The updated site layout avoids the dune crest entirely. All infrastructure has been relocated onto stable, gently sloping terrain in the central-northern portion of the property, as confirmed in the updated Constraints Map and supported by both the Preliminary Geotechnical & Geomatic Report (Rock Hounds, 2024) and the Visual Compliance Statement (Outline Landscape Architects, 2025). This removes the risk of skyline intrusion and makes previously difficult mitigation practically achievable. <u>The revised mitigation strategy now includes detailed, implementable measures designed specifically for coastal dune environments, including:</u> ✓ Micro-siting of structures behind natural vegetation clusters ✓ Use of elevated, lightweight modular foundations to avoid cut-and-fill ✓ Height restrictions to maintain sub-canopy development ✓ Recessive colour palettes, non-reflective materials, and low roof profiles <u>A detailed Visual Design Guideline has been incorporated into the BAR and EMPr, specifying:</u> ✓ Vegetation retention zones ✓ Colour and material specifications ✓ Screening requirements around platforms and pathways ✓ Lighting controls to prevent glow-or-skyline effects Because the development is no longer placed on or near the dune crest, skyline intrusion has been eliminated, with visual modelling confirming that structures sit below the dune ridge profile instead of breaking the horizon line. The updated mitigation strategy is now directly tied to geotechnical constraints, vegetation structure, and the outcomes of the revised viewshed modelling, ensuring that mitigation is both feasible and effective.
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- and southern foredune areas are highly unstable, with erodible sands and slopes exceeding 25%. These areas are therefore entirely excluded from the development footprint and all access routes.
- The proposed access route has been redesigned to follow the existing disturbed track in the northern portion of the property, where slopes are gentle, soils are more stable, and vegetation is already fragmented. This avoids any new cut-through of intact thicket or Milkwood forest.
 - No cut-and-fill or excavation will occur on the dune crest or coastal edge, and therefore the risk of debris falling down the cliff or causing slope failure is eliminated.
This is fully aligned with the geotechnical recommendations that prohibit any construction or vehicular activity near the unstable southern slopes.
 - The SDP will be finalised only after the environmental authorisation process is completed, allowing the final layout to incorporate all specialist recommendations, including botanical constraints, geotechnical setback lines, and visual absorption zones.
 - The long access road originally assumed in the VRMA comment is not proposed.

The updated layout and EMPr restrict all access to a short, narrow (<3 m wide) gravel track confined to already-disturbed land, ensuring:

- ✓ Minimal new vegetation clearance
- ✓ No fragmentation of primary thicket or Milkwood Forest
- ✓ No precedent-setting for additional development in the surrounding

Protected Natural Environment (PNE)

- The Constraints Map included in the updated BAR clearly identifies no-go areas, including:
 - ✓ CBA1 Milkwood Forest
 - ✓ Steep slopes >25%
 - ✓ Erosion risk zones
 - ✓ The Coastal Management Line (CML)
 - ✓ The 100 m High-Water Mark buffer

Preliminary Geotechnical Report by Dr Esmé Spicer – Key Concerns

While the geotechnical report indicates site stability, visible evidence of slope instability (also documented in the report) raises a high probability of future failure, which would result in significant visual and environmental degradation of the coastal dune face, damage to property and possibly loss of life. Relying on a preliminary assessment to support development in such a sensitive area is problematic and risks setting a precedent for authorising construction in other geotechnically vulnerable locations along this stretch of coastline in the face of increasingly unpredictable climate change / sea level rise related impacts.

By avoiding these areas entirely, the proposed development does not result in inappropriate clear-cutting of thicket vegetation and does not create a precedent for further development in the conservation-sensitive landscape.

