

Comments and Response Report

Proposed Development of a Deck and Boardwalk Within 100 Meters Inland of the High-Water Mark of the Sea, Erf 9706, Plettenberg Bay, Western Cape

DEA&DP REF: 16/3/3/1/D1/15/0005/26

Public Participation Process Followed:

Actions undertaken in terms of Regulation 41 of the EIA Regulations, 2014:

(a)	fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i)	the site where the activity to which the application relates is or is to be undertaken; and		YES	EXEMPTION
(ii)	any alternative site. Only one site		YES	EXEMPTION
(b)	giving written notice, in any manner provided for in section 47D of the NEMA, to –			
(i)	the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;		YES	EXEMPTION
(ii)	owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;		YES	EXEMPTION
(iii)	the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;		YES	EXEMPTION
(iv)	the municipality (Local and District Municipality) which has jurisdiction in the area;		YES	EXEMPTION
(v)	any organ of state having jurisdiction in respect of any aspect of the activity; and		YES	EXEMPTION
(vi)	any other party as required by the competent authority;	N/A	YES	EXEMPTION
(c)	placing an advertisement in -			
(i)	one local newspaper; or		YES	EXEMPTION
(ii)	any official <i>Gazette</i> that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	N/A	YES	EXEMPTION
(d)	placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken.	N/A	YES	EXEMPTION
(e)	using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	N/A	YES	EXEMPTION

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO DRAFT BASIC ASSESSMENT REPORT DATED 30 JANUARY 2026	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning – Shireen Pullen – 06 March 2026	
<p>1. The abovementioned document Referenced: DRAFT BAR/9706 dated 30 January 2026, compiled by the appointed Environmental Assessment Practitioner, Ms. Samantha Teeluckdhari (EAPASA No: 2023/6443), and assisted by Candidate Environmental Assessment Practitioner (“Candidate EAP”), Ms. Lizelle Genade (EAPASA No: 2023/7793) of Eco Route Environmental Consultancy, and received by this Department on 09 February 2026, refer.</p>	
<p>2. Following a review of the information submitted to this Department, we note the following:</p>	
<p>2.1 From the draft BAR it is understood that the proposal entails the development of a beach access boardwalk plus viewing as well as an outside deck with a combined footprint of 379.3 m² within 100 meters from the highwater mark of the sea on the above-mentioned property.</p>	<p>The proposal has been slightly amended – please refer to Revised Draft BAR</p>
<p>2.2 From the information, including photographs and Google Satellite imagery, it is clear that the proposed boardwalk will largely be on disturbed area where a boardwalk may have previously been located. The site is in a disturbed state going as far back as 2004.</p>	<p>The proposal has been slightly amended – please refer to Revised Draft BAR</p>
<p>3. You are reminded that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that the applicable listed activities are assessed as part of the Environmental Impact Assessment (“EIA”) process. Furthermore, this Directorate can only consider what has been applied for and what has been assessed.</p>	<p>Noted.</p>
<p>4. <i>This Directorate provides the following comments on the Draft BAR:</i></p>	
<p>4.1 The Draft BAR does not fully comply with the minimum information requirements prescribed in the Environmental Impact Assessment Regulations,</p>	<p>The proposal has been slightly amended – please refer to Revised Draft BAR</p>

<p>2014 (Government Notice R.982 of 4 December 2014, as amended), ("EIA Regulations, 2014").</p>	
<p>4.2 Consent to undertake activities on land if the applicant is not the owner</p> <p>4.2.1 As you were previously advised, if the applicant is not the owner or person in control of the land on which the activity is to be undertaken and unless the provisions of Regulation 39(2) apply to the application, the written consent referred to in regulation 39(1) must be provided with the application form.</p> <p>Notwithstanding the provisions of Regulation 39(2), the applicant is still required to provide the written consent of the owner or person in control of the land on which the activity is to be undertaken.</p>	<p>The proposal has been amended and no longer requires landowner consent – please refer to Revised Draft BAR</p>
<p>4.2.2 The draft BAR still does not include a "landowner's consent form" document for Portion 57 of the Farm Brakkloof No. 433 as part of the description of the site. It therefore remains unclear whether there will be any activities undertaken on land which does not belong to the Applicant.</p> <p>Nonetheless, the draft BAR includes Portion 57 of the Farm Brakkloof No. 433 as part of the description of the site, which implies that listed activities may be undertaken on said property. If this is the case, proof must be provided of ownership and the SDP must clearly illustrate where those activities will be undertaken. The final BAR must provide clarity and prove of the above-mentioned.</p>	<p>As above</p>

<p>4.2.3 Development on Erf 2132 (unalienated State Land)</p> <p>As previously highlighted, the information in the Notice of Intent, it was noted that there were structures and activities that had apparently been undertaken on a portion of unalienated State Land (i.e., Erf 2132., Plettenberg Bay), in addition hereto it is understood that a portion of the access boardwalk will be expanded on this portion of State Land.</p> <p>Notwithstanding any prior acclivities on Erf 2132, you are required to demonstrate that such activities and structures were lawfully established, and that the State has granted permission for such structures to remain on said State Land.</p> <p>In addition, you are required to demonstrate that written consent has been granted from the relevant State Department for any additional activities to be undertaken on the portion of the property.</p> <p>The above is a matter, which if not addressed properly, will prejudice the success of the application, specifically any activities on Erf 2132.</p>	<p>The boardwalk on Erf 2132 was approved in plans signed by the Bitou Municipality in 2021 – see Annexure 1 to the C&R Report. The current owner and applicant purchased the property in 2024. Unfortunately, no other documents preceding 2021 can be found to show further proof of consent from the State for the boardwalk.</p> <p>The boardwalk proposal has been amended to remain within the applicant's property boundary. Therefore, landowner consent from the State is no longer required.</p>
<p>4.3 <i>Minimum Information Requirements: Specialist Input</i></p> <p>This Directorate notes from the BAR that a Biodiversity Specialist assessment was conducted by Dr. David Hoare and a Geotechnical Assessment was undertaken by Iain Paton.</p> <p>The draft BAR also shows that these specialist reports are attached to the draft BAR as Appendix G, yet no appendix G was attached to the draft BAR submitted to this Directorate.</p>	<p>Due to a technical glitch, the specialist reports were omitted from the submission made to the authorities but were on Eco Route's website.</p> <p>However, the reports were sent to the relevant authorities to review the reports prior to another Public Participation. Unfortunately, no reviews have taken place.</p> <p>Nonetheless, the specialist reports are appended to the Revised Draft BAR for review and comment.</p> <p>Furthermore, the specialist declarations have been included in the specialist reports.</p>

