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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 – <u>21 May 2025 – 23 June 2025.</u>

Comment Received (CapeNature – Megan Simons - 26 June 2025)	Response
<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 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</p>	<p>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>

<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>

Comment Received (SANPARKS - Dr Vanessa Weyer– 23 June 2025)	Response
<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="123 1013 593 1332"> </div> <div data-bbox="616 1013 1064 1332"> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div data-bbox="123 1332 593 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="616 1332 1064 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 $\pm 1\,375\text{ m}^2$ (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 $\pm 1\,375\text{ m}^2$, and the building footprint is $\pm 525\text{ m}^2$. The earlier $\pm 1\,175\text{ m}^2$ 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 ($\pm 1\,375\text{ m}^2$), 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.

6. For off-grid sanitation facilities, it is recommended to dispose domestic wastewater into conservancy tank serving no more than 50 households, that must be emptied on regular basis. Sceptic tanks/french drains are not recommended as they are likely to impact on groundwater resources.
7. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
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.
9. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
10. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
11. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <http://www.dws.gov.za/e-WULAAS>
12. Should you have further enquiries, the office can be contacted or alternatively contact Mr. SI Ndlovu at the above-mentioned contact number or on sndlovu@bocma.co.za

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.
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.
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.
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.
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.
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.
10. Acknowledged. The applicant will contact the BOCMA office if clarification or guidance is required regarding Water Use Authorisation requirements.

	<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 diU’erent 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 the 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 a comparative assessment of the southeastern alternative. The updated constraints map confirms that 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, and 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 Sedgfield, 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 the 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</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 the site extent and retains long-term ecological function. Specialist input confirms that risk is manageable with mitigation.</p>

the cumulative climate and resource risk outweighs any social or economic benefit.	
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.
The Draft BAR maintains that steep slopes have been excluded... No slopes analysis is provided... A detailed slopes analysis should be undertaken...	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.
The report by Paul Buchholz... is actually the quotation... no comment can thus be made...	The Amended BAR includes the final signed Visual Impact Statement report (not the quotation). The documentation error has been corrected.

Comment (Mentz- 15 November 2025)	Response (Amended BAR)
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.	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.
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	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>give the impression that the original intent has been downplayed rather than substantively changed.</p>	
<p>3. Precedent and Cumulative Impact on Coastal Zoning Allowing a tourism-related rezoning on this property would set a precedent for neighbouring 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 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 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</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</p>

interest, maintaining the integrity of existing environmental zoning, and supporting the long-term conservation of the Garden Route’s coastal ecosystems.	that the development represents a balanced outcome between landowner rights and conservation objectives.
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.

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
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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 the National Environmental Management: Integrated Coastal Management Act (NEM: ICMA).	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.
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</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</p>

<p>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>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>inland, previously disturbed portion of the property, outside identified high-risk dune instability areas. The amended footprint ($\pm 1\,375\text{ m}^2$, <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 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 EMP 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
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<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 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>The Amended BAR confirms that the proposed development is assessed as a single primary residential dwelling and associated access infrastructure. No tourism zoning 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 EMPr 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 erf 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>

Comment (Brendan Powell – 15 December 2025)	Response
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<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>

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.	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.
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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.

(N de Villiers (Sedgefield resident) – 15 December 2025)

Comment (N de Villiers (Sedgefield resident) – 15 December 2025)	Response
<p><u>Comments on Draft Basic Assessment Report - The proposed development of a primary dwelling, three cottages, additional structures and access road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape</u></p> <p><u>Introduction</u></p> <p>1. 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.</p>	<p>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>

2. 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.
3. 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 Stead⁵ to this application.
4. 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 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.
5. I may be no expert, but I have lived experiences on this continuous beach and in this town.
6. 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.
7. My own comments focus on:
 - 7.1. Legal compliance;
 - 7.2. Visual compliance;

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

8. I had insufficient time to address:

8.1. 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 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

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.

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.]

8.2. 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. A photograph that gives a glimpse why photograph and modelling are necessary. It is in a different report, figure 4 on page 11 of Appendix D3 Agricultural Compliance Statement:



Imagine a property six metres higher at that point or even higher. This is a photograph taken in a western direction.

Photographs from the beach should be taken at low-tide, that is when one walks on a beach on dry, compacted sand. No one walks on the beach at high-tide in soft sand. The defective photographs presented is illustrated from another one taken at high tide (only directly in front of the site) in a different report, photo 7230 on page 23 of Appendix D3 Agricultural Compliance Statement Appendix D4 Terrestrial Biodiversity Assessment. Imagine it being taken at low-tide:



Imagine structures breaching that skyline by 6 metres. One more example, photograph 6,¹² what would the view be only four metres closer to the ocean?



On the matter of photographs, it is common cause that that there is a change in vegetation at about the ridgeline. See Appendix B2 Environmental Sensitivity Mapping. See the photographs “*Western Cape Biodiversity Spatial Plan: Sensitive Areas*”, “*Map Indicating Proposed Development Area Within 100 meters of High-Water Mark*”, and the actual satellite imagery “*Proposed Development Area of Primary Dwelling*”. Then please turn to the “*Appendix C Site Photographs*” and endeavour to see a depiction of these changes. In fact, the vegetation tapers down to shrubs as one crosses over the ridgeline.¹³ That low vegetation is depicted in another report as typical site conditions.¹⁴

I am not aware of any 3D and other visual simulations provided to the public for comment, yet they seem to exist.¹⁵ 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.

Similarly, 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”. That is almost at the end of the fourth quarter of 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

9. I am deeply concerned about these aspects that I had insufficient time to address.

10. 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 altogether avoided, is minimised.

11. 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.

Legislative framework

12. 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
13. 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.
14. I assume that the applicant seeks permission to undertake listed activities determined in terms of section 24D(1) of NEMA.²²
15. According to the applicant's advertisement in the EDGE newspaper of 21 May 2025, the following listed activities are applicable:
 - 15.1. 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. I have referred to the building plans that have not been disclosed.

I dispute the number of structures that will be build. It is suggested that the owner will reside on the property, and park his vehicle(s) in an open parking area in front of the ridgeline,²³ subjected to sea spray, and harsh sunlight, and rain. Or alternatively, he will park vehicles several hundred metres away in a shed at the entrance to the property,²⁴ facing an uphill walk to the four dwellings each time, in the heat of the day, in the

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.

cold and wet of stormy nights. I do not accept such a version as true reflection of his intent (or subsequent owners' intent).

For some reason the intent to build four garages once was included in the development, but it was removed from the application after 24 October 2024. It is still referred to in the first visual impact assessment addressed later herein];

- 15.2. 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. The first visual impact assessment states that significant excavation will be necessary for the construction of the four dwellings. It seems to me that unlimited permission is sought.

All I could find is in the DBAR Page 23, that more than five cubic metres would have to be excavated for the main dwelling. I have no information about the other construction activities.

One cannot form a view of how much road building (levelling of ground and infilling) would be required for heavy vehicles and ordinary cars to reach the dwellings.

One cannot form a view of how much levelling of ground would be required for the activities not dealt with in the application, some of which are listed later herein.

I list a few of the omitted activities, which although their first impact would be on the extensive area where the vegetation will have to be removed, but they may also impact on the levelling of ground-

Access by machinery to the building site of each of the structures. As a matter of logic, they will flatten all vegetation at the top of the ridge where the four dwellings are intended to be erected. A theme in the DBAR is about the non-intrusive construction methods that allegedly will be used. The engineer calls for construction that requires concrete in foundations and thus machinery;²⁵

An area where excavated soil is to be dumped;

No plan has been submitted where sewerage tanks would be situated to be accessible by a sewerage removal vehicle with (in Sedgefield) a reasonably short hose;

An area where this excavated soil is to be dumped;

The massive bulk of vegetation to be removed is likely to require a dumping area in excess of the cleared area;

If a nursery is planned, more vegetation will have to be removed;

A large area is required for construction purposes, such as-

An area for one or two containers for storing of cement, tools, and accessories, and for a site office must be provided;

An area for more than one toilet must be provided (for the 20-strong workforce alleged in the DBAR);

13

An area for a skip or skips must be provided;

An area for the storage of building materials such as sand, bricks, timber, and steel must be provided;

A large area must be added for very large delivery and large concrete mixing and water trucks to arrive, park, and turn around, and more than one may be on site at the same time;

An area must for parking of the bakkies and vans of the construction crews and supervisors must be provided;

An area for tanks for water during construction must be provided;

The road must be widened for very large delivery and large concrete mixing and water trucks, and other vehicles to be able to pass each other, and the proposed width of the road of a maximum of 3 m is too narrow to allow for this. This need will remain in perpetuity. Even the outside access road, Bushy Way, is too a narrow one-lane road, as can be seen below.²⁶



Narrow one-track access road towards site

In fact, the DBAR at Page 24 states that-

Construction of both the primary dwelling and an access road may require the removal of the indigenous Goukamma Dune Thicket of more than 1 Ha.

An area to store topsoil must be provided;

A working area around every construction site must be provided;

No provision has been made for clearing any areas around the dwellings to reduce fire risk and to provide some protection against access by snakes into the dwellings. (I live in this area and snakes are active);

Nothing has been stated about erecting any fence for security purposes in a rural area, and to prevent dogs from roaming the remainder of the property];

No provision has been made for access to a site to drill a borehole (one is planned it seems, despite rainwater harvesting being the theme in the DBAR).²⁷

- 15.3. 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 extent of the permission is that is sought. It seems to me that unlimited permission is sought.

The suggestion is the DBAR is that an area of only 1 175 m² will be cleared, allegedly less than 0.03% of the property and that more than 99.9% of the property will be preserved. This is clearly incorrect, as I have shown already as not all areas have been included in the DBAR. I show below that the DBAR calculation is incorrect.

It is with respect clearly not correct to state that "*the total disturbance footprint (of 1 175 m²) includes all areas that will be cleared, excavated, or otherwise impacted by construction activities and infrastructure*".²⁸

It cannot be correct, ever. This is what is stated:²⁹

"The proposed development entails a main dwelling (± 200 m²), three small self-contained units (± 65 m² each) for private family use, staff housing (± 50 m²), an equipment shed (± 80 m²), and associated parking and access infrastructure.

A 3 m-wide gravel access road (± 200 m long) will lead to a parking area of ± 660 m². Pedestrian access to all units will be via timber boardwalks, reducing soil compaction. The total disturbed area

is estimated at ± 1 175 m² (0.1175 ha)— less than 0.02 % of the property—ensuring that 99.98 % remains in its natural state."

The sum of all of those estimates is not 1 175 m², but 1 785 m². In addition, it is a matter of logic that the disturbed area around a building will be larger than the building's size. I have dealt with earlier in some detail with omitted space for foreseeable activities. But in any event, even the wrong figure of 1 175 m² is also not 0.02% of the property of 5.1576 hectares, it is hundred times more 2.28%. The area will have to be four or five times larger than this corrected figure.

In fact, earlier in the Eco Route Pre-consultation Basic Assessment report, March 2025, pg.23 it was stated that more than 10 000 m² (1ha) indigenous vegetation will be cleared.³⁰ Those calculations have not been shown in the report to which I have had access. I submit that this was the correct estimate, or the more correct estimate.

It is to my mind obvious that the DBAR failed to apply for permissions that are entirely foreseeable. I am concerned about the assurances given in the DBAR despite this, such as:

"All service components have been included in the development footprint of ±1,175 m², and the remaining ±5 ha will be retained in a natural state." ³¹

The wrong statement that fails to take into account foreseeable activities cannot be more express than this statement more express than this statement. It concerns me:

"To clarify:

- *The building footprint refers to the physical base area of all proposed structures, including the main dwelling (200 m²), three chalets (3 × 65 m²), staff housing (50 m²), and an equipment shed (80 m²), which together total approximately 525 m².*
- *The total disturbance footprint includes all areas that will be cleared, excavated, or otherwise impacted by construction activities and infrastructure. This includes the building footprints, gravel access road (approximately 200 m in length × <3 m wide), designated parking area, boardwalks, platforms, vegetable gardens (if any), service lines, embankment works, and construction margins. Based on the Environmental Impact Report prepared by Eco Route Environmental Consultancy and the Site Development Plan extracted from the Visual Compliance Statement (Fig. 9), the total disturbance footprint has been calculated at approximately 1,175 m² (0.1175 hectares). This value includes the areas for the buildings and essential service infrastructure and was verified spatially in coordination with the appointed landscape architect and GIS mapping consultants.³²*

I deny these calculations in the strongest terms. They simply cannot be correct. The spatial verification referred to was not made available];

- 15.4. Government Notice No. R324 (Listing Notice 3): Listed Activity 4 (being The development of a road wider than 4 metres with a reserve less than 13.5 metres).

[I have seen no submission about what the extent of the permission is that is sought. It seems to me that unlimited permission is sought.]

16. 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**.
17. 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** for being "*land forming part of, or adjacent to, the seashore that is-*
 - (a) *unstable and dynamic as a result of natural processes; and*
 - (b) *characterised by dunes, beaches, sand bars and other landforms composed of unconsolidated sand, pebbles or other such material which is either unvegetated or only partially vegetated*".
18. **NEMA** and the regulations thereunder are not the only legislation applicable to the environmental protection of the property.
19. The property in issue as it falls within the coastal protection zone in terms of section 16 of the **National Environmental Management: Integrated Coastal Management Act** as it at least (a) falls within a littoral active zone, (b) is situated wholly or partially within one kilometre of the high- water mark which, and when the act came into force (1 December 2009) was zoned for agricultural use, and/or was not zoned and was not part of a lawfully established township, urban area or other human settlement, and/or is situated wholly or partially within 100 metres of the highwater mark.
20. As such, falling within the coastal protection zone, the property falls within the coastal zone, an area enjoying protection under the **National Environmental Management: Integrated Coastal Management Act**. This act recognises in its preamble that everyone has the constitutional right to have the environment,

(including the coastal environment) protected for the benefit of present and future generations. Section 63 of the **National Environmental Management: Integrated Coastal Management Act** states amongst others that in considering an application such as the present one, additional factors need to be considered.

21. These factors include:

21.1. The extent to which the applicant has in the past complied with similar authorisations [section 63(1)(b)].

[I do not know, if it has made similar applications, but it is clear that the owner has taken no real steps since he has acquired the property to preserve the property by, for example, removing the rooikrans or entering into a stewardship agreement with say Cape Nature. Now that this application is made, he undertakes to take such steps.

According to the DBAR various environmental positive steps would be completed by the end of 2025, a few days from now. Have they been taken?];

21.2. The socio-economic impact if the development is authorised or is not authorised [section 63(1)(e)].

[This has been addressed by the applicant in figures that to my mind, are not correct. It is all based on alleged employment opportunities in the construction phase and thereafter.³³

The applicant alleges that the owner residing in a 200 m² house will have 3-5 employees in permanent employ. My question is, to do what? I struggle to think of anyone in Sedgefield (not needing fulltime care), with even one permanent employee at home.

[I am alive to the argument that employing someone for say a day a week on a full-time basis could be called a permanent employee from a labour law perspective. But to calculate economic impact, a permanent employee is someone working full-time.]

The only employers of 3-5 employees in permanent employment, are people who run commercial enterprises (such as short-term rentals on Airbnb or Lekkeslaap, or guesthouses), which the applicant denies is the owner's intent with three cottages (the main dwelling too?).

[Perplexingly, the applicant also relies on figures of the impact of the accommodation industry on the Knysna economy to justify the development in circumstances where, on the applicant's version, the owner does not intend to use the property for commercial purposes.³⁴

The social economic value of the activity is also disputed. It is alleged that the whole building process would be undertaken by previously disadvantaged individuals,³⁵ but no enforceable obligation to do so is suggested. Nothing stops the owner to disregard this. It is therefore of no value in the evaluation of the application.

The social economic value of the activity is disputed for another reason. It is alleged that a person who reside permanently in the

dwelling, and who will not let the cottages, will employ three to five fulltime employees at R1.8 Million over ten years.³⁶ I dispute this, no one needs even one fulltime employee for a dwelling of 200 m². But let us take the calculation at face value, the applicant alleges that it will pay R180 000 per year to five people. That is R3,461.54 per week for all five. That is R692.30 per week per employee, R138.46 per day.³⁷]

21.3. 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)].

[I submit that it is, as it will protrude above the skyline and breach an uninterrupted, pristine skyline of the beach that runs between Buffels Bay and the edge of Sedgefield for more than 10 kilometres];

21.4. If the development is would be contrary to the interests of the whole community [section 63(1)(h)(vii)].

[It does, for the same reason];

21.5. 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)].

[It does, for the same reason];

21.6. If the very nature of the proposed development requires it to be located within the coastal protection zone [section 63(1)(i)].

[The real question is however if the applicant's desire to erect a dwelling should be met by allowing a development at the highest point of the property, and to do so for four dwellings];

21.7. If the development is likely to be significantly damaged or prejudiced by dynamic coastal processes [section 63(1)(h)(v)].

[The answer is that there is at least a significant risk, due to increases in the high-water mark, and the undercutting of the foredune. The competent authority would take notice of the photographs herein. This could be exacerbated by an increase in adverse weather conditions. In this regard the principles set out in section 2 of **NEMA** applies-

- That a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions [section 2(4)(vii)]; and
- That negative impacts on the environment and on people's environmental rights be anticipated and prevented, and (only) where they cannot be altogether prevented, are minimised and remedied [section 2(4)(viii).]

Legality matters

- 22. The applicant has not addressed compliance with timeframes and prescribed steps in the DBAR or in any document accessible to me. These are set out especially in **Environmental Impact Assessment Regulations, 2014**, in regulations such as 3, 19, 21, 23, 40, 41, and possibly others.
- 23. I request that this matter be carefully considered. I submit that if compliance (taking into account weekends and public holidays) cannot be shown, the application stands to be dismissed.

Legality matters (continued)

- 24. 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 four dwellings to be erected on the foredune. This is the notice of the public participation process that appeared in the EDGE newspaper on 21 May 2025:



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, 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.

25. 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."*
26. The notice, with respect, does not begin to give notice to the members of the public that four dwellings are intended to be erected at the highest point of the property to breach an uninterrupted, pristine skyline that runs between Buffels Bay and the edge of Sedgfield (for more than 10 kilometres). It was a material omission and thus failed to inform the public.
27. The purpose of a notice to the public is not a box ticking exercise, but to give proper notice of the material facts so that the public can state their views. In this regard the EAP, in law, must perform the work relating to the application in an objective manner.³⁸
28. This obligation to carry out a fair process is further spelled out in that the person conducting the public participation process also had to ensure that information containing all relevant facts in respect of the application or proposed application was made available to potential interested and affected parties.³⁹ The notice in the EDGE did not do that.
29. If I may add, it is not only the advertisement in the EDGE newspaper that did not alert the potential readers as to the development of the four dwellings at the highest point on the foredune, but this is how it is how the DBAR is described on page 2 thereof.

DRAFT BASIC ASSESSMENT REPORT:
The Proposed Development of a Primary Dwelling and Access Road on Portion 79 of Farm 205, Ruygte Valley, Sedgfield, Western Cape
DFFE REF: TBC

30. No mention is made of the three cottages.

31. The application stands to be dismissed.

Legality matters (further continued)

32. The DBAR is stated to have been prepared on behalf of a company: "*Daniel Senster and Partners Inc.*" It is not a typing error. I point out that on page 12 of the DBAR it is also stated that the applicant is Daniel Senster and Partners **Inc.**, and it stated that D Sevenster represented this company (and not himself) in his capacity as a **director**. It is stated that the **trading name** of the company is The Optical Center Sandton.

33. Daniel Senster and Partners **Inc** have no right to the property, as the property is owned by an individual, Daniel F Senster. In law, the difference between a company and a person is a material difference. The title deed reflecting ownership is an annexure to the Town Planning Report.⁴⁰ I again attach it as "C". This is the owner:

DANIEL FRANCOIS SEVENSTER
Identity Number 660401 5164 08 3
Unmarried

34. Nowhere in the application is it stated that the company, Daniel Senster and Partners **Inc.**, has any right to the property. In any event such a right would contradict the version presented in the DBAR that the owner and his "family" will use the property solely for residential use.⁴¹ The DBAR only refers to the cottages, and clarity needs to be obtained about the main house.

35. Regulation 12(1) of the **Environmental Impact Assessment Regulations, 2014** requires that the EAP be appointed by the proponent or applicant. Where the application is made by someone who is not in control of the land or who is

not the owner, it must be accompanied by a written consent from the owner [Regulation 16(b)(i)].

36. DBAR Page 64 states expressly that no consent was obtained:

1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for environmental authorisation in respect of such an activity, obtain written consent of the landowner or person in control of the land to undertake such activity on that land	The proponent (applicant) is the landowner and therefore consent is not required.
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2) The person conducting a public participation process must take into account any relevant guidelines

37. No written consent has been provided and the application stands to be dismissed.

Legality matters (further continued)

38. I refer below to indications that a visual assessment report of 18 November 2024 may not have been disclosed. I do not state that the report(s) as a matter of fact exist(s) and/or has/have not been disclosed. The only persons who would know that are the applicant and Mr S Stead. I merely state that there are indications.

39. The first indication is that the disclosed report was a draft, and is dated 24 October 2024.

Visual Impact Assessment: Site Sensitivity Report

Draft V1

DATE: 24 Oct 2024

40. He then objects on 22 June 2025 to the exclusion of his report of 18 November 2024.⁴²

41. Although it appears that there was a second report, I have no knowledge if it was more extensive than the draft report of 24 October 2024, but it probably was if the need existed to change the draft report.

42. I am also concerned by the references to visual simulations that on my reading of the DBAR. Has not been produced. This is what is stated at Page 67 of Appendix E2 Comments and Response Report in reaction to the following objection:

Objection: *"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."*

Response: *"•The previous statement suggesting that undulating topography fully obstructs views from Groenvlei Beach has been revised. Updated site specific modelling confirms that portions of the proposed structures may be visible from certain limited beach vantage points, particularly at lower elevations where vegetation density is reduced.*

• A new, site-specific Digital Viewshed Analysis (DVA) has been generated using accurate topographic contours, LiDAR-derived elevation datasets, and the updated Constraints Map.

This corrects the earlier reliance on qualitative assumptions and replaces it with a quantitative visibility assessment.

•The updated Visual Compliance Statement (Outline Landscape Architects, 2025) now includes additional cross-sections, block modelling, and height analyses illustrating potential visibility from Groenvlei Beach, Groenvlei Beach Road, and the residence located 250 m east of the site."

43. I can find no such modelling in any expert report. The visual compliance statement upon which the applicant relies is dated 25 March 2025.⁴³ It contains no such modelling and it does not contain any admission that the development would be visible from the beach. Instead, it states:

"The development is proposed on the highest point of the site and is on a cliff approximately 70m above the beach.

From the site visit, it was established that the site is not visible from the N2 and Lake Pleasant Resort due to the higher topography and dense vegetation of the site. The development will also not be visible to viewers on the beach due to the highly elevated and eroded cliffs."

44. This statement is now admitted to be wrong, but the modelling has not been submitted. And on this point, the applicant relies on alleged statement by a third visuals impact expert, Paul Buchholz (January 2025), but has only addressed his proposal to undertake the work and did not attach any report by him.

45. The relevant parts of regulation 40(2) of the **Environmental Impact Assessment Regulations, 2014** read:

*"The public participation process contemplated in this regulation must provide access to all information that reasonably **has or may have the potential to influence any decision with regard to an application** unless access to that information is protected by law and must include consultation with-*

(a) the competent authority;

(b) every State department that administers a law relating to a matter affecting the environment relevant to an application for an environmental authorisation;

(c) all organs of state which have jurisdiction in respect of the activity to which the application relates; and

(d) all potential, or, where relevant, registered interested and affected parties."

46. It appears to me that material information was not made available. I submit that the application stands to be dismissed.

Visual compliance

47. In this matter there are at least two visual compliance reports, the first report was allegedly done in error on the "wrong property", the second report was allegedly done on the correct property. I have referred to them. As I have stated, the applicant refers to a third, but it has not been disclosed. All that has been disclosed a proposal by Paul Buchholz, but it contains no findings. It is, not a report. It carries the misnomer "*Appendix D1 Initial Visual Statement.*" It is a misnomer on two fronts, it is not initial (as it is dated 19 January 2025), and as it is a mere proposal and carries no expert views on the suitability of the site.
48. The first report is by Visual Resource Management Africa (Stephen Stead) and the disclosed version is dated 24 October 2024. It is "*Appendix D1 VRM Visual Impact Assessment Wrong site*". It is a misnomer too, as it is not about the wrong site at all, as will appear below. The actual document pertaining to the first report is called "*Visual Impact Assessment: Site Sensitivity Report*".
49. The second report is by Outline Landscape Architects and is dated "March 2025". It is "*Appendix D1 Visual Compliance Statement*". It is of the same site as the first report. I have dealt with the fact that the applicant admits that it is now being accepted as being wrong pursuant to undisclosed modelling.
50. I first address the aspect of the first report allegedly being of the wrong site. There are numerous instances where this incorrect statement is made in the DBAR.
51. The fact that the first report was made about the correct site appears from a number of facts.
52. I have referred to the fact that Mr S Stead objected to the exclusion of the first report, in the Pre-Application Basic Assessment Report. He clearly knew, and so does everyone else, that the study that he undertook and the study that Outline Landscape Architects undertook was of the same property.⁴⁴ He assessed Portion 79 of Farm 205 Ruygte Valley. It is preposterous to state otherwise. He objected to its exclusion because it was relevant.

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.
- \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.

53. The evidence that the correct site was assessed is overwhelming. The first report itself states that it is in respect of the correct property. At page 6 of the first report, it commences with:

Visual Resource Management Africa CC (VRMA) was appointed to conduct a Visual Impact Assessment for the proposed development residential development and three cottages on Farm 205/79 in the Knysna Municipality.

54. The visual evidence is overwhelming as well. There is one undeveloped property between it and the edge of Sedgefield. The locality map, Appendix A1, shows this clearly:



55. Note the form/shape of the property marked in red. The property marked in red was the property that was evaluated in the first visual assessment, the one that the applicant describes as "*Appendix D1 VRM Visual Impact Assessment Wrong site*".

56. The assessment was done on the right property as set out in figure 6 on page 18 of the first report:



57. Note the form/shape of the property marked with the blue arrow. It is the same property marked in red The locality map, Appendix A1. See too figure 9 on page 21 of the first report, it reflects that the property is adjacent to undeveloped land, with exactly the same features as the property on which the second report was prepared. (This figure is useful as it shows contour lines.) Note the form of the property, the set back on the property to its eastern boundary, and the layout that follows the same contours as the one used in the second report.



Figure 9: Overlay of proposed Site Plan on to ESRI Opensource satellite imagery.

58. This accords with the applicant's other reports, for instance see Figure 12 at Page 25 of Appendix D4 Terrestrial Biodiversity Assessment:



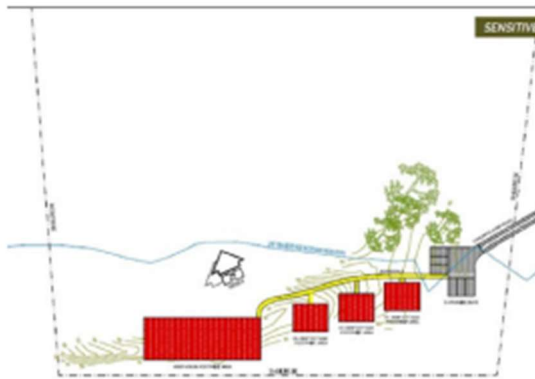
59. Please also see the contours and the layout of satellite image on page 3 of Appendix D2 Preliminary Geotechnical and Geomatic Report:



60. That the correct property was evaluated, is even clearer on figure 10 on page 23 of the first report, the property reported on is the one that is adjacent to Lake Pleasant Private Nature Reserve Section No. 5:



61. It is no coincidence that the proposed layout follows the same contours as the one in the second report. It is outrageous to state that the first report dealt with the wrong property.
62. See first figure 8 on page 20 of the first report, the zoomed view of Site Plan and concept design provided by Olivier Architects. The very same sketch is included in the second report as Figure 2 on Page 5. Why the same sketch, BECAUSE IT IS THE SAME PROPERTY,



67.1. "Lies inland from the coastal cliff, approximately 700 m east of Cola Beach";

[Cola Beach is the suburb that is situated at the eastern end of Sedgefield. This property indeed is a distance away from the edge of Sedgefield, as was illustrated in the first report. It is one property removed from the eastern end of Sedgefield.

What is the actual cliff that is talked about? Please have regard to figure 9 at page 21 of the first report, it shows the step contours. It also shows that the proposed site was inland from the cliff, at a height of 60-70 metres.



The first report and the second report was about the exact same site];

67.2. "Occupies stabilised consolidated dunes at elevations of 65–75 m above sea level".

[I have already shown that the that the proposed site was inland from the cliff, at a height of 60-70 metres, a common cause fact (unless someone wants to quibble about 5 metres).

How stabilised the dune is, is not of great importance in the visual assessment, **and does not show that the wrong site**

was evaluated. But the one value of the first report is that the photographs are telling. The keys thereto are at figure 11 at page 28 of the report.

This is what the cliff looks like photographs 13, 14, 16 and 17 (in my view potentially taken from too close to the cliff):





Nowhere did the original report suggest that the development would be right above the beach on this collapsing cliff/dune.]

67.3. *"Is covered by dense Goukamma Strandveld and coastal thicket vegetation";*

[I see no material difference between the two reports in this regard, and **it and does not show that the wrong site was evaluated. The same vegetation covers the whole area.**

The vegetation will not prevent skyline intrusion. The alleged height of this vegetation at the sites are not stated or compared to the height of the development to be built are not addressed, and neither were the following findings in the original report addressed (at page 12):

Main residence-

High risk, *"not suitable due to steep slopes, skyline intrusion and possible sea cliff collapse";*

Cottage 1-

Medium risk, *"not located on prominent terrain. existing veg provides visual screening and slopes med low. suitable with mitigation*

4m above average ground level. wooden structure. no garden”;

Cottage 2 -

High risk, “steep slope area that will require cut fill or high pole platform extending the structure above the tree line”;

Cottage 3-

High risk, “not recommended due to steep slopes and skyline intrusion”;

Landscape-

High risk, “existing precedent for no skyline intrusion on the top of the sea cliff that should be retained”.

I have already dealt with the rookrans and wind pruned vegetation.]

67.4. “Has no direct visual exposure to Groenvlei Beach or the N2”.

[The reference to the N2 is a red herring; it is irrelevant to the issue, **and does not show that the wrong site was evaluated. But this statement is wrong, as I have already illustrated in dealing with undisclosed modelling.**

There is visual exposure to the beach, which may even be more than what was pictured at photograph 6 on page 13 of the original report



If you can see the beach, you can be seen from the beach. How much more will be visible after clearance of vegetation, excavation and elevating the structures, and building a structure 6 metres into the air? Only the first report attempted to show it at page 11.



As I have stated, what no one has done, is to take photographs from the eastern side of the property where there is an unspoilt, panoramic view if one were to walk from Buffels Bay towards Sedgefield at low tide (when people walk on the compacted sand close to the water's edge.). Similarly, no photographs have been provided to show the approach from the Sedgefield side, at low tide. The original report makes the correct point, that the first category of landscape modification is

- i. *Foreground / Middle ground*, up to approximately 6km, which is where there is potential for the sense of place to change;

67.5. "Lies **behind** the dune ridge, not on an active cliff edge. The actual development footprint, covering $\pm 1\,175\text{ m}^2$ (0.02% of the property), will be screened by vegetation and topography, and will not result in skyline intrusion or beach visibility."

[This statement contains several misstatements, but and it **does not show that the wrong site was evaluated.**

Starting at the end, the figure of 0.02% is a hundred times greater, on the applicant's version. The real figure is likely to be $10\,000\text{ m}^2$, as already dealt with at some length.

The development is not **behind** the dune ridge (i.e. on the northern side of the ridge, away from the sea), but on top of the dune ridge, at the highest point itself, as the second report expressly records. The issue is not if the development is hidden from view from the N2, but from the coast. It is not **behind**, it is on top and **in front**, visible form the beach.

See again figure 9 at page 21 of the first report, it shows the step contours. It also shows that the proposed site was inland from the cliff as it flattens out, at a height of 60-70 metres, the highest point. No one has ever suggested that the intent was to build where the cliff is being eroded.



68. The slight differences in the contour lines shown by some of the experts, is something that ought to have been put to them, and they ought to have resolved it. I assume that someone used a fixed point a few metres away from the point used by someone else. The differences in contour are small.

69. I applaud the author of the first report. The report commences by stating in the executive summary. It is so well set out, that I need to repeat it:

"The preliminary findings of this site sensitivity report is that the proposed development in its current layout would be a Fatal Flaw as mitigation would not be able to significantly reduce the very high levels of visual intrusion. Twelve High Risk issues were identified during the site visit as tabled in Table 10. The following reasons are provided as motivation and mapped in Figure 1:

- *The proposed structures are situated in a highly prominent location on the edge of sea cliffs, an area currently devoid of man-made visual disturbances, and characterized by exceptional scenic quality. The sensitivity of receptors to manmade changes in this coastal region is likely to be very high.*

[I wholeheartedly agree.]