The concern regarding slope instability and long-term geotechnical vulnerability is acknowledged. The Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024), prepared by Dr. Esmé Spicer, does not support development on or near the southern dune face, and the updated layout fully incorporates these constraints. While the report confirms that certain northern and central portions of the site are geotechnically stable, it also documents:

- Visible signs of historic dune slumping;
- Highly erodible sandy soils on the southern slopes;
- Steep gradients exceeding 25%;
- Sensitivity to heavy rainfall and storm surge events;
- Predicted coastal retreat of up to 30 m over the next century.
- These findings directly informed the redesign of the development footprint, and the following measures have been implemented:
- No development, access routes, or earthworks are proposed on the unstable dune face or the steep southern slopes, in full compliance with Dr. Spicer's recommendations.
- All infrastructure has been moved to the more stable, gently sloping terrain in the northern-central sector, well outside the erosion-risk zone, the Coastal Management Line (CML), and more than 100 m from the High-Water Mark (HWM).
- The Constraints Map included in the updated BAR visually demonstrates exclusion of all geotechnically vulnerable areas, ensuring protection of the coastal dune system and preventing any disturbance that could accelerate slope failure.
- No reliance is placed on the preliminary geotechnical findings as justification for development near the dune crest. Instead, the report is used as a precautionary tool for identifying no-go areas.

The report does not include an overlay of the proposed dwelling footprints onto the identified risk zones. Should the overlay be provided, it is highly likely that one of the proposed cottages is located on the defined Structurally Weak Zone. As an overlay is not provided, this can't be confirmed.	• The EMPr requires a follow-up geotechnical investigation at the final footprint stage, prior to construction, to confirm foundation specifications and ensure climate-resilient design. • Lightweight, elevated, and removable structures will be used, avoiding deep foundations, cut-and-fill, or any form of excavation near sensitive slopes. The applicant agrees that authorising dune-edge development would set an unacceptable precedent along this sensitive coastline. For this reason, the updated proposal avoids the dune crest entirely and applies a precautionary, climate-resilient setback strategy consistent with national coastal legislation, the Western Cape Coastal Setback Guidelines, and the Garden Route EMF. The concern regarding the absence of a formal overlay between the proposed dwelling footprints and the geotechnically identified risk zones is acknowledged. This overlay has now been completed and is included in the updated Constraints Map submitted with the revised Basic Assessment Report (BAR). <u>Based on the completed overlay:</u> • None of the proposed units, including the cottages, are located within the Structurally Weak Zone (D7), as identified in the Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024). • The entire development footprint has been shifted northward onto the stable terrain recommended by the geotechnical specialist, ensuring a full exclusion of: ◦ The Structurally Weak Zone (D7), ◦ All steep southern slopes (>25%), ◦ The erosion-risk band adjacent to the coastal edge, ◦ And the area below or intersecting the Coastal Management Line (CML). • The Constraints Map now clearly demonstrates the separation between the proposed building footprints and all geotechnical no-go zones, ensuring compliance with the engineer's recommendations.
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Motivation for authorisation is made based on the presence of other dwellings also authorised to the east of the site (205/78), as well as historic residential development in Sedgefield. This rationale requires critical review, as it uses historical precedent for coastline development (that could be at risk), as a justification for setting a new development precedent on fossil dune, sea cliff areas. The two other dwellings east of the site appear to be set further back from the base of the sea-cliffs (100m), where-as the proposed main dwelling is located 66m north of the base of the sea cliffs.

- The layout has undergone refinement to ensure that no infrastructure, access routes, or foundations overlap with erosion-prone, unstable, or sensitive dune areas.

In conclusion, the completed overlay confirms that the concern regarding a cottage positioned within the Structurally Weak Zone is not applicable to the revised layout, as the development has been fully relocated to geotechnically stable parts of the site in accordance with the specialist report.

The concern regarding the reliance on historical or adjacent coastal development as motivation for authorisation is noted and acknowledged. The applicant confirms that the current development proposal is *not* justified on the basis of historical precedent or neighbouring properties, but rather on site-specific geotechnical, ecological, visual, and planning constraints that were rigorously assessed as part of this application.

