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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.

Comment Received (CapeNature – Megan Simons - 26 June 2025)	Response
References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application. 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. References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application. 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	We acknowledge CapeNature’s review and confirm that the Amended BAR incorporates the updated Constraints Map and specialist inputs to guide a constraints-led, avoidance-focused layout. The property context within the Wilderness Lakes Protected Environment is confirmed. The Amended BAR reflects the WCBSP mapping (CBA1 / CBA2 / ESA1) and the applicable vegetation mapping sources (Vlok et al. 2008; NBA; Beta VegMap 2024) and uses the updated Constraints Map to avoid mapped high-sensitivity features. The CPZ and CML context is confirmed, and the revised footprint is confined to the compact node reflected on the updated Constraints Map / SDP.

<p>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 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:</p>	
<p>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.</p>	<p>Noted and accepted. The Amended BAR has been aligned to reflect that CBA status and management objectives apply regardless of current condition. The updated Constraints Map and revised layout apply the mitigation hierarchy by prioritising avoidance of mapped CBA1/forest areas and restricting disturbance to the smallest feasible footprint. The Amended BAR/EMPr commits to progressive rehabilitation and alien invasive clearing for all temporarily disturbed areas and does not rely on “degraded CBA” as justification for development. Where disturbance is unavoidable, rehabilitation measures are included as conditions/EMPr commitments, with monitoring and adaptive management to ensure reinstatement of ecological function.</p>
<p>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.</p>	<p>Noted and agreed. The Amended BAR states that alien invasive presence is not used to justify the development. The EMPr includes an Alien Invasive Management Plan commitment, with priority control of listed species (including <i>Acacia cyclops</i>), and ongoing maintenance for the operational life of the development. The landowner’s legal duty to control invasives applies irrespective of whether the development proceeds, and this is reflected as an explicit compliance commitment in the Amended BAR/EMPr.</p>
<p>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 appropriate site. The development should be</p>	<p>Noted. The Amended BAR confirms the development triggers the 100 m coastal trigger area; however, the updated Constraints Map and constraints-led site layout demonstrate that the proposed footprint avoids mapped high-risk coastal erosion/flood zones and avoids CBA1 and forest/milkwood areas to the extent feasible, while keeping the footprint compact. Relocating “further inland within the</p>

<p>sensitively positioned to avoid impacting the forest and should be designed to retain and build around the protected milkwood trees.</p>	<p>forested area” would increase direct impact risk to protected forest/milkwood and higher sensitivity vegetation. Accordingly, the Amended BAR’s preferred approach is to retain a low-impact, compact node outside identified forest/milkwood sensitivities, supported by raised boardwalks and strict footprint containment. The Amended BAR also commits to obtaining the necessary DFFE permits should any protected trees be affected, and to maintaining/retaining protected milkwood trees through final micro-siting at the building-plan stage. Engagement with relevant authorities (including DFFE, where required for protected trees/coastal triggers) remains part of the implementation conditions and permitting pathway.</p>
<p>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.</p>	<p>Noted and accepted. The Amended BAR incorporates the updated Constraints Map and geotechnical constraints (including weak/unstable zones) to avoid steep/erosion-prone areas as far as possible. The EMPr includes erosion and stormwater controls (phased clearing, rapid stabilisation, geotextiles where needed, stormwater dispersion into vegetated areas, and no concentrated discharge toward slopes/coastal areas), plus rehabilitation measures and monitoring to manage erosion/siltation risks during construction and operation. Detailed geotechnical design and engineer certification at the building-plan stage remains a requirement to address slope stability and stormwater management.</p>
<p>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 Cluster of the Garden Route Complex World Heritage Site and Nature Reserves.</p>	<p>Noted and supported. The Amended BAR retains the conservation-led intent of securing >99% of the property through rezoning to Open Space III (Nature Conservation Area). In addition, the landowner is open to engaging CapeNature’s Biodiversity Stewardship Programme to explore formal stewardship options for the remaining undeveloped portions, subject to CapeNature processes and landowner capacity. This is reflected as a commitment in the Amended BAR’s long-term conservation measures and in the EMPr (ongoing alien control, rehabilitation, and maintenance of ecological corridors).</p>
<p>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</p>	<p>Accepted. The Amended BAR has been updated to make it clear that offsets are not the primary/assumed mitigation and are not relied upon to “justify” impacts. The mitigation hierarchy is explicitly demonstrated: (1) Avoidance via the updated Constraints Map (avoiding CBA1/forest/milkwood and mapped risk zones); (2) Minimisation via a compact footprint and low-impact design (raised boardwalks, limited access disturbance, confined construction areas); (3) Rehabilitation via progressive rehabilitation and alien clearing; and (4) Offsets only if a competent</p>

<p>ecosystems. While the mapped vegetation type is classified as Least Concern, the property includes patches of indigenous forest, which have high biodiversity value.</p>	<p>authority requires it after residual impacts are confirmed. The Amended BAR also acknowledges the high value of indigenous forest patches and confirms these are avoided by the preferred layout and protected through strict no-go controls and permitting requirements for protected trees/forest where applicable.</p>
<p>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). References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application.</p>	<p>Noted. The Amended BAR confirms the development is off-grid and includes service infrastructure within the defined development footprint to avoid additional habitat loss beyond the approved area. The updated footprint for the current preferred layout is ±1 375 m² (not 1 175 m²), and all service elements are included within that footprint. Potable water is provided via rainwater harvesting and storage (with water-saving fittings), sewage via sealed conservancy tanks emptied by licensed contractors at an authorised facility, and solid waste via separation at source and removal to an authorised disposal site. Energy supply is via solar PV with battery backup, and energy-efficient design measures (including passive design principles and efficient appliances) are included as commitments. As municipal bulk services are not relied upon, “municipal capacity” constraints are avoided; however, waste removal and sewage disposal will be undertaken through authorised service providers/facilities, with EMPr controls to prevent pollution and secondary habitat impacts.</p>

<p>Comment Received (SANPARKS - Dr Vanessa Weyer– 23 June 2025)</p>	<p>Response</p>
<p>References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application. SANPARKS COMMENTS, BASIC ASSESSMENT PROCESS, PRE-APPLICATION PHASE, RUYGTE VALLEY 205, PORTION 79, SEDGEFIELD, WESTERN CAPE Ref No. Not yet Provided Noted. References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application. 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</p>	<p>Noted and confirmed. The Amended BAR recognises the property’s location in the GRNP Buffer Zone, adjacency to Coastal Public Property (CPP) along the southern boundary, and inclusion within the Coastal Protection Zone (CPZ) as defined in NEM: ICMA. The updated Constraints Map informed the revised layout to ensure the development footprint remains entirely on Portion 79, avoids CPP, maintains the coastal buffers/constraints reflected on the Constraints Map, and does not propose any works on CPP or within dynamic coastal processes.</p>

<p>the Coastal Protection Zone (CPZ), as designated in terms of the National 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.</p>	
<p>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).</p>	<p>Confirmed. The Amended BAR acknowledges the WCBSP mapping and management intent for CBAs (maintain/rehabilitate; avoid further loss of natural habitat). The updated Constraints Map and revised layout were used to avoid CBA1 and forest areas and to confine the development footprint to the least sensitive feasible location, while limiting the overall footprint to ±1 375 m². Rehabilitation and alien invasive clearing commitments (including Acacia cyclops control and progressive rehabilitation) remain part of the Amended BAR/EMPr to support CBA management objectives and improve ecological condition relative to baseline.</p>
<p>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 <</p>	<p>Noted and confirmed. The Amended BAR reflects that the site is constrained by coastal processes and steeper southern foredune slopes. The updated Constraints Map was specifically used to site and refine the footprint away from mapped high-risk erosion/flood-prone areas and to avoid geotechnical constraints (including D7). The revised layout limits disturbance to a compact node and includes stormwater dispersion, erosion control, and rehabilitation measures to prevent concentration of runoff and minimise erosion risk in the coastal dune environment.</p>
<div style="display: flex; justify-content: space-around;"> <div data-bbox="120 1010 600 1337"> </div> <div data-bbox="607 1010 1070 1337"> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div data-bbox="120 1342 600 1412"> <p>Fig. 7: Portion 79 of Farm Ruygte Valley 205 is Zoned as Agriculture Zone I (Knysna GIS Viewer).</p> </div> <div data-bbox="607 1342 1070 1412"> <p>Fig. 8: Slopes of >25% to <80% are evident in parts of the southern sector of the property (CapeFarmMapper3).</p> </div> </div>	<p>Confirmed. The Amended BAR records the site extent, current zoning, landowner details, and the fact that the property is outside the Urban Edge. The application remains conservation-led and low intensity, with the rezoning component to Open Space III retained as part of the BAR motivation to secure long-term conservation protection over the remainder of the property while allowing for a small, contained development footprint.</p>

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,

The reference to 1 175 m² in the pre-consultation report reflected an earlier design estimate and did not include all ancillary infrastructure. The updated Site Development Plan and revised constraints-led layout now provide a verified and final calculation.

For clarity:

- The building footprint refers only to the physical base area of permanent structures.

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 of 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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- 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.

- The disturbance footprint refers to the total area affected by development, inclusive of buildings, platforms, access road, parking, boardwalks and services.

Based on the final design:

- Total building footprint: ±525 m²
- Access road + parking: ±765 m²
- Boardwalks + ancillary disturbance: ±85 m²

Total verified disturbance footprint: ±1 375 m²

This figure includes *all disturbed areas*, as requested by SANParks, and is illustrated in the updated Site Development Plan and Constraints Map included in the Amended BAR.

This disturbance area represents less than 2.7% of the property, with approximately 97.3% retained in a natural state and proposed for conservation-compatible management.

The statement in the March 2025 pre-consultation draft referring to potential clearance exceeding 1 hectare was a precautionary early-stage planning estimate before the final layout was confirmed.

Following detailed spatial verification:

- Actual indigenous vegetation disturbance = ±1 375 m²
- Clearance remains well below the 1 hectare threshold
- Listing Notice 1 Activity 27 is therefore not triggered

The Amended BAR has corrected this discrepancy.

The development will operate entirely off-grid.

Wastewater will be managed through:

- A sealed, watertight conservancy tank system
- Minimum capacity: ±10 000 litres (10 kL) (subject to final engineering sizing)
- SANS-compliant installation
- Alarm monitoring system
- Regular emptying by licensed contractor
- Disposal at authorised municipal wastewater facility

No discharge to the environment will occur.

This approach was selected specifically to protect groundwater, dunes, and adjacent coastal ecosystems

- 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 property unfortunately does not fall within SANParks' current Land Inclusion Plan, a SANParks stewardship agreement is not possible at this time.
- 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 precautionary approach should be included for such scenarios.

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.

The applicant confirms a willingness to pursue formal biodiversity stewardship. While stewardship discussions have not yet been finalised, the landowner commits to initiating engagement with CapeNature during the next phase of the project.

Rezoning to Open Space III combined with stewardship will secure long-term conservation of the undeveloped portion of the property and align with regional biodiversity objectives.

Acknowledged.

Although the property is not currently eligible for SANParks stewardship, conservation outcomes will be pursued through CapeNature mechanisms and planning controls embedded in the BAR and EMPr.

SANParks' precautionary concerns are valid and have been integrated into the amended design.

The revised layout incorporates:

- 100 m setback from the High Water Mark
- Avoidance of steep foredune slopes
- Avoidance of erosion risk zones
- Lightweight elevated structures
- Retention of stabilising vegetation buffers
- Soft stormwater systems
- No hard coastal engineering
- Adaptive management provisions in the EMPr

These measures address both long-term coastal retreat and extreme storm event scenarios.

The development respects the intent of the Coastal Protection Zone and precautionary setback principles.

All infrastructure is positioned outside dynamic coastal risk areas and away from CPP.

<p>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>”.</p> <p>The Applicant's attention is drawn to: <u>Section 15 of NEM: ICMA</u>, which states:</p> <p>(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.</p> <p>(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.</p> <ul style="list-style-type: none"> • 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; <u>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.</u> 	<p>Confirmed. No development encroaches onto CPP. A natural vegetated buffer is retained to protect ecological function and dune stability.</p> <p>Confirmed. No development encroaches onto CPP. A natural vegetated buffer is retained to protect ecological function and dune stability.</p> <p>Rainwater harvesting is the primary water source. Should a borehole ever be proposed:</p> <ul style="list-style-type: none"> • A Water Use Licence application will be submitted • No abstraction will occur without DWS approval
<p>References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application. The development application submitted is a “BASIC ASSESSMENT REPORT: PRECONSULTATION (Pre-</p>	<p>Clarified in the Amended BAR (updated Constraints Map): the earlier 1 175 m² figure is retained only for the earlier layout/alternative as applicable, while the updated layout confirms: building footprint ±525 m² (main dwelling + 3 units + staff accommodation + equipment shed) and total disturbance/development footprint ±1 375 m² inclusive of buildings, access road, parking, and boardwalks.</p>

<p>APPLICATION)", refer to the extract below from the Environmental Impact report prepared by Eco Route Environmental Consultancy, dated 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.</p>	<p>The updated Constraints Map and revised SDP reflect all components and confirm the consolidated disturbance footprint.</p>
<p>It is further stated in the EcoRoute Pre-consultation Basic Assessment report, March 2025, pg.23, that >10 000m² /1ha of indigenous vegetation will be cleared, which differs from the 1175m² noted above:</p>	<p>Noted. The Amended BAR clarifies that the >10 000 m² reference related to early pre-application scoping and is not representative of the final constraints-led design. The confirmed disturbance footprint for the updated preferred layout is ±1 375 m², and disturbance/clearing is strictly limited to the approved footprint as reflected on the updated Constraints Map and EMPr controls.</p>
<ul style="list-style-type: none"> • 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. 	<p>Confirmed. The Amended BAR states that the development is off-grid. Sewage will be managed via sealed conservancy tanks (watertight, no discharge to the environment), with capacity to be confirmed at detailed design stage based on expected occupancy and applicable standards and emptied by licensed contractors for disposal at an authorised facility. The location and servicing requirements are included/committed to in the EMPr and will be finalised on the services plan in line with the approved layout.</p>
<ul style="list-style-type: none"> • 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. 	<p>Noted. The Amended BAR retains the intention to pursue rezoning to Open Space III to secure conservation protection over the remainder of the property. In addition, the landowner is supportive of exploring stewardship options with CapeNature as a parallel mechanism to strengthen long-term conservation outcomes. This is reflected as a commitment in the Amended BAR/EMPr under ongoing conservation management and long-term stewardship measures.</p>
<ul style="list-style-type: none"> • The property unfortunately does not fall within SANParks' current Land Inclusion Plan, a SANParks stewardship agreement is not possible at this time. 	<p>Noted. The landowner will pursue conservation outcomes via Open Space III rezoning and will engage CapeNature regarding stewardship options where feasible.</p>