<p>This Directorate is therefore not in a position to provide comment on the content and findings of these reports.</p> <p>Furthermore, the specialist declarations attached to the draft BAR are not signed by either of the above-mentioned specialists.</p> <p>In light of this omission, the Draft BAR does not comply with the minimum information requirements of Appendix 1 of the EIA Regulations, 2024 nor the applicable Protocol published by the Minister.</p> <p>Notwithstanding this, the EAP must ensure that the final BAR complies with Appendix 1 and the applicable protocols and Appendix 6 of the Environmental Impact Assessment Regulations, 2014.</p> <p>In this regard, your attention is drawn to Regulation 42, and if not addressed, this matter shall prejudice the success of the application.</p>	
<p>4.4 <i>Other legislative considerations</i></p> <p>4.4.1 <i>The National Water Act, 1998 (Act No. 36 of 1998)</i></p> <p>The Breede Olifants Catchment Management Agency (BOCMA) states that, “With specific reference to the proposed development, any activities occurring within the regulated area of a watercourse and resulting in the alteration of the bed, banks, course, or characteristics of a watercourse may trigger water uses in terms of Section 21(c) and/or Section 21(i) of the NWA and would require prior authorisation.”</p> <p>From this statement it is not clear whether the proposal requires a water use license or not.</p>	<p>See Annexure 2 for extract from email communication with BOCMA which confirms that no WULA is required.</p>

<p>Please ensure that the final BAR includes written confirmation from BOCMA on whether the proposed development requires a water use license.</p> <p>Notwithstanding the above, you are reminded that it is now a legal requirement to synchronise the EIA process with the Water Use Process in order for these two processes to duly inform one another.</p> <p>Please be advised of the required synchronisation between the EIA process and the Water Use License Application ("WULA") process (if the latter is required).</p> <p>You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.</p>	
<p>4.4.2 <i>Outeniqua Sensitive Coastal Area Extension Regulations:</i></p> <p>The OSCA permit attached to the draft BAR is for earthworks associated with the development of a house while the application for environmental authorisation is for the development of a boardwalk.</p> <p>It is unclear how the one relates to the other and why the application for environmental authorisation does not include the development of a house.</p> <p>Please provide clarity in this regard.</p>	<p>The OSCA permit was mentioned in the BAR and was attached as proof of the OSCA. The house development has taken place on majority of the same footprint as the previous existing house and no Listed Activities were triggered by the construction of the new house; therefore, no EIA was required.</p> <p>Nonetheless, the OSCA permit has been removed from the BAR submission to avoid further confusion.</p>

<p>4.5 <i>Climate Change</i></p> <p>Climate change presents severe risks to development in coastal protection zones, characterized by rising sea levels, increased erosion, and more intense storm surges.</p> <p>These risks threaten to damage or destroy infrastructure, disrupt economies, and degrade natural buffers that protect inland areas.</p> <p>Considering the location of the site and development, please ensure that the final BAR considers and reports on these risks.</p>	<p>This has been addressed in the BAR.</p>
<p>4.6 <i>Public Participation</i></p>	
<p>4.6.1 It is unclear whether the omission of the specialist reports was in the submission to this Directorate; or whether the same incomplete BAR (without the specialist reports) was circulated to all registered I&APs, including Organs of State.</p> <p>Please be reminded that all the registered interested and affected parties must have access to all the information in the final BAR.</p> <p>Failure to adhere to this may result in non-compliance with Regulation 42 of the EIA Regulations, 2014.</p>	<p>As addressed above in point 4.3.</p>
<p>4.6.2 <i>In light of the outstanding information on land-owner's consent, it is unclear if all relevant parties / land-owners identified in Regulation 41 have indeed been notified of the application and the DBAR and commenting period. Clarity must be provided on this matter.</i></p>	<p>Please see Appendix F for I&AP register, as well as proof of notifications.</p>

<p>4.6.3 <i>It is reiterated that the appointed EAP and person responsible for the public participation process, must coordinate the public participation processes (including the consultation with any organ of state administering a law relating to a matter affecting the environment such as BOCMA; HWC etc.), including the consultation that may be undertaken by the relevant specialists.</i></p> <p><i>Such specialists must provide the EAP with a description of any consultation process that may be undertaken during the course of preparing the specialist report.</i></p> <p><i>Keep in mind that those persons consulted must be added the register of I&APs that must be maintained (Regulation 42 refers).</i></p> <p><i>The provisions of the POPIA will be applicable to that information too, and the EAP must inform the specialists accordingly.</i></p>	<p>No separate public participation process was required to be undertaken by a specialist.</p>
<p>4.6.4 The EAP must record and respond to all comments received.</p> <p>The comments and responses must be captured in a Comments and Responses Report and must also include a description of the public participation process followed.</p> <p>This report must also be included in the public participation information attached to the BAR to be submitted for decision.</p>	<p>Noted.</p>
<p>4.7 Environmental Management Programme ("EMPr")</p>	

<p>In accordance with Section 24N of NEMA and Regulation 19 of the EIA Regulations, 2014, the applicant is required to submit an Environmental Management Programme ("EMPr") with the BAR.</p> <p>The contents of such an EMPr must meet the requirements outlined in Appendix 4 of the EIA Regulations, 2014.</p> <p>The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing).</p> <p>It must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005), must be taken into account.</p>	<p>Noted. The EMPr is attached to the BAR as Appendix H.</p>
<p><u>BAR Requirements:</u></p> <p>5. <i>The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014 and must also include the information requested in the correspondence issued by the Department, including any pre-application consultation with the Department.</i></p> <p><i>Failure to submit any information prescribed in Appendix 1 of the EIA Regulations, 2014 may prejudice the outcome of the Environmental Authorisation and it may even be refused.</i></p>	<p>Noted. This has been complied with.</p>