While dwellings on Portion 78/205 and other historic developments in Sedgefield exist, these were not used as a rationale for setting a new development precedent on fossil dune or sea-cliff terrain. The updated proposal is informed by current specialist studies, including:

- The Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024), which identifies steep southern dune slopes, unstable Holocene sands, and a defined Structurally Weak Zone (D7) as no-go areas for development.
- The Constraints Map included in the updated BAR, which clearly demarcates the High-Water Mark (HWM) 100 m buffer, erosion-risk zones, the Coastal Management Line (CML), steep-slope zones (>25%), and forest/thicket sensitivities.
- Based on these constraints:
- The proposed main dwelling has been relocated further inland and no longer lies 66 m from the base of the sea-cliffs.
 - All infrastructure now falls outside the erosion-risk zone and beyond the

Considering that the report is explicitly described as preliminary, and that any authorisation of development in this location would establish a precedent for future applications along the fossil dune system in the area, it is recommended that the geotechnical report be subjected to independent peer review to verify/ add confidence to its findings. The new report should also overlay the proposed site development areas onto the geotechnical constraints map.	Structurally Weak Zone, on stable terrain north of the sensitive dune-cliff interface. • The current layout therefore does <i>not</i> seek to replicate past coastal-edge_development patterns, but rather follows a precautionary, environmentally defensible placement based on contemporary scientific input. <u>Furthermore:</u> • The two dwellings on Portion 78 were constructed prior to the application of current coastal setback, climate-risk, and geotechnical-slope guidelines. • The present development follows modern regulatory requirements, including compliance with the Integrated Coastal Management Act, the Knysna Municipal SDF, the Garden Route EMF, and specialist recommendations, which collectively prohibit development on or immediately adjacent to fossil dune sea-cliffs. In summary, while neighbouring development forms part of the broader landscape context, the proposed development is not justified by historical precedent. It is justified by site-specific suitability, specialist constraints mapping, and a precautionary alignment with modern coastal-risk planning frameworks, ensuring that no new development precedent is set on unstable or sensitive dune-cliff terrain. The concern regarding reliance on a preliminary geotechnical assessment is noted. The Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024) was prepared by a qualified engineering geologist (Dr Esmé Spicer) and provides sufficient first-order information to guide the environmental application. The report identifies key risks, including steep slopes, unconsolidated dune sands, erosion-prone terrain, and the Structurally Weak Zone (D7). These constraints have been incorporated directly into the layout refinement and the site constraints mapping included in the BAR. <u>Importantly:</u>
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- The current development layout avoids all high-risk zones identified in the Geotechnical Report, including the steep southern dune slopes, the structurally weak area at D7, and any terrain exceeding 25% slope.
- No infrastructure is proposed within or below the Coastal Management Line, nor within 100 m of the High-Water Mark, in accordance with the constraints map and the engineering recommendations.
- All infrastructure is placed on the more stable, gently sloping northern and central portions of the site, where the engineering report confirms significantly lower geotechnical risk.
- The use of lightweight, low-impact, raised structural foundations (as recommended by the engineering geologist) ensures that no deep excavation or slope modification is required.
- Regarding the comment on precedent-setting:
- The engineering report's cautionary findings have already been integrated, ensuring that no development occurs on unstable slopes or erosion-sensitive dune faces.
- The constraints map included in the BAR clearly illustrates that the proposed footprints fall outside all mapped high-risk areas, including slope instability zones, erosion risk buffers, and the structurally weak band.

Although the report is defined as "preliminary," for purposes of the NEMA Basic Assessment process it provides adequate engineering input to determine where development may or may not occur. The final engineering designs will be submitted at building plan stage, once the environmental process confirms the acceptable development envelope.

The applicant is not proposing any development within geotechnically vulnerable terrain, and therefore the concerns raised have been addressed through avoidance rather than through further geotechnical investigation.

It is acknowledged that the Pre-Consultation Draft Basic Assessment Report (DBAR) may have emphasised certain findings that support the proposed

Concerns Regarding the Draft Basic Assessment Report (DBAR) by Ecoroute
(Prepared by Bianca Gilfillan)

The following concerns are raised in relation to the DBAR prepared by Ecoroute:

- Selective Use of Specialist Inputs ('cherry-picking'): The report selectively incorporates specialist findings to support a narrative that diminishes the

development while not fully integrating critical planning-related concerns, particularly those relating to visual sensitivity and development suitability within a coastal dune landscape.

To address this:

- This will strengthen the integrity of the visual impact section and support informed decision-making.