<ul style="list-style-type: none"> 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 precautionary approach should be included for such scenarios. 	<p>Addressed in the Amended BAR through the constraints-led design approach and updated layout: the footprint was revised to avoid mapped risk areas and geotechnical constraints (including D7), limit disturbance, and retain/rehabilitate stabilising vegetation. The Amended BAR incorporates a precautionary approach: soft stormwater dispersion (no concentrated discharge), strict footprint containment, rapid rehabilitation, and monitoring/adaptive management to respond to extreme events and changing coastal risk conditions over time.</p>
<p>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.</p>	<p>Noted and applied. The Amended BAR confirms that the development footprint is positioned based on the updated Constraints Map to avoid coastal risk features and maintain coastal buffers, with no expansion beyond the approved footprint. Setback intent is reinforced through conditions: no development outside the footprint, no interference with coastal processes, and ongoing dune/vegetation management to protect coastal resilience.</p>
<p>It is noted that the adjacent seaward Portion 71 Ruygt 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: Coastal Public Property is held in trust by the state to protect sensitive ecosystems and to secure the natural functioning of dynamic coastal ecosystems”.</p>	<p>Confirmed. The Amended BAR recognises Portion 71 as state-owned Coastal Public Property. No part of the development encroaches onto Portion 71/CPP. The updated Constraints Map supports the maintenance of a buffer along the southern boundary, and the EMPr includes controls to prevent access/activities outside approved areas and to protect CPP ecological functioning.</p>
<p>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.</p> <ul style="list-style-type: none"> 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 	<p>Noted and accepted. The Amended BAR confirms that no erosion control structures or works are proposed on Coastal Public Property, and the landowner accepts that natural erosion/accretion processes may occur without state intervention in accordance with Section 15 of NEM: ICMA. Regarding water: the Amended BAR indicates the development is off-grid and prioritises rainwater harvesting; no borehole is confirmed at this stage. Should a borehole be proposed within 500 m of the High-Water Mark, the relevant Department processes will be followed and a Water Use Licence will be obtained where required prior to implementation.</p>

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:	
<ul style="list-style-type: none"> • 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 Amended BAR/EMPr includes compliance with the National Veld and Forest Fire Act. The landowner will confirm membership of the relevant Fire Protection Association and implement appropriate fire prevention and response measures suitable to the site context.
<ul style="list-style-type: none"> • 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. 	Acknowledged. The Amended BAR/EMPr commits to an Alien Invasive Management Plan for the site, including control/removal and ongoing maintenance, with particular focus on Acacia cyclops, and compliance with NEM:BA and the AIS Regulations.
<ul style="list-style-type: none"> • 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. 	Acknowledged. The Amended BAR confirms that protected tree species (including Milkwood, where applicable) will be avoided as far as feasible through the constraints-led layout. Where disturbance cannot be avoided, the required DFFE permitting process under the National Forests Act will be followed prior to any pruning/removal/disturbance.
<ul style="list-style-type: none"> • Should any resources of suspected heritage value be uncovered during clearing, Heritage Western Cape (HWC) must be contacted immediately for instructions. 	Acknowledged. The EMPr includes a Chance Finds Procedure. If any heritage resources are uncovered, works will cease in the area and HWC will be notified immediately for further instruction before works resume.
<ul style="list-style-type: none"> • The development application will set a precedent for development along this environmentally sensitive coastline. It is noted that only the 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. 	Noted. The Amended BAR addresses precedent risk by confirming: (i) a very limited development footprint ($\pm 1\ 375\ m^2$) relative to the property; (ii) off-grid services; (iii) strict footprint containment via conditions; (iv) avoidance of sensitive features per the updated Constraints Map; and (v) conservation securing of the remaining land through rezoning to Open Space III (and potential stewardship engagement). These measures are intended to prevent incremental creep/intensification and support the coastal conservation character of the area.
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.	Noted. Portion 78 is outside the scope of the current application for Portion 79. The Amended BAR can record that available historical imagery indicates existing development by 2004; confirmation of exact construction date relative to 1997 would require landowner records/municipal building plan history, and can be

	noted as “to be confirmed” where necessary. This does not affect the assessment of Portion 79.
References added to the Preliminary Geotechnical and Geomatic Report, the Letter from Dr E. Spicer (Rockhounds Pty Ltd, 10 September 2025), and the inclusion of a constraints map attached to the Draft BAR. The SDP will be finalized after completion of the environmental application. Points 2: Summary and Way Forward 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.	Noted. The Amended BAR clarifies the footprint terminology and confirms the total disturbance footprint for the updated layout as ±1 375 m ² (inclusive of buildings, access road, parking, and boardwalks), supported by the updated Constraints Map and SDP. SANParks will be provided the DBAR during the public participation phase for further comment.
It is requested that SANParks’ comments be included in the DBAR in their entirety and not just in a Comments and Responses report.	Confirmed. SANParks’ comments will be included in the DBAR in full (as received), in addition to being addressed in the Comments and Responses Report.
SANParks reserves the right to revise comments if additional information becomes available.	Noted. SANParks’ right to revise comments is acknowledged. Any additional information and updated versions of the BAR/appendices issued for review will be shared through the formal PPP process.
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 m ² . This figure has been spatially verified and will be clearly illustrated in the updated 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.	Updated to align with the Amended BAR and updated Constraints Map: the total disturbance footprint for the updated preferred layout is ±1 375 m ² , and the building footprint is ±525 m ² . The earlier ±1 175 m ² figure applies only to the earlier layout/alternative where retained. The BAR includes the corrected footprint breakdown and commits that all disturbance remains confined to the approved footprint as reflected on the relevant Constraints Map for each alternative.
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.	Confirmed. SANParks’ submission will be attached in full to the DBAR as received. The Amended BAR and DBAR process will ensure SANParks can review the updated Constraints Map, revised footprint calculations (±1 375 m ²), and any additional specialist information issued during PPP.

Comment: Breede-Olifants Catchment Management	Response
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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 Breede-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:

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.

1. Noted and acknowledged. The applicant appreciates the Breede-Olifants Catchment Management Agency's confirmation that there are no objections to the proposed activities. The development will proceed in compliance with all applicable water legislation and environmental management requirements.
2. Noted. Although no watercourses were identified on site, the applicant acknowledges the recommendation and confirms that a freshwater specialist review will be considered should the competent authority require additional confirmation during the formal assessment phase. The current design avoids direct interaction with surface water resources.
3. Acknowledged. The applicant confirms that no water will be abstracted or diverted from any water resource without prior authorisation in terms of Section 22 of the National Water Act, 1998. The development is designed to rely primarily on rainwater harvesting, and any future groundwater abstraction will be subject to the required licensing processes.

<p>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.</p> <p>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.</p> <p>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.</p> <p>9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.</p> <p>10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.</p> <p>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</p> <p>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</p>	<p>4. Noted and confirmed. The development will utilise rainwater harvesting systems only, and the applicant acknowledges that the storage of harvested rainwater does not constitute a water use requiring authorisation in terms of the National Water Act.</p> <p>5. Acknowledged. All reasonable measures will be implemented to prevent groundwater contamination. Domestic wastewater will be stored in sealed conservancy tanks and removed by a licensed service provider for disposal at an authorised facility. No discharge to soil or groundwater will occur.</p> <p>6. Noted and accepted. The proposed off-grid sanitation system will consist of sealed conservancy tanks designed for regular emptying by a licensed contractor. Septic tanks and French drains will not be used, in order to protect groundwater resources.</p> <p>7. Acknowledged. The applicant confirms awareness that any water use activity requiring authorisation will not commence without the necessary approval from the Department of Water and Sanitation. Compliance with Section 22 of the National Water Act will be strictly adhered to.</p> <p>8. Noted. The applicant accepts responsibility for ensuring compliance with the National Water Act prior to commencement of any water use associated with the development.</p> <p>9. Noted. The applicant acknowledges the authority's right to amend comments or request additional information and will cooperate fully with any further information requests.</p> <p>10. Acknowledged. The applicant will contact the BOCMA office if clarification or guidance is required regarding Water Use Authorisation requirements.</p>
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	<p>11. Noted. Should a water use authorisation become necessary, the applicant confirms that the application will be submitted electronically via the Department of Water and Sanitation's WULAAS system.</p> <p>12. Acknowledged. The applicant will contact the relevant BOCMA officials should further enquiries arise regarding water use compliance.</p>
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Comments Nelson Mandela University: Coastal & Marine Research - Prof. Amanda T. (Mandy) Lombard – 23 June 2025	Response
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, Sedgfield, Western Cape	Thank you for your submission and for engaging as both a professional conservation planner and adjacent landowner. Your comments have been captured in full and will be included in the updated BAR and the Comments & Responses Report.
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”).	The calculation error is acknowledged. Appendix D5 has been corrected in the updated BAR to reflect that the building footprint is 2.27% of the property and that 97.73% remains undeveloped. The corrected percentage values are now aligned across the relevant tables, figures and narrative text.
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	The ecological and geological sensitivity of the site is acknowledged. The proposal remains low-impact and off-grid, and the layout has been informed by the constraints mapping and specialist inputs to avoid cliff-edge instability, the Coastal Management Line and sensitive forest/thicket features. The applicant notes your strong preference for one dwelling only and no tourism development. The updated BAR will be revised to remove any ambiguity around “tourism” motivation and will clearly state that the development is intended as a private residential use in an environmentally sensitive setting, with the smallest feasible footprint and strict limitations on vegetation clearance and access. Your recommendation regarding Private Nature Reserve / stewardship-type protection under NEMA is supported in principle and will be carried forward as a firm commitment to engage CapeNature

<p>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.</p>	<p>on appropriate long-term conservation mechanisms and a management plan for the conserved portion of the site.</p>
<p>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.</p>	<p>Noted. The updated BAR will reflect that your submission supports a consolidated, cooperative conservation approach with shared infrastructure and minimal fragmentation. While this application must proceed under current ownership boundaries, the applicant is supportive of improved cooperative conservation outcomes and is open to participating in corridor-scale discussions with adjacent landowners and CapeNature where feasible. The final layout and access route will continue to prioritise minimising fragmentation and limiting new disturbance.</p>
<p>I also welcome further discussion on any of my comments listed here.</p>	<p>Noted with thanks. The applicant remains open to continued engagement and will consider additional information that may assist in refining the final layout and conservation commitments.</p>
<p>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 diUerent 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</p>	<p>The sensitivity of the coastal thicket/Milkwood forest system is acknowledged and will be treated as a primary constraint. The updated constraints map and amended BAR position the development footprint and access to avoid intact forest and to prevent fragmentation. The EMPr will include strict controls to prevent edge effects (including limiting clearing width, protecting root zones, and managing alien invasion along disturbed margins). Any required access will be kept as narrow as possible, aligned to existing disturbed tracks where present, and managed under a rehabilitation and alien control programme to maintain forest integrity.</p>

<p>South Africa. If at all possible, this unique habitat should not be touched in any way, and any authorized development should minimise forest impacts.</p>	
<p>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.</p>	<p>Noted. The updated BAR will reference and consider the higher-resolution Garden Route Initiative vegetation mapping and will ensure the final layout is aligned with fine-scale forest/thicket constraints, including avoidance of protected Milkwood stands. Where specialist verification recommends additional delineation, this will be incorporated into the final sensitivity overlay and layout.</p>
<p>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</p>	<p>Noted. The amended BAR will reflect this updated classification and will treat the dune vegetation/thicket-strandveld mosaic as sensitive. The mitigation hierarchy in the BAR will demonstrate how avoidance and minimisation have been applied, with rehabilitation measures included for any temporary disturbance areas.</p>
<p>Species The area also includes many species of special concern (endangered, vulnerable or threatened), for example <i>Erica glandulosa subsp. fourcadei</i>, <i>Satyrium princeps</i>, <i>Athanasia</i>, <i>Selago</i>, possibly <i>villicaulis</i>, which should also be identified by a botanical survey of the site and would trigger a full EIA.</p>	<p>Noted. The updated BAR will include a clear commitment that the final layout will be informed by specialist verification of species of conservation concern, and that any confirmed threatened/protected species will be avoided and managed in accordance with the applicable permitting requirements. Should specialist findings confirm triggers that require escalation of process, the applicant will comply with the competent authority's requirements.</p>
<p>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). 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 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</p>	<p>The corridor function is acknowledged. The updated constraints map and amended BAR aim to maintain corridor continuity by avoiding fragmentation of forest/thicket habitat and maintaining vegetated buffers, particularly along the southern coastal edge. The EMPr will include controls for lighting, noise, access limitation, and alien management to reduce edge effects and preserve corridor function.</p>

<p>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).</p>	
<p>Western Cape Biodiversity Spatial Plan (WCBS) 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:</p> <p>Ecological processes (11.3),</p> <p>Indigenous Forest Type (5.04),</p> <p>Threatened SA Vegetation Type (8.74),</p> <p>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 https://bgisviewer.sanbi.org/ ii) A small southern component includes: https://bgisviewer.sanbi.org/</p> <p>Coastal Habitat Type (1.75)</p> <p>Ecological processes (18.1)</p> <p>Indigenous Forest Type (5.4)</p> <p>Threatened SA Vegetation Type (7.21)</p> <p>Threatened Vertebrate (1)</p> <p>Water resource protection (14.04) Feature_1: Coastal resource protection- Eden Feature_2: Foreddune Feature_3: Indigenous Forest Type Feature_4: Southern Cape Dune Fynbos (VU) Feature_5: Threatened Reptile Feature_6: Water source protection- Swartvlei</p>	<p>Noted. The WCBS is treated as a material spatial planning instrument, and the amended BAR demonstrates alignment with its intent through avoidance of forest types, maintaining ecological process connectivity, avoiding coastal foreddune sensitivity, and protecting water resource functions. The updated constraints map has been included in the BAR to show how biodiversity layers informed layout refinement and avoidance.</p>

<p>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:</p> <p>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 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 a 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.</p> <p>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.)</p>	<p>Noted and agreed in principle. The amended BAR will clarify that “degraded” status is not used as justification for development in a CBA, and that the mitigation hierarchy is applied with avoidance first. The EMPr will include binding alien clearing and rehabilitation obligations in line with CBA management objectives. The final layout and access routing avoid the cliff/coastal edge and aim to prevent forest fragmentation and edge effects.</p>
<p>Key Biodiversity Areas (KBAs), the Garden Route Biosphere Reserve (GRBR) and the Garden Route National Park (GRNP) 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.</p> <p>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</p>	<p>Noted. These broader designations are acknowledged as context-setting conservation frameworks. The amended BAR addresses site-specific sensitivity through the constraints map and specialist findings, and commits to low-impact, off-grid design, strict limits on clearing, retention of buffers, and stewardship engagement to align land management with regional conservation objectives.</p>

<p>KBAs 2024. Shapefile was produced by the South African KBA NCG and is available from the South African National Biodiversity Institute. The site also falls in the broader Garden Route Biosphere Reserve as well as the Garden Route National Park</p>	
<p>Local context Adjacent landowners 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.</p>	<p>Noted. The applicant supports these local conservation aspirations and will engage CapeNature on stewardship/protected area mechanisms for the undeveloped portion of the property, supported by an appropriate site management plan and ongoing alien control and rehabilitation actions.</p>
<p>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.</p>	<p>Noted. The amended BAR will confirm the site’s position outside the urban edge and will align the project description with the applicable land use planning process. The applicant acknowledges the precedent concerns and confirms that any land use rights will be determined by the competent planning authority through the required statutory process, informed by environmental constraints and public participation.</p>
<p>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. 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.</p>	<p>Noted. The applicant acknowledges the conservation priority position expressed for comparable properties and confirms that the amended BAR adopts the “absolute minimum impact” principle through reducing and limiting the footprint, applying off-grid services, avoiding sensitive areas per the constraints map, minimising access length/width, and including rehabilitation and alien control obligations within the EMP.</p>

<p>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).</p>	<p>Noted. The amended BAR and constraints map support minimising access and confining development to the least sensitive, most accessible portion of the property, with avoidance of the cliff/foredune and forested coastal strip.</p>
<p>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.</p>	<p>Noted. The applicant acknowledges OSCAER applicability and confirms that the required authorisation process will be complied with, including any conditions regarding unit number, placement and footprint minimisation that may be imposed.</p>
<p>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).</p>	<p>Noted. The amended BAR aligns with the principle of minimising access and disturbance and will reflect the refined constraints-based layout. A botanical/species-level verification will be required to inform the final micro-siting of infrastructure, and any unauthorised road development is not supported and is not part of the proposed scope.</p>
<p>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.</p>	<p>Noted. The amended BAR confirms that the development footprint avoids the cliff edge and unstable erosion-prone areas identified in the constraints mapping and geotechnical input. The EMPr will include controls to prevent disturbance to cliff ecosystems and seabird nesting areas (including access limitation, lighting controls and maintaining coastal buffers).</p>
<p>Paleo significance The eroding cliff face is of further significance from a Late Pleistocene perspective, with both early human and Pleistocene animal fossil footprints recently discovered: 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. <i>Sci Rep</i> 8: 3772 [online] 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.</p>	<p>Noted. The amended BAR will acknowledge the palaeo/trace fossil context along the coastal margin and confirms no development is proposed within the eroding cliff face zone. A chance-find protocol will be included in the EMPr and any heritage/palaeontological resources encountered during works will result in immediate cessation of work in the affected area and notification of the relevant authority for instruction.</p>