- *The proposed dwellings would be clearly visible from the beach, establishing a negative precedent for future structural developments along the sea cliffs. Additionally, these structures would disrupt the skyline as viewed from the beach below.*

[I wholeheartedly agree.]

- *The sites are located on steep slopes with gradients exceeding 1 in 4, necessitating significant cut and fill operations and pole foundations that would require the development platform to be raised off the ground.*

[It is a simple matter of logic that were disruptions of the skyline is in issue, that there should be absolute clarity on these matters. Such clarity must be provided in a manner that enforceable obligations to comply be established.]

- ***There is clear evidence of erosion affecting the sandstone cliffs, with the erosional cut-back exceeding 60 meters above ground level, coinciding with the elevation of the proposed main residential building's base. With anticipated sea level rise, this erosion is expected to worsen (subject to geotechnical specialist findings). This concern is explicitly addressed in the DEA&DP Western Cape Climate Change Response Strategy and the Garden Route District Climate Change Adaptation Response Implementation Plan. While the proposed dwellings are positioned 100 meters above the high-water level (HWL), the DEA&DP is currently reviewing the HWL based on climate change risks.***

"For instance, an erosion setback line established as safe under current coastal conditions (i.e., present seawater levels and storm intensities) cannot be assumed to remain safe under more extreme climate change scenarios (i.e., elevated seawater levels and increased storm severity). The identification of long-term safe coastal management lines requires a thorough understanding and quantification of risks, resource mobilization, solid policy guidelines, planning, and appropriate legislation (Department of Science and Technology, 2010)" (p. 67).

[These are simple truths.]

- *The potential destabilization of the sea cliffs due to structural development could lead to slippage, resulting in visual scarring and property loss."*

70. The author also made the point and made the following points clearly:

"Additionally, the straight design of the road represents a critical flaw, as a strong linear clear-cut through the Goukamma Dune Thicket (CBA rating) would set a negative precedent for development in this ecologically significant area. The final recommendation is to relocate the garage and workshop closer to the main development area, and ensuring they are situated behind the dune near the garage and parking areas to minimize landscape fragmentation."

71. The negative precedent would not only be the clear-cut through the Goukamma Dune Thicket, but the visual disturbance on the foredune too. This application is the thin edge of the wedge in as far as that pristine beach is concerned.
72. I now turn to the second report, Appendix D1 Visual Compliance Statement.
73. In a sense I have to say little, as the applicant has conceded that Outline Landscape Architects was wrong in declaring at page 6 *"the development will also not be visible to viewers on the beach due to the highly elevated and eroded cliffs"*. (Note the omission of any reference to vegetation.)
74. The first defect in this report is the complete absence of 3D Modelling. One needs to see what will be built, at what height, and how high it would intrude in the skyline.
75. In addition, the photographs used in this report, in my view, are highly selective too, and are unhelpful. I discuss them briefly.
- 75.1. The first six photographs depict something of little moment. Between the N2 and the is Groenvlei/Lake Pleasant. From the N2 one drives on a narrow road past a camping site and what once was a hotel. Thereafter one follows a narrow gravel road towards Platbank. One turns off to the right on a narrow track (it seems to me to be too narrow for large trucks and machinery) until one gets to the property, where the new road will have to be constructed through thick vegetation. That is what the first six photographs depict.

7.4. SITE PHOTOS



75.2. The next three photographs are all on the northern side of the foredune. They really add nothing of value about the main issue, the view from the coast.

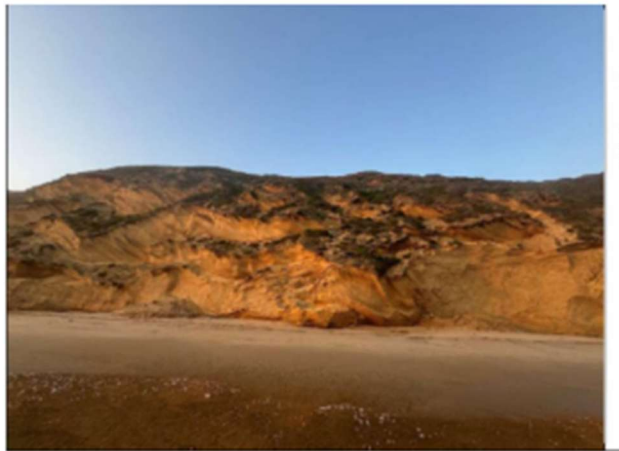


75.3. The three pictures that follow, were all taken from behind bushes. I cannot ascertain at what height they were or where on the property they were taken.



We know that the beach is visible from the construction site, but this has not been shown. Neither were photographs taken at the height of the proposed structures, on an elevated platform, six metres in the air. The photographs really add nothing of value about the main issue, the view from the coast.

- 75.4. The last two photographs are equally unhelpful. One is of a cliff where the photographer stood right against the cliff. The relevant place is at the low-water mark from where one sees the top of the cliff. I have already included this one as more accurate. Please compare it to the two photographs that were used in the report:



versus



- 75.5. The last photograph was taken in a western direction, from some point on the beach. What it does not show and cannot show, is how much that beach changes. It is unbelievable to witness how sand is removed and the added again over time. As a result, the distance between the lower-water mark and the cliff changes markedly over time. The tides too play a major role. The high-water mark, it seems to me are influenced a lot by spring tides, and storms.
76. The report contains no photographs taken from the beach at low tide as one would walk from Buffels Bay direction Platbank/Sedgefield. The report contains no photographs taken from the beach at low tide from the opposite side, as one would walk from Sedgefield direction Platbank/Buffels Bay. It contains no photographs taken from the beach at low tide directly in front of the site. To this must be added the modelling of the structures, which has not been done.
77. It is not only the photographs in this report that are unhelpful, but the "Architectural Concept Ideas for the Proposed Building Designs" (figure three on page 5) are unhelpful too. Amongst the examples it shows a dwelling in a forest. It shows two other dwellings from up close, also in an area with large trees. The structures appear to be wooden structures, but I have seen no commitment to use that building method. I do not see any transparent houses where I live, but I am no expert.

Figure 3: Architectural Concept Ideas for the Proposed Building Design



78. Having dealt with the visual defects in the report, I also take issue with the reasoning in the report.

78.1. The author states at Page 6 that:

"The proposed development will be situated on top of a stabilized coastal dune that allows for beautiful vistas over the ocean and towards Gericke's Point. The property is located on low sloping areas behind the front dune edge. The site rises to about 70m above sea level."

78.2. I have dealt with the fact that behind is an inaccurate description for something that is on top and in front of the dune as viewed from the coast. It is on top, as the authors says so on Page 6 too:

"The development is proposed on the highest point of the site and is on a cliff approximately 70m above the beach."

78.3. I have dealt with the fact that it is now common cause⁴⁵ that the development will be visible from the beach. Hence it is common cause that the following statement at Page 6, is untrue:

"The development will also not be visible to viewers on the beach due to the highly elevated and eroded cliffs."

78.4. How does the author rate a property built on highest point of the site?

78.4.1. The author gives it full marks (three) for being able to be absorbed by screening allegedly provided by "landforms,

vegetation cover and/or structures such as buildings". Is even one applicable? It is now common cause that landforms will not hide the structures. The vegetation is wind pruned and low, or rooikrans to be removed. The point is that there are no other buildings. The score should have been 0. Yet the author scores the development at full marks;

78.4.2. The author gives it full marks (three) for being absorbed by "the magnitude of topographic elevation and diversity in slope variation". Is one even slightly applicable? The ground height will be below 70 metres. There is no slope diversity, the contour lines show that. The score should have been 0. Yet the author scores the development at full marks; and

78.4.3. The author gives it high marks (two) on land cover ("the perceivable surface of the landscape and the diversity of patterns, colours and textures"), in an area largely uniformly green, as seen in the photographs. The author] gives it two out of three. Not one, or zero, out of three. Why?

78.5. The net finding at Page 7 is a high VAC rating. I disagree, this scoring is not based on fact and are incorrect in my view.

78.6. I point out that the height of the vegetation was not addressed in this report.

78.7. This statement is made at Page 7 of the report:

"The building materials are envisioned to be natural materials, with a combination of light steel and glass structures, to easily blend into the natural environment."

78.8. Why would steel and glass not be reflective? Why would it blend ort integrate into the environment? Why does the author not state the fact the engineering requirement is for concrete foundations⁴⁶ and that

excavation of more than five cubic metres for the main house alone is planned.

Key recommendations include:

- Use reinforced raft or piled foundations suitable for low-bearing soils (G7–G9).

78.9. Under visual influence on Page 10 the author only named “*nearby residents, motorists and tourists*”, but the users of that beach are all residents of Sedgefield and often from towns in the area too. I encounter them. It is not true that our focus is sideways on the ocean as we walk that beach, we look ahead and admire the unspoilt beauty.

79. The list of references upon which the author allegedly relied, are not linked to footnotes of endnotes. I question what role studies of renewable energy, Namaqualand vegetation, or urban land played in preparing the report.

80. The whole stretch of beach between Buffels Bay and Platbank/Sedgefield is undeveloped, unspoilt wilderness. It is of rare beauty and is priceless to society. The report makes out no case that the development should be allowed.

Some questionable statements

81. Time did not permit me to address all questionable statements in the DBAR. I mention a few obvious (to me) ones.

82. The off-grid representations appear to be wrong too. This is what is stated:⁴⁷

All infrastructure will be off-grid, incorporating rainwater harvesting tanks, conservancy tanks, solar power generation, and off-site waste disposal to the municipal collection point.

The architectural design adopts an environmentally sensitive approach using timber, steel, glass, and natural stone, blending with the natural landscape and reducing excavation requirements.

83. I live in Sedgefield and have a solar system, being of grid for about 75% of our needs. The rainy days at times lasting several days mean that solar power and batteries cannot ensure off-grid living, unless a truly massive solar system is installed, requiring even more land to be cleared than what is presented in the DBAR. Much more likely is the use of a generator.

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.

84. The version of the building using timber, steel, glass, and natural stone, integrating visually, says nothing at all. A brick-and-mortar home use timber, steel, and glass, and may use natural stone. A wooden home use timber, steel, and glass, and may use natural stone. A house build of concrete use timber, steel, and glass, and may use natural stone. On what basis can anyone state that such a house will integrate visually with the white and green dune landscape? What is even more jarring, is that the building plans have not been disclosed.

85. I seriously question the version that the property will be used by the owner and his immediate family. These are some of the statements:

The DBAR states at Page 38:

The development on Portion 79 is both needed and desirable within the context of sustainable rural development and conservation-based land use. The project no longer includes any eco-tourism component and consists solely of a single private dwelling for the landowner and family members, serviced entirely off-grid.

This version of one dwelling is continued in DBAR at Page 39

Current Application

The current application seeks to exercise the primary land use right under the existing Agricultural Zone I zoning, allowing the construction of a single private dwelling and associated infrastructure (access, services, and rehabilitation).

See too DBAR Page 54:

The proposed development will not set a precedent for similar activities in the area. The applicant seeks only to exercise an existing primary land-use right permitted under the Agriculture Zone I zoning, which allows the construction of one dwelling house. The proposal does not introduce any new or intensified land use, nor does it involve subdivision, tourism, or commercial development that could influence future applications in the vicinity.

But we know this is not true, four dwellings are intended. 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. Zoning for agricultural use seems to me to be of greater protective value (as it allows for one dwelling only), and it is being removed. That the tourism intent is still alive appears also from DBAR. It states at Page 43:

town's reliance on seasonal tourism. The SDF also highlights the need for sustainable tourism practices that preserve Knysna's natural and cultural heritage. This includes promoting responsible tourism activities, enhancing public access to natural areas, and ensuring that tourism development aligns with environmental conservation efforts. The proposal to conserve 99.8 % of the land and to create a small but authentic tourism component aligns with this vision of the SDF.

86. Sceptical as I am, time forces me to conclude my objection.

Conclusion

87. I humbly request the competent authority to dismiss the application. I have raised a number of grounds:

87.1. I have humbly requested that compliance with timeframes and prescribed steps be checked, as I had insufficient information to do so.

87.2. 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 activities.

87.3. 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).

87.4. But in the end, the visual impact assessment relied upon by the applicant is clearly defective, with respect.

Yours faithfully

N de Villiers

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 + DVA + cross-sections) with enforceable EMPr mitigation. All issues raised are captured in the CRR to support a transparent, lawful and informed decision.

Same Comment as above

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,	Noted. The Amended BAR clarifies the current proposal footprint, siting rationale and constraints-based design using the updated georeferenced

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 Stead⁵ 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 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.

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>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 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</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>
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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.]

8.2. The material omissions 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. Similarly, 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

	<ul style="list-style-type: none"> • 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 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. 	
Legislative framework (12–21.7)	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	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

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 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

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>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 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</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, 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>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>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 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>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. \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>

Some questionable statements (81–85)	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:	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.
Conclusion (86–87.4)	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 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.	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 + DVA + cross-sections) with enforceable EMPr mitigation. All issues raised are captured in the CRR to support a transparent, lawful and informed decision.

Comment (Ms B G Beck - 15 December 2025)	Response
“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	Thank you—your submission is acknowledged and recorded in the Comments & Response Report. The Amended BAR recognises that the Garden Route/Sedgefield

<p>interested and affected party. Our tourism industry is based on the natural environment.”</p>	<p>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 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.</p>
<p>“C. With reference to the statement below”</p>	<p>Noted—each quoted statement is addressed directly below to clarify what is within scope of this environmental process and what requires separate legal processes.</p>
<p>“Biodiversity Assessment (2025) and Agricultural Compliance Statement (2025), it is proposed that the entire property be rezoned (Nature Conservation Area). No</p>	<p>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</p>

<p>fences and a handover or partnership with SANParks for the management of the property.”</p>	<p>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.</p>
<p>“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).”</p>	<p>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.</p>
<p>“D. Below see some relevant quotations from Draft Basic Assessment Report – Portion 79 of Farm 205 Ruygte Valley.”</p>	<p>Noted—responses to each cited extract are provided below and the Amended BAR position is clarified.</p>
<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.” 	<p>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.</p>
<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.” 	<p>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</p>

	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 has 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 Cape Milkwood Forest (protected under the National Forests Act), it is dominated by the Milkwood Side is protected under the same Act” 	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 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.
“Keeping the above quotations in mind, the whole of farm 205, should become a protected area.”	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.
“E. I could find no information on the fauna of the area and how any proposed development will affect them. There should be no bol other fences on any portion of Farm 205. It must be delegated that responsible and effective environmental	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

<p>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 presence of any animals in this area.”</p>	<p>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 to 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>
<p>“See below”</p>	<p>Noted—each listed component is addressed as part of the assessed footprint and is subject to Constraints Map avoidance and EMPr controls.</p>
<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.” 	<p>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.</p>
<p>“All rights to elaborate these comments and to raise new issues at a later date are being reserved.”</p>	<p>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</p>

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
<p>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.</p>	<p>The Amended Basic Assessment Report addresses this concern through the inclusion of an updated Constraints Map, refined site layout, and specialist</p>

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 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</p>

Comment (Adela Stangemann – 05 December 2025)	Response (Amended BAR)
<p>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.</p>	<p>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.</p>

	More than 95% of the property will remain undeveloped and will be subject to ongoing ecological rehabilitation,
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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
<p>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 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>	Noted.

<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 inconsistent with the principles and objectives of the Integrated Coastal Management Act..</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>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</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>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>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</p>	<p>The EMPr includes a Duty of Care compliance clause requiring immediate remediation of any environmental damage.</p>

<p>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>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 construction and operational phase, the applicant should ensure that the public can safely use and enjoy the coastal zone.</p>	<p>Public coastal access will not be restricted during construction or operation. The Amended BAR confirms this commitment.</p>
<p>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.</p>	<p>Wastewater management complies with national standards. No effluent discharge to coastal waters is proposed.</p>
<p>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.</p>	<p>Acknowledged. The applicant accepts this legal requirement.</p>

Correspondence	Exact Content / Summary	Response / Regulatory Status
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<p>Eco Route Extension Request Letter Date: 21 January 2026</p>	<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 • • 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. 	<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>
<p>DFFE Acknowledgement of Receipt Email Date received: 21 January 2026 Reference: 14/12/16/3/3/1/3235</p>	<p>DFFE confirmed receipt of the Regulation 19(1)(b) notification on 21 January 2026. The Department reminded that:</p> <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. 	<p>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.</p>

<p>Comment (CapeNature – Megan Simons – 26 June 2025 & 18 December 2025)</p>	<p>Response (aligned to Amended BAR)</p>
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<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>
<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</p>

	steep erosion-prone zones. The terrestrial biodiversity assessment confirms that the selected site is the least ecologically intrusive option within the cadastral constraints.
<i>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</i>	Noted. The applicant and EAP remain committed to providing any additional specialist information required by CapeNature and the competent authority.

COMMENTS RECEIVED IN RESPONSE TO THE AMENDED DRAFT BASIC ASSESSMENT REPORT –18/02/2026 - 20/03/2026.

Niel de Villiers – 19 February 2026

Comment	Response
<p><u>Re Amended Draft Basic Assessment Report - The proposed development of a primary dwelling, three cottages, additional structures and access road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape</u></p> <ol style="list-style-type: none"> I commented on 15 December 2024 on the Draft Basic Assessment Report regarding the Proposed Development of “a Primary Dwelling” (sic) and Access Road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape. I did so in my own name and on behalf of a voluntary association to be formed. That voluntary association has not been formed yet, but I continue to act in my own name and on behalf of that voluntary association to be formed. Its provisional name is now Save Our Sedgefield and the establishment process is ongoing. I did not receive the response letter of 6 February 2026 referred to in your current report. <u>Please provide me with proof of transmission of the documents included in Appendix E as “response letters”.</u> 	<p>In a letter date 26 February 2026, Ms Gilfillan responded with the following:</p> <p>Dear Mr de Villiers RE: RESPONSE TO COMMENTS ON THE AMENDED DRAFT BASIC ASSESSMENT REPORT – PORTION 79 OF FARM 205 RUYGTE VALLEY, SEDGEFIELD – LETTER DATED 19 FEBRUARY 2026</p> <p>We refer to your previous submission dated 15 December 2024 on the Draft Basic Assessment Report for the proposed development of a primary dwelling, three cottages and associated access infrastructure on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, as well as your subsequent correspondence relating to the amended Draft Basic Assessment Report. Your involvement in the public participation process, both in your individual capacity and concerning the voluntarily formed association, is duly recognised. You have been officially informed of the amended Draft Basic Assessment Report, which was disseminated in accordance with Regulation 19(1)(b) of the Environmental Impact Assessment Regulations, 2014 (as amended). This correspondence serves to respond to the procedural and substantive matters raised in your recent communication and to clarify the status of the Basic Assessment process.</p> <p><u>Response to the request for proof of transmission of the letter dated 6 February 2026</u></p> <p>The response letter dated 6 February 2026, as referenced in Appendix E of the Amended Draft Basic Assessment Report (DBAR), forms part of the</p>

4. On 18 February 2026 at 11H31 you sent me a revised Draft Basic Assessment Report for comment, with no explanation. I assume you did this in terms of regulation 19(1)(b) of the **Environmental Impact Assessment Regulations, 2014** (as amended). In terms thereof you are obliged to inform the Competent Authority, the Department of Forestry, Fisheries and the Environment (“the DFFE”) in writing that “as significant changes have been made or significant new information has been added to the documents which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised documents will be subjected to another public participation process of at least 30 days.” Please provide me with that notice and the response thereto. (The documents appear to have been dated 21 January 2026.)

consolidated documentation of the amended public participation process. The letter was not distributed separately to the Interested and Affected Parties as an independent communication. It was incorporated into the Amended Draft Basic Assessment Report documentation package and forms part of the current Regulation 19(1)(b) public participation process. The amended DBAR, including Appendix E and all associated response letters, was circulated as a single consolidated package for the required minimum 30-day public participation period. There is therefore no separate proof of transmission for the letter dated 6 February 2026, as it was not issued independently of the amended DBAR distribution. The current public participation process constitutes one unified 30-day consultation period in terms of Regulation 19(1)(b), and all relevant correspondence is included within that circulated documentation set.

Response to Regulation 19(1)(b) query and explanation for amended Draft BAR The revised Draft Basic Assessment Report (DBAR) circulated on 18 February 2026 was issued in compliance with Regulation 19(1)(b) of the Environmental Impact Assessment Regulations, 2014 (as amended). The amendment of the Draft BAR was necessary following the refinement of the environmental constraints mapping and the incorporation of updated specialist input. The updated constraints map consolidated and spatially aligned the following confirmed sensitives:

- Geotechnical no-go areas, including the Structurally Weak Zone (SWZ) and D7 fracture line
- Coastal erosion risk projections and setback lines
- 100 m High Water Mark buffer
- Slope instability zones
- Biodiversity sensitivity areas (CBA1 and CBA2)
- Protected forest components (Western Cape Milkwood Forest)

Following the integration of these constraints into a single verified spatial overlay, it became necessary to refine the development footprint to ensure

full alignment with the most stable central–northern portion of the property and to avoid all identified geotechnical and ecological no-go areas.

Accordingly, the amended Draft BAR reflects:

- Updated and corrected constraints mapping
- Refined development footprint positioning
- Clarified building envelope and disturbance areas
- Updated impact assessment tables to reflect the refined layout
- Strengthened mitigation measures in the EMPr
- Clarified differentiation between preferred and alternative footprint extents
- Alignment of specialist recommendations with the revised layout

These refinements constitute material clarification and spatial alignment rather than a fundamentally new proposal. However, in the interest of procedural fairness and regulatory compliance, the amended Draft BAR was subjected to a further public participation process in terms of Regulation 19(1)(b).

In compliance with the Regulation, the Department of Forestry, Fisheries and the Environment (DFFE) was formally notified in writing that amendments had been made and that the revised documentation would be subjected to a further public participation process of at least 30 days.

An extension of the applicable timeframe was also formally requested from the DFFE. The reasons provided for the extension included:

- The need to consolidate and verify updated specialist spatial data;
- The preparation of a comprehensive constraints map integrating geotechnical, biodiversity and coastal risk information;
- The alignment of the development footprint to avoid identified no-go areas;
- Ensuring that the amended documentation accurately reflects environmental sensitivities before submission; and

5. You first gave notice of a public participation process to run from 24 April 2025 to 24 May 2025. The notice that you gave had the heading: “Proposed Development of a Primary Residential Dwelling (sic) on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape.” In that notice you undertook to make a Pre-Application Basic Assessment Report and relevant appendices available to all registered Interested and Affected Parties. Please provide me with those original documents. (I requested this information also on 15 December 2025 but received on 7 January the DBAR that I had already commented on.)

- Allowing sufficient time to conduct a compliant additional public participation process in terms of Regulation 19(1)(b).

The DFFE acknowledged receipt of the notification submitted in terms of Regulation 19(1)(b), confirming compliance with the procedural requirements of the EIA Regulations. The acknowledgement confirms receipt of the notification in terms of Regulation 19(1)(b).

The Amended Draft BAR dated January 2026 reflects the date of finalisation of the amended documentation following incorporation of the updated constraints mapping and specialist alignment.

The current public participation process, therefore, constitutes a lawful continuation of the Basic Assessment process in terms of Regulation 19(1)(b), following notification to the Competent Authority.

Response to request for Pre-Application Basic Assessment Report Documentation The public participation process conducted from 24 April 2025 to 24 May 2025 constituted the pre-consultation phase of the Basic Assessment process.

The Pre-Application Basic Assessment Report (Pre-Application BAR) made available during that period was substantially the same as the subsequent Draft Basic Assessment Report (DBAR), subject only to minor administrative refinements, formatting updates and incorporation of preliminary comments received during the pre-consultation stage.

No material changes to the development proposal were introduced between the Pre-Application BAR and the Draft BAR stage. The significant refinements to the proposal, including updated constraints mapping and layout adjustments, were introduced only at the Amended Draft BAR stage in terms of Regulation 19(1)(b).

6. Please provide me with any environmental management programmes compiled and submitted to the Competent Authority, the DFFE. Without access to them I am prejudiced in commenting on the latest revised/amended Draft Basic Assessment Report.

All Interested and Affected Parties (I&APs) were afforded the opportunity to register during the pre-consultation process. The I&AP database was formally established during that phase, and any member of the public could register and obtain access to the documentation.

With regard to your request for the original Pre-Application documentation, it is important to clarify that when you requested documentation on 15 December 2025, the assessment process had progressed beyond the pre-consultation phase and was at the Draft BAR stage. In the interest of transparency and to ensure you had access to the most current and comprehensive information available at that point in the process, the Draft Basic Assessment Report was provided to you.

This was done to avoid prejudice and to ensure that you were reviewing the most updated version of the assessment documentation reflecting the stage the application had reached. At no stage was information withheld.

Should you still require the original Pre-Application BAR documentation for record purposes, it can be provided; however, it should be noted that it does not materially differ from the Draft BAR previously circulated, apart from minor updates and administrative refinements.

Eco Route Environmental has conducted the public participation process in a transparent manner throughout and has ensured that all registered I&APs have had access to the applicable documentation relevant to each stage of the assessment.

Environmental Management Programmes Compiled and Submitted

The Environmental Management Programme (EMPr) has at all times formed part of the Basic Assessment documentation and has been included as an Appendix to the report during each phase of the assessment process. The EMPr was included in:

- The Pre-Application Basic Assessment Report;

7. Please grant me an extension of one month to comment. You have not indicated what changes were affected to the previous version of the Basic Assessment Report in the notice to me. The new document is about 850 pages long; the previous one was less than 740 pages. It requires substantial time to consider 1 500 pages, even more so when I receive the additional documents requested above. Public participation cannot be effective where interested and affected parties are not given sufficient time to consider a Basic Assessment Report. I place on record that I, on 12 December 2025, requested an extension of time to 15 January 2026 in respect of the previous round, an extension that would have ended roughly when your offices re-opened on 13 January 2026. You did not give that consent. It prejudiced me by placing me under undue time pressure.

- • The Draft Basic Assessment Report; and
- • The Amended Draft Basic Assessment Report circulated in terms of Regulation 19(1)(b). The EMPr forms part of the consolidated report package and is not a separate standalone submission document.

The exact same documentation, including the EMPr as appended to the Amended Draft BAR, is submitted to the Competent Authority, the Department of Forestry, Fisheries and the Environment (DFFE). No separate or additional EMPr has been compiled outside of the documentation already distributed to Interested and Affected Parties. Accordingly, you have not been prejudiced in commencing on the amended Draft Basic Assessment Report, as the Environmental Management Programme has been included in the documentation circulated for the current 30-day public participation process.

Response to Request for Further Extension of Time

Your request for a further one-month extension to submit comments cannot be accommodated.

The amended Draft Basic Assessment Report has been circulated in terms of Regulation 19(1)(b) of the Environmental Impact Assessment Regulations, 2014 (as amended). Regulation 19(1)(b) requires that where material changes are made to the assessment documentation, the revised report must be subjected to a further public participation process of at least 30 days.

In order to lawfully conduct this additional public participation process, formal notification was submitted to the Department of Forestry, Fisheries and the Environment (DFFE), and an extension of the applicable timeframe was requested and granted to allow for the prescribed 30-day consultation period.

The authorised statutory public participation period therefore runs until 20 March 2026.

In terms of Regulation 3(7), only the Competent Authority may grant an extension of a prescribed timeframe. There is no provision in the EIA

8. When did you submit the application forming the subject matter of the Basic Assessment Report for the first time to the competent authority and when did you obtain the reference number DFFE REF: 14/12/16/3/3/1/3235?

Regulations permitting the Environmental Assessment Practitioner to unilaterally extend a statutory public participation period beyond that approved by the Competent Authority. No further extension has been granted by the DFFE.

Accordingly, the 30-day comment period ending on 20 March 2026 constitutes the final lawful opportunity for submission of comments on the amended Draft Basic Assessment Report.

The application must proceed in accordance with the prescribed regulatory timeframes. Submissions received after the expiry of the statutory public participation period fall outside the regulated Basic Assessment process .

With regard to the length of the amended Draft BAR, the report has been compiled strictly in accordance with Appendix 1 of the EIA Regulations, 2014 (as amended), and applicable specialist protocols issued under the National Environmental Management Act, 1998 (Act 107 of 1998). The format, level of detail, inclusion of specialist assessments, consolidated constraints mapping, impact assessment matrices and appendices are regulatory requirements and not discretionary inclusions.

The increase in page number reflects regulatory consolidation and compliance, including:

- Integration of a consolidated environmental constraint map.
- Alignment of the development footprint with confirmed geotechnical, coastal and biodiversity constraints.
- Clarification of preferred and alternative footprint extents.
- Incorporation of updated specialist input.
- Strengthening of mitigation measures in the EMP; and
- Consolidation of public comments and responses for transparency and procedural integrity.

<p>9. I wait to hear from you as a matter of urgency.</p>	<p>The amendments represent refinement and spatial alignment in response to environmental constraints and specialist findings. They do not constitute a fundamentally new development proposal.</p> <p>The public participation process is being conducted lawfully and in strict compliance with the EIA Regulations. The prescribed 30-day period ending on 20 March 2026 provides the statutory opportunity for comment.</p> <p>Submission of Basic Assessment Report The application forming the subject matter of the Basic Assessment Report was formally submitted to the Competent Authority in <u>November 2025</u>. The reference number <u>DFFE REF: 14/12/16/3/3/1/3235</u> was issued following submission during that same period in November 2025. We trust the above clarifies the matters raised and confirms that the Basic Assessment process is proceeding in full compliance with the Environmental Impact Assessment Regulations, 2014 (as amended).</p>
<p>Niel de Villiers- 20 March 2026</p>	
<p><u>Comments on Amended Draft Basic Assessment Report - The proposed development of a primary dwelling, three cottages, additional structures and access road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape</u></p> <p><u>Introduction</u></p> <ol style="list-style-type: none"> 1. I submit this comment on behalf of myself and on behalf of a voluntary association to be established on 23 March 2026, Save Our Sedgefield (S.O.S). The rights and benefits retained for S.O.S will be accepted by it after its establishment as a voluntary association. This is the name decided upon, after Sedgefield Accountability and Environment Forum (SAEF), or Garden Route Environment and Accountability Team (GREAT) were previously considered. 2. 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 	<p>The comment is noted. The Public Participation Process (PPP) undertaken as part of the Basic Assessment process has been conducted in accordance with the requirements of the Environmental Impact Assessment Regulations, 2014 (as amended). All registered Interested and Affected Parties (I&APs), including the commenting party, were afforded the opportunity to participate and submit comments on the Draft and Amended Draft Basic Assessment Reports. The Final Basic Assessment Report (BAR) has been compiled taking into account all comments received during the PPP, including those referenced by the commenting party. The Comments and Responses Report forms part of</p>

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.

3. This matter has had an unusual history. There are already three Basic Assessment Reports (“BAR’s”). They are:

3.1 “The Basic Assessment Report: Pre-Consultation for the proposed development of a primary dwelling and access road (sic) on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape”, dated March 2025 (“the First BAR”);

3.2 Draft basic assessment report for the proposed development of a primary dwelling and access road (sic) on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape”, dated January 2025 (“the Second BAR”);

3.3 “Amended draft basic assessment report for the proposed development of a primary dwelling and access road (sic) on Portion 79 of Farm 205, Ruygte Valley, Sedgefield, Western Cape”, dated January 2026 (“the Third BAR”).

4 I again fully align myself with the objection to the First BAR by Cape Nature, the questions raised by SANParks, Prof AT Lombard’s detailed objection, the issue raised by Ms M White and her objection, and the detailed objection raised by Mr S Stead.

5 These objections were expanded upon in the objections to the Second BAR and I fully align myself with the objection to the Second BAR by Dr D Laing, Ms T Joubert, Mr B Powell, Prof AT Lombard, Dr V Weyer/SANParks, Mr S Stead, Ms M Simons/Cape Nature, Ms G Beck, Ms S Mentz. See too the questions raised by Mr R Peter/DFFE.

the BAR and provides a comprehensive record of issues raised and corresponding responses.

The concerns relating to precedent and the broader coastal landscape are acknowledged; however, the assessment has focused on the site-specific environmental sensitivities, constraints, and impact significance, as required by the EIA Regulations. The BAR concludes that the proposed development, as currently designed and positioned, represents a low-density, limited footprint development within a largely conserved property.

The Final BAR now represents a complete and informed assessment, incorporating specialist input, public participation, and environmental constraints.

- 6 I have had limited time to prepare this response, and my request for an extension of time was refused. I accordingly focus on some aspects only. Also, I repeat my objection of 15 December 2025, and incorporate it by reference. I did not have time to address the comments thereon, and to ascertain which statements have not been addressed and are thus common cause. In addition, I did not have access to all relevant documents.
- 7 I reserve the right to add to this objection in any future process or proceedings.