<p>6. The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014.</p> <p>In accordance with Regulation 19, the Department stipulates that the BAR must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department, to be reckoned from 30 January 2026.</p> <p>If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/ EAP must notify this Department that an additional 50 days (i.e., 140 days from receipt of the Application Form for Environmental Authorisation) will be required for the submission of the final BAR for decision-making. The additional 50 days must include a minimum commenting period of thirty (30) days to allow registered Interested and Affected Parties ("I&APs") to comment on the revised report/additional information.</p>	<p>The proposal has been amended; therefore, notification was made to the Department on 26/03/2026 that an additional 50 days will be required for the submission of the Final BAR.</p>
<p>7. If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated.</p> <p>A new Application Form would have to be submitted, and the prescribed application fee would have to be paid again (if applicable).</p>	<p>Acknowledged.</p>
<p><u>General:</u></p>	

<p>8. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity.</p> <p>Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.</p> <p>A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p>	<p>Acknowledged.</p>
<p>9. Kindly quote the above-mentioned reference number in any future correspondence in respect of this application.</p>	<p>Noted.</p>
<p>10. The Department reserves the right to revise initial comments and request further information based on any new or revised information received.</p>	<p>Noted.</p>
<p>Department of Environmental Affairs and Development Planning: Biodiversity & Coastal Management – Sibaphiwe Gumede – 17 March 2026</p>	
<p>Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received via email on 09 February 2026, refers.</p>	

1. CONTEXT

1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA").

The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment.

In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations."

1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP").

The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province.

This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request.

1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP").

Acknowledged.

Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone.

The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved.

1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP.

The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access.

These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA.

The PCASP as well as the coastal access audits are available upon request.

<p>2 COMMENT</p>	
<p>2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and has the following commentary:</p> <p>The proposal comprises the proposed development of an outside deck with a firepit within 100 meters from the HWM and a beach access boardwalk plus a viewing deck, and possibly the inclusion of an additional 28m² shallow dog wash and shower on Erf 9706, Portion 57 of 443, Plettenberg Bay.</p>	<p>The proposal has been amended – please consult the Revised BAR.</p>
<p>2.2 The proposed site falls inland of the draft Coastal Management Line as delineated by DEA&DP in collaboration with relevant organs of state and is within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and delineated by DEA&DP, available spatially on the DEA&DP web-based viewer.</p> <p>It should be noted that the purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks.</p> <p>Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA.</p> <p>Furthermore, Section 62 of the NEM: ICMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ.</p>	<p>Acknowledged.</p> <p>The proposed development is located within the Coastal Protection Zone (CPZ) and within 100m of the High-Water Mark, and is aligned with the objectives of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) as follows:</p> <p>Section 2 – Objectives of the ICMA (Protection of Coastal Environment):</p> <p>The amended proposal protects the natural coastal environment by confining development largely to previously disturbed areas.</p> <p>The small new section of the boardwalk (±20.5 m²) has been carefully routed to avoid sensitive vegetation and minimise ecological disturbance.</p> <p>The development supports the objective of preserving coastal ecosystems and biodiversity.</p> <p>Section 17 – Purpose of the Coastal Protection Zone:</p> <p>The CPZ aims to maintain the natural functioning of coastal ecosystems and protect people and property from coastal hazards.</p> <p>The development is low-impact, small-scale, and designed to be compatible with dynamic coastal processes.</p> <p>Elevated and permeable structures ensure that dune dynamics and natural processes are not disrupted.</p> <p>Section 63 – Environmental Authorisation for Coastal Activities:</p>

	<p>The design avoids significant adverse effects on the coastal environment by:</p> <ul style="list-style-type: none">• Limiting the development footprint;• Avoiding sensitive and high-value biodiversity areas;• Using construction methods that minimise disturbance. <p>The development is therefore consistent with the requirement to consider environmental impacts and adopt mitigation measures.</p> <p>Section 7 – National Coastal Management Objectives (Sustainable Coastal Use):</p> <p>Promotes sustainable use of coastal resources while ensuring environmental protection. The development enables reasonable private use of the property without resulting in overexploitation or degradation of coastal resources.</p> <p>Precautionary and Risk-Averse Approach (aligned with NEMA principles underpinning ICMA):</p> <p>The development incorporates a precautionary approach through:</p> <ul style="list-style-type: none">• Minimal disturbance design;• Reversible construction methods;• Consideration of coastal risks such as erosion and sea-level rise.
<p>2.3 The Site Development Plan appears to indicate that the proposed deck is located within the cadastral boundaries of Erf 9706; however, the proposed boardwalk appears to extend beyond the seaward cadastral boundary into unalienated state land.</p> <p>The DBAR confirms that the proposed boardwalk alignment will traverse onto state coastal land. Be advised that any development on state land requires a lease agreement with the relevant authority. As the proposal comprises the re-development a previous structure, a copy of the previous lease agreement is required to confirm historic lawful use.</p>	<p>The proposal has been amended and no longer extends beyond the property boundary of Erf 9706; therefore, State landowner consent is no longer required.</p>

<p>2.4 The WC Coastal Access Audit – <i>Garden Route Municipal District (Appendix 1 – Maps and Tables, October 2019)</i>, determines that the area where the development proposal is located within an area of “Restricted Access.”</p> <p>The area comprises Plettenberg Bay from Robberg Reserve to the western Bank of the Piesang river. Public access is via private residences only.</p> <p>Encroachment of private gardens into the primary dunes is of concern and is prohibited.</p> <p>Private gardens must be withdrawn to within the cadastral boundaries and the dunes must be rehabilitated.</p>	<p>The proposal has been amended and no longer extends beyond the property boundary of Erf 9706. No private gardens are proposed beyond the property boundary.</p>
<p>2.5 Be advised that the facilitation of public access is an object of the NEM: ICMA as well as a priority of the WC PCMP.</p> <p>As such, the Department does not support the proliferation of private boardwalks but instead recommends that, in collaboration with the local municipality and adjacent residents, that the current ad-hoc pathways are consolidated into shared paths and that redundant pathways be rehabilitated.</p> <p>This will prevent destruction of the dune vegetation and improve the resilience of the dune in maintaining its function as ecological infrastructure against impacts of coastal processes, climate change and human activities.</p>	<p>The proposal has been amended and no longer extends beyond the property boundary of Erf 9706.</p>