Comments Received (REMAX Coastal - Noleen Davel – 26 & 27 May 2025)	Response
<p>Dear Eco Route Team,</p> <p>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:</p> <p>What types of buildings or structures, if any, are permitted under the current zoning regulations?</p> <p>What forms of agricultural or farming activities are allowed on the property?</p> <p>This information is essential for advising interested parties accurately and ensuring compliance with local regulations.</p> <p>Thank you in advance for your assistance. I look forward to your response.</p>	<p>Farm 73/216 is currently zoned Agriculture Zone I in terms of the applicable municipal zoning scheme. At present, there is no approved rezoning application in place that converts the property to formal conservancy land or intensive development zoning. Any future rezoning would require a formal land use application, public participation process, and environmental assessment, subject to approval by the Knysna Municipality and relevant competent authorities.</p> <p>Under Agriculture Zone I zoning, the following structures are typically permitted:</p> <ul style="list-style-type: none"> • One primary dwelling house • Agricultural outbuildings and farm infrastructure • Water tanks, fencing and associated services • Additional residential or accommodation units only through consent use or rezoning approval <p>Permissible activities generally include extensive and low-impact agricultural uses such as grazing, small-scale farming, beekeeping, and ecological land management. Any activities involving vegetation clearance, infrastructure development, or transformation of sensitive areas may require environmental authorisation in terms of NEMA and, where applicable, coastal or biodiversity legislation. The site may also qualify for voluntary biodiversity stewardship or conservation-orientated zoning should the landowner elect to pursue long-term protection measures in future.</p>

Comments Received (Lake Pleasant Holiday Resort - Stuart Lidstone – 25 May 2025)	Response
<p>Good afternoon</p> <p>Reference your EIA Notification</p>	<p>Registration confirmed. Mr Stuart Lidstone has been added to the Interested and Affected Parties (I&AP) database for the project and will receive all future correspondence, reports, and notifications in accordance with the Public Participation Process requirements of the EIA Regulations, 2014 (as amended).</p>

<p>The Edge.</p> <p>Kindly register myself as an I&AP.</p> <p>Erf: 2055</p> <p>Many thanks.</p> <p>Stuart Lidstone</p>	
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Comments Received (James Vos – 27 May 2025)	Response
<p>Hello Bianca,</p> <p>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.</p> <p>Reason for interest, is that I am the owner of Portion 76 of Farm 205 Ruygte Valley, Sedgefield, Western Cape.</p> <p>My contact details are:</p> <p>James Vos+83 305 4815 jamesv@agriwiz.co.za/</p> <p>Karen Daymond karindaymond@gmail.com</p>	<p>Registration confirmed. Mr James Vos has been added to the Interested and Affected Parties (I&AP) database for the project. His interest as an adjacent landowner is noted. He will receive all future correspondence and documentation in accordance with the Public Participation Process requirements of the EIA Regulations, 2014 (as amended).</p>

Comments Received (Marion Witte – 23 June 2025)	Response
<p>The sender's name: Marion Witte</p> <p>The sender's email: mwmwitte@gmail.com</p>	

<p>Subject: Objection - portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape</p> <p>Message:</p> <p>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.</p> <p>Kind regards</p> <p>Marion Witte</p>	<p>The concern regarding visual impact and potential precedent along an undeveloped stretch of coastline is acknowledged and taken seriously. The applicant recognises the sensitivity of the site and agrees that visual integrity of the coastal landscape is a critical planning consideration. In response:</p> <ul style="list-style-type: none"> • A dedicated Visual Compliance Statement prepared by Outline Landscape Architects (March 2025) forms part of the Basic Assessment Report and specifically assessed visual exposure, topography, vegetation screening, and long-range viewpoints. • The updated constraints-led layout positions the development within the central portion of the site, below the
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Comments Received (Marchelle van Vuuren – 1 July 2025)	Response
<p>Dear Bianca</p> <p>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.</p>	<p>Receipt of your registration as an Interested and Affected Party is acknowledged and confirmed. Thank you for your submission and for sharing your lived experience of the area.</p>

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. 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

Traffic and wildlife disturbance

The concern regarding increased traffic and wildlife disturbance is understood. However, it is important to clarify that no tourism accommodation is proposed as part of this application. The three cottage structures reflected in the Site Development Plan are intended exclusively for private use by the landowner and immediate family. The Environmental Management Programme (EMPr) will include use protocols aimed at protecting wildlife movement along Bushy Way, including:

- strict low-speed driving requirements,
- no unnecessary night-time driving,
- wildlife awareness signage, and
- encouragement of cooperative road etiquette with neighbouring landowners.

No widening, paving, or upgrading of Bushy Way is proposed.

Road safety

The narrow and blind nature of Bushy Way is acknowledged. Because the development is private and not tourism-based, traffic volumes are expected to remain comparable to normal residential use. The applicant supports collaborative neighbour-led initiatives such as signage or informal yield points if residents wish to pursue these collectively.

Fire safety

The concern regarding fire risk in a forest environment is valid and shared by the applicant. A formal Fire Management Plan will form part of the EMPr and will include:

- prohibition of open fires,
- gas-only cooking systems,
- fire extinguishers and beaters at all structures,

<p>Marchelle van Vuuren</p> <p>082 73 466 73</p>	<ul style="list-style-type: none"> • strict seasonal fire restrictions, • alignment with the National Veld and Forest Fire Act, • engagement with the Knysna Fire Protection Association. <p>The applicant confirms a commitment to preserving the tranquillity and ecological function of the forest access corridor and appreciates the concerns raised.</p>
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Comments Received (Western Cape Government: Road Use Management - Vanessa Stoffels – 23 June 2025)	Response
<p>Dear Carina,</p> <p>Thank you for contacting this Branch.</p> <p>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.</p> <p>Good afternoon, Bianca</p> <p>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.</p> <p>Kind regards</p> <p>Vanessa</p>	<p>The request for an extension is acknowledged and supported. The competent authority was informed that additional time would be granted to allow the Branch to complete its internal review process. A submission during the second week of July 2025 was confirmed as acceptable. The applicant remains available to provide any additional documentation required by the engineering review team.</p>

Comment (Stephen Stead – 23 June 2025)	Response
<p>Stephen Stead (not verified) (steve@vrma.co.za) sent a message using the contact form at https://ecoroute.co.za/node/116.</p>	

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 occur even though this was requested and agreed upon in writing (by email 03 March 2025, janet@ecoroute.co.za, bianca@ecoroute.co.za).

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 Environmental Assessment Practitioner (EAP) commissioned two site-specific and updated visual assessments, both undertaken in 2025:

1. Visual Compliance Statement by *Kathin Hammel* (Outline Landscape Architects, March 2025); and
2. Visual Impact Statement by *Paul Buchholz* (January 2025).

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.

	<ul style="list-style-type: none"> • 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. <p><u>In response and as corrective action:</u></p> <ul style="list-style-type: none"> • All three visual specialist reports—namely: <ul style="list-style-type: none"> ▪ 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 amended). Your concern has been instrumental in ensuring these procedural improvements, and the EAP and applicant thank you for your constructive engagement.
<p><u>Findings of the VRMA Baseline Assessment:</u></p> <p>The proposed development is situated on the crest of a fossil dune cliff, approximately 1.7 km long, stretching from the eastern edge of Sedgfield 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:</p>	<p>The applicant notes the concern. The updated specialist inputs confirm that the final preferred layout has been repositioned to avoid cliff crests, ridge skylines, and steep slopes. The development footprint is located inland from the dune edge and outside high-risk slope zones as confirmed by the geotechnical and biodiversity assessments. Visual mitigation measures and siting controls have been strengthened in the revised BAR.</p>

<ul style="list-style-type: none"> • Steep slopes (greater than 1:4 gradient), • Cliff faces or crests, • Ridges or skylines where structures would be visually intrusive. 	
<p><u>Findings of the VRMA Baseline Assessment:</u></p> <ul style="list-style-type: none"> ▪ 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. 	<p>The Amended BAR confirms that the updated development footprint is not located on the dune crest. The revised constraints map relocates the footprint inland into a stable central zone, avoiding cliff crest, skyline exposure, and structurally weak geotechnical zones. The layout responds directly to geotechnical and visual sensitivity constraints.</p>
<ul style="list-style-type: none"> ▪ Development on unstable, steep dune slopes with no clarity provided on how earthworks would be undertaken. 	<p>The Amended BAR confirms that the updated development footprint is not located on the dune crest. The revised constraints map relocates the footprint inland into a stable central zone, avoiding cliff crest, skyline exposure, and structurally weak geotechnical zones. The layout responds directly to geotechnical and visual sensitivity constraints.</p>
<ul style="list-style-type: none"> ▪ Introduction of skyline development where no precedent exists on the crest of a fossil dune that has potential for structural failure and landscape degradation. 	<p>The updated layout avoids skyline positioning. Structures are sited below crest level and screened by retained vegetation. The revised visual modelling will demonstrate skyline preservation.</p>

<p>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.</p>	<p>The access route follows an existing disturbed alignment. No new linear clearing occurs through intact thicket. Vegetation buffers remain intact. The majority of the property remains conserved.</p>
<p><u>Potential Development Alternatives:</u> 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:</p>	<p>The Amended BAR includes comparative assessment of the southeastern alternative. The updated constraints map confirms both preferred and alternative footprints avoid sensitive slope zones.</p>

<ul style="list-style-type: none"> ▪ Conceptual architectural design and the need for 3D visualisations, in line with DEA&DP Visual & Aesthetic Guidelines. 	<p>The Amended BAR commits to including visual simulations and architectural massing confirmation aligned with DEA&DP visual guidance.</p>
<ul style="list-style-type: none"> ▪ A consolidated Site Development Plan (SDP) including: <ul style="list-style-type: none"> ○ 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. 	<p>The updated Site Development Plan now overlays the constraints map and includes full infrastructure footprint, decks, buffers and access alignment.</p>
<p>As VRMA was excluded from the DBAR, we reserve the right to make comments as an I&AP.</p> <p><u>The following critique of the Hammel Visual Statement is provided:</u></p> <ul style="list-style-type: none"> • Lack of Policy Context: No reference to relevant planning documents, such as the Garden Route EMF, Western Cape DEA&DP Guidelines, or Knysna Municipal SDF. These documents specifically refer to fossil dune sea-cliffs as significant landscape features in the Garden Route, where the existing sense of place needs to be carefully managed. 	<p>The Amended BAR now cross-references Garden Route EMF, DEA&DP Visual Guidelines and Knysna SDF.</p>
<ul style="list-style-type: none"> • Incorrect Viewshed Analysis: Erroneous claim that views from the beach are obstructed by undulating topography. A basic Google Earth block extrusion clearly shows that all four of the proposed dwellings would be 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. 	<p>The EMPr now includes binding design controls: height limits, recessive finishes, crest setback protection.</p>
<ul style="list-style-type: none"> • 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. 	<p>The EMPr now includes binding design controls: height limits, recessive finishes, crest setback protection.</p>
<ul style="list-style-type: none"> • Failure to Identify Alternatives: No consideration of less intrusive, alternative development locations was undertaken. • SDP Omissions: No assessment of access road impact required earthworks (how the main dwelling would be accessed along the top of the dune crest), or the risk from debris falling down the cliff should structural failure take place in 	<p>The consolidated SDP now includes earthworks, slope overlays and vegetation buffers.</p>

<p>the future on unstable/ in-accessible dune slopes. No recognition of how the long access road clear-cut through the thicket vegetation would be inappropriate to the surrounding conservation land uses, or how this would set a precedent for future development in this area that is predominantly used as PNR.</p>	
<p><u>Preliminary Geotechnical Report by Dr Esmé Spicer – Key Concerns</u> 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.</p>	<p>The updated layout avoids structurally weak zones and steep slopes. Foundations will follow geotechnical recommendations.</p>
<p>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.</p> <p>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.</p>	<p>The Amended BAR includes a constraint overlay linking footprint to geotechnical zones.</p>
<p>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/</p>	<p>It is acknowledged that the Pre-Consultation Draft Basic Assessment Report (DBAR) may have emphasised certain findings that support the proposed development while not fully integrating critical planning-related concerns, particularly those relating to visual sensitivity and development suitability within a coastal dune landscape.</p>

add confidence to its findings. The new report should also overlay the proposed site development areas onto the geotechnical constraints map.

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 significance of the visual and landscape impacts, particularly in relation to applicable planning guidelines.

- **Failure to Notify Excluded Specialist:** Despite a clear indication that the VRMA report was to be included in the BAR, and VRMA be notified as an 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.

The VRM Africa Baseline Report, although originally commissioned for the visual impact assessment, was excluded from the DBAR because it assessed an incorrect site location and layout. The analysis and modelling in that report were based on spatial information that did not correspond to the final development footprint on Portion 79 of Farm Ruygte Valley No. 205. As a result, the conclusions regarding visual exposure, access alignment, and slope-related impacts were not directly applicable to the revised site design.

That said, the exclusion of the VRMA report without appropriate acknowledgement or explanation in the DBAR is accepted as a shortcoming.

The Amended BAR clarifies that approval is based on site-specific constraints, not precedent.

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 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

<ul style="list-style-type: none"> ▪ 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 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. 	<p>recommendations have nonetheless informed a more precautionary visual impact review.</p> <ul style="list-style-type: none"> • 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. <p>This approach ensures compliance with the NEMA EIA Regulations and the principles of fairness, transparency, and integrated decision-making.</p> <p>The Amended BAR includes a constraint overlay linking footprint to geotechnical zones.</p> <p>The Amended BAR includes a constraint overlay linking footprint to geotechnical zones.</p>
<p>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.</p>	<p>The Amended BAR clarifies that approval is based on site-specific constraints, not precedent.</p>

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 Amended BAR incorporates updated constraints mapping, revised layout, full footprint overlay, visual reassessment and geotechnical avoidance strategy to address the concerns raised.

COMMENTS RECEIVED IN RESPONSE TO THE DRAFT BASIC ASSESSMENT REPORT – 11 November 2025 – 15 December 2025.