Regulatory non-compliance:

- 8 Application by a non-owner 8. Regulation 39(1) of the Environmental Impact Assessment Regulations, 2014 (“the EIA Regulations”) requires that the if “the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.”
- 9 The EAP alleged in the First BAR that the application was made by the owner, and that no consent by the owner was required¹

Regulation with regard to conducting a Public Participation Process	Description of adherence to the Legislated Requirements
1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for environmental authorisation in respect of such an activity, obtain written	The proponent (applicant) is the landowner and therefore consent is not required.

- 10 In the Second² and Third BAR’s³ the EAP repeated the same statement, namely that the applicant/proponent is the owner and that no consent is required. The decision not to obtain the written consent prior to making the application therefore was deliberately made, as is reflected in all three BAR’s. As such, a

The comment is noted.

The application has been submitted by the applicant as reflected in the Basic Assessment Report and supporting documentation. The issue relating to the applicant’s status and land ownership has been considered and addressed as part of the application documentation submitted to the competent authority. Where required in terms of Regulation 39 of the EIA Regulations, confirmation of landowner awareness and/or consent forms part of the application record submitted to the Department of Forestry, Fisheries and the Environment (DFFE).

The Final BAR reflects the information available at the time of submission, and the competent authority is in possession of all relevant documentation necessary to assess compliance with the applicable regulatory requirements. This matter is therefore considered to have been procedurally addressed within the application process, and no further amendment to the BAR is required in this regard.

consent could not have existed at the time when the application was made (the EAP deemed it unnecessary).

- 11 The applicant/proponent is a company Daniel Sevenster and Partners Inc. The name of the applicant/proponent appears on pages 1 and 11 of the First BAR, pages 1 and 11 of the Second BAR, and pages 1 and 12 of the Third BAR. One example:

PREPARED FOR: DANIEL SEVENSTER AND PARTNERS INC.
PREPARED BY: ECO ROUTE ENVIRONMENTAL CONSULTANCY
DEPARTMENT REF: 14/12/16/3/3/1/3235

- 12 The EAP knew who her client was and have stated so repeatedly. It is Daniel Sevenster and Partners Inc. This is even done in Appendix F Draft EMPr Page 26.
- 13 The owner of the property however is someone else, an individual Daniel Francois Sevenster, and not a company, Daniel Sevenster and Partners Inc. We know this, as the title deed is an annexure to Appendix D7 Draft Motivation Report Planning, Page 29.

DANIEL FRANCOIS SEVENSTER
Identity Number 660401 5164 08 3
Unmarried

- 14 The repeated statement in three BAR's that the applicant is the owner, on the known facts, is untrue. Therefore, his written consent was required before applying for an environmental authorisation. This did not happen, and its common cause that this did not happen.
- 15 I have raised these aspects in paragraph 32 to 37 of my objection dated 15 December 2025.4 If there were an issue, it ought to have been addressed.
- 16 Appendix E2 Comments and Responses Report, Page 55 states this about our objection to the Second BAR: "...(iii) correcting the applicant/proponent details and attaching the required landowner consent / authority to apply where applicable ..."
- 17 The statement, on the known facts, is untrue. There has been no correction in the name of the applicant/proponent in the Third BAR.

18 See Regulation 16(1)(b(i) of the EIA Regulations:

16 General application requirements

- (1) An application for an environmental authorisation must-
 - (a) be made on an official application form obtainable from the relevant competent authority; and
 - (b) when submitted in terms of [regulation 19](#) or [21](#), be accompanied by-
 - (i) unless [regulation 39\(2\)](#) applies, the written consent referred to in [regulation 39\(1\)](#), if the applicant is not the owner or person in control of the land on which the activity is to be undertaken;

19 See too Regulation 39.

20 The obligation to obtain the written consent prior to making the application is a mandatory requirement and cannot be condoned. It is, with respect, the end of the matter.

Introduction: Non-disclosure of material information

21 Regulation 13(1)(f) of the **EIA Regulations** requires of the EAP to disclose to “registered interested and affected parties and the competent authority all material information in the possession of the EAP and, where applicable, the specialist, that reasonably has or may have the potential of influencing – (i) any decision to be taken with respect to the application by the competent authority” or “(ii) the objectivity of any report, plan or document to be prepared by the EAP or specialist” for submission to the competent authority. This duty of disclosure manifests from the duty of the EAP to be independent and to carry out his/her duties in an objective manner.

22 Clearly, not only must the information be complete, but the submissions need to be accurate as well. Below I refer to several statements (on the one or two aspects that I had time to consider), that on the known facts, are inaccurate or untrue. In some case the only reasonable inference is very negative, especially when those issues have been pertinently raised in the public participation processes in the First and Second BAR’s as wrong. It is also very negative when inexplicable wrong statements are made. I submit that the application stands to be dismissed as a result.

Non-disclosure of material information: Appendix E3 Response Letters

23 Included in the Third BAR is Appendix E3, Response Letters. These letters are dated 6 February 2026. The only reasonable inference is that they have been included in the BAR to reflect that the objections received were responded to as set out in the response letters.

24 One of them is addressed to me.⁵ I never received this letter. On 21 February 2026 I requested proof of transmission of the letter. I received a response on 26 February 2026 that confirms that the letters were not sent. If so, they do not constitute part of any record at all. This, in my view, should have been brought to the attention of the competent authority.

Non-disclosure of material information: Conflicting visual statements

25 A big issue in this matter, is that the EAP omitted in the First BAR a negative Visual Impact Assessment prepared by Visual Resource Management Africa CC. This matter was pertinently raised by Mr Stead on 22 June 2025.⁶ The response was that the negative Visual Impact Assessment was about the wrong site, and was thus omitted. This is an untrue response to the negative Visual Impact Assessment, as it was about the correct site. That untrue response is still being used in the Third BAR, as will appear below. The result is that Mr Stead's views stand uncontested. They are of material importance in this matter where visual impact alone is sufficient to have the application dismissed. With respect.

26 A further big issue in this matter, is that the EAP in response to Mr Stead's objection, added to the Second BAR a negative Visual Impact Assessment prepared by Visual Resource Management Africa CC, but omitted to add the final version of the report. An earlier version of the report was included, the one Draft V1 of 24 October 2024. This was not the one of 18 November 2024 to which Mr

The comment is noted.

The response letters referenced form part of the Amended Draft Basic Assessment Report and were included as part of the overall public participation record. These letters were not circulated as standalone correspondence but were incorporated into the BAR documentation to ensure transparency and a complete record of responses.

The Final BAR includes the full Comments and Responses Report, which consolidates all comments received and responses provided in a structured and accessible format.

All registered I&APs will be formally notified of the submission of the Final BAR to the competent authority and will receive communication confirming such submission, together with reference to where responses to their comments are recorded.

The public participation record is therefore considered complete and compliant.

The comment is noted.

All visual-related specialist inputs that are considered relevant to the proposed development have been included in the Basic Assessment Report. The Visual Compliance Statement prepared by Outline Landscape Architects forms the primary visual specialist input informing the assessment.

The previously referenced Visual Resource Management Africa (VRMA) documentation was reviewed and considered in the assessment process. The Final BAR reflects the findings of the most relevant and site-applicable visual assessment.

The Visual Compliance Statement concludes that the proposed development, given its limited footprint, fragmented design, and integration with existing vegetation and topography, will result in a low visual impact, which can be effectively mitigated through design and management measures.

For completeness and ease of reference, the Visual Compliance Statement will be made available directly to SANParks.

Stead referred. This matter was pertinently raised by Mr Stead on 15 December 2025.7 Its omission impacted on the public participation process.

27 In response, rectification was promised in the Third BAR. The EAP knows that the wrong version the negative Visual Impact Assessment was attached to the Second BAR. In the Updated Comments And Responses Report, page 37, the EAP States:

"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."

28 It did not happen that "(t)he VRMA Draft Visual Baseline Report is now included as an appendix for transparency." The Third BAR still does not include the final version of the negative Visual Impact Assessment prepared by Visual Resource Management Africa CC, the one of 18 November 2024.

29 Without such report, the BAR process is compromised. Not only does the competent authority not have access to the final report, but neither does the public in the public participation process. Non-disclosure of material information: Alleged visual impact statement is only a quote

30 A further material issue, is the other two purported visual impact "reports" that the EAP relies upon in the Second and Third BAR.

31 In the Second BAR, much was made about an alleged "report" by Mr Paul Buchholz. It is for some reason still attached to the Third BAR as Appendix D1.

32 It is obviously not a report, but a quote. Mr Paul Buchholz wanted to be paid R20 260.00 to do the work and to prepare a report. As will be seen below, this

The visual impact assessment as presented in the BAR is considered sufficient for decision-making purposes.

The comment is noted.
The documentation attributed to Mr Paul Buchholz is acknowledged as preliminary input and not a formal specialist report. The visual assessment relied upon in the BAR is the Visual Compliance Statement prepared by Outline Landscape Architects, which constitutes the formal specialist input for the purposes of the Basic Assessment.

purported report is still relied upon by the EAP in the Third BAR. Non-disclosure of material information: The site will be visible from the beach and disturb the skyline

33 Attached to the Third BAR are three annexures dealing with Visual Impact:

33.1 "Appendix D1 A Initial Visual Statement.pdf. [This is not a report, but is a quote from Paul Buchholz, as stated already];

33.2 Appendix D1 B Visual Compliance Statement.pdf.;

33.3 Appendix D1 C VRM Visual Impact Assessment Wrong site.pdf". [This the earlier version of the report by Visual Resource Management Africa CC. It was omitted in any form the First BAR, and the wrong versions have been included in the Second and Third BAR's. It, even in its current form, correctly identifies the negative visual impact of the proposed development].

34 The main Visual Impact statement relied upon in the Third BAR is by Outline Landscape Architects CC. I deny that it is a properly reasoned report, or that the alleged academic references at the end of the report find any application in the report. I take issue with the especially the following statements in the report by Outline Landscape Architects CC:

34.1 *"From the site visit, it was established that the site is not visible from the N2 and Lake Pleasant Resort due to the higher topography and dense vegetation of the site."*⁸

The development will be on the highest point of the property, and the property is the highest point between the N2 and the ocean, a high dune. The "the higher topography" and "dense vegetation" are not answers to the issue];

The Final BAR is based on the most relevant and applicable specialist information available, and the visual impact conclusions are drawn accordingly

The comment is noted.

The issue of visibility and potential skyline intrusion has been assessed in the Visual Compliance Statement and considered alongside the site's topography, vegetation cover, and development design.

The proposed development has been designed as a low-density, fragmented layout, utilising:

- Existing vegetation for screening
- Natural topography
- Non-reflective, earth-toned materials

While visibility from certain vantage points cannot be entirely excluded, the specialist assessment concludes that the degree of visual intrusion will be limited and localised, and does not constitute a significant impact in the context of the receiving environment.

The BAR has considered the visual concerns raised during the PPP and maintains that the impact significance remains low with mitigation.

The Final BAR therefore reflects a balanced and specialist-informed assessment of visual impacts.

34.2 *"The development will also not be visible to viewers on the beach due to the highly elevated and eroded cliffs."*⁹

[The structures absolutely will be visible from the beach. The highest point is about 70 metres above sea level];¹⁰

34.3 The report states that there are "large trees close to the highest point of the site", but omits to describe them, or state that they will have any impact on the planned construction.

35 With regard to the actual visibility from the shore, the photographs used by Outline Landscape Architects CC do not depict the true picture. The photographs used in the report by Outline Landscape Architects CC were taken from behind vegetation, and do not depict actual visibility of the development from the beach. In none of the photographs on pages 8 to 10 can one actually see the beach, as they were not taken from where the development would be visible. As dealt with my objection of 15 December 2015, other photographs in the Second BAR show the beach. It in a sense gets worse, the final photographs on page 10 were taken from so close to the cliff, that one cannot see the development area. They should have been taken from the water's edge, at low tide.

36 On the South-Western side of the property (as I understand its position) is a protrusion on the dune on the adjacent property. It is clearly visible from the beach. This protrusion appears on some of the following photographs that show that the development, which would protrude several meters above the highest point, would clearly be visible from the beach at an average person's height. Without being able to ascertain exact boundaries, these pictures depict visibility from the beach, walking direction Platbank:

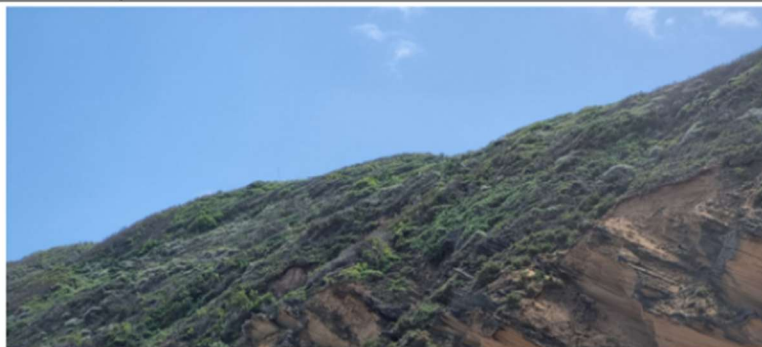


37 And looking back. i.e. walking from Platbank towards Sedgfield:



38 Mr Stead's photograph 15 shows visibility from the beach, as I interpret them.

ID	15
Remarks	KOP beach 2 visual intrusion highly likely
Time	10/22/2024 12:08:34.999 GMT+02:00
Geometry	POINT Z (22,82513189 -34,04219157 35,053)
PhotoDir	NW
Photo	Ruygtevieu_20241022_120914554.jpg



39 If my understanding is correct, the version that the development would not be visible from the beach is a shockingly wrong, placing the whole BAR process in doubt. It is one of the most important issues in the matter. It is common cause that the visual impact study relied upon in the Third BAR is inaccurate. I would

The comment is noted.

The assertion that the visual assessment is inaccurate or of no value is not supported by the findings of the Visual Compliance Statement (Outline Landscape Architects, March 2025), which forms part of the Basic Assessment Report. The visual specialist assessment was undertaken based on site

submit that it is of no value to determine visual impact based on the facts of this matter. [I should add that I believe that it is common cause that the top of the ridge has a gentle slope towards the beach, the development will not be hidden by topography.]

40 As appears from the Updated Comments and Response Report Portion 79 page 30, [and from Appendix E2 Comments and Response Report Page 27] Mr Stead made the point that Relevant DFFE and DEA&DP guidelines strongly discourage development on crests, and ridges or skylines where structures would be visually intrusive. The comment in the notes by the EAP, is untrue where it states that “the development footprint is located inland from the dune edge”.

inspections, topographical analysis, vegetation cover, and receptor sensitivity, in line with accepted visual assessment practice for Basic Assessment processes.

The specialist does not conclude that the development will be entirely invisible from all viewpoints, but rather that visual exposure will be limited, localised, and mitigated through design and siting measures. These include:

- Fragmentation of built form
- Use of natural materials and colours
- Retention of existing vegetation for screening
- Placement of structures within the most suitable portion of the site

The assessment further recognises that the site is elevated; however, the combination of vegetation cover, slope profile, and design approach reduces the degree of visual intrusion to a level assessed as low.

The BAR therefore does not rely on an assumption of absolute invisibility, but on a specialist-informed evaluation of visual impact significance, which is considered appropriate for decision-making purposes

The comment is noted.

The Basic Assessment Report acknowledges applicable DFFE and DEA&DP guidelines regarding development on ridgelines and skylines, and these considerations informed the site selection and layout planning process.

The statement that the development footprint is located inland from the dune edge refers to the fact that the preferred layout has been positioned away from the coastal cliff edge and identified high-risk zones, based on the findings of the geotechnical and constraints mapping exercises.

The development footprint is therefore not located on the immediate dune crest or unstable cliff-edge areas, but within the most suitable and stable portion of the site, taking into account environmental and engineering constraints.

The layout was specifically refined to avoid the most visually sensitive and geotechnically unstable areas, consistent with the mitigation hierarchy and specialist input.

<p>41 I do not know why the same comments by the EAP were duplicated in the Updated Comments and Response Report Portion 79 and in Appendix E2 Comments and Response Report, and I refer to the page numbers pertaining to the Updated Comments and Response Report Portion 79 in what follows.</p>	<p>The comment is noted. The duplication of content between the Updated Comments and Responses Report and Appendix E2 is administrative in nature and does not affect the substance of the assessment or the conclusions reached. Both documents form part of the public participation record and reflect the same responses for completeness and traceability within the BAR documentation set. This does not impact the validity or adequacy of the environmental assessment.</p>
<p>42 The comment on page 29 that “the updated specialist inputs confirm that the final preferred layout has been repositioned to avoid cliff crests, ridge skylines, ...” This statement by the EAP certainly is not based on the visual impact study relied upon by the EAP. The same seemingly incorrect statement is repeated on page 30 (twice).</p>	<p>The comment is noted. The statement that the preferred layout avoids cliff crests and ridge skylines is based on an integrated assessment of multiple specialist inputs, including:</p> <ul style="list-style-type: none"> • Geotechnical and geomatic investigation • Constraints mapping • Visual specialist input • Site inspections <p>The placement of the development footprint was informed by these combined considerations, not solely by the visual assessment. The development has been positioned to avoid the most sensitive and high-risk areas, including steep slopes, structurally unstable zones, and immediate cliff-edge environments. The BAR reflects a constraints-led design approach, and the selected layout represents the most appropriate balance between environmental sensitivity, engineering feasibility, and land use considerations.</p>
<p>43 Mr Stead made the point that the development would introduce (and cause) residential skyline intrusion, as it on the common cause facts will do. Yet the response by the EAP on page 30, on the known facts, cannot be correct: “Structures are sited below crest level and screened by retained vegetation. The revised visual modelling will demonstrate skyline preservation”.</p>	<p>The comment is noted. The statement that the preferred layout avoids cliff crests and ridge skylines is based on an integrated assessment of multiple specialist inputs, including:</p> <ul style="list-style-type: none"> • Geotechnical and geomatic investigation • Constraints mapping • Visual specialist input

44 Mr Stead made this telling point at page 31:

- *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.*

45 On the known facts, that is correct. The response by the EAP is telling. The fact that the development would be visible from the beach, and that the photographs do not reflect the true position, remained unanswered.

- Site inspections

The placement of the development footprint was informed by these combined considerations, not solely by the visual assessment.

The development has been positioned to avoid the most sensitive and high-risk areas, including steep slopes, structurally unstable zones, and immediate cliff-edge environments.

The BAR reflects a constraints-led design approach, and the selected layout represents the most appropriate balance between environmental sensitivity, engineering feasibility, and land use considerations.

The comment is noted.

The matters raised by Mr Stead have been recorded and considered as part of the public participation process. The Final Basic Assessment Report (BAR) incorporates all relevant specialist inputs and stakeholder comments in an integrated manner, and the conclusions presented reflect the outcome of this comprehensive assessment.

The comment is noted.

The BAR does not rely on an assumption that the development will be entirely invisible from all viewpoints, including the beach. The visual assessment recognises that some degree of visibility may occur, depending on viewing location and conditions.

The Visual Compliance Statement assesses the extent, intensity, and significance of visual exposure, concluding that any visibility will be localised and of low impact, given the limited scale of development, the fragmented layout, retained vegetation, and the use of materials and colours that blend with the receiving environment.

The photographic material included in the BAR is illustrative in nature and supports, but does not solely determine, the assessment. The conclusions are based on professional judgement informed by site inspection, landscape context, and visual absorption capacity, which are considered appropriate for a Basic Assessment.

<p>46 I do have access to Mr Stead’s comments of 15 December 2025. It is included in Appendix 4 Comments Received at page 47.11 I cannot see that it was addressed in the Updated Comments and Response Report annexed to the Third BAR. I do not repeat its contents, and incorporate them by reference.</p>	<p>The comment is noted. Mr Stead’s submission dated 15 December 2025 forms part of the public participation record and has been considered in the compilation of the Final BAR. The Comments and Responses Report consolidates and addresses the issues raised through the public participation process. The Final BAR reflects an integrated assessment of all relevant comments and specialist inputs, including those raised by Mr Stead, and the conclusions reached are informed accordingly.</p>
<p>47 At present, Mr Stead’s views have not been addressed in the Third Bar. If one has regard to the response letters allegedly dated 6 February 2026 (the ones that were not sent), Appendix E3, one finds a response to his letter on page 16. It contains the untrue statement that “The Draft Visual Baseline Report submitted by VRMA has now been formally included in the project record and reviewed alongside the other specialist inputs.” This is a reference to the omitted final report submitted by Mr Stead on 18 November 2024. It has still not been made available in the public participation report, and has not been annexed to any BAR, as already dealt with.</p>	<p>The comment is noted. The Draft Visual Baseline Report prepared by VRMA was reviewed during the assessment process. However, it is noted that this report was not prepared for the specific development footprint or final layout under assessment, and therefore does not constitute site-specific specialist input for the purposes of the Basic Assessment. For this reason, the Final Basic Assessment Report does not rely on the VRMA report as a determinative visual assessment. Instead, the visual impact assessment is based on the Visual Compliance Statement prepared by Outline Landscape Architects, which is specific to the proposed development footprint and informed by site verification and current layout planning. The BAR therefore relies on relevant and site-specific specialist information, and the documentation included represents the appropriate and complete record for decision-making purposes.</p>
<p>48 The Visual Impact statement relied upon in the Third BAR is by Outline Landscape Architects CC. It is the one that wrongly states that there would be no skyline intrusion. The applicant, in the letter dated 6 February 2026 to Mr Stead now concedes that this statement cannot be made, but does not address it properly by for example employing a specialist that is recognised by a landscape registration authority as having the suitable expertise to address this aspect, and to do so in a full Level 4 Visual Impact Assessment. The result is that the application is being pushed ahead without favourable visual impact assessment or any modelling to show its impact.</p>	<p>The comment is noted. The assertion that the application is proceeding without an adequate visual assessment is not supported. The Final BAR includes a site-specific Visual Compliance Statement (Outline Landscape Architects, March 2025), which assesses the visual impact of the proposed development based on the final layout and environmental context. The Visual Compliance Statement does not rely on an assumption of complete invisibility or absence of skyline intrusion. Rather, it assesses the extent,</p>

Non-disclosure of material information: The Third BAR inaccurately reflects purported facts with regard to the Visual Compliance Statements

49 What is stated in the Third BAR? It addresses the Visual Compliance Statements from page 128, according to its index. It is in fact from page 119.

50 The very first sentence reflected below is wrong. On the known facts, Paul Buchholz only prepared a quote, attached the Second and Third BAR's as Appendix D1 A Initial Visual Statement.pdf. Thus, the following parts of the Third BAR should be deleted:

nature, and significance of potential visual impacts, acknowledging that some degree of visibility may occur from certain viewpoints.

The assessment concludes that, due to the limited development footprint, fragmented layout, retention of vegetation, and sensitive design approach, the visual impact will be localised and of low significance, and can be effectively mitigated.

The level of assessment undertaken is appropriate for a Basic Assessment process, and there is no regulatory requirement for a higher-order or Level 4 Visual Impact Assessment in this instance.

The Final BAR is therefore based on adequate, site-specific specialist **input**, and provides sufficient information for informed decision-making.

The comment is noted.

The Basic Assessment Report has been compiled using the information available from specialist inputs and supporting documentation. The Visual Compliance Statement forms the basis of the visual assessment presented in the BAR.

The BAR does not rely on preliminary or non-finalised inputs as determinative evidence but rather on the most relevant and applicable specialist assessment.

The conclusions presented in the BAR are therefore considered to be appropriate for the purposes of environmental decision-making.

The request to delete sections of the BAR is not supported.

The Final BAR has been compiled in accordance with the Environmental Impact Assessment Regulations, 2014 (as amended) and includes the relevant specialist inputs and professional assessments required for decision-making.

The visual impact assessment considers the receiving environment, landscape character, development footprint, and mitigation measures, and concludes that the impact is of low significance and acceptable within the context of the site.

Initial Visual Statement

Paul Buchholz was appointed to undertake the Initial Visual Impact Statement for Portion 79 of Farm Ruygte Valley No. 205, situated near Sedgfield, within the Knysn Cape. The objective of this assessment is to provide an initial appraisal of the visual receiving environment, to inform the environmental assessment and conceptual design.

Visual, scenic, and cultural landscape components represent a finite and valuable resource that contribute to the sense of place and environmental quality. The visual assessment forms part of the design process to ensure that the project integrates sensitively within its setting and minimises potential impacts.

Scope and Methodology

The visual assessment approach is informed by local and international best practice:

- The Provincial Guideline for Involving Visual and Aesthetic Specialists in EIA-F
- The Landscape Institute and IEMA Guidelines for Landscape and Visual Impact Assessment
- US Bureau of Land Management Visual Resource Management Framework.

The assessment considers both quantitative factors (e.g. visibility, viewsheds, and extent) and qualitative factors (e.g. aesthetic value, sense of place, and landscape harmony). Key tasks included:

- Characterisation of the existing landscape and visual setting;
- Identification of key viewpoints and visual receptors;
- Description of the proposed project elements and their visual form;
- Determination of visual sensitivity and modification levels; and
- Preliminary mitigation and design recommendations.

Site Context and Landscape Character

The property measures approximately 5.21 hectares and is located on a stabilised coastal plain, approximately 700m east of Cola Beach and south of Groenvlei Lake. The site is situated within a natural coastal landscape characterised by:

- Dense coastal thicket and dune fynbos vegetation;
- Steep dune slopes and elevated topography reaching approximately 70m above sea level;
- Minimal existing built infrastructure; and
- High scenic quality due to panoramic ocean and mountain views.

The landscape's visual integrity is high, with strong natural character and limited human influence.

The BAR represents a complete and final assessment, and the information presented is considered accurate, appropriate, and sufficient for the competent authority to make an informed decision.

Visual sensitivity is considered moderate to high due to the site's natural character and potential impact. However, several mitigating factors reduce the potential impact:

- The dense vegetation cover and elevated topography provide effective visual screening.
- The site is not visible from the N2, Groenvlei Road, or Lake Pleasant due to natural topography.
- Views from Groenvlei Beach and coastal areas are obstructed by dune cliffs and dense vegetation.

Preliminary observations indicate that the proposed development footprint (approximately 100m x 100m) can be accommodated with minimal visual intrusion if design mitigation principles are applied.

Mitigation and Design Recommendations

To ensure minimal visual disturbance and maintain the natural aesthetic quality, the following is recommended:

- Retain and integrate existing vegetation as natural screening elements;
- Utilise lightweight structures and natural materials (timber, steel, glass, and stone) to blend with the environment;
- Apply earth-toned colour palettes compatible with the dune and thicket environment;
- Restrict night lighting through low-intensity, motion-sensor solar lights; and
- Implement vegetation rehabilitation post-construction to restore disturbed areas.

Assumptions and Limitations

Visual perception is inherently subjective and influenced by the viewer's context. This assessment is based on available site data, field observations, and preliminary design information. A comprehensive Visual Impact Assessment (VIA) will follow once detailed design plans and elevations become available, incorporating quantitative visibility modelling.

Conclusion

The proposed development, as currently conceptualised, is visually compatible with its natural surroundings. Through the application of appropriate design, placement, and material mitigation, the project is expected to have a low and manageable visual impact. The site demonstrates sufficient Visual Absorption Capacity for small-scale, eco-sensitive structures without detracting from the area's scenic character.

<p>51 Next the Third BAR then in error deal with the report by Outline Landscape Architects CC as the second report, whilst in fact was the last report obtained. By not dealing next with the earlier report by Virtual Resource Management CC, the report by Outline Landscape Architects CC lacks context.</p>	<p>The comment is noted.</p> <p>The sequence in which visual-related documentation is discussed in the BAR does not affect the substance of the assessment or its conclusions. The Final BAR is based on an integrated evaluation of all relevant information, with emphasis placed on site-specific and current specialist input aligned to the final development layout.</p> <p>The Visual Compliance Statement (Outline Landscape Architects, March 2025) constitutes the primary, site-specific visual assessment informing the BAR. Earlier visual-related inputs were reviewed as part of the broader assessment process; however, the BAR appropriately relies on the most relevant and layout-specific specialist information for impact determination.</p> <p>The assessment therefore retains appropriate context and is not dependent on the sequencing of reports within the document.</p>
<p>52 Well-knowing that the statement cannot be made, the statement in the report is repeated that that the site is not visible from the N2 and will also not be visible to viewers on the beach. This inappropriate report by Outline Landscape Architects CC is quoted at length. It is 15 pages long, and the summary runs into about 5.5 pages. This is telling, as the unanswered 45-page report by Virtual Resource Management CC is reflected in less than 3 pages. As a result, its negative comments and reasoning is not properly reflected in the Third BAR (that also omits the final report).</p>	<p>The comment is noted.</p> <p>The BAR does not rely on an absolute assertion that the development will be entirely invisible from all viewpoints. The visual assessment recognises that visibility may occur from certain locations, including the beach, depending on viewing conditions.</p> <p>The Visual Compliance Statement evaluates the extent, nature, and significance of visual exposure, concluding that impacts will be localised and of low significance, given the limited development footprint, fragmented layout, retention of vegetation, and sensitive design approach.</p> <p>The relative length or summary of supporting documentation in the BAR does not determine the adequacy of the assessment. The BAR reflects a balanced and site-specific evaluation of visual impacts, informed by professional judgement and field verification.</p>
<p>53 Of these three pages, the EAP makes several wrong statements, such as that the report was allegedly prepared in respect of the wrong site. It was the correct site and there is no basis for rejecting it. In addition, the Third BAR contains the following incorrect statements on pages 128 to 129 and they should be deleted:</p>	<p>The comment is noted.</p> <p>The statements referenced in the BAR were made in the context of distinguishing between visual-related inputs that are site-specific and applicable to the final development layout, and those that are not.</p>

53.1 *“The correct project site ... lies inland from the coastal cliff, approximately 700 m east of Cola Beach”.*

[It was the correct site, and Cola Beach is a confusing term. Residents refer to the continuous beach starting not far from Myoli Beach all the way to Platbank as the Cola Beach. This development is not even one hundred meters from that beach, to the North of the beach];

53.2 *“The correct project site ... (h)as no direct visual exposure to Groenvlei Beach or the N2”.*

[It is common cause that the development is on a ridge at the highest point between the N2 and the beach. It will have visual exposure in both directions];[It is common cause that the development is on a

The Draft Visual Baseline Report by VRMA was reviewed during the assessment process; however, it is noted that the report was not prepared for the final verified development footprint and layout assessed in the BAR, and therefore does not constitute directly applicable specialist input for the purposes of impact assessment.

For this reason, the Final BAR relies on the Visual Compliance Statement (Outline Landscape Architects, 2025), which is site-specific, informed by the final layout, and based on current field verification.

The BAR does not rely on any single statement in isolation but on an integrated specialist assessment, which acknowledges that:

- Some degree of visibility may occur from certain viewpoints
- The site is elevated within the landscape context
- Visual impacts are assessed in terms of significance rather than absolute visibility

The conclusions presented in the BAR reflect the overall impact significance, which is assessed as low with mitigation, and are considered appropriate for decision-making.

The comment is noted.

The statements referenced must be read within the context of the overall assessment, which is based on specialist input, site verification, and the final development layout.

The Final BAR does not rely on an assumption of complete invisibility or absence of visual exposure. Rather, it provides a qualified assessment of visual impact, acknowledging that:

- The site is located within an elevated coastal landscape
- Visibility may occur from certain receptors, including the beach and surrounding areas
- The significance of such visibility is reduced through design, siting, and mitigation measures

With regard to the VRMA report:

- The report was reviewed as part of the assessment process

ridge at the highest point between the N2 and the beach. It will have visual exposure in both directions];

53.3 *"... will not result in skyline intrusion or beach visibility".*

[It will have skyline intrusion AND beach visibility];

53.4 *"Subsequent visual specialists – Outline Landscape Architects (2025) and Paul Buchholz (2025) – both confirmed that ... (n)o visual exposure exists from the beach, Groenvlei Lake, or public roads".*

[This is untrue. Paul Buchholz gave a quote and not a report, and the EAP acknowledges that visual exposure exists from the beach];

53.5 *"While the VRM Africa assessment (2024) provides a useful methodological context, it was conducted on an incorrect coastal parcel and is therefore not applicable to the actual Portion 79 under consideration".*

[It is the same property];

53.6 *"The findings of the VRMA report are superseded".*

[It has not been superseded nor addressed by any expert.]

54 Thus, the following text stands to be deleted from the Third BAR. These comments are not based on fact, and constitute no answer at all to the obvious visual impact on an uninterrupted skyline for many kilometres, a pristine beach.

- It is not relied upon as a determinative visual assessment, as it is not aligned to the final development layout and site-specific verification undertaken for this application

- The BAR instead relies on current, site-specific specialist input

The references to other visual inputs, including Outline Landscape Architects, are based on applicable and relevant specialist information used to inform the assessment.