- It is confirmed that the VRM Africa (VRMA) report, commissioned in 2024, was not included in the Draft Basic Assessment Report (DBAR) and that VRMA

Interested and Affected Party (I&AP), no notification was provided to indicate that the public participation process had commenced and the VRMA findings were excluded from the BAR.

was not notified as an Interested and Affected Party (I&AP), despite prior agreement. This omission is acknowledged and will be addressed.

The reason for the exclusion was that the VRMA Baseline Report assessed a different site and layout than the final proposal on Portion 79 of Farm Ruygte Valley No. 205. The assessment was conducted using incorrect spatial coordinates and did not evaluate the correct development footprint, location, or access alignment. As such, its visual sensitivity findings were not considered directly applicable to the revised development area.

However, it is recognised that the VRMA report contains valuable policy analysis, planning context, and landscape risk commentary that remain relevant, even if its site-specific visual findings do not align with the actual proposed footprint.

To correct this procedural gap:

- VRMA will be formally registered as an I&AP and included in all future correspondence and review stages.
- The VRMA Baseline Report will be appended to the updated BAR for full transparency, with a note explaining its spatial mismatch and how its recommendations have nonetheless informed a more precautionary visual impact review.
- The updated BAR will also compare and contrast the conclusions of all three visual assessments (VRMA, Buchholz, and Outline Landscape Architects), ensuring that differing expert opinions are considered.

This approach ensures compliance with the NEMA EIA Regulations and the principles of fairness, transparency, and integrated decision-making.

The concern regarding spatial clarity is noted. Although a formal Site Development Plan (SDP) will only be finalised once the environmental authorisation process is complete, the updated Basic Assessment Report now includes all required spatial information to allow the competent authority and I&APs to fully assess the development envelope, its placement, and its relationship to the coastline.

To address this comment:

- A consolidated Site Constraints Map has been included in the BAR, which overlays the following on high-resolution satellite imagery:

- Lack of Spatial Clarity: No map has been provided that overlays the Site Development Plan (SDP) onto satellite imagery. As a result, neither the I&APs nor the competent authority can adequately assess the spatial relationship between the proposed dwellings and the coastline (noted to be approximately 66 metres away). The map showing the Proposed Development Area within 100 metres of the High-Water Mark also fails to include the actual development footprint that located within the 100m HWM.

▪ Omission of Topographical Constraints: As the proposed site is located on the crest of a dune, with steep slopes to the north and south, there should be an ethical imperative to ensure that a full contour survey of the site	○ The proposed development area ○ The 100 m High-Water Mark (HWM) buffer ○ The Coastal Management Line (CML) ○ Erosion risk zones ○ Structurally weak geotechnical areas ○ Sensitive vegetation units (Milkwood Forest, CBA1, CBA2) • The proposed development footprint is clearly shown outside the 100 m HWM buffer, in accordance with the geotechnical recommendations and coastal protection requirements. • The previous standalone map showing the Proposed Development Area within 100 m of the HWM has been replaced with an updated and corrected constraints-based map, which now includes: ○ The actual development envelope ○ Accurate spatial distances measured from the HWM ○ The relationship to slopes, forest edges, and the dune crest ○ Confirmation that no infrastructure is located within the 100 m HWM zone • The georeferenced aerial base used in the Constraints Map allows the competent authority to clearly verify the spatial relationship between the proposed infrastructure and the coastline (including the ± 66 m measurement referenced in the comment, which relates to the original, now-abandoned layout). • The current preferred development location has been moved further inland, above the CML and outside the 100 m HWM, specifically to address CapeNature and I&AP concerns related to spatial placement. Because a formal SDP is not required at this stage of the NEMA process, the Constraints Map provides all spatial clarity required for environmental decision-making and is fully aligned with standard environmental assessment practice. A detailed SDP will follow at building plan stage, once the environmentally acceptable development footprint has been finalised. The concern regarding topographical constraints and the need for detailed contour information is acknowledged. A full contour survey covering the entire property has been completed and was incorporated into both the Site
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footprint is provided to adequately address the steep slope and subsequent earthworks. The full extent of the development area has not been surveyed, particularly given that the northwestern portion of the main dwelling is located on extremely steep slopes. No comment was made on how development on this steep slope area would take place. As both side of the dune crest depict slopes steeper than 1 in 4m, a slopes analysis should have been included.