Comment (Tessa Joubert – 15 December 2025)	Response
<p>I object to the proposed development on Portion 79 of Farm 205 on the grounds that it is unsustainable when assessed against cumulative climate, water-security, ecological and heritage risk.</p>	<p>The Amended BAR assesses cumulative ecological, coastal and geotechnical risks using an updated constraints-led layout. The revised development footprint is confined to ±1 375 m² in the lowest sensitivity zone identified by specialists. Steep slopes, structurally weak zones, indigenous forest and high-risk coastal areas are excluded. Impacts are assessed as low, localised and mitigable under the EMPr.</p>
<p>The site constitutes sensitive agricultural land with high conservation biodiversity and historical value, forming part of a coastal buffer landscape that provides essential ecosystem services to Sedgefield, including climate regulation, flood attenuation, wind protection and ecological connectivity. These services are delivered free of charge to the public and represent a long-term asset that should be conserved rather than converted for short-term private gain.</p>	<p>The Amended BAR recognises the ecological buffer function of the site. ±97% of the property remains undeveloped and will be rezoned to Open Space III to secure long-term conservation protection. The clustered footprint maintains ecological connectivity and retains vegetated buffers. The assessment concludes that ecosystem services are not compromised at landscape scale.</p>
<p>The Assessment Report fails to adequately recognise that the area falls within the protective intent of the National Forests Act 84 of 1998, which safeguards indigenous forest systems and associated ecological processes, nor does it sufficiently address the role of this landscape as ecological infrastructure critical to climate-change adaptation and sea-level-rise resilience.</p>	<p>The Amended BAR confirms that no indigenous forest clearing is permitted. All mapped forest areas are designated no-go zones. Compliance with the National Forests Act is explicitly included in the EMPr. The constraints map preserves coastal vegetation buffers that contribute to erosion control and climate resilience.</p>
<p>A further critical limitation ignored by the Assessment Report is water security. The Department of Water and Sanitation already warned in 2004 that water security in the Eden District had not been achieved and that further development should not proceed until sustainable supply was secured. This did not occur. The municipality now faces a cumulative water-shortage crisis, worsened by climate change and incremental densification. Any additional development exacerbates an existing systemic risk and constitutes maladaptation.</p>	<p>The development is designed to operate fully off-grid. Rainwater harvesting and storage systems eliminate reliance on municipal supply. No abstraction from public water resources is proposed. The project therefore does not contribute to municipal water demand or regional water insecurity.</p>
<p>In terms of the Climate Change Bill, decision-making must consider cumulative risk over the lifespan of a development. In this case, escalating climate impacts, unresolved water scarcity and loss of ecological buffers clearly demonstrate that the cumulative climate and resource risk outweighs any social or economic benefit.</p>	<p>The Amended BAR incorporates climate resilience by avoiding erosion-prone slopes, maintaining dune vegetation, and limiting hard surfaces. The development scale is minimal relative to site extent and retains long-term ecological function. Specialist input confirms that risk is manageable with mitigation.</p>

The proposal is also inconsistent with the World Heritage Convention Act No. 49 of 1999, which recognises cultural and natural heritage as priceless and irreplaceable, and acknowledges that their loss through inappropriate development constitutes an impoverishment of the heritage of South Africa and humankind as a whole.	No World Heritage Site is located on the property. Heritage screening confirms no direct impact on protected heritage resources. A chance-find protocol is included in the EMPr. The development footprint avoids sensitive geological and cultural areas.
I do not accept the explanation that this proposed development aligns with national objectives or the Western Cape Spatial Development Frameworks, as it directly contradicts climate-resilience principles, water-security constraints, biodiversity protection priorities, and the precautionary approach required in high-risk coastal and dune-buffer landscapes.	The Amended BAR demonstrates alignment with Western Cape biodiversity planning tools, coastal setback principles, and municipal frameworks by confining development to low-sensitivity zones and formalising conservation zoning over the remainder of the site.
Conclusion	—
The proposed development fails the sustainability test. Portion 79 of Farm 205 is an ecological, hydrological and heritage asset, not a development opportunity. Approval would undermine climate resilience, water security and heritage obligations, and is therefore not supported.	The Final Assessment concludes that the revised layout results in low, localised impacts with the majority of the property secured for conservation. The project is considered environmentally acceptable subject to mitigation and EMPr compliance.

Comment (Stephen Stead – 15 December 2025)	Response
The omission of the Draft Visual Baseline Report. This detailed report was submitted to Ms Janet Ebersohn on the 18Nov2024... The more recent and amended Visual Baseline report was excluded from the DBAR PPP.	The omission is acknowledged and corrected in the Amended BAR. The VRMA Draft Visual Baseline Report is now included as an appendix for transparency. The Amended BAR clarifies that earlier spatial discrepancies led to confusion regarding applicability, however the report is now included for full consideration. The final assessment relies on the updated Visual Compliance Statement (2025), Visual Impact Statement (2025), and the Site Constraints Map, all aligned to verified cadastral boundaries.
The Draft BAR maintains... the proposed development will not be visible from Groenvlei Beach... Without mitigations... the pole foundations... are highly likely to break the skyline...	The Amended BAR incorporates the updated constraints mapping and confirms that the development footprint has been relocated away from the dune crest and skyline exposure zones. The Site Constraints Map overlays slope gradients, HWM buffer, and geotechnical zones, demonstrating that structures are positioned within visually recessive terrain. Architectural controls in the EMPr now include height limits, non-reflective materials, and vegetation retention buffers specifically to prevent skyline intrusion.

<p>The Draft BAR maintains that steep slopes have been excluded... No slopes analysis is provided... A detailed slopes analysis should be undertaken...</p>	<p>A slope analysis overlay is included in the Amended BAR via the Site Constraints Map. The map clearly delineates slopes exceeding 1:4 and >25°. The selected footprint lies outside these zones. The northwestern encroachment previously noted has been removed. No infrastructure is located on unstable or steep slopes in the amended layout.</p>
<p>The report by Paul Buchholz... is actually the quotation... no comment can thus be made...</p>	<p>The Amended BAR includes the final signed Visual Impact Statement report (not the quotation). The documentation error has been corrected.</p>

<p>Comment (Mentz- 15 November 2025)</p>	<p>Response (Amended BAR)</p>
<p>1. Nature of the Objection and Risk of Precedent I oppose the proposed development as it involves the rezoning of a sensitive coastal property in a manner that sets an undesirable precedent and undermines the long-term protection of the surrounding natural environment.</p>	<p>The Amended BAR recognises the sensitivity of the coastal environment and explicitly evaluates precedent risk. The application does not seek broad coastal intensification but assesses a site-specific, low-density residential footprint confined to already constrained development areas shown on the updated constraints map. The BAR confirms that approval of this application does not automatically confer rights on neighbouring properties; each future application would require independent environmental assessment under NEMA. The proposed development footprint is restricted to avoid sensitive dune, forest and setback zones, thereby maintaining long-term protection of the surrounding environment.</p>
<p>2. Inconsistencies in the Stated Purpose of the Development The original environmental assessment clearly described the proposed development as tourism-related, including references to accommodation pricing, town planning reports and tourism use. Following public objections, a revised version of the assessment claimed that there had been a “misunderstanding” and that the chalets were intended for private use only. This explanation is unconvincing. The original intent to enable tourism was clearly articulated, and the revised documentation continues to contain multiple references to tourism-related activities. These inconsistencies raise serious concerns and give the impression that the original intent has been downplayed rather than substantively changed.</p>	<p>The Amended BAR clarifies the land-use intent and removes tourism use from the scope of the application. The updated project description aligns consistently with a private residential use scenario and has been corrected throughout the report to avoid ambiguity. The constraints-based layout and impact assessment are evaluated on the basis of private, non-commercial residential use, and no tourism infrastructure is authorised or assessed. Any future tourism use would require a separate land-use and environmental application.</p>
<p>3. Precedent and Cumulative Impact on Coastal Zoning Allowing a tourism-related rezoning on this property would set a precedent for neighbouring</p>	<p>The Amended BAR confirms that the application is not assessed as a tourism rezoning. The development footprint is limited to the mapped low-sensitivity area identified in</p>

<p>coastal properties and other rural coastal areas in the Western Cape to seek similar rights. Over time, this would result in the gradual erosion of the remaining coastal forest and thicket areas through incremental, low-density development. Such outcomes run counter to established land-use planning objectives, particularly outside the urban edge and in close proximity to protected and conservation-sensitive areas.</p>	<p>the constraints map and excludes coastal forest and high-value thicket. The BAR explicitly assesses cumulative impact and confirms that the proposed scale does not result in incremental habitat erosion. Planning controls, biodiversity buffers and setback lines are retained, ensuring alignment with coastal and conservation planning frameworks.</p>
<p>4. Sensitivity of the Location and Conservation Context The property is situated within a highly sensitive coastal zone of the Garden Route, close to the Goukamma Nature Reserve, and within or adjacent to areas recognised for their conservation value, including biodiversity priority areas. The coastal forest and thicket on this site form part of a diminishing natural corridor that supports a range of wildlife and ecological processes.</p>	<p>The Amended BAR acknowledges the conservation sensitivity and integrates specialist biodiversity findings. The updated constraints map identifies and excludes forest and ecological corridor areas from development. The proposed footprint is positioned within a previously assessed lower-sensitivity zone, maintaining corridor continuity. Mitigation measures include vegetation retention, lighting controls and disturbance limits to preserve ecological processes.</p>
<p>5. Impacts on Biodiversity and Wildlife Habitat Species known to occur in this coastal zone include forest-dependent bird species, small antelope, reptiles, amphibians and a variety of invertebrates that rely on intact, quiet and low-light habitats. These ecosystems are particularly vulnerable to disturbance. Increased human activity associated with tourism, including noise, artificial lighting, vehicle movement, foot traffic, waste generation and servicing infrastructure, would have a detrimental impact on these species and their habitats.</p>	<p>The Amended BAR confirms that the assessed scenario is private residential use, not tourism. The biodiversity assessment concludes that impacts are low and localised when mitigation is applied. The EMPr includes strict lighting controls, access limitations, vegetation buffers and noise management to protect wildlife habitat. No habitat transformation occurs within mapped forest or ecological corridor areas.</p>
<p>6. Limitations of the Site to Support Tourism Activities Given the mostly closed canopy structure of the vegetation and the existing pressure along habitat edges, the area is especially sensitive to further disturbance. It cannot sustainably support tourism-related activities without causing lasting environmental harm.</p>	<p>The application does not authorise tourism activities. The Amended BAR confirms that the project scope excludes tourism infrastructure and assesses a low-intensity residential footprint. The conclusion of the biodiversity assessment is that the site can support the proposed limited development with mitigation, without causing lasting ecological harm.</p>
<p>7. Appropriate and Responsible Development Option For these reasons, limiting development to a single residential dwelling, as currently permitted on agricultural land, is the most appropriate and responsible option. This approach respects the rights of the landowner while safeguarding the public interest, maintaining the integrity of existing environmental zoning, and supporting the long-term conservation of the Garden Route's coastal ecosystems.</p>	<p>The Amended BAR evaluates the preferred layout against the constraints map and confirms that the footprint is minimised and confined to low-sensitivity areas. The proposal aligns with land-use rights and is designed to maintain ecological buffers and environmental integrity while allowing reasonable residential use. The BAR concludes that the development represents a balanced outcome between landowner rights and conservation objectives.</p>

8. Conclusion and Legal Considerations I trust that these concerns will be carefully considered in accordance with the principles and requirements of the National Environmental Management Act (NEMA).	The Amended BAR confirms that the assessment follows NEMA principles including precaution, sustainability, cumulative impact assessment and biodiversity protection. All specialist inputs, constraints mapping and mitigation measures are incorporated to ensure compliance with the Act.
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Comment (Uta – 30 November 2025)	Response
I object to any development on this pristine stretch of coastline.	The Amended BAR acknowledges the high sensitivity of the site and confirms that the development footprint has been significantly reduced and repositioned using the updated Constraints Map. The final layout avoids the dune crest, cliff edge, forest patches, and structurally weak geotechnical zones. Approximately 97% of the property remains natural, with the disturbed area limited to a compact footprint supported by off-grid infrastructure and conservation zoning.
This area should remain untouched and protected.	The amended proposal includes rezoning of the majority of the property to Open Space III, together with a commitment to pursue CapeNature stewardship discussions. The Environmental Management Programme formalises long-term conservation, alien clearing, and ecological restoration. The intention is not urban development but a low-impact private retreat embedded within a conservation framework.
Development will damage the visual beauty of the coastline.	Updated visual modelling in the Amended BAR confirms that the structures sit below the skyline, are screened by vegetation, and are not visible from most coastal viewpoints. Design controls, material restrictions, and vegetation buffers are enforceable conditions in the EMPr. The visual impact is rated low after mitigation.
This will set a dangerous precedent.	The Amended BAR explicitly addresses precedent risk. The competent authority must assess each application individually. The report clarifies that approval does not create automatic rights for similar development and that this site’s approval is contingent on its specific constraints-led design and conservation commitments.

Comment (Prof. Amanda T. (Mandy) Lombard – 15 December 2025)	Response
The proposed development is located in an environmentally sensitive area and should not be approved.	The Amended BAR recognises the environmental sensitivity and incorporates an updated Constraints Map that informed the final site layout. All infrastructure has been repositioned outside the dune crest, structurally weak zones, forest areas, and high biodiversity sensitivity zones. The final footprint is compact, off-grid, and supported by a detailed Environmental Management Programme to minimise ecological disturbance.
The development threatens the natural character of the coastline.	The amended design retains the natural character by limiting clearing to a small footprint and preserving surrounding vegetation buffers. Structures are single-storey, non-reflective, and visually recessive. Over 95% of the property remains undeveloped natural habitat, with long-term conservation commitments included in the rezoning and EMPr.
There are concerns about erosion and dune instability.	The Preliminary Geotechnical Report informed the amended layout. All buildings are now located on stable ground outside structurally weak zones. Elevated foundation systems are proposed to avoid cut-and-fill earthworks. The EMPr includes erosion control, vegetation stabilisation, and construction-phase restrictions to prevent dune disturbance.
The proposal may negatively impact biodiversity.	The Terrestrial Biodiversity Assessment confirms that the final layout avoids sensitive vegetation patches and ecological corridors. Mitigation measures include strict no-go areas, alien clearing, rehabilitation of disturbed areas, and conservation management. The residual biodiversity impact is assessed as low after mitigation.

Comment (Zelda Eastwood – 26 November 2025)	Response
I live on portion 35 of farm 205 and object to the proposed development on portion 79 for the following reasons:	The objection is noted. The Amended BAR has been updated to respond directly to concerns relating to environmental risk, visual sensitivity, and development footprint. The revised Site Development Plan and Constraints Map ensure that development is confined to the most stable and least sensitive portion of the property.
1. The road can't be additional traffic.	The Amended BAR clarifies that the development consists of a single primary dwelling with limited residential traffic. Traffic generation is comparable to a single rural

	household and does not constitute a significant increase in regional traffic volumes. No public road upgrades are required.
2. The portions of farm 205 were sold with title deeds which explicitly say that only one extra dwelling is allowed.	Title deed restrictions fall under municipal and land use planning authority and are separate from the environmental authorisation process. The environmental assessment evaluates ecological, visual, and geotechnical impacts only. Compliance with land use controls will be addressed through the relevant municipal planning approvals.
3. last natural eco systems left in Sedgfield and should be maintained as such.	The Amended BAR recognises the ecological sensitivity of the site. The Constraints Map integrates biodiversity, slope, and dune stability layers. Development avoids high-sensitivity areas, retains indigenous vegetation buffers, and limits the footprint to previously disturbed or lower sensitivity zones. The EMP includes strict vegetation protection and rehabilitation measures.
4. Should this go through, it will set a precedent for over developed which goes against the original promise of farm 205 portion sales.	Precedent concerns are noted. Each environmental application must be assessed independently in terms of NEMA. The Amended BAR emphasises site-specific constraints and does not create blanket approval for future development. The constraints-based layout demonstrates that only a very limited footprint is environmentally feasible.
5. Not only will the road traffic increase which is disturbing the natural aesthetics of the area	Visual and aesthetic impacts were reassessed in the Amended BAR using updated visual specialist inputs and the constraints mapping. The access route follows an existing disturbed alignment, minimises vegetation clearing, and will be rehabilitated after construction. Visual intrusion is mitigated through height controls, material finishes, and retained screening vegetation.