<p>2.6 The DBAR states that the proposed structures replace a previous boardwalk destroyed during the 2017 fire; however, no documentation confirming that the previous boardwalk was lawfully authorised has been provided.</p> <p>Confirmation of the legality of the previous structure, including copies of relevant approvals, should therefore be submitted to confirm the lawfulness of the previous structure.</p>	<p>See Annexure 1 to this report for approved signed plans from Bitou Municipality which include the boardwalk. However, the proposal has been amended to have the boardwalk terminate within the property boundary of Erf 9706; therefore, no landowner consent is required.</p>
<p>Screening Tool identifies high and very high environmental sensitivities for several environmental themes. However, the application does not include a Site Sensitivity Verification Report or Environmental Compliance Statements as required in terms of the NEMA EIA Regulations (2014, as amended) and associated Specialist Assessment Protocols. These requirements must be addressed.</p>	<p>The SSVR was attached as Appendix E and the specialist assessment reports attached as Appendix G.</p>
<p>2.8 Based on the spatial information provided, the Coastal Flood Risk Map and the Coastal Long-Term Erosion Risk Map (Appendix A2 – Coastal Risk Zones) show the development in relation to colour coded risk lines. However, there is no key provided to explain the level of risk (e.g. high, medium, low) and the colour assigned to it (i.e. blue, green, red, orange or yellow). Additionally, the coastal risk appears to be based on the national coastal vulnerability data and not on the coastal risk modelling that was commissioned by the DEA&DP. Bear in mind that the coastal risk modelling conducted by the DEA&DP is more refined than the national coastal vulnerability data. Please see image from DEA&DP web-based GIS viewer below (Figure 1).</p>	<p>Noted. Thank you. The coastal risk maps have been replaced with the ones from the DEA&DP GIS viewer.</p>

<p>Figure 1: Coastal Risk for Erf 9706, Ptn 57 of 443, Plettenberg Bay</p> <p>2.9 Below is the link to the DEA&DP Coastal Map Viewer, that provides web based access to coastal data for the Western Cape - https://gis.westerncape.gov.za/portal/apps/experiencebuilder/experience/?draft=true&id=638b806ed2354fa2b40b7101b7ecc05b.</p>	
<p>2.10 The DBAR refers to a Terrestrial Biodiversity, Plant and Animal Species Assessment compiled by Dr Hoare; however, this report does not appear to be included in the application documentation.</p>	<p>Unfortunately, a technical error caused the documents to be omitted from the submission. Please see Revised Draft BAR and appendices.</p>
<p>2.11 Based on the above, the SD:CM does not support the development proposal on Erf 9707, Portion 57 of Farm 443 Brakkloof, Plettenberg Bay in its current form.</p>	<p>Kindly provide comments on the Revised Draft BAR.</p>
<p>3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment</p>	<p>Acknowledged.</p>

<p><i>is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."</i> 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>4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.</p>	<p>Acknowledged.</p>
<p>Department: Forestry, Fisheries and the Environment – Mr Xolani Myanga – 5 March 2026</p>	
<p>The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Basic Assessment Report (DBAR) in the subject of this letter.</p> <p>This Branch will provide comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").</p> <p>The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable.</p> <p>The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.</p>	<p>Acknowledged</p>

<p>Based on the submitted DBAR, the Branch O&C would like to submit the following comments for your consideration:</p> <p>1. Whilst the Branch notes the support of the proposed effort to minimize vegetation clearance by replanting and rehabilitating disturbed edges with locally indigenous vegetation; and using raised and permeable structures to avoid interference with dune dynamics and hydrological processes.</p> <p>It should also be noted that if deemed necessary by the project proponent to protect the property from the risks of sea level rise/ or general coastal dynamic processes, Section 15 of the ICM Act should be considered.</p>	<p>With regard to the reference to Section 15 of the Integrated Coastal Management Act (Act No. 24 of 2008), which relates to the prohibition of certain coastal protection works without authorisation, it is noted that the current proposal does not include any coastal protection measures or hard engineering interventions intended to stabilise the shoreline or protect the property from coastal processes.</p> <p>The design philosophy of the proposed development is intentionally risk-averse and non-defensive in nature, avoiding any form of shoreline stabilisation or interference with natural coastal dynamics. Instead, the development relies on lightweight, elevated, and reversible structures, which are capable of adapting to coastal change without the need for protective infrastructure.</p> <p>Should coastal risks such as sea-level rise or erosion intensify in the future, the proponent acknowledges that any consideration of coastal protection measures would be subject to the relevant provisions of the ICM Act, including Section 15, and would require a separate assessment and authorisation process at that stage.</p> <p>At present, the proposed development does not trigger the need for coastal protection works and is therefore considered to be fully aligned with the objectives of the ICM Act, which promote the maintenance of natural coastal processes and discourage inappropriate hard stabilisation measures.</p>
<p>2.The usage of abbreviations requires defining the term upon first use to ensure that all Interested & Affected Parties (I&APs) from various backgrounds understand them for example the use of the abbreviation “ESA” on Page 3 of the Site Sensitivity Report.</p>	<p>Noted.</p>
<p>3.Clarity should be provided on the exact location of the proposed beach access boardwalk in relation to the property boundaries – Does it fall within the private property or within the coastal public property?</p>	<p>The amended proposal falls within the private property boundary. Maps, a Site Development Plan and GPS coordinates have been included in the BAR.</p>
<p>4.Furthermore, more clarification should be provided on whether the proposed boardwalk and deck are for public or private use, and in terms of land ownership, on which the footprint of the access boardwalk is.</p>	<p>As above.</p>
<p>To aid this concern, the application should include title deeds and/or SG diagrams.</p>	