The Final BAR therefore presents a consistent, site-specific, and integrated visual impact assessment, and no further amendment to the text is considered necessary.

The comment is noted.

The request to delete sections of the BAR is not supported.

The Final BAR has been compiled in accordance with the Environmental Impact Assessment Regulations, 2014 (as amended) and includes the relevant specialist inputs and professional assessments required for decision-making. The visual impact assessment considers the receiving environment, landscape character, development footprint, and mitigation measures, and concludes

Correction and Clarification

~~Following submission of the VRM Africa report, subsequent geospatial verification (Consultancy, 2025) confirmed that the site assessed by VRMA does not correspond to Ruygte Valley No. 205 under this Basic Assessment process.~~

Correct Site Description

The correct project site:

- ~~• Lies inland from the coastal cliff, approximately 700 m east of Cola Beach;~~
- ~~• Occupies stabilised consolidated dunes at elevations of 65–75 m above sea level;~~
- ~~• Is covered by dense Goukamma Strandveld and coastal thicket vegetation;~~
- ~~• Has no direct visual exposure to Groenvlei Beach or the N2, and~~

- Lies behind the dune ridge, not on an active cliff edge.

~~The actual development footprint, covering ±1 175 m² (0.02% of the property), will be determined by the actual site topography, and will not result in skyline intrusion or beach visibility.~~

Revised Visual Findings

~~Subsequent visual specialists – Outline Landscape Architects (2025) and Paul Buchholz (2025) –~~

- ~~• The site has High Visual Absorption Capacity (VAC) due to dense vegetation and~~
- ~~• No visual exposure exists from the beach, Groenvlei Lake, or public roads;~~
- ~~• The project's architectural scale, materials, and siting are consistent with low visual impact;~~
- ~~• The expected residual visual impact significance is Low with standard mitigation measures.~~

Conclusion

~~While the VRM Africa assessment (2024) provides a useful methodological context, it was developed for a coastal parcel and is therefore not applicable to the actual Portion 205.~~

For the purposes of the draft Basic Assessment Report:

- The findings of the VRMA report are superseded.
- The correct visual sensitivity classification for the actual site is Low, and
- The proposed development is visually compatible with the natural coastal landscape if implemented.

that the impact is of low significance and acceptable within the context of the site.

The BAR represents a complete and final assessment, and the information presented is considered accurate, appropriate, and sufficient for the competent authority to make an informed decision.

Non-disclosure of material information and non-binding nature of statements about intent

55 I made several comments in my objection of 15 December 2025 about the wrong calculation of the area to be cleared as obvious matters were not dealt with in the Second BAR. Those comments remain. They include that I dispute the structures that will be built (dealt with in paragraph 15.1). I dispute the clearance of vegetation and excavation and moving of soil (dealt with in paragraphs 15.2 and 15.3).

56 I also dispute the truthfulness of the version of what is the intent with the property. Everything points to a business being established. This was once the intended use of the property, and still is according to Appendix D7 Townplanning Report page 4

The owners of the land would like to reside on their property and would therefore want to construct a small dwelling house of ±200m² on the site. The construction of a dwelling house is a primary right. To supplement their income, it is their dream to also construct three small self-catering tourist accommodation units measuring about 65m² each. Ancillary buildings include Staff housing of ±50m²

57 Since then, the owner has acted in accordance with that stated intent.

The comment is noted.

The calculation of the development footprint and associated vegetation clearance has been addressed in the Basic Assessment Report (BAR) based on the final development layout and engineering inputs. The extent of disturbance is clearly defined and includes all components of the development, including buildings, access, parking, and associated infrastructure.

Vegetation clearance, excavation, and earthworks have been assessed as part of the impact assessment, and the significance of these impacts has been evaluated with appropriate mitigation measures included in the Environmental Management Programme (EMPr).

The BAR reflects the final and verified development footprint, and the assessment of impacts is considered complete and appropriate for decision-making purposes.

The comment is noted.

The Basic Assessment process evaluates the proposed development as described in the application, which in this instance is a low-density residential development with ancillary accommodation units.

The inclusion of multiple units within the development requires alignment with applicable planning frameworks, and reference to tourism-compatible land use arises from municipal zoning and land use requirements, rather than indicating a commercial or business operation.

The BAR assesses the development based on the defined proposal, and no commercial or large-scale business activity forms part of the application as submitted.

The comment is noted.

58 A new addition to the Third BAR is an Appendix F Draft EMPr.pdf. I see no explanation why Appendix F Draft EMPr.pdf. was not included in the First or Second BAR's. It starts off with the disclaimer that the report is not binding on the owner of the property.

59 At page 18 this startling statement is made:

“The Applicant intends to reside permanently on Portion 79 of Farm Ruygte Valley No. 205 and proposes the construction of a single primary dwelling house of approximately 200 m², which constitutes a primary land-use right in terms of the Knysna Zoning Scheme Regulations (1992) under Agriculture Zone I. In addition to the main residence, Alternative 1 includes three small self-contained units of approximately 65 m² each. For land-use planning and rezoning purposes only, these units are described as tourist accommodation units, as required under the Knysna Zoning Scheme and Open Space III (Nature Conservation Area) zoning provisions. The Applicant's stated¹² intention remains private residential occupation and the use of the additional units for private family and guest accommodation. ...”

The assessment of environmental impacts is based on the proposed development and its physical footprint, rather than on inferred or speculative future use scenarios.

The BAR has evaluated the development as applied for, and the conclusions are based on the environmental effects of the proposed structures and associated infrastructure, independent of assumptions regarding future land use.

The comment is noted.

The Environmental Management Programme (EMPr) forms a standard and required component of the Basic Assessment process, and has been included in the Amended Draft and Final BAR to ensure alignment with the EIA Regulations, 2014 (as amended).

The inclusion of the EMPr at the amended stage reflects the progression of the application to a finalised form, where all mitigation, management, and monitoring measures are consolidated.

The EMPr becomes legally binding upon approval of the Environmental Authorisation, and the disclaimer referenced is a standard professional limitation clause applicable prior to authorisation.

The comment is noted.

The description of the proposed development and intended use is aligned with applicable municipal planning requirements and zoning provisions, which require categorisation of land uses for regulatory purposes.

The reference to “tourist accommodation units” is made in the context of land use planning terminology, and does not alter the nature of the application as assessed in the BAR.

The environmental assessment is based on the physical development footprint and associated impacts, and these have been evaluated accordingly.

60 None of the alleged statements of intent of the owner is binding on anyone, or even himself. Clearly one should state the actual intended use of the properties on any application, not something false, and rely on an unenforceable statement of intent. The probable inference is what the rezoning application asks for, in essence business rights.

61 The Third BAR (this report) adds at page 13:

“The landowners currently plan to utilise the additional units for private family and guest accommodation. From a planning perspective, the proposed rezoning provides a tourism-compatible land-use framework required for multiple accommodation units on agriculturally zoned land ...”

62 In the Second BAR only family was mentioned as visitors. It looked suspicious as no detail was given as to who they were, that they and the owner in fact holiday together, where they live, etc. The addition of “guests” may be telling. There is a difference between a friend and a guest, especially a paying guest.

The comment is noted.

The Basic Assessment Report reflects the proposed development as defined in the application, supported by the project description and specialist inputs. Environmental authorisation is granted based on the assessed development footprint and associated impacts, and not on speculative interpretations of intent.

Furthermore, compliance with the Environmental Authorisation and EMPr is legally enforceable, and any deviation from the approved development would constitute non-compliance with the authorisation.

The comment is noted.

The wording referenced reflects the planning context within which the application is being considered, including alignment with zoning provisions that allow for multiple accommodation units under specific conditions.

The environmental assessment remains focused on the physical development and its impacts, and the conclusions are based on the scale, layout, and environmental context of the proposed development.

The comment is noted.

The distinction between “family” and “guests” is not material to the environmental impact assessment undertaken as part of the Basic Assessment process.

The BAR assesses the environmental implications of the proposed structures and associated infrastructure, irrespective of the specific nature of occupancy, provided that the use remains consistent with the approved development and applicable planning framework.

The impact assessment and conclusions presented in the BAR therefore, remain valid and unaffected by such distinctions.

<p>Conclusion</p> <p>63 I humbly request the competent authority to dismiss the application.</p>	<p>The comment is noted.</p> <p>The Final Basic Assessment Report has been compiled in accordance with the Environmental Impact Assessment Regulations, 2014 (as amended), and includes all specialist inputs, public participation outcomes, and environmental considerations.</p> <p>The assessment concludes that the proposed development, subject to the implementation of the recommended mitigation measures, will result in acceptable environmental impacts of low to moderate significance.</p> <p>The Final BAR has been submitted to the competent authority for decision-making.</p>
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Ms Brigitte Beck – 17 March 2026

Comment	Response
<p><u>Comments on Amended Draft Basic Assessment Report – Portion 79 of Farm 205 Ruygte Valley, Sedgefield</u> <u>Date 17 March 2026</u> Amended Draft Basic Assessment Report - The Proposed Development of a Primary Dwelling and Access Road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape. DFFE REF: 14/12/16/3/3/1/3235 Eco Route consists of 2 pages Submitted by B. G. BECK Paul Kruger Street. I am an interested and affected party.</p> <p>A. There is no official appointment for environmental officer at the Knysna Municipality, who is checking up on the legitimacy of the procedures of the proposed development? Many of the environmental officers mentioned in your draft proposal are no longer in their positions.</p>	<p>Noted.</p> <p>The comment is noted.</p> <p>The Basic Assessment process is undertaken in terms of the Environmental Impact Assessment Regulations, 2014 (as amended), and is administered by the competent authority, namely the Department of Forestry, Fisheries and the Environment (DFFE). Oversight of the environmental assessment process, including compliance with legislative requirements, rests with the competent authority and not the local municipality.</p>

<p>B. Does rezoning to Open Space 111 now super cede the number of dwellings from 1 to 5?</p> <p>Agricultural 1 state that owners have the right to build one dwelling, as it now appears 5 dwellings are now planned for.</p> <p>See below</p> <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 <p>C. The Environmental Consultants, botanists and ecological experts who contributed to the document concerning this proposal i.e. Draft Basic Assessment Report and Amended Draft report – Portion 79 of Farm 205 Ruygte Valley, have drawn attention to the fact that the ecosystem on farm 205 is unique and sensitive to disturbance. The proposed activities will have a detrimental effect on the fauna and flora of the area. Importunely the area already contains some invader plants, this is the reason why this farm needs to be placed under the custodianship, of CAPE NATURE (Goukamma Nature reserve) SANPARKS and other effective environmental bodies. How can it be guaranteed that these bodies wiil to be checking up on the private Stewardship on an ongoing basis?</p>	<p>Environmental practitioners and specialists referenced in the BAR are identified in accordance with their professional roles at the time of assessment. The validity of the process is not dependent on municipal staffing but on compliance with national environmental legislation and procedural requirements, which has been adhered to in this application.</p> <p>The comment is noted.</p> <p>The proposed rezoning to Open Space III (Nature Conservation Area) does not automatically confer unrestricted development rights. The number and nature of structures proposed form part of the specific application under assessment, and any development is subject to:</p> <ul style="list-style-type: none"> • Environmental Authorisation (if granted) • Municipal land use approvals • Applicable zoning scheme provisions <p>The BAR assesses a low-density development footprint, consisting of a primary dwelling and ancillary structures, which remain limited in scale relative to the overall property.</p> <p>The environmental assessment evaluates the physical footprint and associated impacts, and the conclusions are based on this defined proposal.</p> <p>The comment is noted.</p> <p>The sensitivity of the site and the presence of important biodiversity features have been comprehensively assessed in the Terrestrial Biodiversity Assessment, which forms part of the BAR.</p> <p>The assessment recognises that:</p> <ul style="list-style-type: none"> • The site contains areas of high biodiversity value • Portions fall within CBA1 and CBA2 categories • Protected species, including Sideroxyylon inerme (Milkwood), occur on site <p>For this reason, the development footprint has been significantly reduced and positioned within the least sensitive and most disturbed portions of the site, in accordance with the mitigation hierarchy.</p>
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D. REZONING FROM AGRICULTURE 1 TO OPEN SPACE 111. This should be carefully monitored, as, if the proposed developments are approved it will set a **precedent** for others to follow, resulting in a negative impact on sensitive vegetation. **the proposed development will form part of a cumulative trend that will lead to possible disruption of ecological processes on farm 205 as a whole. A very important point.**

E. **With reference to the statement below “Biodiversity Assessment (2025) and Agricultural Compliance Statement (2025), it is proposed that the entire property be rezoned to “Open Space III” (Nature Conservation Area). No fences and a handover or partnership with SANParks for the management of the property. “**

This should indeed include the whole of Farm 205. Farm 205 should be classified as a Conservation area in the form of a protected Nature Reserve, to be handed over to SANParks and Cape Nature to be preserved for future generations. (Cape Nature already manages the Goukamma Nature reserve which is in close proximity to farm 205), **A trust could be formed between the Stewardship and SANParks , Cape Nature and other influential**

Long-term environmental management is addressed through the Environmental Management Programme (EMPr), which becomes legally binding upon Environmental Authorisation. Compliance monitoring and enforcement are undertaken by the relevant authorities.

The BAR therefore includes appropriate safeguards and management measures, and ongoing compliance is regulated through the environmental authorisation framework.

The comment is noted.

The issue of cumulative impact and precedent has been considered in the BAR.

The assessment concludes that the proposed development:

- Is limited in extent (approximately 1,375 m² footprint)
- Retains the vast majority of the site in a natural or conserved state
- Is designed to avoid the most sensitive environmental features

Each application is assessed on its own merits, and approval of this application does not automatically create a precedent for other developments.

The cumulative impact assessment included in the BAR concludes that, given the small scale and low-density nature of the development, the contribution to cumulative impact is low and acceptable.

The comment is noted.

The proposal to rezone the property to Open Space III (Nature Conservation Area) is intended to support long-term conservation objectives, while allowing for a limited, low-impact residential use.

The Basic Assessment process evaluates the specific development proposal submitted, and does not determine land ownership, stewardship arrangements, or the transfer of land to conservation authorities.

Any future arrangements with SANParks, CapeNature, or other conservation bodies fall outside the scope of the Basic Assessment process and would be subject to separate agreements or processes.

environmental bodies to ensure that the area in question remains an important part of the Western Cape Green Heritage).

F. Below see some relevant quotations from **Draft Basic Assessment Report – Portion 79 of Farm 205 Ruygte Valley.**

- **A recent assessment of coastal dune ecosystems (Cowling et al. 2023) suggests that this vegetation type needs The stewardship needs to be carefully monitored and assessment and that the coastal components should be a high priority for protection.”**
- “An impact assessment assessed that potential impacts associated with the proposed development could have MODERATE and LOW negative significance, primarily because of the high conservation value of the forest habitats on site and the value that this area has for current and future 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.”**
- “**The entire site is in a natural state and also falls within CBA1 and CBA2 areas, as well as being an indigenous natural forest. All parts of the site therefore have VERY HIGH sensitivity with respect to the Terrestrial Biodiversity Theme. According to the "Protocols", a Specialist Assessment is therefore required.” Please note a specialist assessment is required first however independent parties like, Cape Nature (Goukamma Nature reserve) and SANParks should be used.**
- “The proposed development is almost entirely within areas of natural habitat that have high biodiversity value. is an indigenous forest protected under the National Forests Act 84 of 1998, is adjacent to protected areas and therefore falls within the buffer zones of these, and has been **earmarked as being desirable for future conservation.”**
- “**The vegetation on site is dominated by the protected tree species, *Sideroxylon inerme*.” Although it is therefore not clear whether or not the thicket on site falls under Western Cape Milkwood Forest (protected**

The BAR ensures that the proposed development is compatible with conservation objectives, and that the majority of the site remains in a natural state.

The comment is noted.

The proposal to rezone the property to Open Space III (Nature Conservation Area) is intended to support long-term conservation objectives, while allowing for a limited, low-impact residential use.

The Basic Assessment process evaluates the specific development proposal submitted, and does not determine land ownership, stewardship arrangements, or the transfer of land to conservation authorities.

Any future arrangements with SANParks, CapeNature, or other conservation bodies fall outside the scope of the Basic Assessment process and would be subject to separate agreements or processes.

The BAR ensures that the proposed development is compatible with conservation objectives, and that the majority of the site remains in a natural state.

under the National Forests Act), it is dominated by the Milkwood *Sideroxylon inerme*, that is protected under the same Act”
This needs to be carefully managed by independent conservation bodies i.e. Cape Nature (Goukamma Nature reserve)

Keeping the above quotations in mind, the whole of farm 205, should become a protected area.

G. I could find no information on the fauna of the area and how any proposed development will affect them. There should be no boundary fences or other fences on any portion of Farm 205. It must be delegated that responsible and effective environmental bodies must enforce this. It remains an important fact that boundary fences must never be allowed, around any of the portions on Farm 205. This is important to allow for the free movement of any animals in this area.

All rights to elaborate on these comments and to raise new issues at a later date are being reserved.

The comment is noted.

Faunal considerations are included within the Terrestrial Biodiversity Assessment, which assesses habitat, ecological processes, and species presence within the study area.

The BAR recognises the importance of maintaining ecological connectivity and minimising disturbance to fauna. For this reason:

- The development footprint is limited in extent
- The majority of the site remains undeveloped and natural
- Disturbance is confined to the approved footprint

The issue of fencing is addressed through the project design and environmental management measures. Where applicable, fencing requirements will be determined through the detailed design phase and relevant approvals, taking into account environmental considerations.

The environmental authorisation and EMPr provide the framework for ensuring that impacts on fauna are minimised and managed appropriately.

Directorate: Biodiversity and Coastal Management

Department of Environmental Affairs and Development Planning – Mercia Liddle: 12 March 2026

Good day,

Your request for comment below refers.

Be advised that the sub-Directorate: Coastal Management has no further comments on the subject matter, and our comment dated 20 June 2025, remains.	Noted.
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DWS: Directorate: Biodiversity Conservation Sub-Directorate: Policy Development, Mainstreaming EIA: Ms Khuliso Khomari -16 March 2026	
<p><u>Dear Sir/Madam</u></p> <p><u>RE: Department of Forestry Fisheries and the Environment Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 18th of February 2026 for review and comment on the project mentioned in the subject line.</u></p> <p>Kindly note that the project has been allocated to Ms M Rabothata and Ms Khuliso Khomari (Copied in this email).</p> <p>Note, all Public Participation Process documents related to Biodiversity EIA review and Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation by email: BCAdmin@dfpe.gov.za for attention of Mr Seoka Lekota.</p>	<p>Good morning,</p> <p>Please see the link for the documentation for the project: https://we.tl/t-3fv3K7wyhB</p> <p>Please note that the 30-day public participation will be held from 18/02/2026 to 20/03/2026. The notification was sent to BCAdmin@dfpe.gov.za when the PPP commenced.</p> <p>Thank you for your attention to this matter.</p>

SANParks - Dr Vanessa Weyer: 19 March 2026	
<p>Dear Madam,</p> <p>SANPARKS COMMENTS, AMENDED DRAFT BASIC ASSESSMENT, RUYGTE VALLEY 205, PORTION 79, SEDGEFIELD, WESTERN CAPE</p> <p>DFFE Ref No. 14/12/16/3/3/1/3235</p> <p>SANParks has provided the following comments on this application:</p> <ol style="list-style-type: none"> 1. Pre-application, Draft Basic Assessment Report (DBAR), Eco Route Environmental Consultancy (Eco Route), March 2025. DFFE Ref. No. (not provided). SANParks comment dated 23 June 2025. 	<p>Noted.</p>

<p>2. DBAR, Eco Route, November 2025. DFFE Ref. No. (not provided). SANParks comment dated 15 December 2025.</p> <p>Please refer to these comments, which describe the landscape context of Ruygte Valley 205 Portion 79, development proposals proposed at that time, points raised by SANParks, as well as summaries and the way forward.</p> <p>An amended DBAR, by Eco Route, dated January 2026, has subsequently been circulated for further comment.</p> <p>Key aspects of the development proposal as extracted from the application include:</p> <p>The proposed development comprises a main dwelling (±200 m²), three small self-contained units (±65 m² each), staff accommodation (±50 m²), an equipment shed (±80 m²), and associated parking and access infrastructure. The landowners currently plan to utilise the additional units for private family and guest accommodation. From a planning perspective, the proposed rezoning provides a tourism-compatible land-use framework required for multiple accommodation units on agriculturally zoned land and is aligned with long-term conservation and land-management objectives.</p> <p>Vehicular access will lead to a parking area of approximately 660 m², from which pedestrian access to the main dwelling and accommodation units will be provided via elevated timber boardwalks, reducing soil compaction and disturbance to underlying vegetation. The development concept is to establish a low-impact private retreat within a natural coastal landscape. The architectural design will utilise lightweight, environmentally sensitive materials, including timber, steel, glass, and natural stone, enabling the structures to blend visually with the surrounding environment and minimising excavation. The total development footprint is approximately 1 375 m², representing less than 2.7% of the property. Approximately 97.3% of the site remains protected under conservation-compatible land use.</p> <p>Vehicular access will be provided via a gravel access road approximately 220 metres in length and 3 metres wide, routed through existing disturbed vegetation along the eastern boundary of the site. The road terminates in a parking area accommodating four parking bays with a total area of approximately 765 m².</p> <p><u>Sewer Reticulation</u> Municipal bulk sewer services are not available in the area. Wastewater will therefore be managed through sealed conservancy tanks designed and installed in accordance with applicable standards and municipal requirements. Effluent will be removed by a licensed service provider and disposed of at an approved treatment facility.</p>	<p>The DFFE reference number was provided on the cover of the draft report.</p> <p>Noted.</p> <p>Noted.</p>
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Water Reticulation

The development will be **fully off-grid in terms of water supply**. All domestic water requirements will be met through rainwater harvesting systems installed at each building. Water will be collected from roof catchments and stored in on-site tanks for domestic use. This approach avoids reliance on municipal water services and supports water conservation objectives.

Electricity

There is currently no electrical infrastructure present on the property or in the adjacent road reserve. It is advisable to consider the installation of a **solar power facility** in this location.

Current application

The current application seeks to exercise the primary land-use right under the existing Agriculture Zone I zoning through the construction of a single private dwelling, including access, services, and rehabilitation measures.

In addition, and in order to regularise the full development proposal, the Applicant intends to apply for:

- Rezoning of the property to Open Space III (Nature Conservation Area); and
- Consent use approval to allow for three low-intensity accommodation units, described as tourist accommodation for land-use planning purposes.

Accordingly, it is proposed that the **property be rezoned to Open Space III (Nature Conservation Area)**. This rezoning will formalise the long-term conservation intent of the property, ensure protection of its ecological and scenic

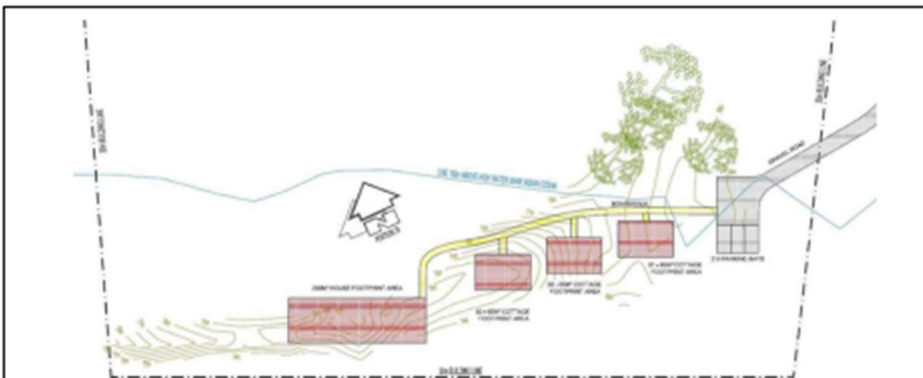


Fig. 1. Preferred Alternative SDP, as extracted from pg. 22 & 60 of the DBAR, Eco Route, November 2025.

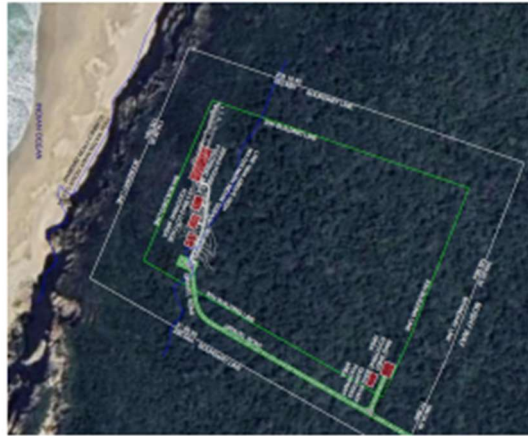


Fig. 2. SDP as extracted from pg. 4 of the Visual Compliance Statement, Outline Landscape Architects cc, Kathrin Hammel, March 2025. **Note:** Main dwelling and cottages, and parking areas are shown seaward of the 100m HWM (depicted blue), and on steep slopes.

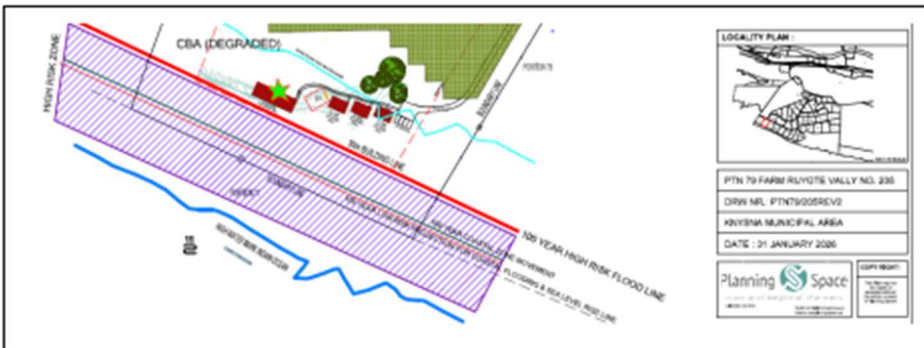


Fig. 3. Site Constraints Map, showing SDP, Planning Space, 31 January 2026, amended DBAR

The total development footprint area of the preferred alternative has increased from that stated in the DBAR of November 2025 of approx. 1175m², to approx. 1375m² in the amended DBAR of January 2026.

The vehicle access road through the property and the access road that will be required through the adjoining road servitude/ and neighbouring property for main access appears to not have been included in area calculations.

No road currently exists and the property, and road servitude/ neighbouring property are densely vegetated with indigenous trees, which requires clearing (Figs. 4 & 5). Solar and water tank areas further do not appear to have been included in disturbance footprint area calculations.

Noted and agreed.

No revised Preferred Alternative SDP could be found in the amended DBAR of January 2026, nor its appendices.

An updated Constraints Map (Appendix B1) (**Fig. 3**), however shows a slight change to the SDP contained in the DBAR of November 2025 (**Fig. 1**). The three cottages appear to have been shifted slightly eastwards, however not northwards.

SANParks conducted a site visit on 5 March 2026, attended by Dr. V. Weyer (SANParks), Mr. T. Kgaphola (SANParks), Ms. C. Pluim (SANParks), Ms. M. Mudau (DFFE), Ms. P. Makitla (DFFE), Ms. A. Matamela, (DFFE), Ms. N. Lekalakala (DFFE), and Ms. J. Christie (Eco Route) (**Figs. 4 & 5**).



Fig. 4. Meeting attendees viewing the site. The site is densely vegetated with access difficult.



Fig. 5. Meeting attendees walking the site, along the proposed road access which is densely vegetated with indigenous trees.

Point 1: Specialist Studies

Comments on specialist studies as provided by SANParks to the DBAR of November 2025 stand, no new information appears to have been added in the amended DBAR of January 2026.

Visual

A visual specialist report by Mr. P. Buchholz (registered Professional Geographical Information Science Practitioner (PGP 1323)) was included, however closer perusal revealed the document appended to be a quotation and not a specialist study/ statement. Therefore, its inclusion is confusing/ not relevant.

An updated Constraints Map was included.

Noted.

The comment is noted.

The Basic Assessment Report (BAR) includes specialist inputs that are appropriate to the level of assessment required for a Basic Assessment process, and sufficient to inform decision-making.

Visual

The inclusion of the document by Mr P. Buchholz is acknowledged as supporting input and not relied upon as a formal specialist study.

The Visual Compliance Statement (Outline Landscape Architects, March 2025) constitutes the primary, site-specific visual assessment informing the BAR. While

8. Cost estimate

The total cost is anticipated to be ZAR 20,260.00 (no VAT applicable – not VAT registered). The cost breakdown is as follows:

Table 3: Cost breakdown

Task	Total (no VAT applicable)
Visual impact statement for portion 79 of 205, Sedgefield	ZAR 20,260.00

10. Closing remarks

Thank you very much for the opportunity to submit this proposal.

Should you require any further information or have any queries, please contact me.

Yours faithfully



Paul Buchholz

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A second Visual Compliance Statement is included, by Outline Landscape Architects cc, Ms. K. Hammel (Registered Professional Landscape Architect, South African Council of Landscape Architects (SACLAP), registration No. 20162), March 2025. The methodology applied is not specified.

A third Visual Impact Assessment (VIA): Site Sensitivity Report was included by VRM Africa, Mr. S. Stead (registered with the Association of Professional Heritage Practitioners), 24 October 2024, however it is stated that the incorrect site was assessed, therefore the report was excluded from findings. The methodology followed by VRM Africa is based on the United States Bureau of Land Management's (BLM) Visual Resource Management method (USDI., 2004). The

the methodology is not presented as a formal VIA framework, the assessment is based on:

- Site inspection
- Landscape character analysis
- Visual absorption capacity
- Development layout

The VRM Africa report was reviewed, however it is noted that it was not aligned to the final verified development footprint and layout, and is therefore not relied upon as determinative input.

The BAR does not rely on an assumption of no visibility, but rather assesses visual impact significance, concluding that impacts are localised and of low significance. A peer review or higher-order VIA is not a regulatory requirement for a Basic Assessment, and the level of assessment undertaken is considered appropriate.

VRM Africa report raises significant visual impact concerns that warrant a deeper investigation.

Reference is made in the Comments and Responses report of the amended DBAR of January 2026 to a follow-up revised report by VRM Africa. However, this report has not been provided for perusal, in public participation documentation. SANParks wishes to have sight of this report.

A peer review of the three VIAs/ Statements is suggested. Specialist Protocols for VIAs and registration requirements for VIA specialists are not clearly defined/ undeveloped as part of the EIA process, and requirements differ between national and from province to province. Guidance on requirements from DFFE, the Competent Authority should be sought.

As the property borders the GRNP in the south, and the Goukamma Nature Reserve and its Marine Protected Area, is 1km to the east, visual impacts and changes in landscape character are a significant concern. No detailed architectural plans are provided to show building heights and exact positioning relative to contours. No 3D visualisations have been undertaken.

Geology/ Geotechnical

A Preliminary report by Dr. E. Spicer, 21 May 2024 was undertaken. No detailed slope analysis has been undertaken. Extracts likely from CapeFarmMapper showing slopes and contours are provided.

Civil and Engineering

The report by Sham Consultants, Mr. M. van Coller, Pr.Eng, Registration No. 20060275, 22 October 2025 is provided, however no maps/ SDPs are included in the report, in reference to text comments. It is difficult to understand which areas are referred to. The report is unsigned.

Geotechnical

A Preliminary Geotechnical and Geomatic Investigation has been undertaken and forms part of the BAR. This assessment identifies:

- Slope conditions
- Stability constraints
- No-go areas

The development footprint has been positioned outside identified geotechnical risk areas, and no additional slope analysis is required at this stage for Basic Assessment purposes.

Civil and Engineering

The engineering input by Sham Consultants has informed the development layout and infrastructure feasibility.

The BAR includes sufficient information to assess impacts associated with access, services, and infrastructure. Detailed design drawings are not a requirement at Basic Assessment stage and are typically refined at detailed design phase

Point 2: Alternatives

Comments on alternatives as provided by SANParks in the DBAR of November 2025 stand, minimal effort has been made in the amended DBAR of January 2026 to provide a further layout alternative, i.e. locating dwellings elsewhere on the property, other than the southern sector within the sensitive 100m line from the HWM, on the sensitive coastal foredune.

The Preferred Alternative includes one primary dwelling, three cottages, a vehicle parking area, all situated in the south of Portion 79, a garage/storeroom in the north, and a 220m long x 3m wide new access road leading to the dwellings (>1375m² disturbance area).

The application has not included a further alternative of clustering buildings further to the northeast in the property, adjacent to the entrance to the property off the main access road. This option would provide a more desirable clustered approach which would minimise landscape fragmentation. This siting is situated away from the sensitive foredune. The landowner could offer hiking trails through the property leading to a small viewing deck/ look-out point on the foredune. It is recommended that no permanent invasive structures be constructed in this sensitive area.

Point 3: Coastal Erosion and Setbacks

SANParks comments to the November 2025 DBAR on coastal erosion and setbacks stand.