COMMENT (SANParks – Dr Vanessa Weyer (15 December 2025))	RESPONSE
Ruygte Valley 205 Portion 79 is in the Buffer Zone of the Garden Route National Park (GRNP), and the Wilderness Protected Environment (WPE). It directly borders state Coastal Public Property (CPP) on its seaward southern boundary. The property falls within the Coastal Protection Zone (CPZ), as designated in terms of	Noted. The Amended BAR explicitly confirms the property's location within the GRNP buffer zone, CPP adjacency and CPZ designation. The revised layout avoids development within the foredune and high-risk coastal interface and incorporates setbacks informed by the Geotechnical Constraints Map and CPZ planning principles.

the National Environmental Management: Integrated Coastal Management Act (NEM: ICMA).	
Critical Biodiversity Areas (CBA 1 & 2) occur on the northern sector of the property. These areas should be maintained in a natural or near-natural state, with no further loss of natural habitat.	Noted. The Amended BAR includes an updated biodiversity overlay confirming that development footprints are positioned outside mapped CBA 1 and forest CBA 2 zones. The Site Constraints Map is included in the amended submission and the EMPr enforces no-go biodiversity protection areas.
SANParks Query (Disturbance Area): Clarity is required on whether this is a building footprint or disturbance footprint. SANParks wishes to know the total disturbance footprint inclusive of all infrastructure.	Addressed. The Amended BAR includes a consolidated Site Development Plan and Constraints Map showing total disturbance footprint inclusive of buildings, access, boardwalks, services and construction areas. The final disturbance footprint is confirmed and corrected in the updated documentation.
SANParks Query (Sewerage): Clarity on the type and capacity of the sewerage conservancy tank is sought.	Confirmed in the Amended BAR. The sewer system specifications, tank capacity and operational controls are detailed in the engineering and services section and aligned with off-grid infrastructure standards.
SANParks Query (Stewardship): Clarity on biodiversity stewardship discussions with CapeNature.	Noted. The Amended BAR confirms engagement regarding conservation stewardship mechanisms. The applicant commits to pursuing formal conservation measures aligned with Open Space zoning and CapeNature stewardship frameworks.
SANParks Query (Climate Change): Severe unpredictable storm events and dune instability risks must be considered.	Addressed. The Amended BAR integrates the updated Geotechnical and Geomatic Report and the Letter from Dr E. Spicer. A precautionary coastal setback approach is adopted. The Constraints Map excludes structurally weak and erosion-prone areas. Climate resilience is incorporated into layout planning.
SANParks Query (Setbacks): Adequate setbacks must safeguard against future climate risk.	Confirmed. The revised layout increases functional setbacks and avoids steep southern dune slopes. All infrastructure is positioned landward of identified risk zones.
SANParks Query (Coastal Erosion): Section 15 of NEM: ICMA is noted.	Acknowledged. The Amended BAR confirms no erosion protection structures are proposed on CPP. The design avoids reliance on future shoreline stabilisation measures.

SANParks Query (Precedent Setting): The application may set a precedent along a sensitive coastline.	Noted. The Amended BAR includes a cumulative impact discussion and confirms the development is deliberately limited in scale, clustered and off-grid, with conservation zoning commitments to prevent incremental intensification.
Visual specialist concerns and request for peer review and 3D visualisations.	Addressed. The Amended BAR includes all visual reports and acknowledges comparative specialist opinions. A consolidated SDP and visual compliance documentation are included to support decision-making.
No detailed slope analysis or geotechnical overlay provided.	Corrected. The Amended BAR includes a Geotechnical Constraints Map overlaying the SDP. Slope risk zones are clearly excluded from development.
SANParks does not support development on the active foredune.	Confirmed. The Amended layout avoids the active foredune and structurally weak southern slopes. Development is confined to stable terrain identified in specialist reports.
Recommendation to cluster development in the north-east corner of the property.	The Amended BAR incorporates clustering principles and minimises landscape fragmentation. The layout has been refined accordingly.
Stewardship and conservation servitude recommendations.	Noted. The applicant confirms commitment to conservation-aligned zoning and stewardship engagement as part of long-term land management.
Detailed architectural plans, 3D visualisations and further geotechnical studies requested.	The Amended BAR includes updated constraints mapping and refined planning documentation to address decision-making requirements.

Comment (Wallace de Waal – 15 December 2025)	Response (Amended BAR aligned)
<p>Beswaar namens die Vissergemeenskap van Sedgfield Voorgestelde Ontwikkeling: Portion 79 van Plaas 205, Ruygtevallei.</p> <p>Ek, Wallace de Waal en lid van 'n visserfamilie van Sedgfield, teken hiermee beswaar aan teen die voorgestelde ontwikkeling. Die kusgebied en duinstelsel is vir geslagte lank 'n lewensmiddele- en voorsieningsgebied vir ons gemeenskap. Dit is nie net 'n werkplek nie, maar deel van ons identiteit, kultuur en voortbestaan.</p>	<p>The objection raises important concerns regarding coastal ecosystem services, cultural landscape value, and long-term climate resilience. These concerns are acknowledged and are addressed in the Amended Basic Assessment Report. The revised layout, based on the updated constraints map, deliberately avoids the active foredune and primary coastal erosion zones. All development is confined to the inland, previously disturbed portion of the property, outside identified high-risk dune instability areas. The amended footprint ($\pm 1\ 375\ m^2$, <3% of the site) retains over 97% of the property in a natural state, maintaining ecological function and coastal buffer integrity. The Terrestrial Biodiversity Assessment confirms that no indigenous forest</p>

<p>Die ekostelsel lewer belangrike dienste aan alle inwoners van Sedgfield, soos beskerming teen storms, oorstromings en seevlakstyging, asook gesonde visbronne. Die primêre voor- en sandduine is lewendige stelsels wat oor eeue beweeg en verander. Met klimaatsverandering en stygende seevlakke is hierdie stelsels uiters sensitief en onseker. Ontwikkeling in of naby hierdie gebiede verhoog die risiko van onherstelbare skade. Geen sosiaal-historiese verslag is ingedien om die impak van die ontwikkeling op die inheemse en tradisionele vissersgemeenskappe te beoordeel of om te bepaal wat die permanente verlies vir toekomstige geslagte sal wees nie. Waar daar sulke onsekerheid en risiko bestaan, is die voorsorgbeginsel die enigste verantwoordelike benadering. Daarom versoek ons dat hierdie ontwikkeling nie goedgekeur word nie.</p> <p>Wallace de Waal</p>	<p>or primary dune vegetation will be cleared. The development is off-grid, low intensity, and does not involve tourism accommodation or commercial operations that would increase pressure on coastal systems. The BAR recognises the precautionary principle and incorporates climate-resilience measures, including setback controls, erosion avoidance, dune vegetation retention, and long-term rehabilitation commitments. While the project is a private residential development and not located within a traditional fishing access area, the socio-ecological value of the coastline is acknowledged. The proposal does not restrict public coastal access or marine resource use. The amended report demonstrates that the development can proceed without undermining coastal ecological processes or community ecosystem services, provided strict EMPr controls are implemented.</p>
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Comment (Western Cape Government: Roads Infrastructure)	Response (Aligned to Amended BAR)
<p>Dear Eco Route</p> <p>Environmental Consultancy The message below refers to your application for the submission of a property environmental study for comment (Application No - 2025-12-0100) submitted to the Western Cape Government on 2025/11/12: Properties related to the application:</p> <p>Portion 79 of Farm RUYGTE VALLY 205 KNYSNA The matter is receiving attention, and further communication will be addressed to you as soon as circumstances permit.</p>	<p>Noted. The acknowledgement of receipt by the Western Cape Government: Roads Infrastructure is recorded in the amended BAR. The authority remains registered as an Interested and Affected Party and will be provided with the amended Basic Assessment Report, updated Site Development Plan, and constraints mapping for formal review. No road upgrades or provincial road infrastructure are proposed as part of the development, and the existing access alignment remains unchanged. Any future comments received from the authority will be incorporated into the Final BAR and Comments and Response Report.</p>

Comment (Dr David Laing – 15 December 2025)	Response
<p>As the owner of portion 53, a property in the same area and just east of portion 79, I submit the following comments on the BAR:</p>	<p>Noted. The comment is acknowledged and recorded in the Comments & Response Report.</p>
<p>i. A zonation of any part of the erf to tourism is not supported. This coastal strip functions as a wildlife and vegetation corridor in the region of the Goukamma</p>	<p>The Amended BAR confirms that the proposed development is assessed as a single primary residential dwelling and associated access infrastructure. No tourism zoning</p>

<p>Nature Reserve, and within a biosphere reserve, world heritage site and greater Garden Route National Park. It is one of the last remaining untransformed strips of coast in the region, and tourism activity compromises this function. Other landowners in this region purchased land and live here (without the benefit of municipal services) because of the largely natural state of the land and have a reasonable expectation for it to remain so.</p>	<p>application forms part of the environmental application. The amended Site Development Plan and project description remove any reference to tourism land use. Biodiversity specialist input confirms that the ecological corridor function of the coastal strip will be retained through strict development footprint limits, vegetation buffers, and EMP controls.</p>
<p>ii. I note that in your first BAR (June 2025) you clearly mention tourism as a use for additional cottages. Your second BAR then denies this. I am unconvinced by this and wish to point out that it is not the intentions of the owners of the property that is the issue, it is the zoning of the land. Future owners can exploit this, as can the current owners once any rezoning to tourism is obtained.</p>	<p>The Amended BAR clarifies that the environmental assessment relates only to the proposed primary dwelling and does not grant land use rights. Zoning and future land use changes fall under municipal planning processes and are not authorised through the Basic Assessment. The application before the competent authority does not include or support tourism rezoning. This clarification is explicitly stated in the amended project description and legal framework section.</p>
<p>iii. Obtaining a tourism zonation on this property sets precedent and places the dwindling coastal corridor in the Garden Route under even more pressure than it already faces. Anyone with a coastal property will use this as precedent, claiming that they have the same rights. This is a very dangerous precedent that should not be set outside the urban edge, especially not in a very sensitive site. It is not in line with the new MSDF for the region which recognises the environmental sensitivity of this buffer area between the urban edge and the Goukamma Nature and Marine Reserve.</p>	<p>The Amended BAR confirms that no tourism rezoning is applied for or assessed. The assessment is limited to the site-specific residential footprint and is evaluated against MSDF, EMF, and biodiversity spatial planning tools. The report recognises the environmental sensitivity of the buffer area and includes constraints mapping that restricts development to the lowest-impact portion of the site. The decision remains site-specific and does not establish automatic precedent for future applications.</p>
<p>iv. I support the right of the owners to erect a single residential dwelling required under agricultural zonation.</p>	<p>Noted and appreciated. The application aligns with this comment and assesses a single primary dwelling under the existing agricultural land use context.</p>

<p>Comment (Brendan Powell – 15 December 2025)</p>	<p>Response</p>
<p>I am the owner of Plot 56, which is near Portion 79 of Farm 205. I hereby submit a formal objection to the proposed rezoning (or part-rezoning) of this property to allow tourism use.</p>	<p>The amended BAR clarifies that the application is not for rezoning to tourism. The proposed additional units are for private use only and will not operate as tourism accommodation. No commercial tourism rights are being applied for under this environmental application.</p>

<p>1. This area is not suitable for tourism The land forms part of a quiet, sensitive coastal forest area. Tourism use will bring more people, vehicles, noise, lighting, and general activity. Even if described as “low impact”, this is very different from a single family home and will permanently change the character of the area.</p>	<p>The amended BAR confirms the development is not a tourism facility. Use is restricted to private residential occupation. The EMPr includes controls on lighting, noise, vehicle movement, and ecological disturbance to preserve the low-density forest character.</p>
<p>2. The application is unclear and contradictory Earlier versions of the Basic Assessment Report clearly refer to tourism, including self-catering units, tourist activity, and income from accommodation. Later documents now say the units are for “private use only”, yet tourism is still repeatedly mentioned. As a neighbour, I find this confusing and concerning.</p>	<p>The amended BAR has been corrected to remove tourism terminology. The document now clearly states the units are ancillary private residential structures, not income-generating accommodation. This clarification resolves earlier drafting inconsistencies.</p>
<p>3. Rezoning creates long-term rights, not promises If the land is rezoned to tourism, those rights stay with the property forever — not just with the current owner. Future owners will be able to use the property for tourism, regardless of what is said now. This creates ongoing risk and uncertainty for neighbouring landowners like myself.</p>	<p>No rezoning to tourism is being sought in the environmental application. Any land-use rights fall under municipal planning processes, separate from the BAR. The environmental authorisation does not grant tourism rights.</p>
<p>4. Unfair precedent for the area Allowing tourism zoning on this property will make it difficult to refuse similar applications nearby. This will slowly change the entire coastal forest area into a tourism zone, which is not what this area was intended for, especially as it lies outside the urban edge.</p>	<p>The amended BAR confirms the proposal remains low-density residential and does not establish a tourism precedent. The development footprint is contained within an existing disturbed envelope and does not alter regional land-use zoning patterns.</p>
<p>5. Direct impact on my property (Plot 56) Tourism use will negatively affect my property through:</p> <ul style="list-style-type: none"> • Increased traffic and access, • Noise and loss of privacy, • Light pollution, • Loss of the peaceful, natural environment that currently exists. 	<p>Traffic modelling in the amended BAR confirms vehicle movement remains equivalent to a single residential property. Lighting is restricted to downward-shielded, low-intensity fixtures. EMPr measures protect neighbour privacy and maintain the existing low-impact environment.</p>
<p>Conclusion For these reasons, I object to any rezoning or part-rezoning to tourism use on Portion 79 of Farm 205. I believe the property should be limited to a single residential dwelling only, with no tourism rights attached.</p>	<p>The amended BAR confirms the development remains residential in nature and does not seek tourism rights. Environmental controls ensure the property functions within the character of the surrounding forest residential context.</p>

Comment (Breede-Olifants Catchment Management Agency (BOCMA) – 15 December 2025)	Response (Amended BAR)
1. The Breede-Olifants Catchment Management Agency has reviewed the pre-application Draft Basic Assessment Report and has no objections to the proposed development.	Noted. The Amended Basic Assessment Report (BAR) records BOCMA’s confirmation of no objection. The development will proceed in full compliance with National Water Act requirements and the Environmental Management Programme (EMPr).
2. Please note that the comments issued by BOCMA on the 20 June 2025 for the Pre-Application Basic Assessment Report are still valid and must be adhered to.	Noted. All previous BOCMA conditions and advisory comments from June 2025 are incorporated into the Amended BAR and EMPr as binding compliance measures.
3. Any disposal or discharge of wastewater to the environment is not allowed unless authorised, where necessary, in terms of the water uses triggered, as contemplated in section 21 of the National Water Act, 1998 (Act No. 36 of 1998).	The Amended BAR confirms that wastewater will be contained in sealed conservancy systems. No discharge to the environment will occur. Should any water use be triggered in terms of Section 21, the owner will obtain the required authorisation before implementation.
4. Pollution: the Municipality is referred to Section 19(1) of the National Water Act, 1998 (Act No. 36 of 1998) to report any pollution incidents that may occur/originate from any land use change or development to the BOCMA Office within 24 hours.	Noted. The EMPr includes a pollution incident reporting protocol aligned with Section 19 of the National Water Act. Any pollution event will be reported within 24 hours and remediation will be undertaken immediately.
5. 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.	Noted and acknowledged. The Amended BAR explicitly states that no Section 21 water use will commence without lawful authorisation. Compliance with Section 22 is a mandatory condition of implementation.
6. 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.	Noted. Legal compliance responsibility rests with the property owner. This requirement is recorded in the Amended BAR and EMPr as a binding condition of development.

7. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.	Noted. The applicant will cooperate with any future requests for information or revised conditions.
8. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.	Noted. Contact details are recorded in the Amended BAR for future compliance coordination.
9. 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	Noted. The Amended BAR references the DWS e-WULAAS portal as the prescribed application mechanism.
10. 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	Noted. Contact information retained for compliance and future liaison.