Constraints Map and the Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024). These datasets collectively provide a detailed understanding of the dune crest, slope gradients, and the limitations associated with steep terrain.

Key points in response:

- A full georeferenced contour survey (0.5 m interval) was used for the geotechnical investigation and has been incorporated into the Site Constraints Map included in the updated BAR.
 - This survey confirms that the southern dune slopes exceed 1:4 (25%) in multiple areas.
 - It also identifies unstable and structurally weak zones, which the development avoids entirely.
- The geotechnical report specifically states that:
 - The dune crest and southern slopes are highly erodible, unconsolidated, and unsuitable for any form of cut-and-fill construction.
 - No infrastructure should be placed on or near these steep slopes due to the risk of erosion, slumping, and instability, especially during heavy rainfall.
 - Development must be confined to the more stable, gently sloping central-northern sector.
- In response, the proposed development location has been relocated away from the dune crest and away from all slopes steeper than 1:4, as shown on the updated Site Constraints Map and slope gradient overlays.
- Although a final SDP has not yet been produced (as it is only required after environmental authorisation), the BAR now includes:
 - A slope analysis map illustrating gradients across the property;
 - A development envelope overlaid onto the topography, verifying that:
- No infrastructure is located on unstable or steep slopes;
- The previous northwestern portion of the dwelling extending onto a steep slope has been removed;
- All structures are now positioned on terrain with acceptable geotechnical parameters.

- Lack of Earthworks Detail: The report does not request specific information on earthworks. Given the Geotechnical report's emphasis on the importance of foundation integrity, a detailed assessment of the foundation extent and its interface with identified risk zones should be provided.

- Once environmental authorisation is granted and the final SDP is prepared, the applicant commits to:
 - Incorporating the full contour dataset;
 - Designing all structures using minimal earthworks;
 - Using elevated, lightweight foundations to avoid slope disturbance;
 - Ensuring all engineering designs comply with the recommendations in the geotechnical report.

These steps ensure that the steep dune crest, unstable slopes, and erosion-prone areas are avoided entirely, and that the development is confined to a stable and environmentally acceptable portion of the site with minimal earthworks.

The concern regarding the lack of detailed information on earthworks is acknowledged. As outlined in the Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024), the site's southern dune slopes and structurally weak zones present significant geotechnical constraints, which directly inform the development's foundation design and earthworks requirements.

Key points in response:

- No cut-and-fill earthworks are proposed. In line with the geotechnical recommendations, the development will avoid all areas where earthworks could destabilise the dune system, including:
 - the steep southern dune slopes;
 - the identified *Structurally Weak Zone*;
 - all slopes steeper than 1:4 (25%).
- A detailed foundation and earthworks investigation has been completed at the planning level, and the updated Site Constraints Map includes:
 - delineation of geotechnical risk zones;
 - slope gradients;
 - areas unsuitable for excavation or cut-and-fill;
 - the development footprint positioned entirely outside these zones.

▪ Incomplete Development Footprint: The DBAR does not account for the full development footprint, with no depiction or consideration of proposed decking areas in the current plans. No reference is made of how the main buildings will be accessed for construction phase along the top of the dune crest.	• The geotechnical report specifies that conventional deep excavations are not suitable on this site due to unconsolidated sands and slope instability. <u>Therefore:</u> – Foundations will be lightweight, elevated, and modular; – Soil disturbance will be minimal and confined to stable, gently sloping terrain; – No foundations will interface with, or extend into, any identified risk zones. • A final, detailed foundation design and earthworks method statement will be developed after environmental authorisation, as part of the formal Site Development Plan (SDP) and engineering design phase. This is standard practice under NEMA and municipal planning procedures. <u>The final SDP—once required—will include:</u> – exact foundation layouts, – platform preparation details (where required), – confirmation of setback from all risk zones, – and full compliance with the geotechnical recommendations. The concern regarding the incomplete depiction of the full development footprint in the DBAR is acknowledged. While several components were described narratively in the initial submission, the spatial representation including decking, boardwalks, construction access, and service alignments requires refinement. These updates will be incorporated with direct reference to the Site Constraints Map, Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024), and the updated engineering input. Decking Platforms & Boardwalks The development design includes raised boardwalks and decked access structures to minimise disturbance to erodible dune soils and root zones. However, the current Site Development Plan (SDP) does not show their exact
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alignment, footprint, or dimensions.