<p>The concern stems from the evaluation of the ICM Act insofar as it is explicit to coastal access, for example, Sections 13, 18, 19 and 20 can be summarised to emphasise that “beach access” or coastal access along the coast of South Africa to mean “public” access and the local municipality as the mandated authority to implement in terms of the ICM Act.</p> <p>The reference to “A BEACH ACCESS BOARDWALK” in the application/project title should be amended accordingly if the purpose is for public access.</p>	<p>The proposal has been amended and is limited to private property.</p>
<p>5. In addition, “Beaches” in terms of Schedule 5 of the Constitution of the Republic of South Africa, 1996 are primarily managed at the local government level i.e. local municipality.</p> <p>To what extent does this proposal comply with municipal by-laws?</p>	<p>In this regard, the proposed development has been assessed against applicable municipal planning frameworks and is considered to be consistent with the relevant provisions of the Bitou Municipality's by-laws and planning instruments, to the extent applicable to the site and nature of the activity.</p> <ul style="list-style-type: none"> • The development is located within an existing residential property (Erf 9706) and is of a small-scale, low-impact nature, consistent with permissible land use and associated ancillary structures. • The proposal does not involve the establishment of public beach infrastructure or any activity that would alter the management or use of the beach as a municipal function. • In terms of Alternative 2 - the portion of the development extending beyond the property boundary into State-owned land is limited to low-impact, soft engineering measures, which do not constitute formal municipal infrastructure or permanent development within the beach area. • The design avoids permanent structures on the beach itself, and no activities are proposed that would impede public use, access, or municipal management of the beach. • The proposal aligns with the intent of municipal by-laws relating to environmental protection, coastal management, and controlled development, by minimising disturbance and maintaining natural coastal processes.
<p>Based on the information provided, DFFE O&C objects to the granting of environmental authorisation for the proposed development of the beach access boardwalk and viewing deck on the coastal public property (CPP) or that impedes the rights of the public to access and use the CPP, unless such a development is in the public interest or for public use.</p>	<p>Kindly review the Revised Draft BAR and provide comments.</p>
<p>The Oceans and Coasts Branch requests to be registered as a Commenting Authority.</p>	<p>Oceans and Coasts Branch is a registered I&AP</p>

Kindly note that the Branch reserves the right to revise its comments based on new or additional information received.	Noted
All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.	Noted.
Department: Public Works and Infrastructure – Katlego Molatudi – 25 February 2026	
1. Your Basic Assessment Report (BAR) submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), for the above-mentioned development, has reference.	
2. The National Department of Public Works and Infrastructure (NDPWI) has assessed the locality, context and content of the Basic Assessment Report for the proposed Environmental Authorisation and has no objection the proposed development.	Noted
3. The Department has observed that the proposed development site, Erf 9706, is a privately owned residential property and does not fall within or encroach upon any state-owned land under the custodianship of the NDPWI.	This is incorrect as the initial proposal was within State-owned land; however, the amended preferred alternative remains within private property i.e. Erf 9706.
The proposed activities are therefore considered to have no direct physical or operational impact on state facilities.	
4. However, this does not absolve the applicant from the responsibility of complying with other relevant legislative and policy requirements and comments set by other departments.	Noted
5. In the event that the prospecting activities require the use of, or access to, any state-owned land under the custodianship of the DPWI, the developer must obtain the necessary consent or permission from this Department prior to	Noted.

implementation of that aspect of the proposed development.	
MUNICIPALITIES	
Bitou Municipality – A Minne – 9 March 2026	
Bitou Local Municipality would like to thank you for the opportunity to review and comment on the Draft BAR for the proposed development of a beach access boardwalk and viewing deck on Erf 9706 (Previously Portion 57 of Farm 443) within the Bitou Municipal area.	
Please note that these comments have been drafted by the Land Use and Environmental Management department within the Planning and Development directorate. Additional comments may be required from other relevant departments within the Bitou Local Municipality.	Noted.
The following information was taken from the supplied report and summarise the proposed activities.	

<p>DESCRIPTION OF ACTIVITY</p> <p>The proposed activity entails the development of a beach access boardwalk and associated viewing deck within the Bitou Municipal Area.</p> <p>Erf 9706 currently contains a dwelling under construction following the destruction of the previous dwelling during the 2017 fires.</p> <p>The applicant proposes to construct an elevated timber boardwalk (approximately 98.3 m²) extending through the coastal dune vegetation to provide controlled pedestrian access to the beach, as well as an external deck area of approximately 281 m² with a firepit located within 100 metres of the High Water Mark (HWM) of the sea.</p> <p>The boardwalk is intended to follow an existing informal path and will be constructed as a lightweight, elevated structure supported by posts in order to minimise disturbance to the underlying dune system and associated vegetation.</p> <p>Access to the property will continue to occur via the existing servitude road along the western boundary of the site, and no new access roads are proposed.</p>	<p>The proposal has been amended. Please refer to the Revised Draft BAR.</p>
<p>LOCATION</p> <p>The proposed development is located partially on Erf 9706 (previously Portion 57 of Farm 443, Brakkloof), Plettenberg Bay, within the Bitou Municipal Area, Garden Route District Municipality, Western Cape Province.</p> <p>The property is situated within the coastal zone and lies directly inland of the primary dune system adjacent to the Indian Ocean.</p> <p>The site is zoned Residential and comprises approximately 2.3 hectares.</p>	<p>The proposal has been amended. Please refer to the Revised Draft BAR.</p>

<p>Following a review of the documentation and appendices the following comments are made:</p> <p>1. The Draft Basic Assessment Report does not clearly indicate on which cadastral properties the proposed structures will be located.</p> <p>It appears from the plans that portions of the proposed boardwalk extend beyond Erf 9706 and may traverse Unalienated State Land (Erf 2132).</p> <p>Clarification is therefore required regarding the exact location of all proposed infrastructure, including the boardwalk, deck, and any associated structures, and whether any component of the development will occur outside the boundaries of the applicant's property.</p> <p>A clear site development plan must be provided that identifies cadastral boundaries and the extent of the development footprint in relation to neighbouring properties and state land.</p>	<p>The proposal occurs within Erf 9706. Please refer to the SDP (Appendix B1).</p>
<p>2. Should the proposal include infrastructure located on Unalienated State Land (Erf 2132), the applicant must demonstrate the legal basis upon which such development would occur.</p> <p>It should be noted that private property owners do not automatically obtain rights of access across State land for private beach access purposes.</p> <p>Any development extending beyond the boundaries of the private property would require appropriate authorisation and permission from the relevant landowner or managing authority.</p>	<p>Noted. The Preferred Alternative has the proposed infrastructure strictly within private property (Erf 9706).</p>
<p>3. From a municipal coastal management perspective, the privatisation of beach access is generally not supported.</p> <p>Public beaches and coastal areas are a shared resource, and access should not be restricted or perceived to be exclusive to a single property owner.</p>	<p>The Preferred Alternative has been amended to have the boardwalk terminated within private property.</p> <p>In terms of Alternative 2 –</p>