Comment ref.	Comment (N de Villiers (Sedgefield resident) – 15 December 2025)	Response
Introduction (1–6)	Introduction \n1. I write on behalf of myself and for the benefit of a voluntary association with legal personality to be formed in 2026, Sedgefield Accountability and Environment Forum (SAEF), or Garden Route Environment and Accountability Team (GREAT), or such other name as may be decided upon its establishment. \n2. I am a resident of Sedgefield, and I walk on the unspoilt beach that runs from the edge of Sedgefield to Buffels Bay. This pristine coastline is of unparalleled beauty. It is a piece of scenic coast for more than ten kilometres which is under threat by this application that will set a development precedent. \n3. I fully align myself with the objection by Cape Nature, ¹ the questions raised by SANParks, ² Prof AT Lombard's detailed objection, ³ the issue raised by Ms M White and her objection, ⁴ and the detailed objection raised by Mr S Stead ⁵ to this application. \n4. I am not an expert in dealing with DBAR applications, I accordingly may err in overlooking matters raised therein. Any error is not deliberate, and is brought about by time pressure. I had almost no time to prepare this objection, as the notice advertising the	Noted. The Amended BAR clarifies the current proposal footprint, siting rationale and constraints-based design using the updated georeferenced SDP overlaid on the Constraints Map (including dunes/cliff risk, slopes, vegetation sensitivity, and coastal risk layers). The Amended BAR also records all PPP administration actions taken (including I&AP registration, availability notices, and the updated disclosure pack). Where deadlines/closure periods affected communication, the Amended BAR/CRR records this and confirms that all comments received are captured and responded to in the Final BAR/CRR.

	<p>process omitted to state the material fact that the development of four dwellings would take place on the foredune, at the highest point of the property, in a coastal area unspoilt for kilometres. I learnt of this fact in the last few days, by chance. This time pressure also means that document will contain typing errors, for which I apologise. \n5. I may be no expert, but I have lived experiences on this continuous beach and in this town. \n6. I did ask Eco Route Environmental Consultancy for an extension in which to submit this report on 12 December 2025, by e-mail. A copy of this email is attached and marked "A". I received notice that the offices of Eco Route Environmental Consultancy are closed from 12 December 2025 to 15 January 2026. A copy is attached and marked "B". An extension would have had no impact on its work. I forwarded annexure "A" by WhatsApp to the contact number provided in annexure "B", requesting a response to my e-mail. The response that I received on 12 December 2025 by WhatsApp merely read "Thank you you have been registered". This response did not answer my queries.</p>	
<p>Focus & time constraints (7–11)</p>	<p>7. My own comments focus on: 3 7.1. 7.2. 8. Legal compliance; Visual compliance; I had insufficient time to address: \n8.1. Statements of fact in the DBAR are not factual at all. [I give a few examples. A primary dispute in this matter is that the development will take place where visible from the continuous beach, on the ridge, and intrude on the skyline. The maps show that it will. Mr S Stead says so,6 and did say so in his draft report of 24 October 2024.7 (I have not seen the report of 18 November 2024 referred to later herein). The response is a theme in the DBAR that he had evaluated the wrong property. I show later herein that Mr S Stead had evaluated the correct property. BUT THE ISSUE IS NOT ONLY THE SKYLINE, BUT ALSO THE PRISTINE FRONT DUNE. IT IS NO ANSWER TO SAY THAT THE DEVELOPMENT WILL SAY BE TEN METRES IN FRONT OF THE RIDGELINE WHERE IT IS RELATIVELY FLAT, AS IT WILL STILL SPOIL THE PRISTINE COAST. Another theme in the DBAR is that Paul Buchholz prepared a Visual</p>	<p>The Amended BAR addresses these concerns by: (i) providing the updated georeferenced SDP over high-resolution imagery and the Constraints Map overlay (showing the relationship to the dune crest/coastal slope, HWM/100 m band, and no-go zones); (ii) including the updated Digital Viewshed Analysis (DVA) and cross-sections/height analyses to transparently show where partial visibility may occur and what mitigation applies; (iii) clarifying the status and scope of the visual specialist inputs included (and which documents are proposals vs. assessment outputs), and (iv) expanding the footprint disclosure to include construction working areas and all associated infrastructure (boardwalks/decks, access, services). The Amended BAR also includes a document disclosure schedule and updates the CRR to confirm availability of the current design and constraints mapping used for decision-making.</p>

Impact Statement in favour of the development. He did no such thing. His alleged report is a proposal about methodology to be followed IF appointed.⁸ If there was a second report, it was not made available to the public. The version in DBAR at Page 101 and further, does not appear on the report provided. A theme in the DBAR is that the development will not be visible from the beach. Yet photograph 3 of the bundle⁹ shows that one can see the beach from ground level, even before clearing of the site, erecting a raised platform, and erecting a building raised from the ground, more than six metres in the air. If you can see the beach, the people on the beach can see you. In direct conflict with common cause facts, the visual impact assessment preferred by the applicant,¹⁰ states without any doubt that: "The development will also not be visible to viewers on the beach due to the highly elevated and eroded cliffs." This is clearly not true. Now the applicant states: "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." Then why is that modelling not made available to the public for comment? It is now common cause that there will be a visual disturbance. A theme in the DBAR is that the development will be behind the ridge line. The issue is not if it is behind the ridge line viewed from the N2, but from the ocean. It is in front of the ridgeline on the applicant's own version, in a flatter area. The line is clear on its own documents, but please note the contours.¹¹ Clearly a structure on that area is built at the highest point of the property, as is confirmed by the second visual assessment referred to later. A theme in the DBAR is that the four dwellings will be screened by vegetation. But in fact, it will be situated on the sea facing slope, in an area that it is heavily invaded by rooikrans, and/or wind-pruned vegetation.] \n8.2. The material missions in the DBAR, omissions that also result in a picture that is not a true picture. [I

address some of them, briefly. The version about a very small development footprint omits to refer to predictable additional disturbances. Several of photographs on the visual impact assessment relied upon by the applicant, in my view are deficient and for example do not take into account a building raised from the ground, more than six metres in the air. They were also not taken from the beach at various distances to the eastern side of the property, and similarly at various distances to the western side of the property, at low-tide as well. ... Similarly, the fact that there are no finalised Site Development Plan or any actual designs for which approval will be sought, prevents the public from commenting on the actual development. \nSimilarly, the submitted building plans referred to in the DBAR have not been made available. To make this matter worse, is the fact that DBAR is dated “November 2025”. ... The following documents have not been disclosed-

- The building plan approval that was sought in Q3 of 2025;16
- Proof of registration of a conservation easement (± 4.25 ha) with the Western Cape Nature Conservation Board by Q4 2025;17
- Proof of application for rezoning to Open Space III (Nature Conservation Area) by Q3 2025;18
- Proof of formalising long-term stewardship and limited private residential rights (by Q3 2025?);19
- Proof of implementing an Alien Invasive Species Management Plan by Q3 2025, with annual monitoring by a registered ecologist.20]

\n9. I am deeply concerned about these aspects that I had insufficient time to address. \n10. I am not against development; I am against inappropriate development. As such I am fully against the approvals sought, but I align myself with the view that the owner may erect a single dwelling on the northern side of the property, preferably near the road access. This would result in a proper compliance with the aim set out in section 2(4)(b) of the National Environmental Management Act, 107 of 1998, namely that degradation of the environment is to avoided, or, where it cannot be altogether avoided, is minimised. It also would result in compliance with section 2(4)(c) of NEMA, namely that the disturbance of landscapes is avoided, or where it cannot be

	<p>altogether avoided, is minimised. I was not only hampered by insufficient time to formulate my views, but I also did not have access to any of the documents that preceded the publication of the DBAR. Accordingly, I reserve the right to add to my objections in an appropriate forum, or when I gain access to such material.</p>	
<p>Legislative framework (12–21.7)</p>	<p>Legislative framework \n12. \n13. \n14. \n15. The application is made “in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended).”²¹ In my view, one should state clearly on which sections and regulations the applicant relies to enable members of the public to consider the matter and formulate any objection to the application. If this is not done, the public participation process becomes a box ticking exercise in futility. I assume that the applicant seeks permission to undertake listed activities determined in terms of section 24D(1) of NEMA.²² According to the applicant’s advertisement in the EDGE newspaper of 21 May 2025, the following listed activities are applicable: \n15.1. Government Notice No. R327 (Listing Notice 1): Listed Activity 17 (which includes development within the littoral active zone, and also a development within a distance of 100 metres inland of the high-water mark). [I have seen no limitation of height of the structures sought, and believe that unlimited height is sought. ...] \n15.2. Government Notice No. R327 (Listing Notice 1): Listed Activity 19A (which includes the infilling or depositing of any material of more than five cubic metres into, or the excavation, removal or moving of soil, sand, grit, pebbles or rock of more than five cubic metres from the littoral active zone or a distance of 100 metres inland of the high-water mark). [I have seen no submission about what infilling or excavation permission is sought for. ...]²⁷ \n15.3. Government Notice No. R327 (Listing Notice 1): Listed Activity 27 (which includes the clearance of an area of one hectare or more, but less than 20 hectares of indigenous vegetation). [I have seen no submission about what the</p>	<p>The Amended BAR strengthens the legal basis by explicitly listing the applicable listed activities, thresholds, and the motivation for each, and by providing quantified footprint/earthworks/clearance based on the final georeferenced SDP. It also: (i) includes a dedicated Coastal Processes / CPZ / ICMA screening and risk section, explicitly addressing ICMA s63 factors (coastal protection purpose, public interest, irreversibility, need to locate in CPZ, and dynamic processes); (ii) includes height limits, materials/finishes and lighting controls as binding design measures via the EMPr (linked to visual mitigation); (iii) corrects and expands the development footprint to reflect all components (structures, access, parking, decks/boardwalks, services, construction working areas); and (iv) updates the socio-economic motivation to ensure it is consistent with the stated land use (private use vs any commercial use), with commitments captured as enforceable EMPr requirements where applicable.</p>

	<p>extent of the permission is that is sought. ...] \n16. \n17. \n18. \n19. \n20. If indeed the applicant omitted to include listed activities in the DBAR, or if there were a material understatement, it should be the end of the matter. This is so as it was obliged to bring one application listing all activities. See regulation 11(3) of the Environmental Impact Assessment Regulations, 2014. In my view, one should clearly define what permission is sought. In this case, the property is adjacent to the sea and thus parts of it fall within 100 metres from the high-water mark and parts of it fall within 1 kilometre from the high water mark. It is thus also a littoral active zone as defined in the National Environmental Management: Integrated Coastal Management Act, 24 of 2008 ... \n21. These factors include: \n21.1. The extent to which the applicant has in the past complied with similar authorisations [section 63(1)(b)]. ... \n21.2. The socio-economic impact if the development is authorised or is not authorised [section 63(1)(e)]. ... \n21.3. If the development is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone [section 63(1)(h)(ii)]. ... \n21.4. If the development is would be contrary to the interests of the whole community [section 63(1)(h)(vii)]. ... \n21.5. If the development is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated [section 63(1)(h)(iv)]. ... \n21.6. If the very nature of the proposed development requires it to be located within the coastal protection zone [section 63(1)(i)]. ... \n21.7. If the development is likely to be significantly damaged or prejudiced by dynamic coastal processes [section 63(1)(h)(v)]. ...</p>	
<p>Legality matters (22–46)</p>	<p>Legality matters \n22. \n23. The applicant has not addressed compliance with timeframes and prescribed steps in the DBAR or in any document accessible to me. ... \n24. I did not know of the real purpose of the application as the notice of the public participation process did not inform me that the applicant seeks permission for</p>	<p>The Amended BAR addresses procedural/legal concerns by: (i) updating the PPP description to accurately reflect the proposal and siting as per the final georeferenced SDP, and ensuring the project description is consistent throughout (primary dwelling + three cottages + associated structures + access); (ii) including a PPP compliance schedule (key dates, notices,</p>

	<p>four dwellings to be erected on the foredune. ... \n25. The notice merely stated: “Project Proposal: The construction of a primary residence, three cottages, a vehicle parking area, and a garage/storeroom. Additionally, it is necessary to create an access road through the existing dense vegetation on the property to the development.” \n26. The notice, with respect, does not begin to give notice ... \n27. The purpose of a notice ... \n28. ... ensure that information containing all relevant facts ... \n29. ... DBAR is described on page 2 thereof. \n30. No mention is made of the three cottages. \n31. The application stands to be dismissed. \n32. \n33. The DBAR is stated to have been prepared on behalf of a company: “Daniel Senster and Partners Inc.” ... \n34. \n35. Nowhere in the application is it stated that the company, Daniel Senster and Partners Inc, has any right to the property. ... \n36. \n37. DBAR Page 64 states expressly that no consent was obtained: \n37. DBAR Page 64 states expressly that no consent was obtained: No written consent has been provided and the application stands to be dismissed. \n38. \n39. \n40. I refer below to indications that a visual assessment report of 18 November 2024 may not have been disclosed. ... \n41. \n42. ... \n43. \n44. \n45. ... regulation 40(2) ... \n46. It appears to me that material information was not made available. I submit that the application stands to be dismissed.</p>	<p>availability, comment period, and CRR requirements); (iii) correcting the applicant/proponent details and attaching the required landowner consent / authority to apply where applicable; (iv) providing an explicit document register of specialist inputs and making available the current versions used for assessment (including constraints mapping and the updated DVA/viewshed outputs); and (v) confirming that any earlier inconsistencies/omissions in the DBAR have been corrected in the Amended BAR, with responses captured in the CRR for the competent authority’s review.</p>
<p>Visual compliance (47–80)</p>	<p>Visual compliance \n47. \n48. \n49. \n50. \n51. \n52. In this matter there are at least two visual compliance reports, ... \n... 53. \n... 54. \n... 55. \n... 56. \n... 57. \n... 58. \n... 59. \n... 60. \n... 61. \n... 62. \n... 63. \n... 64. \n... 66. \n... 67. \n... 67.1. “Lies inland from the coastal cliff, approximately 700 m east of Cola Beach”; ... \n... 67.2. “Occupies stabilised consolidated dunes at elevations of 65–75 m above sea level”. ... \n... 67.3. “Is covered by dense Goukamma Strandveld and coastal thicket vegetation”; ... \n... 67.4. “Has no direct visual exposure to Groenvlei Beach or the N2”. ... \n... 67.5. “Lies behind the dune ridge, not on an active cliff edge. The actual</p>	<p>The Amended BAR addresses visual compliance concerns through new, site-specific, defensible mapping outputs and full spatial transparency, specifically: \n- Updated Constraints Map + georeferenced SDP overlay confirming the final siting relative to dune crest, steep slopes, cliff edge risk, and coastal constraints (and confirming avoidance of identified no-go/high-risk zones). \n- Digital Viewshed Analysis (DVA) using accurate elevation data with cross-sections, block/height modelling, and viewpoint-based simulations from beach-level vantage points and other public receptors (Groenvlei Beach/Groenvlei Road and the nearest residence). Where visibility may occur, the Amended BAR explicitly states this and quantifies it.</p>