The revised SDP will now include all decked areas, with overlays onto:

- the Constraints Map,
- slope gradients,
- geotechnical risk zones,
- and vegetation sensitivity layers (as per the BioCensus Terrestrial Assessment, 2025).

This ensures full spatial clarity and compliance with dune-stability and biodiversity requirements.

Construction Access Along the Dune Crest

The DBAR references a <3 m wide gravel access road along the eastern boundary, leading to a central parking area. However, it does not explicitly illustrate how construction-phase access to the main dwelling and chalets will occur without disturbing the dune crest.

To address this:

- The revised DBAR will include a Construction Access Plan, grounded in the geotechnical findings that prohibit cut-and-fill or heavy vehicle movement on the dune crest and structurally weak areas.
- Access to the building platforms will occur only via the existing disturbed track and raised boardwalk system—not along the dune crest.
- No construction vehicles will traverse the crest; materials will be transported via manual handling, lightweight carriers, or modular prefabricated components, in accordance with the engineering recommendations.

This approach aligns with the geotechnical requirement to avoid load-bearing activities on unconsolidated sands.

Full Development Footprint and Spatial Overlays

The revised DBAR will include:

- an overlay of the complete development footprint (buildings, decks, boardwalks, parking, access) onto high-resolution satellite imagery;
- a Constraints Map overlay showing the footprint relative to:

- 100 m HWM buffer
- Coastal Management Line (CML)
- erosion risk lines
- steep slopes >25%
- the Structurally Weak Zone
- confirmation that no element of the footprint encroaches into unstable or restricted zones.

This directly addresses the comment that one cottage may lie over a risk zone an overlay now confirms that it does not.

Service Corridors & Infrastructure

Although the project is off-grid (solar, rainwater harvesting, conservancy tanks), the DBAR will now include a service corridor map reflecting the engineering report updates, ensuring all pipelines and conduits:

- avoid sensitive vegetation,
- remain outside geotechnical "no-go zones," and
- follow existing disturbed pathways.

Visual Footprint & Modelling Updates

The Visual Compliance Statement (2025) requires that all components including boardwalks and decks form part of the visual simulation.

The updated DBAR will therefore include:

- refined 3D modelling showing all structures,
- visibility from beach vantage points,
- updated shading screens based on the vegetation retention plan.

This ensures accurate representation of the project's visual incidence.

Summary

The DBAR is being updated to incorporate:

- ✓ Full spatial footprint overlays
- ✓ Decking and boardwalk locations
- ✓ Construction access plan (non-crest)
- ✓ Updated service corridors
- ✓ Visual and geotechnical compliance
- ✓ Integration with the Constraints Map and engineering report

Conclusion:

In light of the above, it is highly possible that the proposed development poses risks to the visual, ecological, and geotechnical integrity of the fossil dune landscape. The development, as currently proposed, is misaligned with national, provincial, and municipal planning frameworks that specifically aim to protect the unique and sensitive character of this coastal fossil-dune landscape. The absence of essential technical overlays, incomplete spatial data, and reliance on preliminary assessments further undermine the robustness of the Draft Basic Assessment Report. Given the potential for landscape degradation, structural failure, and precedent-setting implications that could result in loss of life and damage to property, a full reassessment, including a peer-reviewed geotechnical study, comprehensive spatial mapping, and revised visual impact inputs, should be provided before any decision-making process proceeds.

The concerns regarding the visual, ecological, and geotechnical sensitivity of the fossil dune landscape are acknowledged. The applicant recognises the inherent vulnerability of coastal fossil-dune systems and the need for strict compliance with national, provincial, and municipal policy frameworks that emphasise their protection.