<p>It is, however, acknowledged that an informal access route previously existed in this location.</p>	<p>It is important to note that the proposed development is not intended to privatise or restrict public access to the beach or coastal public property. The development is located primarily within a private residential property (Erf 9706), and the associated boardwalk is designed to facilitate controlled access within the property boundary, rather than to exclude or limit public use of the beach.</p> <p>The proposal does not include any gates, barriers, signage, or infrastructure that would prevent or discourage public access to the beach. Furthermore, no exclusive rights of use over coastal public property are being sought or implied.</p> <p>It is acknowledged, as noted by the Municipality, that an access route previously existed in this location. This is correct and the previous boardwalk which was approved in the Bitou Municipal Plans (Annexure 1) was actually burned down in 2017. The proposed boardwalk largely follows this historical alignment, therefore the proposal follows an existing pattern of movement rather than introducing a new or exclusive access route. This approach is intended to reduce uncontrolled trampling and associated environmental degradation, while maintaining the status quo in terms of access patterns.</p> <p>The limited route into State-owned land is proposed using low-impact, soft engineering methods, which do not constitute permanent or restrictive infrastructure and are not intended to demarcate ownership or exclusivity. These measures are aimed solely at guiding movement and protecting sensitive dune vegetation.</p> <p>Nonetheless, Alternative 2 cannot be approved without landowner consent from the State.</p>
<p>4.The use of hard structures within the dynamic coastal environment is discouraged, as these structures are vulnerable to storm surge events and coastal erosion processes. Hard infrastructure within the dune system may also exacerbate erosion if damaged or displaced during storm events.</p>	<p>The proposal has been amended:</p> <ol style="list-style-type: none"> 1. Preferred alternative/ Alternative 1 – timber deck and boardwalk within private property. 2. Alternative 2 – timber deck and boardwalk within private property; however, transitioning to soft engineer i.e. timber stakes and logs within state-owned land.

<p>5.Recent coastal storm events along this stretch of coastline have demonstrated the vulnerability of fixed infrastructure within the coastal dune system.</p> <p>Sections of coastline further south towards Robberg Beach End experienced severe erosion during storm events in September 2023 and again in April 2024, which resulted in the destruction of existing wooden walkways and significant changes to the beach profile.</p> <p>These events highlight the dynamic nature of the shoreline and the risks associated with permanent or semi-permanent infrastructure within the coastal zone.</p> <p>Where beach access is required, softer coastal engineering approaches are generally preferable.</p> <p>Such approaches may include:</p> <ul style="list-style-type: none">Demarcated pathways using timber stakes and logs;Sand-trapping measures;Temporary dune stabilisation structures; andRehabilitation of dune vegetation.	<p>As above</p>
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<p>6. Appendix A2 confirms that the proposed development falls within a Coastal Risk Zone.</p> <p>However, the Draft Basic Assessment Report does not adequately assess the potential risks associated with coastal flooding, storm surge events, sea level rise, and extreme weather events over the expected lifespan of the development.</p> <p>The application must demonstrate that the proposed structures are designed to adequately account for coastal flood risk.</p>	<p>The proposed development is located within a dynamic coastal environment and has been designed with full recognition of coastal flood risks, including storm surge, sea-level rise, coastal erosion, and extreme weather events. These risks have informed both the siting and design approach of the proposed structures.</p> <p>Importantly, the proposed deck and boardwalk do not constitute permanent or high-value infrastructure. The structures are lightweight, elevated, permeable, and reversible, which significantly reduces their vulnerability to coastal flooding and associated damage. The elevated design allows for the passage of water, sand, and debris during storm events, thereby avoiding obstruction of flow paths and reducing the likelihood of structural failure.</p> <p>The small scale and limited footprint of the development further reduce exposure to coastal hazards. In the event of extreme coastal processes, the structures are designed such that they can be repaired, modified, or removed, rather than requiring shoreline stabilisation or protection measures. This aligns with a risk-averse and non-defensive approach, which avoids the need for coastal protection works that could have greater environmental consequences.</p> <p>With respect to the expected lifespan of the development, it is noted that timber boardwalk structures are inherently of a finite and manageable lifespan, requiring periodic maintenance and replacement. This allows for adaptive management over time, ensuring that the development can respond to changing coastal conditions, including those driven by climate change.</p> <p>Furthermore, the proposal avoids placing infrastructure within the most dynamic parts of the coastal system (e.g. the active littoral zone), thereby reducing direct exposure to wave run-up and storm surge impacts.</p>
<p>7. The Draft Basic Assessment Report does not include all relevant specialist reports for review despite indicating that they are attached as Appendix G.</p> <p>Given the sensitivity of coastal dune systems, specialist input relating to coastal processes, dune stability, vegetation, and coastal setback considerations are required to adequately assess the environmental implications of the proposed development.</p> <p>These documents should be made available for comment and input, and it should be shown how specialist recommendations are included in the proposal.</p>	<p>Unfortunately, a technical error caused the documents to be omitted from the submission. Please see Revised Draft BAR and appendices.</p>

<p>8.The alternatives considered within the Draft BAR appear limited, with the primary distinction between alternatives relating only to the inclusion or exclusion of a shower and shallow dog wash facility.</p> <p>This does not represent a meaningful consideration of design alternatives in terms of environmental impact.</p> <p>Additional alternatives should therefore be investigated and presented in the BAR, including:</p> <p>8.1 A design alternative that terminates the constructed boardwalk at the surveyed property boundary, with the remaining access to the beach managed through soft stabilisation measures within the dune system.</p> <p>8.2 Alternative alignments that further minimise disturbance to dune vegetation.</p>	<p>As previously stated, the proposal has been amended to reflect consideration of the recommendations made by authorities.</p>
<p>The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received. The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorisation for.</p>	<p>Noted. Thank you.</p>

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO REVISED DRAFT BASIC ASSESSMENT REPORT DATED 10 APRIL 2026	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning: Biodiversity & Coastal Management – Sibaphiwe Gumede – 11 May 2026	
<p>RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE REVISED BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF AN OUTSIDE DECK (WITH FIREPIT) WITHIN 100 METRES FROM THE HIGH-WATER MARK OF THE SEA AND A BEACH ACCESS BOARDWALK PLUS VIEWING DECK ON ERF 9706, PORTION 57 OF FARM 443 BRAKKLOOF, PLETTENBERG BAY, BITOU MUNICIPALITY, WESTERN CAPE</p> <p>Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received on 09 April 2026, refers.</p> <p>1. CONTEXT</p> <p>1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations".</p>	<p>Noted</p>

1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request.

1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved.

1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.