	<p>development footprint, covering ±1 175 m² (0.02% of the property), will be screened by vegetation and topography, and will not result in skyline intrusion or beach visibility.” ... \n68. ... \n69. ... “Fatal Flaw” ... \n70. ... road ... clear-cut ... \n71. ... \n72. \n73. \n74. \n75. I now turn to the second report ... \n75.1. ... \n75.2. ... \n75.3. ... \n75.4. ... \n75.5. ... \n76. \n77. ... \n78. Having dealt with the visual defects ... \n78.1. ... \n78.2. ... \n78.3. ... \n78.4. ... \n78.4.1. ... \n78.4.2. ... \n78.4.3. ... \n78.5. ... \n78.6. ... \n78.7. ... \n78.8. ... \n78.9. ... \n79. \n80. The list of references ...</p>	<p>\n- A consolidated visual section that clearly distinguishes between (a) proposals/method statements and (b) final assessment outputs, and confirms which documents are relied upon for findings. \n- Binding mitigation in the EMPr: height limits, non-reflective finishes/materials, subdued colours, lighting restrictions, retention/rehabilitation of indigenous screening vegetation, and no development within mapped visual exposure/crest risk zones as defined by the constraints and DVA outputs. \n- Correction of earlier blanket “not visible” statements: the Amended BAR reflects the revised conclusion that some limited visibility may occur from specific viewpoints and sets out the mitigation and residual impact rating accordingly.</p>
<p>Some questionable statements (81–85)</p>	<p>Some questionable statements \n81. \n82. \n83. Time did not permit me to address all questionable statements in the DBAR. I mention a few obvious (to me) ones. The off-grid representations appear to be wrong too. ... Much more likely is the use of a generator. \n84. The version of the building using timber, steel, glass, and natural stone, integrating visually, says nothing at all. ... \n85. I seriously question the version that the property will be used by the owner and his immediate family. ... Once the cottages have been built, and the Open Space III zoning have been obtained, a mere consent use application is needed to convert the cottages for tourism use. ... That the tourism intent is still alive appears also from DBAR. It states at Page 43:</p>	<p>The Amended BAR clarifies and tightens commitments by: \n- Off-grid feasibility: explicitly setting out the final services design, including solar/battery sizing assumptions and the contingency approach. If a generator is proposed as backup, this is disclosed and managed through the EMPr (noise, fuel storage, operating limits). \n- Materials & reflectivity: replacing generic statements with specific, enforceable design requirements (non-reflective glazing treatment where applicable, matte finishes, muted colours, roof pitch/height restrictions), linked to the visual mitigation commitments. \n- Use and intensity: clarifying the intended use of cottages and ensuring the socio-economic narrative is consistent with the stated land-use intentions. The Amended BAR also records that any future change of use (e.g., tourism/consent use) would be subject to the applicable legal processes and cannot be assumed in the current application.</p>
<p>Conclusion (86–87.4)</p>	<p>86. Sceptical as I am, time forces me to conclude my objection. \nConclusion \n87. I humbly request the competent authority to dismiss the application. I have raised a number of grounds: \n87.1. I have humbly requested that compliance with timeframes and prescribed steps be checked, as I had insufficient information to do so. \n87.2. I have raised a number of legality matters , ranging from an unauthorised process by a non -owner, to a defective public participation notice, to omitted documents, to omitted listed</p>	<p>Noted. The Amended BAR provides the competent authority with a corrected and complete record for decision-making, including: (i) PPP compliance schedule and corrected disclosure pack; (ii) corrected applicant/landowner authority and supporting documentation; (iii) corrected listed activities scope/threshold motivations and quantified footprints; and (iv) updated, defensible visual outputs (Constraints Map +</p>

	<p>activities. \n87.3. I have taken serious issue with several factual averments and gave my reasons. These issues range from the size of the development, to omitted listed activities, to alleged socio-economic benefits (to the best of my knowledge not supported by an expert). \n87.4. But in the end , the visual impact assessment relied upon by the applicant is clearly defective, with respect.</p>	<p>DVA + cross-sections) with enforceable EMPr mitigation. All issues raised are captured in the CRR to support a transparent, lawful and informed decision.</p>
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Comment (Ms B G Beck - 15 December 2025)	Response
<p>“Comments on Basic Assessment Report – Portion 79 of Farm 205 Ruygte Valley, Sedgefield consists of 2 pages Submitted by B G. BECK Paul Kruger Street. I am an interested and affected party. Our tourism industry is based on the natural environment.”</p>	<p>Thank you—your submission is acknowledged and recorded in the Comments & Response Report. The Amended BAR recognises that the Garden Route/Sedgefield tourism economy is strongly linked to the area’s natural character and “sense of place”, and therefore evaluates the proposal in a high-sensitivity coastal setting with the objective of avoiding and minimising disturbance to environmental attributes that underpin tourism value (natural landscape quality, biodiversity integrity, and coastal character).</p>
<p>“A. The Environmental Consultants, botanists and ecological experts who contributed to the document concerning this proposal i.e. Assessment Report–Portion 79 of Farm 205 Ruygte Valley, have drawn attention to the fact that the ecosystem on farm 205 is unique and disturbance. The proposed activities will have a detrimental effect on the fauna and flora of the area. Importantly the area already d ic invaded plants, this is the reason why this farm needs to be placed under the custodianship of SANPARKS, CAPE NATURE and environmental bodies.”</p>	<p>The concern is noted. The Amended BAR accepts that the receiving environment is sensitive and that disturbance can affect fauna/flora if not strictly controlled. For this reason, the Amended BAR and Constraints Map are used as the decision-support basis to: (i) confine all development to the defined and approved footprint only; (ii) avoid mapped sensitive / no-go areas; (iii) require rehabilitation of any temporarily disturbed areas; and (iv) implement an enforceable Alien Invasive Plant control and monitoring programme to improve ecological condition over time (particularly where invasives are already present). The request for “custodianship” by SANParks/CapeNature is outside the scope of the environmental authorisation process (it requires separate statutory and institutional mechanisms), but the Amended BAR records the conservation intent and requires engagement/inputs from the relevant authorities where applicable to ensure the development is evaluated and conditioned appropriately in a conservation context.</p>
<p>“B. If the prosed developments are approved it will set a precedent for others to follow, resulting in a negative impact on sensitive ve proposed development will form part of a cumulative trend that will lead to possible disruption of ecological processes on farm 205 important point.”</p>	<p>Noted. The Amended BAR explicitly treats precedent and cumulative impact risk as material considerations in a coastal environment where incremental development can erode ecological connectivity and landscape character. The response in the Amended BAR is to ensure that (a) the authorisation, if issued, is limited to the specifically</p>

	assessed footprint and infrastructure only; (b) the Constraints Map and EMPr demarcate “no-go” areas and disturbance boundaries to prevent development creep; and (c) any future expansion or additional structures outside the assessed footprint would require separate approvals and cannot be assumed from the current application. This approach is intended to reduce the risk of incremental, unassessed impacts that could disrupt ecological processes.
“C. With reference to the statement below”	Noted—each quoted statement is addressed directly below to clarify what is within scope of this environmental process and what requires separate legal processes.
““Biodiversity Assessment (2025) and Agricultural Compliance Statement (2025), it is proposed that the entire property be rezoned (Nature Conservation Area). No fences and a handover or partnership with SANParks for the management of the property.””	Noted. The Amended BAR clarifies that rezoning and any formal handover/partnership arrangement are not outcomes that can be granted through the EA/BAR process alone; they require separate land-use approvals and agreement by SANParks (and/or other bodies). What the Amended BAR can do—and does do—is ensure that the environmental authorisation decision is informed by specialist findings and that authorisation conditions/EMPr measures support conservation-compatible management: strict footprint limitation, avoidance of mapped sensitive areas (Constraints Map), invasive alien control, and rehabilitation obligations. This ensures the assessed development does not undermine the conservation intent being proposed through parallel processes.
“This should indeed include the whole of Farm 205. Farm 205 should be classified as a Conservation area in the form of a protected be handed over to SANParks and Cape Nature to be preserved for future generations. (Cape Nature already manages the Goukan which is close proximity to farm 205). A trust could be formed between SANParks, Cape Nature and other relevant environment where a question remains an important part of the Western Cape Green Heritage).”	Noted. The designation of a protected area, land “handover”, or creation of a trust are policy/conservation instruments that sit outside the BAR decision and require separate statutory processes and acceptance by the proposed custodians. The Amended BAR records this as a stakeholder recommendation and, within the EA scope, strengthens conservation outcomes by ensuring: (i) the disturbance footprint is limited and managed; (ii) sensitive areas are avoided per the Constraints Map; (iii) invasive alien plant clearing/maintenance is required; and (iv) rehabilitation and long-term environmental management actions are binding through the EMPr. These measures aim to support intergenerational conservation objectives even where formal protected-area mechanisms are pursued separately.
“D. Below see some relevant quotations from Draft Basic Assessment Report – Portion 79 of Farm 205 Ruygte Valley.”	Noted—responses to each cited extract are provided below and the Amended BAR position is clarified.
<ul style="list-style-type: none"> • “A recent assessment of coastal dune ecosystems (Cowling et al. 2023) suggests that this vegetation type needs re-assessment a components should be a high priority for protection.” 	Noted. The Amended BAR adopts a precautionary approach consistent with this point by treating dune/thicket habitats and associated ecological processes as high priority constraints in the layout and impact management. The Constraints Map is used to guide

	avoidance of sensitive portions of the site and to limit vegetation clearance strictly to what is authorised. Mitigation is strengthened through the EMPr to prevent indirect degradation (edge effects, erosion, invasion spread) and to require rehabilitation and ongoing alien invasive control.
<ul style="list-style-type: none"> “An impact assessment assessed that potential impacts associated with the proposed development could have MODERATE and significance, primarily because of the high conservation value of the forest habitats on site and the value that this area has for c conservation. Although relatively small in extent, the proposed development will form part of a cumulative trend that will lead to possible disruption of ecological processes.” 	Noted. The Amended BAR does not rely on “small extent” alone; it acknowledges that even limited footprints can be significant in high conservation-value settings and when considering cumulative trends. Accordingly, the Amended BAR/EMPr strengthens enforceable controls to reduce significance: strict demarcation of disturbance limits; avoidance of mapped sensitive areas (Constraints Map); control of construction access and laydown areas; rehabilitation of temporary disturbance; and ongoing ecological management (including alien invasive control). These measures are intended to reduce the likelihood of disrupting ecological processes and to avoid incremental expansion beyond what is assessed.
<ul style="list-style-type: none"> “Given the environmental sensitivity of the site and its limited agricultural potential, as confirmed in the Terrestrial Biodiversity Ass Agricultural Compliance Statement (2025), it is proposed that the entire property be rezoned to “Open Space III” (Nature Conservation Area). All therefore have VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. According to the “Protocols”, a Specialist A therefore required.’ Please note a specialist assessment is required first however independent parties like SANParks and Cape Na used.” 	Noted. The Amended BAR confirms the very high terrestrial biodiversity sensitivity and that specialist inputs are required to inform avoidance and mitigation. The Amended BAR relies on the applicable specialist work and integrates it spatially through the Constraints Map, which informs the layout, no-go areas and mitigation requirements. Regarding “independent parties”: the process includes consultation with relevant authorities/Organs of State where applicable; however, the specialist studies themselves must be conducted by suitably qualified specialists and assessed on their technical merits, with the Competent Authority ultimately making the decision based on the BAR record.
<ul style="list-style-type: none"> “The proposed development is almost entirely within areas of natural habitat that have high biodiversity value, ... is an indigenous’ under the National Forests Act 84 of 1998, is adjacent to protected areas and therefore falls within the buffer zones of these, and h as being desirable for future conservation.” 	Noted. The Amended BAR responds by treating the site as high constraint, acknowledging the buffer context adjacent to protected areas, and applying the Constraints Map to guide avoidance and reduce fragmentation. Compliance requirements under the National Forests Act (where applicable) are recognised: protected species/forest-related triggers must be complied with, and the EMPr includes strict controls to prevent unauthorised vegetation impacts. The Amended BAR strengthens mitigation to protect ecological integrity outside the approved footprint, thereby supporting the area’s future conservation desirability.
<ul style="list-style-type: none"> “The vegetation on site is dominated by the protected tree species, <i>Sideroxylon inerme</i>,’ Although it is therefore not clear whether on site falls under Western 	Noted. The Amended BAR/EMPr requires that protected tree species (including <i>Sideroxylon inerme</i>) be avoided and protected, and that no removal/pruning/damage may occur unless lawful permissions are obtained where required. Construction

<p>Cape Milkwood Forest (protected under the National Forests Act), it is dominated by the Milkwood Side is protected under the same Act”</p>	<p>demarcation, method controls, and site supervision are required to prevent accidental impacts. This ensures the proposal is conditioned to comply with the relevant legal protections and to avoid irreversible loss of protected trees.</p>
<p>“Keeping the above quotations in mind, the whole of farm 205, should become a protected area.”</p>	<p>Noted as a stakeholder recommendation. The Amended BAR supports conservation-compatible outcomes within the EA scope (avoidance, footprint limitation, alien invasive control, rehabilitation, and long-term management in the EMPr), but formal protected-area declaration or custodianship is a separate legal pathway beyond this BAR decision.</p>
<p>“E. I could find no information on the fauna of the area and how any proposed development will affect them. There should be no other fences on any portion of Farm 205. It must be delegated that responsible and effective environmental bodies must enforce the important fact that boundary fences must never be allowed, around any of the portions on Farm 205. This is important to allow for the safety of any animals in this area.”</p>	<p>Noted. The Amended BAR addresses fauna impacts through the specialist biodiversity work and the EMPr controls that reduce direct and indirect disturbance (limited footprint; avoidance of sensitive areas via the Constraints Map; strict construction controls; rehabilitation; and invasive alien clearing which can improve habitat quality). Regarding fencing: the EA cannot impose blanket prohibitions on “any portion of Farm 205” beyond the scope of the authorised activity; however, the Amended BAR can commit to no perimeter/boundary fencing as part of the proposed development, and if any fencing is ever required for a specific safety/management reason it must be limited, justified, and wildlife-permeable to maintain ecological connectivity. This directly addresses the connectivity concern within the project’s implementable scope.</p>
<p>“Mrs Smith is the first to develop in this area,’ , this and the proposed development will form part of a cumulative trend that will lead disruption of ecological processes.”</p>	<p>Noted. The Amended BAR treats the “first development” concern as relevant to precedent and cumulative impacts. The response is to apply strict spatial limits (Constraints Map + fixed footprint), restrict clearing and access to the assessed design, and bind rehabilitation and long-term management measures through the EMPr to prevent incremental disturbance. Any future proposals would require separate approvals and must be assessed cumulatively by the competent authority—this application does not authorise further development beyond what is described and assessed.</p>
<p>“Agricultural 1 state that owners have the right to build one dwelling. Not 5.”</p>	<p>Noted. The Amended BAR clarifies that environmental authorisation does not create land-use rights. The number/type of dwellings ultimately permissible must be confirmed through the relevant municipal planning and zoning processes. The EA process assesses environmental impacts of the proposal as submitted; it does not override planning law. The Amended BAR records this distinction to ensure decision-making remains aligned to the correct legal framework.</p>

“See below”	Noted—each listed component is addressed as part of the assessed footprint and is subject to Constraints Map avoidance and EMPr controls.
<ul style="list-style-type: none"> • “Construction of a residential home of 200m2 in footprint area. • Construction of 3 free-standing cottages of 65m2 in footprint area. • Construction of a shed of 80m2 in footprint area. • Construction of a staff quarter building of 50m2 in footprint area.” 	Noted. The Amended BAR confirms these components are assessed as part of the project description and are subject to: (i) siting in accordance with the Constraints Map; (ii) strict limitation of vegetation clearance to the authorised footprint; (iii) method controls to prevent erosion and secondary impacts; (iv) rehabilitation of temporary disturbance; and (v) ongoing environmental management measures in the EMPr (including invasive alien plant control and monitoring). This is intended to ensure the development does not trigger wider habitat fragmentation or uncontrolled disturbance beyond the approved envelope.
“All rights to elaborate these comments and to raise new issues at a later date are being reserved.”	Noted. Your continued participation as an I&AP is recognised. All submissions received during the public participation period will be captured and responded to in the Comments & Response Report, and any further submissions received in the process will be recorded and considered in line with the applicable EIA Regulations.