In 2017 erosion coinciding with a spring tide occurred in the nearby Myoli Beach area, which removed a significant portion of the dune placing houses behind at risk1 – refer to extract on pg.12 of this document.

The comment is noted.

The BAR includes an assessment of reasonable and feasible alternatives, including layout alternatives informed by:

- Geotechnical constraints
- Biodiversity sensitivity
- Coastal risk considerations
- Site accessibility

The preferred alternative represents the most suitable balance between environmental constraints and development feasibility.

The suggested alternative location in the north-eastern portion of the site was considered during the design process; however, the selected footprint was determined to be more appropriate based on integrated specialist input and site conditions.

The BAR therefore satisfies the requirement to assess reasonable and feasible alternatives, and no further alternative assessment is considered necessary

The comment is noted.

The BAR acknowledges that the property falls within the Coastal Protection Zone, and coastal processes have been considered as part of the geotechnical and environmental assessment.

Importantly:

- The development footprint has been positioned outside identified erosion risk areas and unstable dune systems, based on specialist input
- The development does not propose any coastal protection structures or interference with coastal processes
- The BAR does not rely on any future requirement for coastal stabilisation measures



Figure 10.7. Emergency sand bags placed at Sedgfield (Myoli Beach) after a period of dune cliff storm erosion

Portion 79 is located approx. 1km east of Myoli Beach, it is likely that the active foredune on Portion 79 may too be at risk to coastal erosion, exacerbated by climate change impacts, and unpredictable storm events/ surges.

SANParks has concerns with supporting development on the foredune. Coastal erosion and dune slumping are possible, which are expected to increase with climate change. The foredune is regarded as critical ecological infrastructure, as a buffer, which will become crucial as a climate change mitigation strategy.

In terms of Section 62(2) of NEM: ICMA, an organ of state may not authorise any activity that may have an adverse effect on the coastal environment. SANParks is concerned that Section 62(2) has not been adequately addressed in the DBAR of November 2025 and the amended DBAR of January 2026, no specialist coastal erosion study has been undertaken.

The Preferred Alternatives show buildings seaward of the 100m line from the HWM, and on steep slopes. This positioning is not supported by SANParks.

Section 62(2) of NEM: ICMA has been considered, and the assessment concludes that the proposed development, as designed and mitigated, will not result in unacceptable adverse impacts on the coastal environment.

A separate coastal erosion specialist study is not considered necessary for this level of assessment, given the findings of the geotechnical investigation and constraints-based design.

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.
Should dune slumping/ coastal erosion occur, protection structures would be required within Portion 79, protection structures would not be permitted on the adjoining GRNP state land (Portion 71), i.e., seaward of Portion 79.

Point 4: Precedent Setting and Cumulative Impacts

Comments regarding precedents and cumulative impacts as provided by SANParks in the DBAR of November 2025 stand,
Prior to the 1997 EIA Regulations, when climate change risks were unknown, land use rights were granted for development in areas such as the Myoli and Wilderness Beach foredunes. Risks associated with developing in marginal areas are now known.
The Wilderness Beach coastline has experienced significant coastal erosion, recently in September 2023, after a storm surge, which placed many foredune dwellings at risk. In response, property owners constructed protective retaining structures on state land (George Municipality and GRNP SANParks land). Several landowners were issued DFFE notices and requested to remove structures and to rehabilitate the dune. Encroachment into state land, via building structures, gardens, decking, pools and walkways is a further issue. Rectification of this situation is challenging. It is anticipated that coastal erosion risks to poorly sited foredune dwellings will likely intensify. Placing property and in worst cases, lives at risk. There is limited space for a 'retreat' climate change adaption strategy.

The comment is noted.
The BAR includes an assessment of cumulative impacts, and recognises broader coastal development pressures and climate-related risks.
However:

- Each application must be assessed on its own merits
- The proposed development is limited in scale (~1,375 m² footprint)
- The majority of the site remains undeveloped and conserved

The BAR concludes that the development will not result in unacceptable cumulative impacts, and does not establish a precedent for inappropriate development.
The risks associated with historical coastal development are acknowledged, but the current application reflects a modern, constraints-based design approach, informed by current environmental understanding.

SANParks is concerned that authorisation of structures on the Ruygte Valley foredune will set a similar dangerous precedent for this area, resulting in cumulative impacts. Risks are known and remediation may prove difficult and costly.

Point 5: Stewardship

As noted previously, SANParks supports a NEM: PAA biodiversity stewardship agreement via CapeNature, preferably where the property is declared a Nature Reserve, i.e., as a CapeNature Level 3 Nature Reserve. Dependent on discussions with and approvals from CapeNature.

It is not a guarantee that the MEC or the Minister will declare a property, and it is therefore recommended that the landowner is required as a condition to register a conservation servitude over the property in favour of CapeNature should the property not be declared as a nature reserve. It is further recommended that a voluntary title deed restriction is registered against the property (i.e., via a Notarial Deed).

It is suggested that the stewardship process be concluded through the signing of required documents, prior to construction commencement.

Points 6: Summary and Way Forward

SANParks does not support the Preferred Alternative as detailed in the amended DBAR of January 2026.

SANParks will support an Alternative of clustering buildings further to the north-east of the property, adjacent to the entrance to the property off the main access road. This option would provide a more desirable clustered approach which would minimise landscape fragmentation, and disturbance to the sensitive foredune.

Information and specialist studies provided in the amended DBAR of January 2026 are considered inadequate, particularly pertaining to visual and coastal erosion impacts, and development on a sensitive foredune.

Reference is made in the Comments and Responses report of the amended DBAR of January 2026 to a follow-up revised report by VRM Africa that was produced. SANParks wishes to have sight of this report.

The comment is noted.

The proposal to rezone the property to Open Space III (Nature Conservation Area) supports long-term conservation objectives.

The establishment of a formal stewardship agreement, nature reserve declaration, or conservation servitude is supported in principle; however:

- Such processes fall outside the scope of the Basic Assessment process
- They are subject to separate agreements with CapeNature and relevant authorities

The BAR ensures that the development is compatible with conservation objectives, and that the majority of the property remains in a natural state.

Any stewardship mechanisms may be pursued independently by the landowner and relevant authorities.

The comment is noted.

The Final Basic Assessment Report includes sufficient information to support informed decision-making, including:

- Specialist assessments
- Constraints mapping
- Public participation outcomes
- Impact assessment

The BAR concludes that the proposed development:

- Is low-density and limited in extent
- Avoids high-risk and sensitive areas where feasible
- Results in impacts of low to moderate significance with mitigation

A peer review of the three VIAs/ Statements is suggested. As the site borders the GRNP in the south and the Goukamma Nature Reserve and its Marine Protected Area are situated 1km to the east, visual impacts and changes in landscape character are a significant concern. Detailed architectural plans, and a detailed SDP should be provided to show building heights, positioning relative to contours, and disturbance areas. 3D visualisations should be presented.

More detailed geotechnical, slope analysis, visual impact, and coastal erosion specialist studies should be undertaken.

This information should be provided prior to decision-making, to inform layouts, alternatives, etc., and should not be undertaken after an Environmental Authorisation (EA) is granted. The information is pertinent to decision-making, SDP development, and would form a record in the EA.

Notwithstanding this, SANParks does not support development on the foredune. SANParks is concerned that authorisation of dwellings/ structures on the Ruygte Valley foredune will set a dangerous precedent, resulting in cumulative impacts, with risks known, and remediation difficult.

Gains in sea views in the short-term do not warrant risks that will be borne by future generations in the long-term.

It is possible to honour the landowner's rights, by permitting dwellings in an alternative location in the north-east corner of Portion 79.

SANParks supports a NEM: PAA biodiversity stewardship agreement via CapeNature, preferably where the property is declared a Nature Reserve.

It is recommended that the following conditions are considered, in conjunction with the main dwelling, and other proposed structures/ infrastructure being positioned in the far north-east corner of Portion 79, next to the main access road (an alternative that should be considered):

1. The landowner should commit the remaining portion of the property to a biodiversity conservation stewardship mechanism, which should comprise of:
 - 1.1 CapeNature NEM: PAA Level 3 Nature Reserve.
 - 1.2 It is recommended that a conservation servitude and a voluntary title deed restriction are registered against the property (i.e., via a Notarial

The request for additional specialist studies (visual, coastal, geotechnical) is acknowledged; however, the level of assessment undertaken is appropriate to a Basic Assessment process, and no regulatory requirement exists for further studies prior to decision-making.

The BAR represents a final and complete assessment, and no further amendments are proposed.

The comment is noted.

The recommended conditions are acknowledged. Where applicable:

- Environmental Authorisation conditions will be determined by the competent authority (DFFE)
- The EMPr includes measures relating to biodiversity management, alien vegetation control, construction management, and rehabilitation

Deed). This will ensure that the conservation status of the property is transferred to any new owner on the sale of the property.

1.3 The stewardship process should be concluded through the signing of the required documents, prior to construction commencement.

- 2 The property should be rezoned to Open Space III or IV.
- 3 Fencing must not inhibit wildlife movement.
- 4 An Environmental Management Programme (EMPr) must be implemented and monitored by an Environmental Control Officer (ECO). The EMPr must be finalised based on any Environmental Authorisation (EA) outcomes/ conditions.
- 5 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.
- 6 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. The owner should consider using non-flammable building materials, including external fittings such as aluminum gutters, and should consider an irrigation system to mitigate fire risk. A comment from the Southern Cape Fire Protection Association (SCFPA) should be included.
- 7 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 (Act 84 of 1998), as amended. It was observed during the site visit that the property contains many Milkwood trees

- Compliance with relevant legislation, including NEM:BA, National Forests Act, and Fire Protection requirements, is acknowledged
- Specific measures such as fencing, plant rescue, topsoil management, and ECO monitoring are addressed within the EMPr.
- Matters relating to stewardship agreements, rezoning, and land use restrictions fall outside the scope of the Basic Assessment and will be addressed through separate processes where applicable.

(Sideroxylon inerme), including where the road and driveway access is proposed.

- 8 Should any resources of suspected heritage value be uncovered during clearing, Heritage Western Cape (HWC) must be contacted immediately for instructions.
- 9 The disturbance footprint/ no-go areas should be fenced off during the construction phase with a barrier material, such as shade cloth to prevent workers from encroaching into adjacent vegetation, and to ensure that animals are not injured on the building site.
- 10 An indigenous plant rescue operation should be conducted prior to site clearance.
- 11 Topsoil should be set-aside for reuse.
- 12 Confirmation is required from the relevant Competent Authority (BOCMA) of the need for a Water Use License.
- 13 The property falls within the Coastal Protection Zone; therefore, careful, environmentally sensitive decision-making must be made for any proposed development on this property.

The NEM: ICMA requires that activities that are potentially harmful to the coastal zone are considered as part of the National Environmental Management Act, Act No. 107 of 1998 (NEMA): Environmental Impact Assessment process.

SANParks' comment letter should be included in the body of the FBAR, and not only in a Comments and Responses report/ table. SANParks wishes to be copied in and have sight of the FBAR, as submitted to DFFE, the Competent Authority.

The comment is noted.

The SANParks comment letter forms part of the Comments and Responses Report included in the Final BAR, which constitutes the formal public participation record.

SANParks reserves the right to revise comments if additional information becomes available.	The Final BAR will be submitted to the competent authority, and SANParks will be notified as a registered Interested and Affected Party.
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**EIA Applications: Integrated Environmental Authorisations: Department of Forestry, Fisheries and the Environment
Ephron Maradwa - 19 February 2026**

<p>Good Day 14/12/16/3/3/1/3235</p> <p>ACKNOWLEDGEMENT OF RECEIPT OF THE AMENDED DRAFT BASIC ASSESSMENT REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF FARM 205, RUYGTE VALLEY, SEDGEFIELD, WESTERN CAPE PROVINCE.</p> <p>The Department confirms having received the Amended Draft Basic Assessment Report for Environmental Authorisation for the abovementioned project on 18 February 2026. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.</p> <p>Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 2 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 19 of the EIA Regulations, 2014 as amended.</p> <p>Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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<p>Note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.</p>	<p>Noted.</p>
<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>	<p>Noted</p>
<p>Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p>	<p>Noted.</p>

Department of Forestry, Fisheries and the Environment: Ms. Matlhodi Mogorosi – 19 March 2026

COMMENTS ON THE AMENDED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF THE FARM RUYGTE VALLEY NO. 25 IN SEDGEFIELD NEAR KNYSNA, WITHIN THE KNYSNA LOCAL MUNICIPALITY, WESTERN CAPE PROVINCE

The amended Draft Basic Assessment Report (BAR) dated January 2026 and received by this Department on 18 February 2026, refer.

This letter serves to inform you that the following information must be included in the Final BAR:

(a) Listed Activities

- (i) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. Only activities (and sub-activities) applicable to the development must be applied for and assessed.

The comment is noted.

All applicable listed activities have been reviewed, verified, and applied for in the Final Basic Assessment Report (BAR). Each activity is directly linked to specific

<p>(ii) Kindly expand the description of the listed activities applied for and relate their relevance to the proposed development. The description must include the scope of works, the footprints/sizes of what is newly proposed, and any other relevant detail relating to the project description. The expanded description must be provided in both the BAR and amended application form. For instance, you have applied for Activity 17 of Listing Notice 1, and the description provided states that “the current indicated area for proposed development falls within 100-meter highwater mark.” This is insufficient as it fails to outline the details of the development such as thresholds and/or area footprint. The proposed development entails the construction of a primary dwelling and access road. It needs to be made clear in the description if both the access road and the primary dwelling fall within the 100-meter highwater mark.</p> <p>(iii) Similarly, you have applied for Activity 19A of Listing Notice 1, and the description provided in the application form must be expanded to indicate either the exact or approximate amount of material that will be excavated. This should indicate the components of the primary dwelling and the access road. The same level of details must be provided for Activity 27 of Listing Notice 1.</p>	<p>components of the proposed development, including the primary dwelling, access road, and associated infrastructure.</p> <p>Only those activities that are relevant and applicable to the proposed development have been assessed.</p> <p>The comment is noted.</p> <p>The description of the listed activities has been expanded in the Final BAR and aligned application form to clearly reflect:</p> <ul style="list-style-type: none"> • The scope of works • The extent and footprint of each development component • The relationship between each activity and the proposed infrastructure <p>Specific clarification has been provided regarding Activity 17, confirming which components of the development fall within the 100 m High Water Mark.</p> <p>The comment is noted.</p> <p>The descriptions for Activities 19A and 27 have been expanded in the Final BAR and application form to include:</p> <ul style="list-style-type: none"> • The estimated volume of material to be excavated • The areas associated with excavation and vegetation clearance • The differentiation between building footprints and access infrastructure <p>The level of detail provided is considered sufficient for impact assessment.</p>
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<p>(iv) It is noted that for Activities 4 and 12 of Listing Notice 3, you have applied for a number of subactivities under each main activity. Please ensure that for each of these sub-activities, you are able to demonstrate how they relate to the proposed development.</p>	<p>The comment is noted.</p> <p>All sub-activities applied for under Listing Notice 3 have been reviewed and clearly linked to the proposed development components in the Final BAR. Each sub-activity is justified based on its applicability to the site and proposed infrastructure.</p>
<p>(v) Further to the above, the description of the proposed development must be expanded. Currently the description states that “The amended preferred development comprises a main dwelling and three small self-contained accommodation units clustered within a single compact development node, together with associated access, parking, and pedestrian boardwalk infrastructure. The landowners intend to utilise the additional units for private family and guest accommodation within a conservation-compatible land-use framework. The total building footprint associated with the preferred alternative is approximately ±1 375m², inclusive of buildings, access infrastructure, and associated disturbed areas. This represents approximately 2.7% of the total property area (±5.16 ha), ensuring that more than 97% of the site remains in a natural or rehabilitated state.” The description must clearly indicate the sizes of these proposed components/buildings, and the location of the primary dwelling and the other associated buildings within the site. It is indicated that there will be access infrastructure, and it is unclear if this still refers to the access road or if this refers to any other infrastructure. Please expand the description of the infrastructure proposed to ensure that there are no uncertainties.</p>	<p>The comment is noted.</p> <p>The project description has been expanded in the Final BAR to provide clarity on:</p> <ul style="list-style-type: none"> • The size of each proposed structure • The location of development components within the site • The distinction between access road and other supporting infrastructure <p>The Final BAR provides a clear, detailed, and unambiguous project description.</p>
<p>(vi) Coordinates of the development site and of the access road (start, middle, and end points) must be provided in the application form and the BAR.</p>	<p>The comment is noted.</p> <p>The coordinates of the development site and access road (start, midpoint, and end points) have been included in both the Final BAR and the amended application form.</p>

<p>(vii) The relevant authorities with jurisdiction in respect of geographically designated areas in terms of GN R. 985 (Listing Notice 3) Activities must be continuously involved throughout the environmental impact assessment process. Written comments (or proof of consultation) must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also ensure that the potential impacts on the affected Critical Biodiversity Areas, Sensitive Areas and Protected Areas indicated in Listing Notice 3 are fully assessed in the BAR.</p>	<p>The comment is noted.</p> <p>Relevant authorities have been consulted as part of the Public Participation Process, and proof of consultation forms part of the BAR.</p> <p>A graphical representation of the development within designated geographical areas is included, and impacts on CBAs, sensitive areas, and protected environments have been fully assessed in the BAR.</p>
<p>(viii) The final BAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for. (ix) Kindly ensure that the amended application form is signed and dated by the applicant.</p>	<p>The comment is noted.</p> <p>The Final BAR includes an assessment of impacts and mitigation measures for each listed activity applied for, as required.</p>
<p>(ix) As the submission of the amended draft BAR did not include an amended application form, kindly ensure that the above points are addressed. (</p>	<p>The comment is noted.</p> <p>The amended application form has been updated, signed, and dated by the applicant, and forms part of the Final submission.</p>
<p>(b) Specialist Assessments</p> <p>(i) Please note that the Department considers a ‘no-go’ area as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the ‘no-go’ areas.</p> <p>(ii) Should the specialist definition of a ‘no-go’ area differ from the Department's definition, this must be clearly indicated. The specialist must also indicate the ‘no-go’ area’s buffer if applicable.</p>	<p>The comment is noted.</p> <p>“No-go” areas have been clearly defined in the Final BAR as areas where no development, including associated infrastructure, is permitted. Where specialist-defined constraints differ in terminology, these have been clarified and aligned, and applicable buffers are indicated where relevant.</p> <p>The comment is noted.</p> <p>Where differing specialist recommendations existed, these have been reviewed and reconciled, and the Final BAR clearly indicates the most reasonable and defensible position, supported by integrated specialist input.</p>

<p>(iii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.</p> <p>(iv) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post-EA.</p> <p>(v) Please note that if any of the specialist studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation (including site sensitivity verification reports and specialist compliance statements in certain instances) must be provided in the report per the requirements of the Protocols.</p> <p>(vi) Please note that the protocols require certain specialists to be SACNASP registered. As such, the Specialist Declaration of Interest forms must also indicate the scientific organization registration/member number and status of registration/membership for each specialist.</p>	<p>The comment is noted. Where differing specialist recommendations existed, these have been reviewed and reconciled, and the Final BAR clearly indicates the most reasonable and defensible position, supported by integrated specialist input.</p> <p>The comment is noted. All specialist studies included in the Final BAR are finalised and provide clear, practical mitigation measures. No reliance is placed on future studies post-authorisation.</p> <p>The comment is noted. The Final BAR includes:</p> <ul style="list-style-type: none"> • Site Sensitivity Verification Reports (SSVRs) for relevant themes • Confirmation or dispute of Screening Tool sensitivities • A summary table of all themes, including: <ul style="list-style-type: none"> ○ Screening Tool sensitivity ○ Verified sensitivity ○ Type of assessment undertaken (full study / compliance statement / motivation) <p>All SSVRs include recent, site-specific photographic evidence in compliance with the Protocols.</p> <p>The comment is noted. All specialist studies included in the Final Basic Assessment Report (BAR) have been undertaken by appropriately qualified and experienced specialists. The Specialist Declarations of Interest have been included in the Final BAR and have been updated to reflect the relevant professional registrations, including:</p> <ul style="list-style-type: none"> • SACNASP registration number (where applicable) • Registration category and status <p>The Final BAR therefore confirms that all specialists meet the professional registration requirements as prescribed by the applicable Protocols.</p>
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<p>(vii) It is still brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), are now in effect. Please note that specialist assessments must be conducted in accordance with these protocols. Please note further that the protocols require the specialists to be registered with SACNASP.</p>	<p>The comment is noted.</p> <p>All specialist assessments included in the Final Basic Assessment Report have been undertaken in accordance with the requirements of:</p> <ul style="list-style-type: none"> • Government Notice No. 320 of 20 March 2020 (Protocols for Environmental Themes); and • Government Notice No. 1150 of 30 October 2020 (Protocols for Terrestrial Plant and Animal Species) <p>The Site Sensitivity Verification and associated specialist inputs have been conducted in alignment with these Protocols, and the Final BAR reflects:</p> <ul style="list-style-type: none"> • Verification of Screening Tool sensitivities • Appropriate level of specialist assessment or compliance statements per theme • Use of suitably qualified and registered specialists (including SACNASP registration where required) <p>The Final BAR is therefore considered compliant with the requirements of the Protocols and the EIA Regulations, 2014 (as amended)</p>
<p>(viii) Further to the above, it is noted that the Site Sensitivity Verification Report (SSVr) as required by the Protocols that was not included in the draft BAR is still not included in this amended draft BAR. As such, still kindly reminded to take note of the requirements of the Protocols which state that:</p> <p>1.2. The site sensitivity verification must be undertaken through the use of:</p> <p>(a) a desk top analysis, using satellite imagery;</p> <p>(b) a preliminary on -site inspection; and</p> <p>(c) any other available and relevant information.</p> <p>1.3 The outcome of the site sensitivity verification must be recorded in the form of a report that-</p> <p>(a) confirms or disputes the current use of the land and the environmental sensitivity as identified by the screening tool, such as</p>	<p>The Final BAR includes:</p> <ul style="list-style-type: none"> • Site Sensitivity Verification Reports (SSVRs) for relevant themes • Confirmation or dispute of Screening Tool sensitivities • A summary table of all themes, including: <ul style="list-style-type: none"> ○ Screening Tool sensitivity ○ Verified sensitivity ○ Type of assessment undertaken (full study / compliance statement / motivation) <p>All SSVRs include recent, site-specific photographic evidence in compliance with the Protocols.</p> <p>Noted.</p>

new developments or infrastructure, the change in vegetation cover or status;
(b) contains a motivation and evidence (e.g., photographs) of either the verified or different use of the land and environmental sensitivity; and
(c) is submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations (EIA Regulations).”

(ix) Therefore, taking the above into account, you are required to provide site verification reports for all the themes as highlighted by the Screening Tool that comply with the site sensitivity verification and minimum report content requirements, and the findings thereof will then determine whether a full specialist study is required or if the specialist will only need to undertake compliance statements for the relevant themes. The SSVRs must be submitted with the BAR to ensure compliance with the requirements of the Protocols and those of the EIA Regulations, 2014, as amended. Please make sure that the photographic evidence that is provided with the site sensitivity verification report is recent and time-stamped. No Google images must be provided as photographs.

Noted.

(x) You are therefore requested to include in the BAR a table summarising all the specialist studies required by the Department’s Screening Tool, and the sensitivity rating of the Screening Tool (very high, high, medium, low), a column indicating the sensitivity of the site after the EAP/Specialist conducted the Site Sensitivity Verification Assessment (a dispute or confirmation of the finding by the Screening Tool), and a column indicating whether these studies will be conducted or if a compliance statement or motivation will be submitted, as per the requirements of the protocols.

Noted.

<p>(xi) It is noted that two Visual Impact Assessment Studies with differing specialist statements were submitted with the amended draft BAR. Kindly ensure that this is addressed and the Department is not provided with contradictory specialist opinions.</p>	<p>The comment is noted. Any apparent discrepancies between visual-related inputs have been resolved in the Final BAR, which relies on site-specific and applicable specialist input. The Final BAR presents a consistent and integrated visual assessment.</p>
<p>(xii) The Screening Tool identified the Aquatic Biodiversity Theme as having a 'very high' sensitivity rating. As per the Protocols, the rating must be either disputed or confirmed, thereafter a full specialist assessment must be undertaken, or a Compliance Statement must be provided. It is noted, however, that the amended draft BAR did not include either a study or Compliance Statement. The prescribed assessment protocol for this theme is that either a study or Compliance Statement is to be undertaken, depending on the outcomes of the Site Sensitivity Verification exercise. The omission of either the study or compliance statement is contrary to the requirements of the Protocols.</p>	<p>The comment is noted. The Aquatic Biodiversity Theme has been addressed in accordance with the Protocols. A Compliance Statement / appropriate assessment has been included based on the verified site sensitivity.</p>
<p>(xiii) It is noted that the Terrestrial Biodiversity Study attached in the amended draft BAR focuses on Plant Species Assessment. However, the Screening Tool identified the Animal Species Theme as having a 'high' sensitivity rating. Should this rating be confirmed after undertaking a site sensitivity verification, the Protocols require that a Terrestrial Animal Species Specialist Assessment be undertaken, and the findings thereof recorded in a Terrestrial Animal Species Specialist Assessment Report. If the rating of the Screening Tool is disputed and determined to be medium or low and no SCC are found on site, then a Compliance Statement must be compiled by a registered specialist.</p>	<p>The comment is noted. The Terrestrial Biodiversity Assessment (BioCensus, 2025) includes a comprehensive evaluation of the habitat, vegetation structure, ecological processes, and landscape context of the site. Although the assessment focuses on plant species, it also provides a habitat-based evaluation, which inherently informs faunal presence and ecological functioning. The Site Sensitivity Verification undertaken for the terrestrial biodiversity theme considered both plant and animal species sensitivity. Based on:</p> <ul style="list-style-type: none"> • The limited development footprint ($\pm 1,375 \text{ m}^2$) • The retention of more than 97% of the site in a natural state • The absence of confirmed faunal Species of Conservation Concern (SCC) within the development footprint during site verification • The availability of extensive surrounding natural habitat enabling faunal movement and displacement

<p>(xiv) The Screening Tool identified the Marine Impact Assessment as one of the specialist studies to be undertaken and included in the BAR, however, this study was not included. As there is no defined assessment criteria for this assessment, detailed motivation supported by specialist confirmation as to why the study is not to be undertaken, must be provided in the BAR. (xv) Please ensure that for the Aviation and Defence Themes proper and detailed motivations are provided as there are no defined assessment criteria, and the EAP has disputed the sensitivity ratings that were identified by the Screening Tool for these themes.</p> <p>(xv) Please note that it is the responsibility of the EAP to confirm the list of specialist assessments identified in the screening tool report and to motivate in the BAR, the reason for not undertaking any of the</p>	<p>the high sensitivity rating for the Animal Species Theme is considered to be locally reduced within the development footprint, and is therefore disputed at site scale.</p> <p>In accordance with the Protocols, where sensitivity is reduced and no SCC are confirmed within the footprint, a full Terrestrial Animal Species Specialist Assessment is not considered necessary.</p> <p>The BAR therefore relies on a habitat-based assessment supported by specialist input, and concludes that potential impacts on fauna will be localised, low in significance, and adequately mitigated through the implementation of the EMP, including:</p> <ul style="list-style-type: none"> • Restriction of disturbance to the defined footprint • Retention of surrounding natural habitat • Control of construction-related impacts • Rehabilitation and ecological management measures <p>The level of assessment is therefore considered appropriate and compliant with the requirements of the Protocols for a Basic Assessment process.</p> <p>The comment is noted.</p> <p>The requirement for a Marine Impact Assessment has been assessed and motivated in the Final BAR. It is confirmed that:</p> <ul style="list-style-type: none"> • The development is terrestrial in nature • No marine or coastal infrastructure is proposed • No direct marine impacts are anticipated <p>A reasoned motivation supported by specialist input is provided in the BAR.</p> <p>Noted.</p>
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identified specialist studies, including the provision of photographic evidence of the site situation.

- (xvi) Specialist Declaration of Interest forms must be attached to the final BAR. You are therefore requested to submit original, signed and dated Specialist Declaration of Interest forms for each specialist study conducted. The forms are available on the Department's website (please use the Department's template).

(c) Layout & Sensitivity Maps

- (i) A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible, e.g. roads. The layout map must indicate the following:

- Clear indication of the location and envisioned area of the primary dwelling and the access road, and all other supporting associated infrastructure, mapped at an appropriate scale;
- All supporting onsite infrastructure, e.g., roads (existing and proposed); and
- All existing infrastructure on the site;
- Permanent and temporary laydown area footprints;
- The location of sensitive environmental features on-site, e.g. CBAs, heritage sites, wetlands, drainage lines, etc., that will be affected by the facilities and associated infrastructure;
- Location of access and service roads;
- Buffer areas; and
- All "no-go" areas.

- (ii) A sensitivity map indicating environmentally sensitive areas and features identified during the assessment process, e.g., CBAs, heritage sites, wetlands, drainage lines, etc., that will be affected by the proposed primary dwelling and access road.

The comment is noted.

All specialist declarations have been included, signed, dated, and aligned with SACNASP requirements, and are attached to the Final BAR.

The comment is noted.

The Final BAR includes:

- A final preferred layout map
- All development components and infrastructure clearly indicated
- Sensitive environmental features mapped
- Buffer zones and no-go areas illustrated
- A sensitivity map overlain with the final layout

The layout has been finalised in accordance with specialist recommendations and constraints mapping.

A Constraints Map is included in the Final BAR.

<p>(iii) Please ensure that all the buffer zones recommended by specialists are illustrated on the maps and the layout map must be overlain by all the sensitivities.</p> <p>(iv) It must be emphasised that the final BAR must include a final layout map which adheres to specialist recommendations as well as the identified no-go areas.</p>	<p>A Constraints Map is included in the Final BAR.</p> <p>A Constraints Map is included in the Final BAR.</p>
<p>(d) <u>Public Participation Process</u></p>	
<p>(i) Please ensure that all issues raised, and comments received during the circulation of the draft BAR and amended draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Directorates: Biodiversity Mainstreaming & EIA (BCAdmin@dffe.gov.za) and Protected Areas Planning & Management Effectiveness (TNethononda@dffe.gov.za or MaMudau@dffe.gov.za) in respect of the proposed activity are adequately addressed in the final BAR.</p>	<p>The comment is noted.</p> <p>The Public Participation Process has been conducted in full compliance with Regulations 39–44 of the EIA Regulations, 2014 (as amended).</p> <p>The Final BAR includes:</p> <ul style="list-style-type: none"> • A complete Comments and Responses Report • Proof of stakeholder consultation and correspondence • Records of all comments received, including from DFFE • The public participation periods for both Draft and Amended Draft BARs <p>All registered I&APs will be notified of the submission of the Final BAR.</p>
<p>(ii) Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>	<p>Noted.</p>
<p>(iii) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR and amended draft BAR. Please note that comments received from this Department must also form part of the comment and response report. Structure the comment and response report in a table format, with separate columns, so that the response can be viewed alongside the comments,</p>	<p>Noted.</p>

<p>the date they were received, and the parties from whom they were received.</p> <p>(iv) Please include the period for when the public participation period occurred, i.e. when the draft BAR and amended draft BAR circulated for comment for the current application.</p> <p><u>General</u></p> <p><u>Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.</u></p> <p><u>Furthermore, also ensure that the final BAR includes the construction period for the proposed development.</u></p> <p>Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>	<p>Noted.</p> <p>The comment is noted.</p> <p>The Final BAR includes:</p> <ul style="list-style-type: none"> • The period for which Environmental Authorisation is required • The anticipated construction period • The estimated completion date of the activity <p>The application has been progressed in accordance with Regulation 19, and all timeframes have been adhered to.</p> <p>The applicant acknowledges Section 24F of NEMA, and confirms that no listed activities will commence prior to Environmental Authorisation being granted.</p>
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VRMA: Stephen Stead – 20 March 2026

<p>EXECUTIVE SUMMARY</p> <p>This document is the formal Interested and Affected Party (I&AP) submission by Visual Resource Management Africa CC (VRM Africa / VRMA) in response to the February 2026 public participation process for the Amended Draft Basic</p>	<p>Noted.</p>
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Assessment Report (BAR) for the proposed development on Portion 79 of Farm Ruygte Valley No. 205, Sedgefield. The BAR is accessible via the following link:

[Amended Draft Basic Assessment Report - The Proposed Development of a Primary Dwelling and Access Road on Portion 79 of Farm 205 Ruygte Valley, Sedgefield, Western Cape. DFFE REF: 14/12/16/3/3/1/3235 | Eco Route](#)

This submission raises nine issues with the Draft BAR prepared by Bianca Gilfillan of Ecoroute. Three of these are procedural. Stephen Stead (VRM Africa) was left off the PreBAR participant list despite prior confirmation that he would be registered as an I&AP — he only found out about the process by chance. The EAP has since described the VRMA report as assessing the wrong property, which is not correct; there was a minor survey positioning error of 4 m that was acknowledged and corrected before the detailed Baseline Report was submitted. Despite this, the VRMA LVIA Baseline Report has been excluded from all three rounds of public participation and labelled "Wrong site" in the PPP register.