<p>2. COMMENT</p> <p>The sub-directorate: Coastal Management ("SD: CM") reviewed the information as specified above and had the following commentary:</p> <p>2.1 Previously, in our comment dated 17 March 2026, the following issues were identified, and subsequent responses are as follows:</p> <p>i. Due to the subject property's location within the Coastal Protection Zone (CPZ), the following NEM: ICMA clauses had to be considered: Sections 16, 62 and 63. Furthermore, the EAP was required to spatially demonstrate Coastal Management Lines (CMLs) relevant to the proposed development, which are available on the DEA&DP web-based GIS viewer.</p> <p>Response from revised draft Basic Assessment Report (dBAR): Sections 16, 62 and 63 have been discussed within the revised dBAR and a map (dated April 8 2026, attached as Appendix A2) was drawn from the DEADP web-based GIS viewer that illustrates CMLs, property boundary and flood lines.</p>	Agreed
<p>ii. The Site Development Plan appeared to indicate that the proposed boardwalk extended beyond the seaward cadastral boundary into unalienated state land, thereby requiring a lease agreement with the relevant authority.</p> <p>Response from revised dBAR: the preferred site area was reduced from the new boardwalk being developed on State Land to now being restricted to the applicant's property (Google Earth image attached as Appendix B2) following feedback from several organs of state. Approximately 20.5m² of the proposed boardwalk follows a new route before terminating at the property boundary.</p>	Agreed

<p>iii. Based on the “restricted access” determination of the proposed area by the Western Cape Coastal Access Audit – Garden Route Municipal District (Appendix 1 – Maps and Tables, October 2019), encroachment of private gardens into the primary dunes is of concern and is prohibited. Private gardens must be withdrawn to within the cadastral boundaries and the dunes must be rehabilitated.</p> <p>Response from revised dBAR: Pedestrian traffic is discouraged due to potential destabilisation of the natural dune system and the proposed new boardwalk will be located entirely within the owners’ property. The new boardwalk alignment largely follows the path of the original pre-2017 boardwalk (bare pathway in the footprint of the previous boardwalk that existed there). The structure will be elevated above the dune surface on wooden posts, allowing uninterrupted sand movement and natural regeneration of dune vegetation beneath it.</p>	<p>Agreed.</p>
<p>iv. To facilitate public access as per the NEM: ICMA, as well as a priority of the Western Cape PCMP, the Department advises that current ad-hoc pathways be consolidated into shared paths and that redundant pathways be rehabilitated to protect dunes and dune vegetation (in collaboration with the local municipality and adjacent residents).</p> <p>Response from revised dBAR: The Western Cape Biodiversity Spatial Plan (WCBSP, 2023) map shows that part of the property, as well as the coastal shore to the west of the property, is mapped as an Ecological Support Area (ESA) 1 (attached as Appendix D). However, the location of the deck and boardwalk does not fall within a Critical Biodiversity Areas (CBAs) or an ESAs. Consolidation of shared paths and rehabilitation of redundant pathways is strongly supported.</p>	<p>Agreed. Rehabilitation of redundant pathways will be included as a condition in the EIA.</p>

<p>v. No documentation was provided confirming that the previous boardwalk was lawfully authorised.</p> <p>Response from revised dBAR: The Bitou municipality subdivisional approval drawing dated 14 October 2021 is noted. However, this does not clarify if a lease agreement to use coastal public property was in place.</p>	<p>At present, no lease agreement could be traced.</p>
<p>vi. Exclusion of a Site Sensitivity Verification Report or Environmental Compliance Statements as required in terms of the NEMA EIA Regulations (2014, as amended) and associated Specialist Assessment Protocols.</p> <p>Response from revised dBAR: The Screening Report for an Environmental Authorisation as required by the 2014 EIA Regulations – proposed site environmental sensitivity (dated 30 April 2025, Appendix I) has been included as part of the revised dBAR.</p>	<p>Agreed.</p>
<p>vii. The Coastal Flood Risk Map and the Coastal Long-Term Erosion Risk Map (Appendix A2 – Coastal Risk Zones) show the development in relation to colour coded risk lines. However, there is no key provided to explain the level of risk (e.g. high, medium, low) and the colour assigned to it (i.e. blue, green, red, orange or yellow).</p> <p>Response from revised dBAR: the map dated April 8, 2026 illustrates site specific colour coded risk lines and a key has been provided to explain the level of risk to be brought on by the proposed development.</p>	<p>Agreed.</p>
<p>viii. Exclusion of Terrestrial Biodiversity, Plant and Animal Species Assessment compiled by Dr Hoare from the application.</p> <p>Response from revised dBAR: a Plant Species, Animal Species, and Terrestrial Biodiversity Assessment Report (prepared by BioCensus (Pty) Ltd, dated 30 July 2025) has been included as part of the revised dBAR. This Assessment asserts that the proposed development has impacts of</p>	<p>Agreed.</p>

<p>Low Significance on Plant Species, Animal Species and Terrestrial Biodiversity.</p>	
<p>2.2 It is noted that the proposed boardwalk will no longer traverse coastal public property and will only be erected within the cadastral unit of Erf 9707, Portion 57 of Farm 443 Brakkloof, Plettenberg Bay. The SD: CM is satisfied that no structures will be erected on coastal public property.</p>	<p>Noted.</p>
<p>2.3 Cognisance must be given to the impact of storm surges in the last few years, especially the storm surge on 06 and 07 May 2026. The SD: CM is aware that a substantial portion of Robberg Beach was eroded in this event. The impact of the aforementioned coastal storm surge is even further exacerbated by the current storm event (10 – 11 May 2026) that is occurring along the southern coast of the Western Cape.</p>	<p>The recent storm surge events have further confirmed the appropriateness of:</p> <ul style="list-style-type: none"> • Maintaining a small and localised footprint; • Avoiding permanent or high-value infrastructure within the coastal zone; • Ensuring that the structures can be adapted, repaired, relocated, or removed should coastal conditions worsen over time.
<p>2.4 It is recommended that a precautionary approach be adopted and that only structures that are deemed to be essential be considered. Placement of structures should be as far inland as possible.</p>	<p>The project proponent acknowledges the recommendation and confirms that a precautionary approach has informed the design and layout of the proposed development. The structures have been limited to those considered necessary for managed access and reasonable use of the property, with the overall footprint minimised as far as practicable. The placement of the deck and boardwalk has been carefully positioned as far inland as feasible, while taking into account site constraints, historical disturbance, and the need to avoid sensitive dune vegetation and coastal processes. The proposal further incorporates low-impact, elevated, and reversible design measures to minimise long-term environmental risk.</p>
<p>3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..." together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.</p>	<p>The applicant acknowledges and notes the provisions of Section 28(1) of NEMA and Section 58 of the NEM: ICMA. The proposed development has been designed and will be implemented in a manner that seeks to avoid, minimise, and appropriately manage potential environmental impacts through the application of low-impact design measures, mitigation actions, and ongoing environmental management in accordance with the applicable legislative requirements.</p>

4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.