Comment (Kate – 14 December 2025)	Response
To ensure a landscape appropriate and sustainable development precedent, full detail on the earthworks, steep slope areas, architectural well as photomontages from the beach should be provided. This would allow civil society and the competent authority to be properly risk posed by the proposed landscape change, thereby supporting responsible and sustainable decision-making.	The Amended Basic Assessment Report addresses this concern through the inclusion of an updated Constraints Map, refined site layout, and specialist

Comment (Joffrey Hyman – 04 December 2025)	Response
<p>Hi I would like to object to the development of portion 79 of farm 205 in Ruygtevallei.</p> <p>This could set a precedent for further development of the area. It’s a scarce indigenous dune area that needs to be preserved.</p> <p>Kind Regards</p>	<p>The concern regarding development precedent and the preservation of indigenous dune systems is acknowledged.</p> <p>The Amended Basic Assessment Report confirms that the proposed development footprint remains extremely limited relative to the overall property extent and has been refined following specialist input. A formal Constraints Map has been incorporated to identify and avoid sensitive dune and ecological features. The development area is confined to previously disturbed and lower-sensitivity zones</p>

	identified by the terrestrial biodiversity and geotechnical specialists. The majority of the property will be secured under long-term conservation measures, including alien vegetation clearing, ecological rehabilitation
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Comment (Adela Stangemann – 05 December 2025)	Response (Amended BAR)
Please keep our wild spaces as pristine and untouched as possible, we all need these sensitive places, the earth needs them. More is very often not right; we are already in a water crisis!!! STOP DEVELOPMENT, create more wild spaces. Save this incredible garden public come to connect back to nature, soon all of nature will be developed and i will kill natural resources. Stop the greed, before it's too late.	The emotional concern about preserving wild coastal landscapes and protecting sensitive natural systems is acknowledged and respected. The Amended BAR confirms that the intent of the application is not broad-scale development, but a carefully constrained, low-impact private residential footprint located within a mapped lower-sensitivity development envelope informed by specialist studies. The updated Constraints Map ensures avoidance of ecologically sensitive dune and forest areas. More than 95% of the property will remain undeveloped and will be subject to ongoing ecological rehabilitation,

Comment / Email Content (DFFE Oceans & Coasts Branch – 20 November 2025)	Response
The Department of Forestry, Fisheries and the Environment (Oceans & Coasts Branch) requested a formal site inspection in relation to the proposed development on Portion 79 of Farm 205 Ruygte Valley. The email correspondence confirms coordination between the applicant and the Department to facilitate a site visit in order to assess coastal context, dune stability, and environmental sensitivity on site.	A joint site inspection was conducted with the Department of Forestry, Fisheries and the Environment (Oceans & Coasts Branch) on 3 and 4 December 2025. Observations from the site visit informed refinements in the Amended Basic Assessment Report, including the updated Constraints Map, confirmation of the development envelope, and verification of specialist findings regarding dune stability, vegetation condition, and visibility characteristics. The outcomes of the inspection were integrated into the final specialist assessments and mitigation framework to ensure compliance with coastal protection principles and precautionary environmental management.

Comment (DFFE – Oceans & Coasts (EDMS Ref: 268125))	Response
The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to comment on the Draft Basic Assessment Report (BAR) for Proposed Development Primary Dwelling and Access Road on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape. This	Noted.

<p>Branch has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (“ICM Act”).</p> <p>The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of coastal zones are maintained to ensure that people, properties, and economic activities are protected against the impacts of dynamic coastal processes.</p> <p>Guided by the principles of integrated coastal management, this Branch promotes developments that promote socially justified sharing of benefits derived from a resource-rich coastal area and strives to ensure that the principles of sustainable development are upheld.</p> <p>Based on the submitted Draft BAR, the Branch presents the comments stipulated below for consideration. Please note the recommendations for your consideration:</p>	
<p>1. As discussed during the site visit, the subsequent reports must clearly indicate the measured distance from the high-water mark to the proposed location of all structures. Figure 4 illustrates the 100 m setback from the high-water mark and indicates that the entire development footprint falls within the 100 m zone. However, Figure 1 depicts two red shaded features located within areas mapped as Critical Biodiversity Area (CBA) to the north of the property, which appear to be outside the 100 m from the high-water mark.</p>	<p>The Amended BAR now includes a surveyed constraints map with georeferenced overlays showing measured distances from the high-water mark to each proposed structure. The apparent discrepancy between Figure 1 and Figure 4 has been corrected. All structures are now spatially reconciled with biodiversity and coastal setback layers. The updated mapping clarifies the exact footprint relative to the 100 m coastal setback and CBA boundaries.</p>
<p>2. The report must therefore clearly clarify whether the proposed ancillary structures, namely the staff accommodation and equipment shed, correspond to the two red shaded features shown in Figure 1, or whether these ancillary structures are instead located within the main dwelling house footprint. This distinction is critical to accurately assess the consideration of the coastal processes and biodiversity constraints.</p>	<p>The Amended Site Development Plan explicitly identifies each structure. The staff accommodation and equipment shed are now labelled and spatially referenced. Their positions relative to coastal buffers and biodiversity areas are clearly shown. This resolves earlier ambiguity and allows accurate assessment of coastal process exposure and biodiversity sensitivity.</p>

<p>3. Page 13 of the draft BAR indicates that the additional units are not intended for commercial or tourist accommodation. However, the Town Planning Report presents a different intent, stating that it is the applicant's aspiration to construct three small self-catering tourist accommodation units... Clarity is therefore required on whether the three self-catering units are intended for private family use or for tourism accommodation. The draft BAR contains conflicting information in this regard, and the intended use of the units has a direct bearing on the nature and significance of potential impacts, including but not limited to traffic generation, service demands, and cumulative tourism-related impacts.</p>	<p>The Amended BAR provides a definitive clarification: the units are for private residential family use only. The Town Planning Report has been aligned with the BAR and corrected to remove reference to tourism intent. A condition has been included in the EMPr prohibiting commercial tourism use unless a separate authorisation is obtained.</p>
<p>4. The Branch supports the proposed elevated timber boardwalks for pedestrian access to the house and private units, as this design measure will minimise soil compaction and disturbance, thereby allowing shade-tolerant indigenous vegetation to persist and thrive beneath the structures.</p>	<p>Noted. The boardwalk design is retained in the Amended BAR as a core mitigation measure. Construction specifications are now included in the EMPr to ensure minimal soil disturbance and vegetation retention beneath elevated walkways.</p>
<p>5. A detailed Site Development Plan must be provided, clearly indicating the location and spatial layout of all proposed structures, associated infrastructure, and internal access roads.</p>	<p>A fully consolidated Site Development Plan is included in the Amended BAR. It shows building footprints, access routes, boardwalks, services, and environmental buffers in georeferenced format.</p>
<p>6. It is stated that the proposed development will operate off-grid and that conservancy tanks will be utilised for sewage management. The Site Development Plan must therefore clearly indicate the location of all proposed conservancy tanks, and details regarding their capacity and design specifications must be provided, including how the conservancy tanks will be operated and managed during the operational phase (e.g. maintenance, monitoring, and emptying arrangements).</p>	<p>The Amended SDP includes conservancy tank locations. The EMPr now includes operational protocols covering maintenance, emptying frequency, and contractor management. Tank capacity and design standards are specified to prevent leakage or groundwater contamination.</p>
<p>7. The proposed limited upgrades to the existing public servitude road (Bushy Way), intended to provide safe vehicular access without the need for new municipal infrastructure, must not in any manner result in the privatisation, restriction, or exclusive use of the public servitude, as such outcomes would be</p>	<p>The Amended BAR confirms Bushy Way remains a public servitude. No gates, restrictions, or exclusive access will be permitted. This is explicitly stated as a compliance condition in the EMPr.</p>

<p>inconsistent with the principles and objectives of the Integrated Coastal Management Act..</p>	
<p>8. The applicant should remain cognisant of Sections 14 and 15 of the ICMA, namely: Section 14 – Position of the high-water mark (1) No person may replace the high-water mark curvilinear boundary with a straight-line boundary in terms of section 34 of the Land Survey Act. (5) If the high-water mark is landward of a straight line boundary of a coastal land unit when this Act took effect, or the high-water mark moves landward of a straight line boundary of a coastal land unit due to the erosion of the coast, sea-level rise or other causes, the owner of that coastal land unit— (a) loses ownership of any portion of that coastal land unit that is situated below the high-water mark to the extent that such land unit becomes coastal public property; and (b) is not entitled to compensation from the State for that loss of ownership, unless the movement of the high-water mark was caused by an intentional or negligent act or omission by an organ of state and was a reasonably foreseeable consequence of that act or omission.</p>	<p>Noted. The Amended BAR now contains a dedicated coastal risk section acknowledging dynamic shoreline processes and ownership implications. The applicant accepts ICMA provisions and associated risks.</p>
<p>9. Section 15 - Measures affecting erosion and accretion (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</p>	<p>The EMPr prohibits any erosion control structures without separate authorization. The development will not attempt to modify natural coastal processes.</p>
<p>10. Vegetation clearing should be limited to only the development footprint.</p>	<p>Confirmed. The Amended BAR limits clearing strictly to the approved footprint. Construction exclusion zones are mapped and included in the EMPr.</p>

<p>11. Section 63 of the ICM Act states that when environmental authorization for coastal activities is applied for in terms of Chapter 5 of the National Environmental Management Act, the competent authority must take into account all relevant factors, including whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas, the socio-economic impact of the proposed activities and the likely effects of coastal processes on the developmental proposal.</p>	<p>The Amended BAR includes a Section 63 compliance assessment addressing coastal protection, socio-economic impact, and process risk.</p>
<p>12. The proposed development should consider the Garden Route National Park Coastal Management Lines.</p>	<p>Coastal Management Lines are now included in the constraints map and considered in siting decisions.</p>
<p>13. The applicant is reminded of the Duty of Care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment..." together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.</p>	<p>The EMPr includes a Duty of Care compliance clause requiring immediate remediation of any environmental damage.</p>
<p>14. The ICM Act advocates for reasonable coastal access to the coastal and estuarine resources. Therefore, the applicant must take note of the provisions of Section 13 of the ICM Act which states that "(1) Subject to this Act and any other applicable legislation, any natural person in the Republic – (a) has a right of reasonable access to the coastal public property; and (b) is entitled to use and enjoy coastal public property, provided such use – (i) does not adversely affect the rights of members of the public to use and enjoy the coastal public property; (ii) does not hinder the State in the performance of its duty to protect the environment; and (iii) does not cause adverse effect. (1A) Subject to subsections (2) and (3), no person may prevent access to coastal public property." During the</p>	<p>Public coastal access will not be restricted during construction or operation. The Amended BAR confirms this commitment.</p>

construction and operational phase, the applicant should ensure that the public can safely use and enjoy the coastal zone.	
15.The applicant is reminded that no person may discharge effluent that originates from a source on land into coastal waters and or dump any waste or other material at sea without authorization from the Minister.	Wastewater management complies with national standards. No effluent discharge to coastal waters is proposed.
16.You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no other additional activities outside the scope of this application may commence before an Environmental Authorization is granted by the Department.	Acknowledged. The applicant accepts this legal requirement.

Correspondence	Exact Content / Summary	Response / Regulatory Status
Eco Route Extension Request Letter Date: 21 January 2026	<p>Eco Route formally requested an extension in terms of Regulation 19(1)(b) of the EIA Regulations, 2014 (as amended) for the proposed development on Portion 79 of Farm Ruygte Valley 205. The letter explained that the Draft BAR requires substantive revision to address internal inconsistencies and technical discrepancies affecting:</p> <ul style="list-style-type: none"> • the development description • listed activities • alignment with specialist studies • Site Development Plan accuracy. The letter confirmed that a materially amended BAR will require a new Public Participation Process in terms of Regulation 41, and requested extension to: <ul style="list-style-type: none"> • finalise revised SDP • correct listed activities • align specialist inputs 	<p>Eco Route acted proactively to ensure procedural fairness and regulatory compliance. The extension request was submitted before lapse of regulatory timeframes. This confirms the Applicant's commitment to lawful, transparent environmental process and meaningful public participation.</p>

	<ul style="list-style-type: none"> • implement an additional PPP. The request emphasised that the purpose is to ensure a complete, accurate, and legally defensible application in line with NEMA principles. 	
DFFE Acknowledgement of Receipt Email Date received: 21 January 2026 Reference: 14/12/16/3/3/1/3235	DFFE confirmed receipt of the Regulation 19(1)(b) notification on 21 January 2026 . The Department reminded that: <ul style="list-style-type: none"> • Revised reports must undergo another minimum 30-day PPP • Application lapses if timeframes are not met (Reg 45) unless extension granted • No activity may commence before Environmental Authorisation (Section 24F NEMA) DFFE instructed future correspondence to quote the reference number. 	DFFE formally acknowledged the extension request and procedural status of the application. The acknowledgement confirms that the process remains active and subject to extended timelines pending revised submission and additional PPP. No unlawful commencement is permitted. The application continues under Departmental oversight in compliance with EIA Regulations.

Comment (CapeNature – Megan Simons – 26 June 2025 & 18 December 2025)	Response (aligned to Amended BAR)
<i>CapeNature would be favourable to a conservation outcome; however, this should not be regarded as a mitigation measure. Furthermore, the biodiversity value of the property should be assessed by CapeNature to determine the most appropriate stewardship option.</i>	The applicant agrees that stewardship cannot be treated as a mitigation substitute. The Amended BAR clarifies that stewardship is a voluntary conservation enhancement measure separate from impact mitigation. The applicant commits to engaging CapeNature to assess formal biodiversity stewardship options for the ±4.25 ha conservation portion. The Constraints Map and amended layout already reflect avoidance of sensitive forest patches and prioritisation of long-term ecological protection.
<i>CapeNature has previously provided detailed comments on this application and maintains its objection to the proposed development, specifically to the proposed location of the development, and reiterates that the development should be relocated further inland.</i>	The Amended BAR responds directly to this concern through the revised Constraints Map and refined development envelope. The preferred layout positions the structures outside the highest sensitivity forest areas and retains over 99% of the property in a natural state. The selected location represents the lowest ecological disturbance footprint achievable while avoiding protected milkwood trees, forest patches, and steep erosion-prone zones. The terrestrial biodiversity assessment confirms that the selected site is the least ecologically intrusive option within the cadastral constraints.

<p><i>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</i></p>	<p>Noted. The applicant and EAP remain committed to providing any additional specialist information required by CapeNature and the competent authority.</p>
<p><i>CapeNature would be favourable to a conservation outcome; however, this should not be regarded as a mitigation measure. Furthermore, the biodiversity value of the property should be assessed by CapeNature to determine the most appropriate stewardship option.</i></p>	<p>The applicant agrees that stewardship cannot be treated as a mitigation substitute. The Amended BAR clarifies that stewardship is a voluntary conservation enhancement measure separate from impact mitigation. The applicant commits to engaging CapeNature to assess formal biodiversity stewardship options for the ±4.25 ha conservation portion. The Constraints Map and amended layout already reflect avoidance of sensitive forest patches and prioritisation of long-term ecological protection.</p>
<p><i>CapeNature has previously provided detailed comments on this application and maintains its objection to the proposed development, specifically to the proposed location of the development, and reiterates that the development should be relocated further inland.</i></p>	<p>The Amended BAR responds directly to this concern through the revised Constraints Map and refined development envelope. The preferred layout positions the structures outside the highest sensitivity forest areas and retains over 99% of the property in a natural state. The selected location represents the lowest ecological disturbance footprint achievable while avoiding protected milkwood trees, forest patches, and steep erosion-prone zones. The terrestrial biodiversity assessment confirms that the selected site is the least ecologically intrusive option within the cadastral constraints.</p>
<p><i>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</i></p>	<p>Noted. The applicant and EAP remain committed to providing any additional specialist information required by CapeNature and the competent authority.</p>