Four issues concern the quality of the visual assessment itself. No quantitative viewshed analysis has been done to back up the claim that the development will not be visible from Groenvlei Beach. The Amended BAR states that a slopes analysis overlay is shown on the Site Constraints Map — but no such overlay exists on that map. The Buchholz document listed as a specialist visual report is actually a fee quotation for work, with the EAP quoting the Limitation and Assumptions from the said report stating that the findings were preliminary and subject to detail design. The low visual impact conclusion cannot be relied upon, as it assumes vegetation screening that has not been tested against the actual construction footprint or detailed design.

The comment is acknowledged.

The Public Participation Process (PPP) was undertaken in accordance with Regulations 39–44 of the EIA Regulations, 2014 (as amended). While VRM Africa (Mr Stead) was not included in the initial Pre-Application distribution list, the PPP process is iterative, and he was subsequently:

- Registered as an Interested and Affected Party (I&AP)
- Provided with access to all relevant reports
- Afforded opportunity to comment during the Draft and Amended Draft BAR phases

All comments submitted have been formally recorded and responded to in the Comments and Response Report. The process is therefore considered procedurally compliant, and no prejudice to participation rights has occurred.

The comment is noted.

The Basic Assessment Report does not rely on an assertion that the proposed development will be entirely invisible from all viewpoints, including Groenvlei Beach. The visual assessment instead evaluates visual impact significance, which considers the extent, nature, and sensitivity of visual exposure, rather than absolute visibility.

The visual assessment undertaken includes:

- Site inspection and verification
- Terrain and elevation analysis
- Identification of visual receptors
- Assessment of landscape character and visual absorption capacity

The findings confirm that while partial and intermittent visibility may occur from certain vantage points, the proposed development:

The remaining two issues concern scope. No meaningful alternative location has been assessed, and no cumulative visual impact assessment has been undertaken for the broader fossil dune system — despite the fact that authorisation could set a skyline/ridgeline development precedent along a landscape corridor with no existing intrusive development.

VRMA's position remains that a full Level 4 VIA, based on a complete detailed design, is needed before the Competent Authority can make an informed and defensible decision on whether to grant environmental authorisation for the proposed development.

BACKGROUND INFORMATION

VRM Africa was appointed by the landowner in October 2024 to conduct a Level 4 Landscape and Visual Impact Assessment (LVIA) for this project. The comprehensive VRMA LVIA Baseline Report was submitted to the Environmental Assessment Practitioner (EAP) on 18 November 2024 and its receipt was confirmed. It has since been excluded from all three rounds of public participation — the Pre-BAR (March 2025), the Draft BAR (November 2025), and this Amended

- Is limited in scale ($\pm 1,375$ m² footprint)
- Comprises a fragmented, low-profile layout
- Is set within a vegetated and visually complex coastal landscape

As such, the impact is assessed as localised and of low significance.

A fully quantitative viewshed or photomontage-based analysis is not a prescribed requirement for a Basic Assessment in terms of the EIA Regulations, and the level of assessment undertaken is considered appropriate and sufficient for decision-making.

The comment is noted.

Slope and terrain conditions were assessed through:

- The Preliminary Geotechnical and Geomatic Investigation
- Topographical and terrain analysis
- Site verification

These inputs informed the constraints-based design approach, whereby:

- Steep and unstable areas were identified
- Development was positioned within the most suitable and stable portions of the site

The Site Constraints Map reflects the integrated outcome of these assessments, rather than displaying each analytical layer (such as slope gradients) as a standalone overlay.

The absence of a separate slopes overlay on the map does not indicate that slope was not assessed; rather, slope considerations are embedded within the constraints mapping and layout design, which is appropriate for the level of assessment required.

The comment is noted.

It is acknowledged that VRM Africa was appointed by the landowner and that a Level 4 Landscape and Visual Impact Assessment (LVIA) Baseline Report was submitted to the Environmental Assessment Practitioner (EAP) on 18 November 2024.

Draft BAR (February 2026). VRM Africa reserves its right as a registered I&AP to raise the issues set out in this submission and requests that the Relevant Authority take them into account in its decision-making.

The VRMA LVIA Baseline Report submitted on 18 November 2024 does not preclude development on the site. Rather, the report emphasises the need to ensure that, given the sensitivity of this fossil dune landscape where there is no existing intrusive skyline development precedent, an appropriate development precedent is established. As such, the concerns raised by VRMA in its Pre-BAR submission and in the withheld VRMA LVIA Baseline Report remain applicable to the Amended Draft BAR.

The Public Participation Process (PPP) has been conducted in accordance with Regulations 39–44 of the EIA Regulations, 2014 (as amended). The process is iterative, and VRM Africa was:

- Registered as an Interested and Affected Party (I&AP)
- Afforded access to the Draft and Amended Draft Basic Assessment Reports
- Provided with the opportunity to submit comments, which have been duly recorded and responded to

The Basic Assessment Report (BAR) is required to include relevant, applicable, and site-specific specialist information necessary for decision-making, and not all preliminary or supporting documentation generated during the project lifecycle. The VRMA report was reviewed and considered as part of the assessment process; however, the Final BAR relies on specialist input aligned to the final development layout and verified constraints, which forms the appropriate basis for impact assessment.

The PPP process is therefore considered procedurally compliant, and the competent authority is in possession of sufficient information to make an informed decision.

The comment is noted.

It is acknowledged that the VRMA LVIA Baseline Report does not preclude development and highlights the sensitivity of the receiving environment and the importance of appropriate development precedent.

The Final Basic Assessment Report similarly recognises that:

- The site forms part of a sensitive coastal dune landscape
- The landscape has high visual and ecological value
- Careful siting and design are required

For this reason, the development has been informed by a constraints-based design approach, which includes:

- Significant reduction of the development footprint
- Placement of infrastructure within the least sensitive and most suitable areas

For this reason, the information contained in the withheld VRMA LVIA Baseline Report is resubmitted to the Amended Draft BAR public participation process, updated to address the comments made by Ecoroute regarding the incorrect labelling of Groenvlei Beach as "Cola Beach" as well as minor property reference errors. As this report was excluded from the Draft BAR public participation process and contains information that could inform the Relevant Authority's decision-making, it should have been included in the BAR documentation. The report is accessible via the following link:

[Portion 79 of Farm 205 Ruygte Valley Draft LVIA Baseline.docx](#)

As previously requested by VRMA in its Pre-BAR submission, detailed design should be provided prior to any Low Visual Impact finding being made. The following information, drawn from the DEA&DP Visual and Aesthetic Guideline, is relevant and should inform the final detailed design:

- Siting and orientation of all proposed structures.

- Avoidance of identified high-risk and high-sensitivity zones

- Implementation of mitigation measures through design and the EMPr

The BAR therefore aligns with the principle of establishing an appropriate and low-impact development precedent, and the concerns raised regarding sensitivity have been considered and incorporated into the assessment.

The comment is noted.

The VRMA LVIA Baseline Report has been submitted as part of the public participation process and has been reviewed in the context of the Amended Draft BAR.

The BAR includes the specialist information considered relevant and applicable to the final assessed development layout, and the assessment presented is based on:

- Site-specific verification
- Refined development footprint
- Integrated specialist inputs

While the VRMA report provides useful contextual information, it represents a baseline and sensitivity-based assessment and is not fully aligned with the final development configuration assessed in the BAR.

The Final BAR contains sufficient, appropriate, and site-specific information to inform the competent authority's decision-making. The availability of the VRMA report via external link is acknowledged, and the competent authority is able to consider it alongside the BAR documentation as part of its decision-making process.

No further amendment to the BAR is considered necessary in this regard.

- Footprint, height, form and massing of the structures (including decking and associated substructure earthworks).
- Architectural elevations, finishes, colours and material specifications.
- Length, width, treatment and finishes of access roads, internal roads and parking areas.
- Cut-and-fill slopes and all associated earthworks.
- Anticipated construction-phase facilities, including camps, storage areas, haul roads, stockpiles and batching areas.
- Clear presentation of alternatives, including layout, architectural and earthworks design options.
- Detail on post-construction landscaping.

The exclusion of the VRMA LVIA Baseline Report is detrimental to the integrity of the BAR process, as it limits the Relevant Authority's ability to make an informed and defensible decision. Had the risks identified in that report been openly discussed during the process, this submission may not have been necessary. Meaningful engagement, supported by adequate information, remains essential to address the risk to the receiving fossil dune landscape. VRMA's recommendation remains that a full Level 4 VIA be undertaken, based on a complete, detailed design of the proposed dwellings.

The comment is noted.

The assertion that the exclusion of the VRMA LVIA Baseline Report compromises the integrity of the Basic Assessment Report (BAR) process is not supported.

It is acknowledged that the VRMA report relates to Portion 79 of Farm 205; however, the assessment contained therein is not aligned to the final verified development footprint and layout assessed in the Basic Assessment Report. The report reflects a preliminary layout configuration and assumptions, which differ from the refined, constraints-based development footprint that forms the basis of the Final BAR.

For this reason, the VRMA report is not relied upon as determinative specialist input for the purposes of impact assessment.

The Basic Assessment process requires the inclusion of relevant, applicable, and site-specific information aligned to the development as assessed, rather than all preliminary or draft reports generated during earlier project stages.

Notwithstanding the above, the key issues raised in the VRMA report — including landscape sensitivity, visual exposure, and potential skyline intrusion — have been considered and addressed in the Final BAR through:

- A constraints-based layout approach
- Reduction and refinement of the development footprint
- Integration of specialist inputs
- Inclusion of appropriate mitigation and design measures

The Final BAR therefore reflects a comprehensive and informed assessment, and provides sufficient information for the competent authority to make a defensible decision.

With regard to the recommendation for a Level 4 VIA, it is noted that:

- There is no regulatory requirement for a Level 4 Visual Impact Assessment in terms of the EIA Regulations, 2014 (as amended), for a Basic Assessment process
- The level of assessment undertaken is appropriate to the scale and nature of the proposed development
- The assessment focuses on impact significance rather than absolute visibility, which is consistent with accepted EIA practice

The Final BAR is therefore considered complete, compliant, and sufficient for decision-making purposes, and no further specialist visual assessment is considered necessary.

The comment is noted.

It is acknowledged that Mr S. Stead (VRM Africa) was not included in the initial Pre-Application Public Participation Process (PPP) distribution in March 2025. The omission was administrative in nature and was subsequently rectified once identified.

The Public Participation Process in terms of the EIA Regulations, 2014 (as amended) is iterative, and its purpose is to ensure that all Interested and Affected Parties (I&APs) are afforded a reasonable opportunity to participate and submit comments prior to decision-making.

Following identification of the omission:

MAIN ISSUES OF CONCERN

The following issues of concern are raised with regard to the Draft BAR undertaken by Bianca Gilfillan of Ecoroute:

1. Omission of S. Stead from the Pre-BAR public participation process

Stephen Stead (VRM Africa) was omitted from the Pre-BAR public participation process (March 2025), despite prior written correspondence confirming that he would be registered as an I&AP and that the VRMA LVIA Baseline Report would be included in the process (see Annexure Table of Correspondence). VRM Africa only became aware of the Pre-BAR round by chance. While this omission was subsequently acknowledged during the Draft BAR public participation round, the failure to register VRMA as an I&AP at the outset could have had the direct consequence of depriving the Competent Authority of key specialist visual impact evidence at the initial stage of the process.

2. Incorrect Property Assessment Claim

The March 2026 Amended Draft BAR Updated Comments and Response Report states that the VRMA Draft Baseline Report did not assess the correct property:

"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." And, at page 28: "The VRM Africa report was not included in the Basic Assessment Report (BAR) because it does not pertain to the correct property."

- VRM Africa was formally registered as an I&AP
- The VRMA LVIA Baseline Report and associated submissions were included and considered during the Draft BAR and Amended Draft BAR public participation processes
- VRM Africa was provided with access to all relevant documentation and afforded the opportunity to submit detailed comments, which have been captured and responded to in the Comments and Responses Report

Furthermore, the VRMA submission and associated information will be included in the Final Basic Assessment Report (BAR) submitted to the competent authority, ensuring that all relevant specialist input forms part of the final decision-making record.

The competent authority is therefore in possession of:

- The VRMA submission and associated concerns
- The Final BAR and specialist inputs
- The complete public participation record

As such, no Interested and Affected Party has been excluded from the process at the decision-making stage, and the competent authority has not been deprived of relevant information.

The Public Participation Process is therefore considered procedurally compliant, and the integrity of the Basic Assessment process has not been compromised.

These statements are factually incorrect. The correct property — Portion 79 of Farm 205, Ruygte Valley — was assessed in both VRMA submissions. As documented in the correspondence table (Annexure 2), the Site Sensitivity Verification Report (submitted 1 November 2024) was found to have a 4 m southward offset in the survey photograph locations for the main house. This was a minor georeferencing error arising from the absence of a DWG plan prior to the site visit — it did not constitute an assessment of a different property. The error was acknowledged, explained, and corrected, and a more detailed VRMA LVIA Baseline Report was submitted on 18 November 2024, with all survey points corrected. **The claim that the report "refers to a different property" mischaracterises a minor, disclosed, and rectified survey adjustment as a fundamental error of site identity.**

3. Withholding of Specialist Information Pertinent to the Relevant Authority Decision Making

The VRMA LVIA Baseline Report — the primary specialist visual impact document commissioned for this project — was withheld from the Competent Authority across all three public participation rounds. This detailed report was submitted to Ms Janet Ebersohn (Ecoroute) on 18 November 2024, and receipt was confirmed by email on 19 November 2024 (see Annexure 2: Table of Correspondence). Instead of including this report in the BAR, the EAP retained the earlier, preliminary Site Sensitivity Verification Report (SSVR) and labelled it "VRM Visual Impact Assessment — Wrong site" in both the Ecoroute website PPP register and the Draft BAR document register. As documented in the correspondence table (Annexure 2), the SSVR contained a minor georeferencing offset of 4 m for four survey photograph locations — an error that was acknowledged, explained, and corrected, after which the updated VRMA LVIA Baseline Report was submitted. Despite this, the corrected and more detailed report was excluded from all three public participation rounds: the PreBAR (March 2025), the Draft BAR (November 2025), and the Amended Draft BAR (February 2026). The Competent Authority has therefore been deprived of the most comprehensive specialist visual impact assessment available for this site at every stage of the decision-making process.

The comment is noted.

The Public Participation Process (PPP) was undertaken in accordance with the requirements of Regulations 39–44 of the EIA Regulations, 2014 (as amended). While it is acknowledged that VRM Africa was not initially included in the Pre-Application phase distribution list, the organisation was subsequently:

- Registered as an Interested and Affected Party (I&AP)
- Provided with access to all relevant reports
- Afforded full opportunity to comment during the Draft and Amended Draft BAR phases

The PPP process is iterative, and the inclusion of VRMA in subsequent rounds ensured that their input was recorded, considered, and responded to in the Comments and Responses Report.

The process is therefore considered procedurally compliant, and no prejudice to the overall decision-making process has occurred.

4. No Quantitative Viewshed Reporting

The Draft BAR (November 2025) maintains, supported by the Hammel Visual Compliance Statement and the Buchholz Initial Visual Statement, that the proposed development will not be visible from Groenvlei Beach. This claim is unsubstantiated and cannot be confirmed without detailed design information and a quantitative viewshed analysis. The VRMA LVIA Baseline Report includes a preliminary viewshed analysis indicating that while the natural ground level at the site would be topographically screened, a dwelling constructed at the dune crest is likely to result in visual incidence from the beach. The Hammel Visual Compliance Statement contains no photomontages, cross-sections, or quantitative visibility modelling to substantiate the non-visibility claim; the adequacy of the Buchholz document as specialist evidence is addressed separately under Item 6 below.

The comment is noted.

The Basic Assessment Report (BAR) does not rely on an assertion of complete non-visibility from Groenvlei Beach as a determinative conclusion. The visual assessment instead evaluates visual impact significance, which considers the extent, nature, and sensitivity of potential visual exposure, rather than absolute visibility.

The visual assessment informing the BAR is based on:

- Site inspection and field verification
- Terrain and elevation analysis (including dune crest context)
- Landscape character and visual absorption capacity
- Identification of sensitive receptors, including the beach environment

It is acknowledged that the site is elevated within a coastal dune system, and that partial or intermittent visibility may occur from certain vantage points, particularly where vegetation screening is limited or where structures extend above the natural dune profile.

The VRMA preliminary viewshed findings are noted in this regard. However:

- The VRMA assessment is not aligned to the final, refined development footprint and design parameters assessed in the BAR
- It represents a baseline sensitivity analysis under assumed conditions, including worst-case placement at or above the dune crest

The Final BAR assesses the proposed development based on a refined, constraints-informed layout, which incorporates:

- Positioning of structures within the most suitable and stable portions of the site
- Avoidance of the most visually exposed and sensitive areas where feasible
- Design and siting measures to reduce prominence, including height control, material selection, and integration with existing vegetation

With regard to the Hammel Visual Compliance Statement and the Buchholz Visual Impact Statement:

5. No Full Site Footprint Contour Survey and No Slopes Analysis

The Draft BAR maintains that steep slopes have been excluded from the development footprint. Page 38 of the Amended BAR asserts that "a slope analysis overlay is included in the Amended BAR via the Site Constraints Map" and that "the map clearly delineates slopes exceeding 1:4 and >25°." Examination of Appendix B1 — the Site Constraints Map, dated 31 January 2026 — confirms that no slopes overlay appears on the map. The legend contains six constraint layers: Structurally Weak Zone, Proposed Dwelling, 100- Year High Risk Flood Line, 100-Year Coastal Zone Movement, 100-Year Low Risk Projection for Coastal Flooding and Sea Level Rise, and High Risk Zone. No gradient, slope or terrain layer of any kind is included. The BAR's assertion on page 38 is not supported by the document it references. The VRMA site visit and the preliminary slopes analysis contained in

- These are appropriate forms of visual specialist input for a Basic Assessment process
- The use of photomontages, cross-sections, and fully quantitative modelling is typically associated with higher-order Visual Impact Assessments (e.g. Level 4 VIA), which are not a regulatory requirement in this instance

The absence of such modelling does not invalidate the assessment. The EIA Regulations require a reasonable, site-informed evaluation of impact significance, which has been undertaken.

The conclusion of low visual impact is based on:

- The limited scale of development ($\pm 1,375$ m² footprint)
- The fragmented and non-dominant layout
- The visual absorption capacity of the surrounding landscape
- The implementation of mitigation measures through design and the EMPr

The Final BAR therefore provides a balanced and sufficiently substantiated visual impact assessment, and is considered adequate for informed decision-making by the competent authority.

The comment is noted.

The Basic Assessment Report (BAR) does not rely solely on a standalone slopes overlay map to assess terrain suitability. Slope and terrain conditions were evaluated through an integrated set of specialist inputs, including:

- The Preliminary Geotechnical and Geomatic Investigation, which identifies slope conditions, stability constraints, and areas of potential risk
- Topographical interpretation and site verification undertaken during specialist fieldwork
- Constraints-based mapping, which reflects the outcome of these assessments in defining suitable and unsuitable development areas

the VRMA LVIA Baseline Report indicate that slopes exceeding a 1:4 gradient are present within the development footprint. The Updated SDP mapping confirms that the northwestern section of the main dwelling falls within an area that was not formally surveyed, and the VRMA site visit confirmed the presence of steep slopes in this area. **A full topographic survey of the entire impact area — including the extended earthworks zone — should be completed, upon which a detailed slopes analysis can be undertaken, before the claim that steep slopes have been excluded from the development footprint can be substantiated.**

It is acknowledged that the Site Constraints Map (Appendix B1) does not display a separate, explicit slope gradient layer. The statement in the BAR referring to a “slope analysis overlay” reflects the fact that slope considerations informed the delineation of constraint zones, rather than being presented as an independent mapped layer.

The constraints map therefore represents a synthesis of multiple risk and sensitivity inputs, including:

- Geotechnical stability
- Coastal processes
- Flood risk
- Structurally weak zones

These collectively capture the practical implications of slope and terrain conditions for development planning.

With regard to the presence of steep slopes:

- It is acknowledged that the broader site includes areas of varying slope, including steeper gradients typical of coastal dune systems
- The development layout has been refined to position structures within the most suitable and stable portions of the site, as informed by specialist input
- The BAR does not assert the absence of slope across the entire site, but rather that unsuitable and high-risk areas have been avoided to the extent feasible

The reference to portions of the footprint not being “formally surveyed” relates to the level of detail appropriate at Basic Assessment stage. A full engineering-grade topographic survey is typically undertaken during the detailed design phase, once environmental authorisation has been obtained.

The EIA Regulations require that the assessment be based on sufficient information to evaluate environmental impacts, not on final construction-level design detail. The current level of information — including geotechnical input and site verification — is considered adequate to assess slope-related risks and inform layout decisions.

6. Incorrect Visual Report Listing

The report by Paul Buchholz (Appendix D1 — Initial Visual Statement) is actually the quotation for Mr Buchholz to undertake the work. As such, no comment can be made on the report. However, the Amended BAR quotes the missing Buchholz Visual Report under Assumptions and Limitations, which clearly states that the finding was preliminary and that more detailed work would be required once detailed design and elevations become available. The Amended BAR therefore relies on only one commissioned visual report — the Hammel Visual Compliance Statement — which is dated March 2025, predates the revised layout, and contains no photomontages, cross-sections, or quantitative modelling. Neither document constitutes the level of specialist evidence required for a decision of this nature. The relevant extract is as follows: "A comprehensive Visual Impact Assessment (VIA) will follow once detailed design plans and elevations become available, incorporating photomontages and quantitative visibility modelling." (Amended BAR, Initial Visual Statement, Assumptions and Limitations, p. 120)

7. Insufficient Quantitative Evidence to Support Low Visual Impact Findings

The low visual impact conclusion made by the EAP is unsubstantiated, as there is insufficient quantitative evidence to support it. The finding is predicated on detailed design information that has not been provided, and visual screening that is un-confirmed. To substantiate this conclusion, the following would be required: detailed design of all proposed structures, a full topographic survey of the site, a slopes analysis, and a complete impact area footprint encompassing the earthworks compaction zones and expected construction access route along the

The VRMA observations regarding slope are noted; however, these are based on a preliminary and non-aligned layout scenario and do not reflect the final, refined development footprint assessed in the BAR.

The Final BAR therefore provides a reasonable and defensible assessment of terrain suitability, and no further slope analysis is required at this stage for decision-making purposes

The comment is noted. The Buchholz Visual Report includes a probable view catchment and visual exposure assessment, and the assessment is based on:

- GIS-supported terrain analysis
- Site inspection
- Receptor identification

The BAR does not rely on a claim of absolute non-visibility. Instead, it assesses:

- extent of visibility
- visual absorption capacity
- impact significance

The conclusion that impacts are low is based on:

- Limited development scale
- Fragmented layout
- Retained vegetation
- Sensitive design approach

A quantitative photomontage-based VIA is not a regulatory requirement for a Basic Assessment.

The comment is noted.

The Buchholz report includes:

- terrain modelling and topographical assessment
- evaluation of slope and landscape form

In addition, the VRMA report itself confirms slope presence, but uses this as a constraint, not a prohibition.

dune crest for the proposed compaction machinery. The Hammel Visual Compliance Statement maintains that existing vegetation would visually screen the proposed dwelling. Since no detail has been provided on the final design or the full construction impact area — including foundation compaction areas, heights etc — the reliance on existing vegetation as visual screening remains an unverified assumption. A specific unresolved question is how the removal of vegetation for the proposed dwellings and associated construction access along the dune crest would affect the screening capacity. This remaining vegetation is situated on steep, windswept steep gradient slopes to the north and south of the proposed main dwellings — terrain characterised by limited growth potential. A full VIA would need to reconcile the detailed design with the resultant landscape to ascertain whether the remaining vegetation would actually be sufficient to provide visual screening.

The development layout has been informed by:

- Geotechnical investigation
- Terrain constraints
- Stability considerations

The Final BAR integrates these findings into a constraints-based layout, which is appropriate at Basic Assessment level.

This comment is incorrect.

The Buchholz document is a formal Visual Impact Statement (Final Report, Feb 2025), including:

- methodology
- site assessment
- visual exposure analysis
- mitigation measures

While it includes standard professional limitations, this does not invalidate the report.

The BAR does not rely on preliminary statements alone, but on integrated visual assessment findings.

Both visual reports confirm:

- Elevated site location
- Presence of sensitive landscape
- Need for mitigation

However, neither report concludes that development is not possible.

The Buchholz report explicitly includes:

- mitigation measures
- integration strategies
- visual absorption considerations

The Visual Compliance Statement confirms that:

- scale and design are limited
- structures can be integrated into landscape

The conclusion of low visual impact is therefore based on:

- impact significance (not visibility alone)
- mitigation feasibility
- development scale

8. No Functional Alternative

There is no functional variation in the alternatives assessed that could make a difference to the visual impact. The updated SDP depicts only a minor eastward shift of the three proposed cottages due to unstable terrain — a concern previously raised by VRMA in its Draft BAR I&AP submission. In preliminary correspondence with the EAP, VRMA identified the area just south of the mapped tree cluster in the proposed SDP as the visually preferred location for the main dwelling. While still providing ocean views, this location is on flatter terrain, is not situated on the dune crest, would not break the skyline, and could be positioned largely outside the 100 m High-Water Mark. This alternative has not been assessed and should be included as an assessment alternative in the recommended Level 4 VIA.

9. No Visual Impact Assessment of Cumulative Risks

Any authorisation will establish a precedent for similar development along the 1.7 km fossil dune system, as there is currently no precedent for skyline-intrusive development along the fossil dune cliff section between Sedgfield and the Goukamma Nature Reserve — one of the last undeveloped stretches of fossil dune cliff in the Garden Route. The applicant's response that an authorisation is 'site-specific and not precedent-setting' fails to address the reality that any such approval will be cited in adjacent development applications along the same dune system. This cumulative visual risk has not been assessed. The DEA&DP Visual and Aesthetic Guideline requires assessment of cumulative impacts, and a full Level 4 VIA is needed to address this requirement.

COMMENTS TO AMENDED DRAFT BASIC ASSESSMENT REPORT 20FEB2026

The following comments are made regarding the March 2026 Amended Draft BAR Updated Comments and Response Report.

The comment is noted.

The BAR includes alternatives based on:

- geotechnical constraints
- biodiversity sensitivity
- coastal processes

The VRMA “preferred alternative” represents a design preference, not a required feasible alternative.

The selected layout reflects the most balanced and practical option.

The comment is noted.

The BAR includes a cumulative impact assessment.

The proposed development:

- is small-scale (~1,375 m²)
- retains majority of site natural
- does not introduce large-scale infrastructure

Precedent arguments are speculative and not a basis for rejecting an application.

Page	Ecoroute Comment	VRMA Reply
Page 28	<p>As a result, the Environmental Assessment Practitioner (EAP) commissioned two site-specific and updated visual assessments, both undertaken in 2025:</p> <ol style="list-style-type: none"> 1. Visual Compliance Statement by <i>K. Hammel</i> (Outline Landscape Architects, March 2025); and 2. Visual Impact Statement by Paul Buchholz (January 2025). 	<p>The following was extract from the BAR regarding the Buchholz limitations. Once again, the Buchholz report is not listed, but the QUOTATION for the work.</p> <p><i>"This initial statement is based on available site data, field observations, and preliminary design information. A comprehensive Visual Impact Assessment (VIA) will follow once detailed design plans and elevations become available, incorporating photomontages and quantitative visibility modelling."</i> (Amended BAR, Appendix D1 A – Paul Buchholz, p. 119)</p> <p>This comment from the Draft BAR quoting the Buchholz Visual Report clearly states that the finding was preliminary with the assumption that more detailed work would be required once detailed design, elevations become available.</p>
Page 29	<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</p>	<p>This is incorrect. The proposed development footprint is still on the dune ridgeline, and the northwestern and southeastern sections of the main dwelling are still located on</p>

The comment is noted.

With regard to the Buchholz Visual Impact Statement, it is confirmed that the document constitutes a site-specific visual impact statement prepared for the purposes of informing the Basic Assessment process, based on:

- Available site data
- Field observations
- Preliminary design parameters

The inclusion of standard limitations and reference to potential future refinement (e.g. photomontages or detailed modelling) is consistent with professional practice at Basic Assessment stage, where final architectural design and engineering details are not yet available.

The EIA Regulations do not require a full Level 4 Visual Impact Assessment at this stage. The purpose of the Basic Assessment is to evaluate impact significance based on available and reasonable information, which has been undertaken.

The visual assessment does not rely on an assertion of complete non-visibility. It is acknowledged that:

- The site is located within an elevated coastal dune landscape
- Partial visibility may occur from certain viewpoints, including the beach
- The potential for visual exposure is influenced by topography, vegetation, and design

However, the assessment concludes that:

- The development is limited in scale and footprint
- The layout is fragmented and non-dominant
- The landscape has moderate to high visual absorption capacity

With regard to the statement that the layout avoids ridge skylines and steep slopes, this refers to the avoidance of the most sensitive and high-risk areas identified through integrated specialist input, including geotechnical and environmental constraints.

It is not asserted that the site is devoid of slope or elevation, but rather that the development footprint has been positioned within the most suitable portions of the site to minimise visual and physical risk.

	<p>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>	<p>slopes steeper than 1 in 4m. Due to the lack of accessibility, these areas were excluded from the contour survey and remain so on the map of both the preferred and alternative development SDP.</p> <p>A review of the Hammel finds that the report is still dated March 2025 and no additional information is provided. The Buchholz Visual Statement is still the quotation.</p> <p>The withheld VRMA Baseline Report cross section diagram and mapping clearly identified the site on a dune crest. Refer to Annexure 1 for topographic section mapping.</p>	<p>The Final BAR therefore presents a balanced, site-specific, and appropriate level of visual assessment, and the conclusions remain valid for decision-making purposes.</p> <p><u>Slope & Footprint Positioning</u></p> <p>The comment is noted.</p> <p>The Basic Assessment Report does not rely on a standalone slope gradient map, but on an integrated assessment of terrain suitability, informed by:</p> <ul style="list-style-type: none"> • The Preliminary Geotechnical and Geomatic Investigation • Site verification and field observations • Identification of structurally weak and high-risk zones <p>It is acknowledged that the broader site includes areas of varying slope typical of coastal dune systems, including steeper gradients in certain locations. The development layout has therefore been informed by a constraints-based approach, whereby:</p> <ul style="list-style-type: none"> • Structures are positioned within the most suitable and stable portions of the site • Areas identified as geotechnically unsuitable or high-risk have been avoided to the extent feasible • Development is not proposed on unstable dune faces or high-risk erosion zones <p>The BAR does not assert that the site is devoid of slope, but rather that terrain constraints have been appropriately considered and incorporated into the layout design.</p> <p>The level of assessment is considered adequate for Basic Assessment purposes, with detailed engineering design to be confirmed at the next stage.</p> <p><u>Inclusion of Visual Reports</u></p> <p>The comment is noted.</p> <p>It is confirmed that:</p> <ul style="list-style-type: none"> • The VRM Africa Baseline Assessment • The Visual Compliance Statement (Hammel, 2025) • The Visual Impact Statement (Buchholz, 2025) <p>www.ecoroute.co.za</p>
<p>Page 29</p>	<p>In response and as corrective action:</p> <ul style="list-style-type: none"> • All three visual specialist reports—namely: • VRM Africa Baseline Landscape and Visual Assessment (Nov 2024), • Visual Compliance Statement (Hammel, March 2025), and • Visual Statement (Buchholz, January 2025) <p>will be included as appendices in the revised Draft Basic Assessment Report to ensure procedural transparency.</p>	<p>This is incorrect. The VRMA Baseline VIA is still not included in the Amended Draft BAR. The VRMA Visual SSVR (labelled as Wrong Site) is still listed.</p>	
<p>Page 29</p>	<p>Visual mitigation measures and siting controls have been strengthened in the revised BAR. These are (from the EMPr listed below from Page 35):</p> <p><i>Key design principles include:</i></p> <ul style="list-style-type: none"> o Low-profile building forms o Fragmented layout to reduce bulk 	<p>The Amended BAR's visual mitigation strategy is predicated on low-profile construction aligned with vegetation height but excludes any detail.</p> <p>As no detail is provided, these generic mitigations for reducing visual intrusion do not bind the applicant in any</p>	

have all been reviewed and considered as part of the assessment process. For purposes of transparency and completeness, the VRMA submission and associated information will be included in the Final Basic Assessment Report submitted to the competent authority, ensuring that all relevant inputs form part of the decision-making record.

The Final BAR therefore provides a complete and integrated record of visual considerations.