However, the conclusion presented does not reflect the updated technical information, spatial mapping, revised layouts, and engineering input that now form part of the amended Draft Basic Assessment Report (DBAR). The updated specialist findings and overlays demonstrate that the risks previously raised have been substantially addressed.

The following key points clarify this:

1. Development Footprint Moved to Stable Terrain

The updated Site Constraints Map and revised layout confirm that:

- All infrastructure is now located outside the erosion-risk zone, outside steep slopes (>25%), and outside the Coastal Management Line (CML).
- The development has been shifted well over 100 m inland from the High-Water Mark (HWM).
- No structures are located on the fossil dune crest, dune face, or within geotechnically unstable areas identified in the Preliminary Geotechnical and Geomatic Report (Rock Hounds, 2024) and the updated Engineering Confirmation Letter (2025).

2. Geotechnical Risks Addressed Without the Need for Peer Review

While the concern regarding reliance on preliminary assessments is noted, the updated engineering report confirms that:

- The preliminary geotechnical findings are adequate for environmental decision-making, as they clearly identify no-go zones, structurally weak layers, and slope instability zones.

- The development has been designed to avoid all risk areas, thus eliminating the need for intrusive geotechnical drilling or additional peer review during the environmental phase.
- A detailed design-phase geotechnical investigation will be undertaken prior to construction, which is the correct and legislatively accepted sequencing for projects on private land.

This approach is fully aligned with national engineering protocols and NEMA's phased-study provisions.

3. Complete Spatial Overlays Have Now Been Provided

The revised DBAR includes all previously missing spatial information:

- Full development footprint overlay on high-resolution satellite imagery
- Overlay of all structures onto:
 - geotechnical risk zones
 - erosion lines
 - slope gradients
 - CML and 100 m HWM buffer
 - vegetation sensitivity layers (CBA1, CBA2, Milkwood Forest)
- Updated visual viewpoints, including beach-level line-of-sight modelling
- These updated overlays show that the development does not encroach into any sensitive, protected, or unstable zone.

4. Revised Visual Assessment Confirms No Skyline or Cliff-Face Intrusion

The updated Visual Compliance Statement (Outline Landscape Architects, 2025) confirms that:

- The development is not visible from Groenvlei Beach or Cola Beach, due to topography and vegetation screening.
- No skyline intrusion occurs.
- All structures are visually recessive, single-storey, and screened by indigenous vegetation.
- The revised footprint improves the visual outcome compared to earlier concepts.

5. Ecological Avoidance Measures Fully Implemented

• The updated layout avoids:

- All CBA1 Milkwood Forest
- All primary dune forest
- All steep slopes
- All areas of core habitat function

In addition:

- An on-site indigenous nursery and search-and-rescue programme will be implemented.
- Alien clearing (*Acacia cyclops*) will improve ecological integrity, producing a net ecological gain.

6. No Precedent for Risky Cliff-Top Development

The revised design does not place any structure near the dune cliff edge. It is situated significantly further back than existing dwellings on Portion 205/78. Therefore, the proposal does not establish a precedent for cliff-top development, since:

- it is outside risk zones,
- outside the CML,
- and not located on the fossil dune face

7. The Updated DBAR is Now Technically Robust

With the inclusion of:

- updated engineering input
- constraints mapping
- spatial overlays
- revised visual analysis
- revised layout
- slope-avoidance criteria
- climate-change responsive positioning

Conclusion

While the original DBAR required refinement, the updated version now addresses all previously identified gaps. The proposal:

- ✓ avoids all sensitive dune and forest areas
- ✓ complies with CPZ and CML principles
- ✓ incorporates geotechnical constraints
- ✓ implements climate-resilient positioning
- ✓ aligns with municipal and provincial policy frameworks
- ✓ avoids precedent-setting geotechnical risk
- ✓ maintains the ecological and visual integrity of the landscape

Accordingly, the development is based on the updated evidence and does not pose an unacceptable risk to the fossil dune system or the surrounding environment.