Visual Mitigation Measures

Visual mitigation measures are not limited to generic principles, but are supported through the Environmental Management Programme (EMPr) and design controls, which include:

- Limitation of building height and profile to reduce skyline prominence
- Use of non-reflective, earth-toned materials to blend with the surrounding landscape
- Fragmented layout design to reduce visual bulk and massing
- Retention of existing vegetation where feasible, supplemented by rehabilitation measures
- Restriction of disturbance to the defined development footprint

These measures form part of the EMPr and will be legally binding upon Environmental Authorisation, ensuring that mitigation is enforceable.

The level of detail provided is appropriate for the Basic Assessment stage, with further refinement to occur during detailed design.

Buchholz and Hammel Reports

The Buchholz document constitutes a formal Visual Impact Statement, prepared to inform the Basic Assessment process. The inclusion of standard limitations and reference to potential future refinement reflects accepted professional practice, given that detailed architectural and engineering designs are not yet finalised at this stage.

Similarly, the Visual Compliance Statement (Hammel, 2025) is based on:

- Site inspection
- Landscape assessment
- Professional visual evaluation

	<p><i>o Structures positioned below the skyline where feasible</i> <i>o Use of natural materials and muted colour palettes</i> <i>o Retention of indigenous vegetation</i> <i>o Minimal site clearing</i> <i>o Integration with natural contours</i> <i>This approach reduces visual dominance and supports landscape integration.</i></p> <p>And</p> <p><i>Sensitive Site Planning:</i> <i>o Buildings must follow natural contours</i> <i>o Structures must remain within the approved footprint</i> <i>o Skyline intrusion must be avoided</i> <i>o Low-profile architecture required</i></p>	<p>way, or provide civil society/ the relevant authority with any degree of confidence.</p>	<p>These reports are appropriate to the level of assessment required and provide sufficient information to evaluate visual impact significance.</p> <p>The BAR does not rely on a claim of complete non-visibility, but rather on a balanced assessment of visibility, sensitivity, and impact significance, which is considered appropriate for decision-making.</p> <p><u>Page 30 – Location of Development Footprint</u></p> <p>The comment is noted.</p> <p>The Basic Assessment Report does not assert that the development site is devoid of elevation or that it falls entirely outside a dune ridge system. It is acknowledged that the property forms part of an elevated coastal dune landscape, with varying terrain conditions across the site.</p> <p>The statement that the footprint has been relocated inland refers to the refinement of the layout to position development within the most suitable and stable central portion of the site, as informed by:</p> <ul style="list-style-type: none"> • Geotechnical assessment • Environmental sensitivity mapping • Constraints-based planning <p>The intent of the revised layout is to reduce exposure to the most sensitive and high-risk areas, including:</p> <ul style="list-style-type: none"> • Steep and unstable dune faces • Areas of increased erosion risk • Highly exposed skyline positions where feasible <p>The layout therefore represents an optimised position within the constraints of the site, rather than a complete avoidance of elevated terrain.</p> <p><u>Page 30 – Skyline Positioning and Screening</u></p> <p>The comment is noted.</p> <p>The BAR does not rely on an assertion of complete absence of skyline exposure. It is acknowledged that:</p> <ul style="list-style-type: none"> • The site occurs within an elevated dune environment
30	<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>	<p>As above. Once again, there is no evidence to substantiate this claim. With the withholding of the Basic VIA submitted by VRMA 18Nov2024, this information is effectively withheld from the public and the relevant authority.</p>	
30	<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>This is factually incorrect. The structures are not sited below crest level as clearly depicted in the SDP mapping.</p> <p>Once the structures are developed on the narrow dune ridgeline, with construction road along the crest of the dune to access the main dwelling, how much of the vegetation will remain to screen the structures? The</p>	

- Some degree of visibility or partial skyline interaction may occur, depending on viewpoint and final design

The visual assessment instead considers impact significance, which is influenced by:

- Scale and form of development
- Landscape context
- Visual absorption capacity
- Mitigation measures

The proposed development has been designed to reduce visual prominence, including:

- Limiting building height and bulk
- Using low-profile architectural forms
- Applying earth-toned, non-reflective materials
- Retaining existing vegetation where feasible
- Restricting disturbance to a defined footprint

Vegetation screening is considered a supporting mitigation measure, not the sole basis of impact reduction.

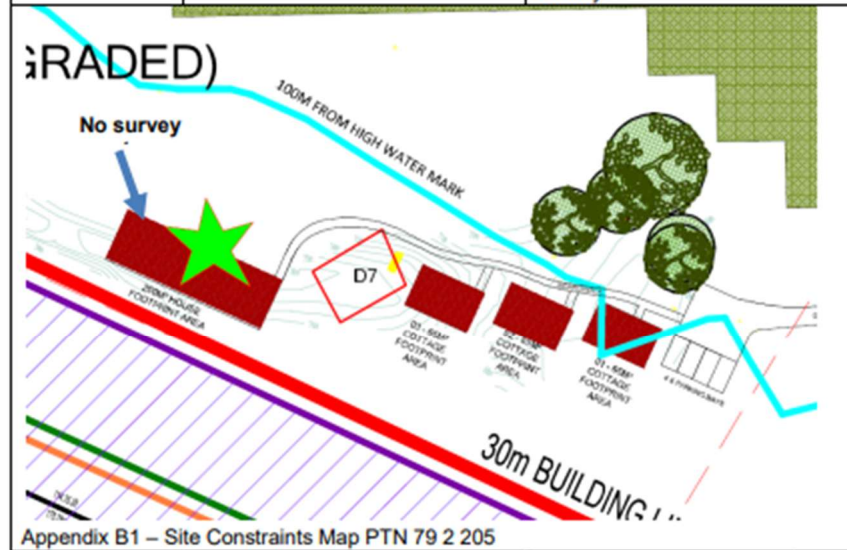
While detailed visual modelling has not been undertaken at this stage, the assessment concludes that potential visual impacts will be:

- Localised
- Reduced through design and mitigation
- Of low to moderate significance, depending on viewpoint

The level of assessment is considered appropriate for a Basic Assessment process, and sufficient for decision-making.

		<p>area to the north and south of the main dwelling area steep slope areas. How will this vegetation, located well below the structure (with limited growth potential dune wind swept dune location), provide screening?</p> <p>No revised modelling is provided to prove that skyline intrusion will not take place.</p>
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30	<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>	<p>The amended layout plan is still located in steep terrain which is not included in the contour survey depicted in the SDP mapping. A full contour survey and slopes analysis needs to be provided and included as an overlay.</p>
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Page 30	<p>The access route follows an existing disturbed alignment. No new linear clearing occurs through intact thicket vegetation.</p>	<p>This is factually incorrect. The Preferred Alternative SDP (Draft EMPr Pg 22) depicted below clearly maps the new linear clearing through intact CBA thicket vegetation. This is not an existing disturbed alignment.</p>
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Slope Sensitivity and Alternative Layout

The comment is noted.

The Basic Assessment Report does not rely on a detailed contour survey or standalone slope overlay to define terrain suitability. Instead, slope and terrain conditions have been assessed through:

- The Preliminary Geotechnical and Geomatic Investigation
- Site verification and field observations
- Integration of terrain considerations into the constraints-based layout design

It is acknowledged that the site includes areas of varying slope, including steeper gradients typical of coastal dune systems.

The reference to avoidance of “sensitive slope zones” relates to the avoidance of the most unsuitable and high-risk areas identified through integrated specialist input, rather than a claim that no slopes occur within or near the development footprint.

Both the preferred and alternative layouts have been positioned to minimise exposure to identified terrain constraints, within the practical limitations of the site.

The level of information provided is considered appropriate for Basic Assessment purposes, with detailed topographical survey and engineering refinement to occur at the detailed design stage.

Absence of Revised Modelling

The comment is noted.

The Basic Assessment Report does not rely on detailed visual modelling or photomontage analysis to support its conclusions. Such modelling is typically associated with higher-order visual assessments and is not a prescribed requirement for a Basic Assessment process.

The visual impact assessment is based on:

- Site inspection
- Terrain and landscape analysis
- Professional specialist input

The assessment focuses on impact significance, rather than absolute visibility or modelled outcomes, and is considered sufficient for decision-making purposes.

Access Route and Vegetation Clearing

The comment is noted.

The access route has been aligned, as far as reasonably practicable, along an existing or previously disturbed alignment, informed by site inspection and planning inputs.

It is acknowledged that:

- Portions of the route may traverse areas of secondary or partially vegetated thicket
- Some degree of localised vegetation disturbance may be required

However:

- The access route is narrow in width (± 3 m)
- Clearing is limited to the minimum required for access and safety
- Disturbance is confined to the defined development footprint
- No large-scale clearing of intact vegetation is proposed

All vegetation disturbance will be:

- Managed in accordance with the EMP
- Subject to rehabilitation and alien vegetation control measures

The impact associated with the access route is therefore considered localised and of low significance and has been appropriately assessed.

Statement of “Factually Incorrect”

The comment is noted.

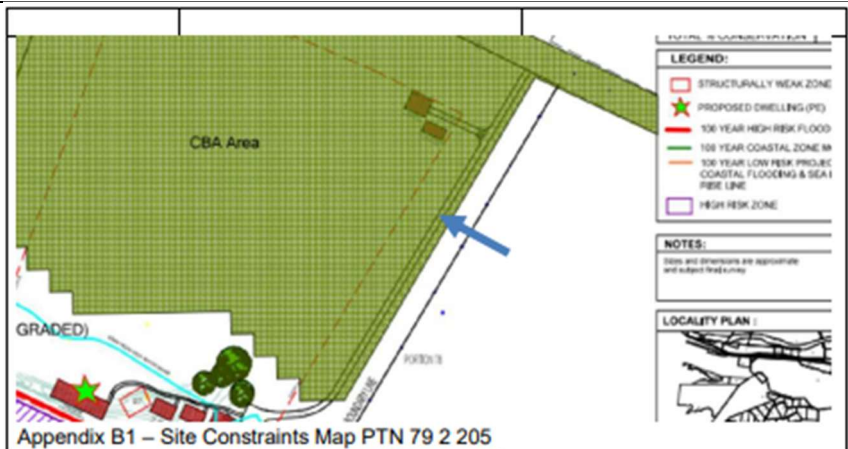
The Basic Assessment Report is based on:

- Available site information
- Specialist input
- Site verification and constraints mapping

Differences in interpretation between specialists are acknowledged and are not uncommon in environmental assessment processes.

The BAR presents a balanced and integrated assessment, which considers multiple specialist inputs and applies a precautionary and mitigation-based approach.

The conclusions presented are considered reasonable, defensible, and appropriate for the level of assessment required, and sufficient to inform the competent authority’s decision.



Page 31	The EMPr now includes binding design controls: height limits, recessive finishes, crest setback protection.	<p>A review of the Amended Draft BAR and Draft EMPr found NO binding height limits or specific design controls.</p> <p>The mitigation sections for both the Preferred Development and Alternative 1 (BAR pp. 151 and 166) list the same conditions. The mitigations do specify no skyline or ridgeline development which contradict the report findings.</p> <ul style="list-style-type: none"> No skyline or ridgeline construction.
Page 31	The consolidated SDP now includes earthworks, slope overlays and vegetation buffers.	<p>This is factually incorrect.</p> <p>The SDP listed Appendix B1 – Site Constraints or Appendix B2 – Environmental Sensitivity mapping does not include earthworks, slope overlays or vegetation buffers. (Map extract from the Amended Draft BAR is inserted above)</p>
Page 35	The Amended BAR incorporates updated constraints mapping, revised layout, full footprint overlay, visual reassessment and geotechnical avoidance strategy to address the concerns raised.	As mapped above, the revised layout does not depict full footprint overlay. As previously raised, the drawing only show the proposed dwelling without decking, foundational earthworks, or the construction access road to the main dwelling which would have to

Binding Design Controls (EMPr)

The comment is noted.

The Environmental Management Programme (EMPr) forms part of the application and, once approved, becomes legally binding in terms of the Environmental Authorisation.

The EMPr includes clear and enforceable management and design controls, including:

- Restriction of development to the approved footprint
- Limitation of building scale and profile to reduce visual prominence
- Implementation of appropriate material and colour specifications
- Control of vegetation clearing and requirement for rehabilitation
- Environmental Control Officer (ECO) oversight during construction

It is acknowledged that certain design elements will be refined during the detailed design phase; however, the EMPr establishes the binding framework within which such design must occur.

The mitigation measures are therefore not discretionary, but enforceable through the Environmental Authorisation and compliance monitoring.

Slope Overlays, Earthworks and Vegetation Buffers

The comment is noted.

The Basic Assessment Report does not rely on a single composite map displaying all analytical layers simultaneously. Instead, the assessment is based on an integrated interpretation of multiple specialist inputs, including:

- Geotechnical assessment
- Environmental sensitivity mapping
- Site verification

The Site Constraints Map reflects the synthesised outcome of these inputs, identifying areas suitable and unsuitable for development.

It is acknowledged that individual layers such as slope gradients, earthworks extents, or vegetation buffers are not displayed as separate overlays on a single map. However, these considerations have been incorporated into the layout design and impact assessment.

The level of mapping provided is considered appropriate for Basic Assessment purposes, with detailed engineering drawings and earthworks design to be finalised at the detailed design stage.

Development Footprint and Earthworks

The comment is noted.

The Basic Assessment Report assesses the development based on a defined and assessed disturbance footprint, which includes:

- Building footprints
- Access infrastructure
- Associated disturbance areas required for construction

It is acknowledged that detailed elements such as:

- Foundation design
- Final earthworks profiles
- Construction sequencing

are not presented at engineering design level, as this is not required at Basic Assessment stage.

The purpose of the BAR is to assess environmental impacts at an appropriate level of detail, which has been achieved through:

- Site-specific specialist input
- Constraints-based layout design
- Assessment of construction and operational impacts

All construction-related disturbance will be restricted to the approved footprint and managed through the EMPr.

The Final BAR therefore provides a reasonable and sufficient representation of the development footprint for impact assessment purposes.

		be routed along the dune crest. This should also be included if a full footprint overlay claim is to be achieved.	
Comments pertain to the three pages of comments submitted regarding the 15Dec2025 Draft BAR PPP			
Page 37	<p>Regarding the omission of the Draft Visual Baseline Report.</p> <p>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.</p>	<p>This is factually incorrect.</p> <p>The Visual Baseline is not included in the list of specialist studies in the March 2026 PPP.</p>	<p><u>Inclusion of VRMA Visual Baseline Report</u></p> <p>The comment is noted.</p> <p>It is acknowledged that the VRMA Visual Baseline Report was not included in the initial Pre-Application phase documentation. This omission was subsequently identified and addressed during the ongoing Public Participation Process.</p> <p>VRM Africa was:</p> <ul style="list-style-type: none"> Registered as an Interested and Affected Party Provided with the opportunity to submit detailed comments Included in both the Draft BAR and Amended Draft BAR public participation processes <p>The VRMA submission and associated information will be included in the Final Basic Assessment Report submitted to the competent authority, ensuring full transparency and that all relevant specialist input forms part of the decision-making record.</p> <p>The BAR does not rely solely on the VRMA report, but it has been reviewed and considered alongside other specialist inputs.</p> <p>The Public Participation Process is therefore considered procedurally compliant, and no information has been withheld from the competent authority at the decision-making stage</p>
Page 37	<p>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>	<p>As indicted in the topographic profile mapping in the withheld Visual Baseline Report, the site is not located on visually recessive terrain.</p> <p>No specific height limits were provided other than a generic reference to 'low-profile' architecture. However, there is no reference to how a low-profile architecture on a raised pole-foundation (proposed) would influence the visual intrusion.</p>	<p><u>Recessive Terrain and Layout Positioning</u></p> <p>The comment is noted.</p> <p>The Basic Assessment Report does not assert that the site is uniformly visually recessive, nor that it is devoid of elevation. It is acknowledged that the property forms part of an elevated coastal dune landscape, with varying terrain conditions.</p> <p>The reference to “recessive terrain” relates to the relative positioning of structures within the broader site context, where the layout has been refined to:</p> <ul style="list-style-type: none"> Avoid the most visually exposed and sensitive areas where feasible Reduce prominence relative to surrounding landform Respond to geotechnical and environmental constraints <p>The development is therefore positioned to minimise visual exposure, rather than eliminate it entirely.</p> <p><u>Slope Gradients and Constraints Mapping</u></p>

The comment is noted.

The Site Constraints Map reflects an integrated synthesis of multiple specialist inputs, including geotechnical, environmental, and coastal considerations.

It is acknowledged that a standalone slope gradient overlay is not presented as a discrete map layer. The reference in the BAR to slope considerations relates to their integration into the constraints-based layout design, rather than depiction as an independent overlay.

Slope and terrain conditions were assessed through:

- Geotechnical investigation
- Site verification
- Terrain interpretation

The level of mapping provided is considered appropriate for Basic Assessment purposes, with detailed topographical design to follow at a later stage.

Architectural Controls and Skyline Intrusion

The comment is noted.

The Environmental Management Programme (EMPr) includes design and mitigation controls intended to reduce visual impact, including:

- Limitation of building scale and profile
- Use of low-reflective, natural materials
- Retention of vegetation where feasible
- Restriction of development to the defined footprint

It is acknowledged that detailed architectural design, including precise height dimensions and structural specifications, will be finalised during the detailed design phase.

The BAR does not rely on an absolute claim that skyline intrusion will not occur. Instead, it assesses:

- The likelihood and extent of potential visual exposure
- The ability to reduce impact through design and mitigation

The conclusion that visual impacts are acceptable is based on:

- Development scale
- Layout configuration
- Landscape context
- Mitigation measures

areas of steeper terrain, and that the footprint occurs within a variable dune landscape.

The layout has been positioned to:

- Reduce exposure to steep and unstable slopes where feasible
- Avoid identified high-risk geotechnical zones
- Limit disturbance to a defined and controlled footprint

The assessment considers that any remaining interaction with sloped terrain is limited and manageable, and has been addressed through:

- Design measures
- Construction controls
- Environmental management requirements

Buchholz Report / "Quotation" Issue (Page 38)

The comment is noted.

It is confirmed that the final signed Visual Impact Statement prepared by Mr P. Buchholz (2025) forms part of the Basic Assessment Report.

Any previous reference to preliminary documentation or quotations has been corrected in the Amended BAR, and the assessment relies on the final submitted specialist report.

The inclusion of standard professional limitations within the report reflects accepted practice at this stage of assessment, where detailed design information is still to be finalised.

The documentation contained in the BAR is therefore considered accurate and appropriate for the purposes of the assessment.

PROFESSIONAL DISAGREEMENT ON LOW VISUAL IMPACT FINDING

This section presents VRMA's professional disagreement with the low visual impact conclusion contained in the Amended Draft BAR. It reproduces the relevant BAR extract and demonstrates, by reference to VRMA's withheld LVIA Baseline Report (November 2024), that the assumptions underpinning that conclusion are not supported by the available evidence. The following statement is made in the Amended Draft BAR with regard to the findings of the other two visual reports:

The comment is noted.

The Basic Assessment Report does not rely on an assertion of absolute non-visibility of the proposed development from all surrounding receptors, including Groenvlei Beach, Groenvlei Lake, or public roads.

It is acknowledged that the site is located within an elevated coastal dune landscape, and that partial or intermittent visibility may occur from certain

Subsequent visual specialists – Outline Landscape Architects (2025) and Paul Buchholz (2025) – both confirmed that:

- The site has High Visual Absorption Capacity (VAC) due to dense vegetation and complex terrain;
- No visual exposure exists from the beach, Groenvlei Lake, or public roads;
- The project's architectural scale, materials, and siting are consistent with low visual sensitivity; and
- The expected residual visual impact significance is Low with standard mitigation.

viewpoints, depending on topography, vegetation cover, and final building design.

The visual specialist inputs (Outline Landscape Architects, 2025 and Buchholz, 2025) were undertaken to assess visual impact significance, rather than absolute visibility. These assessments considered:

- Landscape character and visual sensitivity
- Visual absorption capacity of the receiving environment
- Scale, form, and layout of the proposed development
- Potential for mitigation through design and siting

The conclusion of low visual impact is based on:

- The limited scale and footprint of the development ($\pm 1,375 \text{ m}^2$)
- The fragmented and non-dominant layout
- The presence of vegetation and terrain complexity, which contribute to visual absorption
- The ability to reduce visual prominence through design and mitigation measures

While VRMA's LVIA Baseline Report highlights the sensitivity of the landscape and potential for visual exposure under certain conditions, it is noted that:

- The assessment is based on baseline and preliminary assumptions
- It does not reflect the final refined development layout assessed in the BAR
- It represents a worst-case interpretation of visibility, rather than an assessment of mitigated impact significance

Differences in professional opinion between specialists are acknowledged. The BAR presents a balanced and integrated assessment, informed by multiple specialist inputs and based on the development as proposed.

The Final BAR therefore concludes that, although visibility may occur, the significance of visual impact is low and acceptable, subject to the implementation of mitigation measures.

The comment is noted.

The low visual impact conclusion reached by the EAP is unsubstantiated, since it depends entirely on future design choices stated as EMPr commitments that are not supported by binding architectural specifications incorporated into conditions of authorisation. The VRMA Draft Baseline VIA identified that further detail on earthworks and architecture would be required before low levels of visual intrusion could be assured. This is based on the following findings:

- The site is located on a narrow fore-dune crest with steep slopes on either side. The Engineering Report (p. 111) recommends "piled footings anchored in semiconsolidated sand with a compacted 1.5 m perimeter zone" as the construction method. Once heavy machinery accesses the site to establish the compaction platform, the vegetation within 1.5 m of each dwelling will be cleared — yet there is no indication of the construction road required to access the sites, nor any assessment of how that road, combined with the compaction platforms, would affect the existing vegetation relied upon as visual screening in the Hammel and Buchholz reports. This once again emphasises the need for detailed design covering both the architecture and earthworks before any Low Visual Impact rating can be substantiated.

The Basic Assessment Report (BAR) does not rely “entirely” on future design choices to support the low visual impact conclusion. The assessment is based on current, site-verified information and an integrated evaluation of impact significance, considering:

- Scale and extent of development ($\pm 1,375$ m² disturbance footprint)
- Layout configuration (fragmented, low-density siting)
- Landscape context and visual absorption capacity
- Constraints-based positioning informed by geotechnical and environmental inputs

The Environmental Management Programme (EMPr) establishes a binding framework (upon Environmental Authorisation) within which detailed design must occur. While architectural and engineering details are refined at the detailed design stage, the BAR has assessed worst-credible construction and operational scenarios at an appropriate level for Basic Assessment.

The VRMA observation that further detail could refine the assessment is acknowledged; however, the EIA Regulations require sufficient information to determine impact significance, not final engineering design. The information presented is considered adequate and proportionate for decision-making.

Dune Crest Location, Footings, Clearing and Access

The comment is noted.

It is acknowledged that the site occurs within an elevated coastal dune system and that construction will require appropriate foundation solutions (e.g., piled or anchored systems) and localised working areas.

The BAR assesses construction impacts, including:

- Localised vegetation disturbance associated with foundations and working platforms
- Temporary construction access within the defined footprint
- Short-term visibility of construction activity

Mitigation and controls include:

- Restriction of disturbance to the approved footprint and minimum working widths

- NEMA Section 24(4)(a)(vii) requires assessment of cumulative impacts, taking into account approved and proposed developments in the area. A specific example of landscape risk embedded in the current layout is the proposed straight-line clearance through indigenous thicket vegetation for the main access road, which poses a risk to the predominantly private nature reserve character of the surrounding area. The access road should be redesigned as a curving alignment that follows the natural terrain, avoiding a wide, straight clear-cut visual corridor. Given that most surrounding land uses are Private Nature Reserve-related, a geometric/grid-based road layout would set a negative precedent in an area of notable landscape significance. Without this issue being addressed and assessed in a full VIA, the Low Visual Impact finding cannot be verified.

- Phased clearing and immediate rehabilitation of disturbed areas
- Demarcation of no-go areas and vegetation retention zones
- ECO oversight during all clearing and construction activities
- Final siting and micro-alignment of access and platforms to avoid the most sensitive/unstable areas

Vegetation screening is treated as a supporting mitigation measure, not the sole basis of impact reduction. The visual assessment therefore does not depend on intact vegetation alone to achieve a low impact rating.

The absence of a finalised construction road alignment at this stage is consistent with Basic Assessment practice; however, the principle of minimising disturbance and avoiding unnecessary linear clearing is embedded in the EMP and will govern detailed design.

Accordingly, construction-related impacts are assessed as temporary and localised, and manageable to low significance with mitigation.

Access Road Alignment and Cumulative Landscape Risk

The comment is noted.

The access route has been planned to minimise disturbance and, as far as reasonably practicable, to follow existing or previously disturbed alignments and natural terrain. It is acknowledged that:

- Some localised clearing may be required
- Alignment refinement will occur at detailed design stage

The BAR assesses the access road as part of the overall disturbance footprint, with impacts considered under vegetation clearing, visual impact, and habitat disturbance.

Mitigation measures include:

- Limiting road width to the minimum required
- Avoiding straight, visually intrusive corridors where feasible
- Aligning the route to follow natural contours during detailed design
- Rehabilitation and re-vegetation of disturbed verges
- ECO supervision and compliance monitoring

- A further cumulative risk pertains to the precedent being set for development along the 1.7 km fossil dune system. The applicant's response that approval is "site-specific, not precedent-setting" does not address the reality that an authorisation will be cited as precedent in adjacent development applications along the same dune system. This section of coastline — between Sedgfield and the Goukamma Nature Reserve — has no existing precedent for skyline-intrusive development and represents one of the last stretches in the Garden Route where a natural, undeveloped coastal landscape still prevails. **No assessment of cumulative visual impact across the Groenvlei Fossil Dunes landscape corridor has been undertaken; without this issue being addressed and assessed in a full VIA, the Low Visual Impact finding cannot be verified.**

The suggestion of a curvilinear alignment is acknowledged as good practice and is consistent with the EMPr principles; however, detailed geometric design is not fixed at this stage.

The cumulative landscape impact of the access road, in combination with the development, is assessed as low and localised, given the small scale of intervention and retention of the broader landscape in a natural state.

Precedent and Cumulative Visual Impact (Fossil Dune System)

The comment is noted.

The BAR includes a cumulative impact assessment, which considers the broader environmental and landscape context. It is acknowledged that the Groenvlei fossil dune system is a sensitive and largely undeveloped landscape corridor.

However:

- The proposed development is limited in scale and extent
- The majority of the property remains undeveloped
- The layout has been refined to minimise visual prominence and disturbance

In terms of EIA practice, each application is assessed on its own merits, based on its specific location, scale, and impact profile. While it is recognised that decisions may be referenced in future applications, this does not in itself determine cumulative impact.

The BAR concludes that the proposed development:

- Does not introduce large-scale or visually dominant infrastructure
- Does not materially alter the broader landscape character
- Results in low cumulative visual impact when considered in context

A corridor-scale VIA is not a prescribed requirement for this Basic Assessment. The level of cumulative assessment undertaken is considered appropriate and sufficient for decision-making.

As previously requested by VRMA in the Ecoroute Pre-BAR submission, detailed design must be provided before any Low Visual Impact finding can be made with confidence. The following information, drawn from the DEA&DP Visual and Aesthetic Guideline, is relevant and should inform the final detailed design:

- Siting and orientation of all proposed structures.
- Footprint, height, form and massing of the structures (including decking and associated substructure earthworks).
- Architectural elevations, finishes, colours and material specifications.
- Length, width, treatment and finishes of access roads, internal roads and parking areas.
- Cut-and-fill slopes and all associated earthworks.
- Anticipated construction-phase facilities, including camps, storage areas, haul roads, stockpiles and batching areas.
- Clear presentation of alternatives, including layout, architectural and earthworks design options.
- Detail on post-construction landscaping.

The withholding of the VRMA Draft Visual Baseline report does not add to the BAR process as this limits the Relevant Authority ability to make an informed, defensible decision. Had the risks identified in the visual reports been openly discussed during the process, this situation could have been avoided. Meaningful engagement, supported by adequate information, remains essential to address the risk to the receiving fossil dune landscape. The VRMA recommendation, still remains, is that a full Level 4 VIA is undertaken based on full detail design of the proposed dwellings.

Requirement for Detailed Design Prior to Low Visual Impact Finding

The comment is noted.

The information listed (siting, elevations, materials, road details, earthworks, construction laydown, alternatives and landscaping) is acknowledged as best-practice detail typically associated with advanced design stages or higher-order Visual Impact Assessments (e.g. Level 4 VIA).

The Basic Assessment Report (BAR) has been compiled in accordance with the EIA Regulations, 2014 (as amended) and the applicable protocols, which require that impacts be assessed based on sufficient, reasonable, and site-specific information at the time of application, rather than final construction-level design.

The BAR includes, at an appropriate level of detail for this stage:

- Defined development footprint and layout
- Indicative building scale and use
- Access arrangements and disturbance areas
- Constraints-based siting informed by specialist inputs
- Assessment of construction and operational impacts
- Design and mitigation principles incorporated into the EMPr

The purpose of the Basic Assessment is to determine impact significance, not to finalise architectural or engineering design. Detailed design elements listed above are typically refined post-authorisation, within the framework of:

- The Environmental Authorisation conditions, and
- The legally binding EMPr

The BAR does not rely on speculative future design, but rather on conservative assumptions and mitigation-based assessment appropriate to the level of detail available

Adequacy of Information for Decision-Making

The comment is noted.

The Basic Assessment Report provides sufficient information to enable the competent authority to make an informed and defensible decision, including:

- Specialist inputs (visual, geotechnical, biodiversity)
- Site verification and constraints mapping
- Impact assessment and mitigation measures

- Public participation record and responses to all comments

The VRMA submission and associated concerns have been considered and responded to, and will form part of the Final BAR submitted to the competent authority.

The BAR therefore reflects a transparent and comprehensive assessment process, and no material information has been withheld from the competent authority at the decision-making stage.

Meaningful Engagement and Visual Risk

The comment is noted.

The sensitivity of the fossil dune landscape and associated visual risk has been recognised and incorporated into the assessment, including:

- Application of a constraints-based layout approach
- Reduction and refinement of the development footprint
- Identification of visually sensitive receptors
- Inclusion of design and mitigation principles to reduce visual prominence

Public participation has been conducted in accordance with the EIA Regulations, and all registered Interested and Affected Parties, including VRMA, have been afforded opportunity to comment, with responses recorded.

Meaningful engagement has therefore occurred within the regulatory framework of the Basic Assessment process.

Recommendation for Level 4 VIA

The comment is noted.

A Level 4 Visual Impact Assessment, including detailed architectural design, photomontages, and quantitative modelling, is not a prescribed requirement in terms of the EIA Regulations for a Basic Assessment process of this scale and nature.

The level of visual assessment undertaken:

- Is appropriate to the development footprint and intensity
- Is based on site-specific specialist input
- Evaluates impact significance rather than absolute visibility

While additional detail may refine the assessment, it is not required to determine whether the anticipated impacts are acceptable within the environmental context.

**ANNEXURE 1: TOPOGRAPHIC CROSS-SECTION MAPPING FROM THE VRMA
DRAFT BASELINE VIA**

On Page 110, in reply to the VRMA I&AP comment, the following mapping from the Draft Baseline VIA submitted by VRMA. The map depicts a Terrain Model generated from Survey General 5m contours. The site visit also confirmed the site as an elevated dune ridgeline along a fossil dune sea cliffs. The location of the proposed main dwelling is marked in Red on the map below.

The Final BAR therefore concludes that:

- Visual impacts may occur, particularly given the elevated dune setting
- However, such impacts are localised and can be reduced through design and mitigation measures
- The overall impact significance is low and acceptable, within the context of the receiving environment

No further specialist visual assessment is considered necessary at this stage.

Annexure 1 – Topographic Cross-Section Mapping and Ridgeline Position

The comment is noted.

The topographic cross-section and terrain model presented by VRMA are acknowledged as reflecting the broader geomorphological context of the site, namely that the property forms part of an elevated fossil dune system associated with coastal dune ridgelines.

It is therefore accepted that:

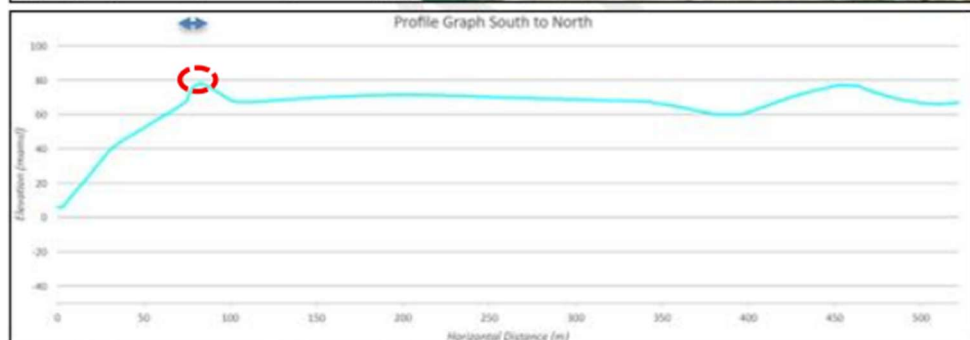
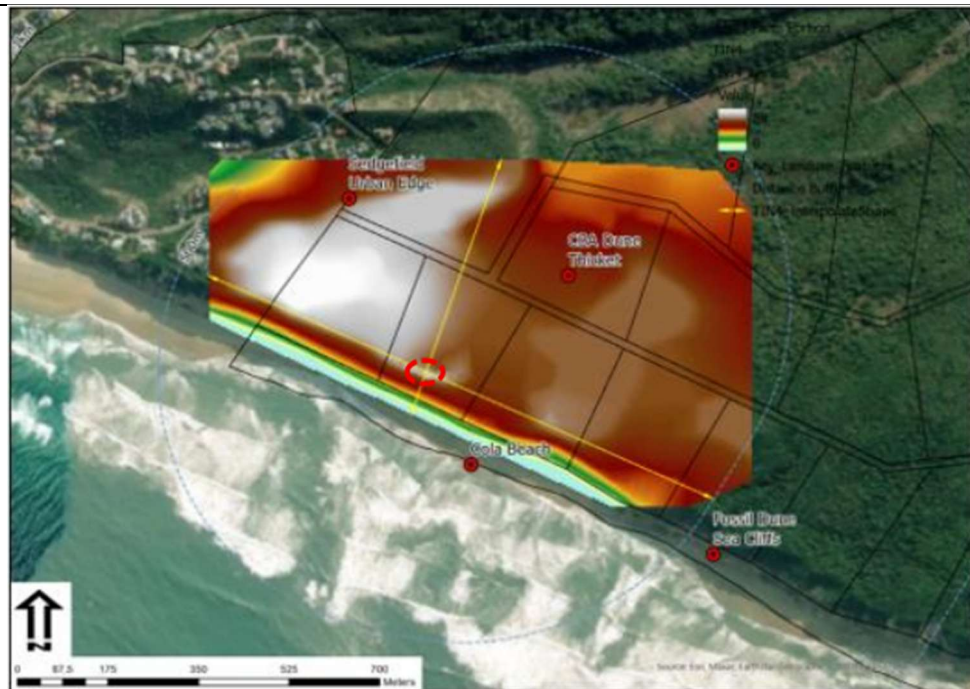
- The site occurs within a raised dune landscape, and
- The general landform exhibits ridgeline characteristics when viewed at a macro scale

However, the Basic Assessment Report (BAR) does not rely on the assertion that the development is located “behind” a dune ridge in a strictly geomorphological sense. Rather, the intent of the statement was to describe the relative siting of the development within the property, based on:

- Localised terrain variation
- Micro-siting within the broader dune system
- Refinement of the development footprint to avoid the most exposed positions where feasible

The development layout has been informed by:

- Geotechnical input
- Environmental constraints mapping
- Site-specific observations



In the Baseline Assessment that was withheld from the Pre BAR and the DBAR public participation processes. This mapping supports the statement that the site is located on the dune ridgeline. ***It also clearly identifies that the statement in the DBAR 'lies behind the dune ridge' is incorrect.***

and represents a position within the site that reduces visual exposure relative to more prominent or sensitive areas, rather than implying complete separation from the ridgeline system.

It is further noted that:

- The VRMA mapping represents a broad terrain model derived from 5 m contour data, which is appropriate for baseline characterisation
- The Basic Assessment evaluates impact significance at a site-specific scale, incorporating layout refinement and mitigation

The BAR therefore acknowledges that:

- The site is located within an elevated dune environment
- Visibility from certain viewpoints, including the beach, may occur

However, the assessment concludes that:

- The proposed development is limited in scale and extent
- The layout is non-dominant within the broader landscape
- Visual impacts can be reduced through design and mitigation measures

Accordingly, while the VRMA mapping confirms the elevated nature of the site, it does not invalidate the conclusion that the anticipated visual impact is low to moderate and acceptable within context, based on the scale of development and mitigation applied.

ANNEXURE 2: UPDATED TABLE OF CORRESPONDENCE

The following table reflects the correspondence undertaken with the EAP for this project.

01Oct 2024	Visual Resource Management Africa CC (VRMA) was appointed by the property owner (Daniel Sevenster) on to undertake a Level 4 Visual Impact Assessment.
01Nov20 24	<p>VRMA submits the SSVR for the site.</p> <p>I have concluded the landscape and visual site sensitivity verification report. Please note that concerns are raised. While the current sites proposed for development present significant landscape and visual impact concerns, there exists a less visually intrusive opportunity located in the southeastern section of the property near the proposed vehicle parking area. This site is set back further from the geotechnical risks areas and there is a local precedent for residential development on the adjacent property. It is strongly recommended that if the current layout is pursued, then the three cottages should be excluded. Subject to geotechnical review, the main building would need to be set into the dune so as not to create a negative precedent for skyline intrusive development along the dune cliffs.</p> <p>I am happy to discuss the findings and suggest that we set up a teams meeting to discuss the issues raised and how to proceed further.</p>
3Nov202 4	Diana Cezar email indicating that the incorrect site was surveyed.
18Nov24	<p>VRMA reply to Ecoroute VRMA acknowledging that there was a 4m shift in the survey footprint.</p> <p>Hi Janet,</p> <p>Further to the comments made regarding the errors in the Site Sensitivity Report, the following refers.</p> <p>As the DWG plan had not been received prior to the site visit, I georeferenced a digital copy of the site development plan. This resulted in the image being stretched 10m to the south. As a result of this shift, 4 of the survey points relating to the proposed additional units were out by an average of 6m to the east, and 4m to the south. While the photograph locations have now been corrected for these 4 points, the issued raised in the SSVR are still relevant.</p> <p>The nature of the SSVR is to provide a general risk appraisal of the site, to inform the client of potential risks that could jeopardise the development. As verified by the more detailed Baseline Assessment that has now been concluded, the general risks identified within the SSVR were correct. The more detailed review of planning and guidelines related to fossil dunes, ridgelines, skyline intrusion and steep slope development, Critical Biodiversity Area of dune thicket related areas, as well as coastal recreational landscapes found that the proposed plan is unlikely to meet the National (Garden Route Environmental Management Framework) and Provincial</p>

Annexure 2 – Table of Correspondence

The comment and annexed correspondence are noted.

The correspondence reflects the evolution of the project and engagement between the applicant, Environmental Assessment Practitioner (EAP), and Visual Resource Management Africa (VRMA) during the early stages of site investigation and assessment.

It is acknowledged that:

- VRMA was initially appointed by the landowner in 2024 to undertake a baseline visual assessment
- Preliminary findings raised concerns regarding ridgeline development, skyline intrusion, and slope sensitivity
- A minor spatial discrepancy (± 4 m) in early survey alignment was identified and corrected

These inputs were considered as part of the iterative refinement of the development proposal, which included:

- Appointment of additional visual input to verify and expand the assessment
- Refinement of the development footprint and layout
- Integration of geotechnical, environmental, and visual constraints into planning

Public Participation Process (PPP)

It is acknowledged that VRMA was not included in the initial Pre-Application Public Participation Process.


However, the process is iterative by design, and this was subsequently addressed:




- VRMA was formally registered as an Interested and Affected Party (I&AP)
- VRMA was notified of the Draft BAR and Amended Draft BAR
- VRMA was provided with opportunity to submit detailed comments, which have been incorporated into the Comments and Responses Report

Furthermore:

- All relevant submissions by VRMA, including the Baseline LVIA inputs, have been considered in the assessment process

	<p>(DEA&DP Visual and Aesthetic/ Mountain, Hills and Ridgelines) guidelines. I will send the DraftV1 Baseline LVIA shortly in another email.</p> <p>I have attached below a screen capture of the map showing the previous survey points with an overlay to the DWG provided. Should you have any further queries with regards to the SSVR and the minor errors in the initial site survey photographs, please let me know.</p>	<ul style="list-style-type: none"> The information forms part of the Final BAR submission to the competent authority <p>The competent authority is therefore in possession of all relevant information required for decision-making, and no Interested and Affected Party has been excluded at the decision stage.</p> <p>The Public Participation Process is therefore considered procedurally compliant with the EIA Regulations, 2014 (as amended).</p>
<p>18Nov20 24</p>	<p>VRMA submits the Draft Baseline Assessment.</p> <p>Hi Janet, Please find the Erf 205/79 DraftV1 Baseline LVIA for your review. Ruygtevei Farm 205_79 LVIA Baseline_DraftV1.docx (<i>Error in Farm reference is noted – Amened Farm 79/205 Ruygte Valley</i>)</p> <p>To delineate the steep slopes, ridgeline and dune crest related skyline intrusion, I have used the survey contours for the site, supplemented with 5m SG contours to generate a detailed digital elevation model. I have also concluded the literature review for landscape planning. As the fossil dune/ridgeline and coastal landscape does trigger as a significant landscape in the Garden Route EMF, the WC Mountains, Hills and Ridgelines Guideline, and the DEA&DP Visual & Aesthetic Guideline, detailed information of the nature of the proposed landscape change is a requirement. The following information is specified in the DEA&DP Visual & Aesthetic Guideline as necessary.</p> <p>Essential information:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The precise location and elevation of the project, and the boundaries of the project site, or the proposed route in the case of roads, pipelines, powerlines, etc.; <input type="checkbox"/> The siting and orientation of the structures within the project site; <input type="checkbox"/> The footprint, massing and height of the various structures; <input type="checkbox"/> Elevations of the structures, including finishes and colours; <input type="checkbox"/> Length, area and finishes of access roads to the site, internal roads and parking areas; <input type="checkbox"/> Type and height of all ancillary structures, such as masts, antennas, security fencing, gatehouses, substations, electrical kiosks, reservoirs, overhead power-lines and other cables (both on and off the site); <input type="checkbox"/> Cut and fill slopes and other major earthworks or excavations associated with the project; <input type="checkbox"/> Traffic within the site, or to and from the site, which may constitute a visual impact; <input type="checkbox"/> Construction phase facilities, such as construction camps, labourers' housing, haul roads, material storage, stockpiles, batch mixing areas, etc. where applicable; 	<p><u>Allegation of “Withholding” of the VRMA Baseline Report</u></p> <p>The comment is noted.</p> <p>The VRMA Baseline Assessment represents an independent baseline study commissioned by the landowner prior to the formal EIA process.</p> <p>The Basic Assessment Report:</p> <ul style="list-style-type: none"> Does not rely exclusively on this report Has considered its findings alongside other specialist inputs Reflects an integrated assessment based on the final proposed layout <p>The Final BAR submission will include:</p> <ul style="list-style-type: none"> The VRMA submission and associated correspondence The visual specialist inputs relied upon in the assessment <p>No material information has been withheld from the competent authority. The process reflects a transparent and inclusive assessment, where all inputs have been considered.</p> <p><u>Alternative Site and Layout Considerations</u></p> <p>The comment is noted.</p> <p>The suggestion of an alternative development location in the southeastern portion of the property was considered during the assessment process.</p> <p>The final layout was informed by a multi-disciplinary constraints analysis, including:</p> <ul style="list-style-type: none"> Geotechnical suitability Environmental sensitivity (including biodiversity and dune stability) Access feasibility Overall development practicality <p>The preferred layout represents a balanced outcome, taking into account these constraints.</p>

	<p><input type="checkbox"/> Alternative scenarios, layouts or designs for the project that have been proposed.</p> <p>I am more than happy to discuss the findings of the baseline assessment should you have any queries.</p>	<p>The BAR includes an assessment of alternatives, as required in terms of the EIA Regulations.</p> <p><u>Requirement for Detailed Design and Level 4 VIA</u></p> <p>The comment is noted.</p> <p>The correspondence reflects an early recommendation by VRMA for a Level 4 Visual Impact Assessment based on detailed design information.</p> <p>However:</p> <ul style="list-style-type: none"> • A Level 4 VIA is not a regulatory requirement for a Basic Assessment process of this scale • The EIA Regulations require that impacts be assessed based on reasonable and sufficient information at the time of application <p>The visual assessment undertaken:</p> <ul style="list-style-type: none"> • Is appropriate to the scale and nature of the development • Is based on site-specific specialist input • Evaluates impact significance rather than absolute visibility <p>While additional detail may refine the assessment, it is not required to determine impact acceptability.</p> <p>Evolution of the Project and Assessment Approach</p> <p>The correspondence clearly demonstrates that:</p> <ul style="list-style-type: none"> • The project has undergone iterative refinement • Specialist inputs (including those from VRMA) have informed the process • The development layout and assessment have been adapted in response to identified risks and constraints <p>Differences in professional opinion between specialists are acknowledged and are not uncommon in environmental assessment processes.</p> <p>The Final BAR presents a balanced, integrated, and defensible assessment, which:</p> <ul style="list-style-type: none"> • Considers all available information • Responds to stakeholder input • Provides a sufficient basis for decision-making by the competent authority
19Nov2024	<p>Reply from Janet Ebersohn indicated that the report was received.</p> <p>RE: Erf 205/79 DraftV1 Baseline LVIA</p> <p> janet@ecoroute.co.za To: 'Steve Stead' Cc: 'Dane Stead (Zand)' <dane@everside.co.za>, nic@belviesarchitecture.co.za You replied to this message on 2025/11/24 12:51.</p> <p>Thank you working through it now and will revert back shortly</p> <p>Should you require any information please do not hesitate to contact me.</p> <p>Kind Regards Janet Ebersohn Ecophon Environmental Management EAPMSA Registration Number: 2018/1288 082 5577122</p>	
03Mar2025	<p>Janet indicates that a second visual impact assessor has been appointed.</p>	
25Mar25	<p>Ecoroute commence with a Basic Assessment Report: Pre-consultation without notifying VRM Africa that the PPP has commenced. By chance, VRM Africa checks the Ecoroute website and finds that the PPP has commenced.. The following comments were made to the process as an I&AP.</p> <p>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> <ul style="list-style-type: none"> • Conceptual architectural design and the need for 3D visualisations, in line with DEA&DP Visual & Aesthetic Guidelines. • 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>As VRMA was excluded from the DBAR, we reserve the right to make comments as an I&AP.</p>	
30mar25	<p>Based on the concern raised by VRMA regarding the second VIA, JE agrees that both reports are submitted, and that VRM Africa is added as an I&AP.</p>	

	<p>RE: Erf 205/79 Draffiv1 Baseline LVIA</p> <p> jane1@ecoroute.co.za To: Steve Stead, bianca@ecoroute.co.za Cc: sbs@ecoroute.co.za</p> <p>Hi Steve</p> <p>Yes I agree,</p> <p>bianca@ecoroute.co.za please add Steve as a I&AP</p> <p>Should you require any information please do not hesitate to contact me.</p> <p></p> <p>Kind regards, Janet Ebenzobe Ecotion Environmental Management EAMSA Registration Number: 2815/2288 DRZ 5977322</p> <hr/> <p>From: Steve Stead <stead@vrma.co.za> Sent: Monday, 09 March 2025 12:13 To: jane1@ecoroute.co.za Cc: bianca@ecoroute.co.za Subject: RE: Erf 205/79 Draffiv1 Baseline LVIA</p> <p>Hi Janet,</p> <p>This is a problem. To ensure that 'cherry picking' of reports does not take place, please note that both assessment reports need to be included in the EIA process.</p> <p>Please let me know who the DEABOP representative is. I will also need to be included as an I&AP.</p> <p>Please confirm receipt of this email, and that I have been added as an I&AP.</p> <p>Kind regards, Steve</p> <p> Stephen Stead Visual Resource Management Africa P.O. Box 1252, Sedgefield, 6573</p>	
13Nov25	VRMA is notified of a Draft BAR public participation process.	
18Feb26	VRMA is notified of an Amended DRAFT Basic Assessment Report public participation process.	

DFFE: Awelani Viola Matamela - 23 March 2026

COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT LOCATED ON PORTION 79 OF FARM 205, RUYGTE VALLEY WITHIN THE KNYSNA LOCAL MUNICIPALITY, WESTERN CAPE

Background and Discussion

The Directorate Protected Areas Planning and Management Effectiveness would like to thank you for the opportunity to review the Amended Draft Basic Assessment Report for the proposed development located on Portion 79 of Farm 205, Ruygte Valley, within the Wilderness Protected Environment Knysna Local Municipality in the Western Cape.

The comments received are noted and appreciated. The Directorate's acknowledgement of the constraints-led approach, reduced footprint, and conservation-oriented rezoning proposal is welcomed.

<p>The project entails the development of a low-density residential node, including a main dwelling, additional accommodation units, associated access infrastructure, parking areas, and raised boardwalks. The total development footprint has been reduced to approximately 1 375 m², with the building footprint comprising approximately 525 m². Most of the site (approximately 97%) will remain in a natural or rehabilitated state. The development is proposed within a Wilderness National Lake Area, with portions of the site falling within the 100 m High-Water Mark (HWM) trigger area.</p>	<p>Noted.</p>
<p>The site is characterised by sensitive environmental features, including mapped Critical Biodiversity Areas (CBA1 and CBA2), indigenous forest patches, and protected milkwood trees. The amended BAR proposes a constraints-led layout, avoiding CBA1 areas and forest vegetation, and confining development to degraded CBA2 areas. The application further includes a proposal to rezone the property to Open Space III to support long-term conservation.</p>	<p>Noted.</p>
<p><u>After the review of the report, the Directorate has the following comments:</u></p> <ol style="list-style-type: none"> 1. The revised layout demonstrates a constraints-led approach, avoiding mapped CBA1 areas, indigenous forest, and high-risk coastal erosion and flood zones, and limiting development to a reduced and defined disturbance footprint. The commitment to retain most of the site as natural/open space and the proposal to rezone the property to Open Space III are noted and supported. 2. However, the EAP has not adequately addressed the issue of the Wilderness Protected Environment in relation to the proposed development. The following matters must be addressed before any development can be approved: <ul style="list-style-type: none"> • According to section 51 of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003), development in a Protected Environment, including Wilderness Protected Environments, is regulated and requires approvals. South African National Parks (SANParks) is the management authority for the 	<p>Noted.</p> <p>Noted.</p> <p>The comment is noted. The proposed development falls within the Wilderness Protected Environment, and the requirements of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEMPAA) are acknowledged. The following is confirmed:</p>

Wilderness Protected Environment under NEMPAA. All development activities must be coordinated with SANParks and relevant landowners and follow strict compliance requirements.

- The development must strictly comply with:
 - The provisions of NEMPAA;
 - The approved management plan for the Protected Environment;
 - Applicable environmental legislation, including the National Environmental Management Act, 1998 (NEMA), particularly with regard to Environmental Impact Assessment (EIA) requirements; and
 - Any conditions or restrictions imposed by the Minister or MEC.

- No development may proceed without the necessary authorisations and approvals, and all activities must be aligned with the conservation objectives of the Protected Environment.

- The Comments and Responses Report on page 18 indicates that the updated Basic Assessment Report (BAR) would include a clear commitment that the final layout will be informed by specialist verification of species of conservation concern (SCC), and that any confirmed threatened or protected species would be avoided and

- The Applicant recognises that SANParks is the Management Authority for the Wilderness Protected Environment.
- The development will be aligned with the applicable Management Plan for the Protected Environment.
- All relevant approvals required in terms of NEMPAA and any applicable management frameworks will be obtained prior to commencement of any activities.
- The development will comply with:
 - NEMPAA requirements
 - NEMA and the EIA Regulations
 - Any conditions imposed by the Competent Authority and/or SANParks

It is further confirmed that:

- No development will commence prior to obtaining all required authorisations, including Environmental Authorisation and any approvals required in terms of Protected Area legislation.
- The development proposal has been designed to support long-term conservation objectives, including the proposed rezoning to Open Space III and retention of approximately 97% of the site in a natural or rehabilitated state.

The Final BAR will include an explicit statement confirming compliance with NEMPAA and coordination with SANParks, to ensure clarity for decision-making.

Noted.

The comment is noted.

The omission of an explicit statement regarding Species of Conservation Concern (SCC) in the Amended Draft BAR is acknowledged and will be addressed in the Final BAR.

The following will be incorporated:

managed in accordance with applicable permitting requirements. However, upon review of the Amended BAR, no such commitment or detailed discussion relating to species of conservation concern could be identified. Furthermore, there is no evidence of specialist verification, mapping, or assessment of SCC within the proposed development footprint, nor are any avoidance or management measures clearly outlined.

- A site-specific coastal erosion specialist study has not been undertaken. The reliance on constraints mapping and preliminary geotechnical information is insufficient to assess long-term shoreline dynamics, dune stability, and storm surge risk. This remains a critical information gap.

- Confirmation that site-specific specialist inputs (botanical and ecological) have informed the identification of sensitive habitats and potential SCC presence.
- A clear commitment that:
 - Pre-construction walk-downs by a qualified specialist will be undertaken where required;
 - Any confirmed SCC within or adjacent to the development footprint will be avoided where feasible;
 - Where avoidance is not feasible, appropriate permits will be obtained and mitigation implemented in accordance with applicable legislation;

The Environmental Management Programme (EMPr) will be updated to include:

- SCC protection measures
- Search-and-rescue protocols (where applicable)
- Permit compliance requirements

The development footprint has already been positioned to avoid CBA1 areas, indigenous forest, and sensitive vegetation, thereby reducing the likelihood of direct impacts on SCC.

The comment is noted.

The assessment of coastal processes and dune stability has been informed by:

- Constraints mapping (including coastal risk zones)
- The Preliminary Geotechnical and Geomatic Investigation
- Site verification and terrain assessment

It is acknowledged that a dedicated coastal erosion specialist study has not been undertaken as a standalone assessment.

However:

- The development footprint is set back from the most dynamic coastal interface areas, including high-risk erosion zones identified in the constraints mapping.
- The proposed development is of limited scale, with no hard coastal protection structures or shoreline modification proposed.
- The layout avoids steep and unstable dune faces to the extent feasible.

<p>It is recommended that the EAP address the concerns raised, provide clarity on certain matters raised to the Directorate: Protected Areas Planning and Management Effectiveness, and consider the comments from all other Stakeholders, Interested, and Affected Parties.</p>	<p>The geotechnical input considered:</p> <ul style="list-style-type: none"> • Dune stability • Founding conditions • Long-term risk considerations <p>Given the scale of development, setback from high-risk zones, and absence of direct coastal engineering works, the current level of assessment is considered appropriate for Basic Assessment purposes.</p> <p>Nonetheless, the Final BAR will:</p> <ul style="list-style-type: none"> • Strengthen the discussion on coastal processes and long-term risk considerations • Include a precautionary approach to design and siting • Confirm that any future design refinements will remain within the assessed and approved footprint and constraints framework <p>The concerns raised by the Directorate are acknowledged and have been carefully considered.</p> <p>The Final BAR will:</p> <ul style="list-style-type: none"> • Explicitly address NEMPAA compliance and SANParks coordination • Include a strengthened section on Species of Conservation Concern • Expand on coastal risk considerations and mitigation approach <p>The proposed development remains:</p> <ul style="list-style-type: none"> • Low in intensity and footprint • Constraints-led in design • Aligned with conservation objectives of the Wilderness Protected Environment <p>The assessment is therefore considered adequate and sufficient to support informed decision-making by the Competent Authority, subject to the implementation of mitigation measures and compliance requirements.</p>
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COMMENTS ON THE AMENDED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF FARM 205, RUYGTE VALLEY, SEDGEFIELD, WESTERN CAPE PROVINCE

The site inspection dated 05 March 2026 refers.

The preferred activity involves the development of a single low-impact residential dwelling with associated ancillary structures, together with the long-term conservation of most of the site. The proposed development comprises: a main dwelling ($\pm 200 \text{ m}^2$); three small self-contained units ($\pm 65 \text{ m}^2$ each); staff accommodation ($\pm 50 \text{ m}^2$); an equipment shed ($\pm 80 \text{ m}^2$); and associated access, parking, and boardwalk infrastructure. The total building footprint is approximately 525 m^2 . The access road is approximately 220 m long and 3 m wide, terminating in a parking area of approximately 765 m^2 . The total development footprint, including buildings, access road, parking, and boardwalks, is approximately $1\,375 \text{ m}^2$, representing less than 2.7% of the site area, with approximately 97.3% of the property remaining in a natural state.

According to the Western Cape Biodiversity Spatial Plan (WCBSP), the site is a Critical Biodiversity Area (CBA) where development is generally not allowed. CBAs are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure, maintain 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.

The comments received are noted and appreciated. The Directorate's support for the constraints-led Alternative Layout and the conservation-oriented approach is welcomed. The following responses address each point raised.

Noted.

The comment is noted.

The site is mapped as a Critical Biodiversity Area (CBA) in terms of the Western Cape Biodiversity Spatial Plan (WCBSP). The development has therefore been designed as a low-intensity, biodiversity-sensitive land use, consistent with permissible activities within CBAs where impacts are minimised.

The proposal:

- Limits disturbance to approximately $1,375 \text{ m}^2$ (<2.7% of the site)
- Retains approximately 97% of the property in a natural or rehabilitated state
- Avoids CBA1 areas, indigenous forest, and high-sensitivity features
- Incorporates a conservation-oriented zoning proposal (Open Space III)

The development is therefore considered aligned with the intent of maintaining ecological function, while allowing limited, carefully controlled land use.

The study area is densely vegetated with indigenous trees, which requires clearing, no existing access road. Fig 9: updated site constraints map showing vegetation types (CBA1, CBA2), slope contours, access routes, and proposed development area. Please update the site constraints map legend by naming two brown-coloured structures on the northeast corner of the map. Provide an optimized layout map showing how the development avoids sensitive areas and SCC habitats. The site forms part of a coastal dune system comprising recent aeolian sands and semi-consolidated fossil dunes typical of the Garden Route coastline. Building in a coastal dune poses significant risks due to the nature of these ecosystems.

The comment is noted.

Access and Vegetation Clearing

It is acknowledged that the site is densely vegetated with indigenous vegetation. The proposed access does not constitute a formal existing road but follows a previously disturbed and least-impact alignment identified during site assessment.

The Basic Assessment Report assesses:

- Limited and localised vegetation clearing required for access and infrastructure
- Disturbance restricted to the defined development footprint ($\pm 1,375 \text{ m}^2$)
- Implementation of strict environmental controls through the EMP

The development is therefore considered low-impact in extent, with the majority of the site ($\pm 97\%$) remaining undisturbed.

Site Constraints Map and Legend Clarification

The comment regarding the Site Constraints Map legend is noted.

The two brown-coloured features located in the north-eastern portion of the map represent existing disturbed or previously altered areas within the broader property context. These features are not part of the proposed development footprint.

The Site Constraints Map is intended to:

- Identify environmental sensitivities and constraints
- Delineate the development envelope

It is not intended to function as a detailed infrastructure or cadastral inventory of all features on site.

The map, as presented, is considered adequate for illustrating constraints and informing layout decisions.

Optimised Layout and Avoidance of Sensitive Areas

The comment is noted.

An optimised, constraints-led layout has already been assessed and is presented in the BAR. This layout demonstrates:

- Avoidance of CBA1 areas and indigenous forest patches
- Avoidance of steep and geotechnically sensitive dune slopes, to the extent feasible

COMMENTS ON THE AMENDED DRAFT BASIC ASSESSMENT REPORT THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF FARM 205, RUYGTE VALLEY, SEDGEFIELD, WESTERN CAPE PROVINCE

The dunes are susceptible to erosion and proximity to the oceans makes them vulnerable to flooding which can damage infrastructure and property. The Directorate Biodiversity Conservation supports Alternative layout which is positioned to avoid CBA1 areas, indigenous forest, steep slopes, and coastal risk zones.

- Avoidance of high-risk coastal process zones
- Concentration of development within a limited and defined footprint

Sensitive areas, including potential Species of Conservation Concern (SCC) habitat, are addressed through:

- Layout positioning
- Pre-construction verification (where required)
- EMPr mitigation and protection measures

No additional layout mapping is required to demonstrate avoidance, as this is already reflected in the assessed development footprint and constraints-based design approach.

Coastal Dune System and Associated Risks

The comment is noted.

It is acknowledged that the site forms part of a coastal dune system comprising aeolian sands and fossil dunes, which are sensitive to disturbance.

The development has therefore been designed to:

- Minimise physical disturbance and earthworks
- Avoid unstable and high-risk dune areas
- Retain vegetation cover to the extent feasible
- Prevent interference with coastal processes and dune dynamics

Given the limited scale of development, small footprint, and constraints-based siting, the associated risks are considered manageable and acceptable within the context of the assessment.

The comment is noted.

It is acknowledged that the site forms part of a coastal dune system, which is inherently sensitive to:

- Erosion
- Wind dynamics
- Storm events and coastal processes

<p>The presence of Milkwood trees (<i>Sideroxylon inerme</i>) was observed during the site inspection, including where the road and driveway access is proposed. Permit from the Department of Forestry, Fisheries & Environment (DFFE) must be attained should any protected tree species be disturbed on the property, as per the National Forests Act (Act 84 of 1998), as amended.</p> <p>In terms of the National Environmental Management: Biodiversity Act (Act 10 of 2004) and its associated Alien and Invasive Species Regulations, landowners are legally obligated to control and remove listed invasive species from their properties. Develop and implement an Alien and Invasive Species Management Plan.</p> <p>Apply for rezoning to Open Space III (Nature Conservation Area) before construction, formalizing long-term conservation management alongside private residential use. Minimize ecological impact in all infrastructure design, including roads and boardwalks.</p>	<p>The development has therefore been designed to:</p> <ul style="list-style-type: none"> • Avoid steep and unstable dune faces • Limit earthworks and disturbance • Maintain natural vegetation cover to the extent feasible • Prevent interference with coastal processes <p>The limited scale of development and its setback from high-risk zones reduces the likelihood of significant long-term impacts.</p> <p>The comment is noted.</p> <p>The presence of Milkwood trees (<i>Sideroxylon inerme</i>) is acknowledged.</p> <p>The following commitments are made:</p> <ul style="list-style-type: none"> • A pre-construction walk-down by a qualified specialist will identify any protected trees within or near the development footprint • Avoidance of protected trees will be prioritised in the final micro-siting • Where disturbance cannot be avoided, a permit will be obtained from DFFE in terms of the National Forests Act (Act 84 of 1998) • All conditions associated with such permits will be strictly implemented <p>The comment is noted.</p> <p>An Alien and Invasive Species Management Plan will be included in the EMP, in compliance with the National Environmental Management: Biodiversity Act (Act 10 of 2004) and associated regulations.</p> <p>This will include:</p> <ul style="list-style-type: none"> • Identification of listed invasive species • Ongoing control and eradication measures • Monitoring and maintenance requirements <p>The plan will apply during both construction and operational phases.</p> <p>The comment is noted and supported.</p> <p>The Applicant has committed to pursuing rezoning to Open Space III (Nature Conservation Area), which will:</p> <ul style="list-style-type: none"> • Formalise long-term conservation management
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<p>The 'no-go' areas of the development property must be clearly demarcated and excluded from the final layout plan. No construction camps, temporary or permanent laydown areas or any activities associated with the development are to be located within the important conservation areas.</p> <p>All biodiversity-related submissions and correspondence must be directed to: BCAdmin@dffe.gov.za for the attention of Mr Seoka Lekota.</p>	<ul style="list-style-type: none"> • Ensure compatibility between limited residential use and conservation objectives • Support the protection of the ecological integrity of the site <p>No development will proceed without the necessary planning and environmental approvals.</p> <p>The comment is noted.</p> <p>All infrastructure, including:</p> <ul style="list-style-type: none"> • Access roads • Boardwalks • Parking areas <p>will be designed to:</p> <ul style="list-style-type: none"> • Minimise disturbance and footprint • Follow natural contours where feasible • Avoid sensitive vegetation and habitat areas • Use low-impact construction methods where possible <p>Boardwalks are specifically intended to reduce soil compaction and vegetation disturbance.</p> <p>Noted.</p>
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BREED-OLIFANTS CATCHMENT MANAGEMENT AGENCY: GEORGE: Sbonelo Ndlovu – 31 March 2026	
<p>RE: AMENDED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF A PRIMARY DWELLING AND ACCESS ROAD ON PORTION 79 OF FARM 205, RUYGTE VALLEY, SEDGFIELD, WESTERN CAPE</p> <p>Reference is made to the above-mentioned amended Draft Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.</p>	

The following are BOCMA comments relating to amended Draft Basic Assessment Report 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 amended Draft Basic Assessment Report and has no objections to the amended proposed development as there are no new major changes in terms of the activities likely to trigger the National Water Act.
2. Please note that the comments issued by BOCMA on the 20 June 2025 and 15 December 2025 respectively for the Pre-Application and Draft Basic Assessment Reports are still valid and must be adhered to.
3. 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.
4. 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.
5. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
6. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.

Noted.

Noted.

Noted.

Noted.

This consent is granted solely for purposes of compliance with the restrictive title deed conditions.	Noted.
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