Department: Forestry, Fisheries and the Environment: Oceans and Coasts – Mr Xolani Myanga – 15 May 2026

COMMENTS ON THE REVISED DRAFT BASIC ASSESSMENT REPORT - FOR THE PROPOSED DEVELOPMENT OF A DECK AND BOARDWALK WITHIN 100 METERS INLAND OF THE HIGH-WATER MARK OF THE SEA, ERF 9706, PLETTENBERG BAY, BITOU MUNICIPALITY, WESTERN CAPE.

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Revised Draft Basic Assessment Report (DBAR) in the subject of this letter. This Branch will provide comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas, and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.

<p>Based on the submitted Revised DBAR, the Branch O&C would like to submit the following comments for your consideration:</p> <p>1. The Branch acknowledges and welcomes the applicant's commitment to confining the proposed deck and boardwalk development predominantly to already disturbed areas, thereby minimizing the overall environmental impact footprint. The use of soft engineering methods is also noted.</p>	<p>Noted.</p>
<p>2. The Branch further acknowledges the effort to incorporate a design approach for the proposed infrastructure that is resilient to coastal processes, noting that the development is situated within a dynamic coastal environment.</p>	<p>Noted.</p>
<p>3. It is noted that the extent of the proposed boardwalk has been reviewed and confined within the boundaries of the property. The project proponent must take cognisance of the provisions of Section 15 of the Integrated Coastal Management Act (Act No. 24 of 2008) in the event that measures are proposed to protect the property from risks associated with sea-level rise and broader coastal dynamic processes. In this regard, the proposed development must be appropriately planned, designed, and implemented to accommodate potential future shifts in the high-water mark (HWM), avoid any encroachment into Coastal Public Property (CPP), and ensure that no permanent structures are established within areas that may form part of the dynamic coastal zone.</p>	<p>The comment is noted. The proposed development has been designed as a low-impact, elevated, and reversible structure that avoids permanent infrastructure within the dynamic coastal zone and minimises potential encroachment into Coastal Public Property. The project proponent further acknowledges the provisions of Section 15 of the ICMA should future coastal protection measures ever be considered.</p>
<p>Based on the above, the Branch supports the granting of Environmental Authorisation for the proposed development of the deck and boardwalk on Erf 9706, on condition that the development is strictly confined within the boundaries of the private property and does not encroach into Coastal Public Property.</p>	<p>Noted.</p>
<p>Kindly note that the Branch reserves the right to revise its comments based on new or additional information</p>	<p>Noted.</p>

<p>received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001</p>	
MUNICIPALITIES	
Garden Route District Municipality: Health – GJ Vos – 10 April 2026	
<p>RE: PROPOSED CONSTRUCTION OF A DECK AND BOARDWALK FOR ERF 9706, BITOU MUNICIPALITY, PLETTENBERG BAY.</p> <p>Your letter under reference: 16/3/3/1/D1/15/0005/26 with attachment dated 09 April 2026 concerning the above mentioned refers:</p> <p>This office has no objection of the construction of a deck and boardwalk structure to Robberg Beach within 100 metres inland of the high water mark of the sea, erf 9706, subject to the following:</p>	
<ul style="list-style-type: none"> Proposed development is located within Robberg sensitive coastal and dune environmental , strict adherence to the mitigation measures contained in the Environmental Managed Programme is essential to prevent nuisance conditions and pollution. 	<p>Noted. This will be included as a condition of the EIA.</p>
<ul style="list-style-type: none"> Ablution facilities for construction workers must be sufficient and maintained in a hygienic condition on premises to prevent any pollution or spillage. 	<p>Agreed. This condition is in the EMPr.</p>
<ul style="list-style-type: none"> Construction and building materials must be stored in a safe manner to prevent contamination in dune areas. 	<p>Agreed. This condition is in the EMPr.</p>
<ul style="list-style-type: none"> Waste generated during construction must be managed in accordance with Bitou Municipality Waste Section. 	<p>Agreed. This condition is in the EMPr.</p>
<ul style="list-style-type: none"> No burial, burning, or dumping of waste may occur on site or within adjacent natural dunes areas. 	<p>Agreed. This condition is in the EMPr.</p>

<p>We trust that the above recommendations will be considered and incorporated with the project implementation.</p>	<p>Acknowledged and agreed.</p>
<p>Garden Route District Municipality – Dr. Nina Viljoen – 30 April 2026</p>	
<p>RE: NOTIFICATION OF THE AVAILABILITY OF REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF A DECK AND BOARDWALK WITHIN 100 METERS INLAND OF THE HIGH-WATER MARK OF THE SEA, ERF 9706, PLETTENBERG BAY, WESTERN CAPE. DEADP REF: 16/3/3/1/D1/15/0005/26.</p> <p>The Garden Route District Municipality (GRDM) acknowledge receipt of the revised draft Basic Assessment Report (BAR) prepared by Eco Route Environmental Consultancy on behalf of Andrew James Beveridge and Katharine Josephine Beveridge, dated 10 April 2026. We would like to thank you for providing the Municipality with the opportunity to comment on this application.</p>	
<p>After review of the draft BAR, we wish to provide the following comments and recommendations on the proposed activities:</p> <p>1. Coastal Setback and Risk Positioning</p> <p>The BAR does not provide sufficient confirmation that the proposed development complies with an officially recognised coastal setback line, nor does it adequately demonstrate long-term resilience to coastal processes such as erosion, storm surge, and sea-level rise.</p> <p>The development is located within 100 metres inland of the high-water mark, which places it within the coastal protection zone, a highly sensitive and dynamic environment. Although the BAR states that climate risks have been considered, there is no site-specific modelling or verification of shoreline movement or erosion risk over time. Without this, it cannot be confirmed whether the</p>	<p>Noted. The proposed development has been designed as a lightweight, elevated, permeable, and fully reversible structure in recognition of the dynamic nature of the coastal environment and associated coastal risks. The development avoids permanent stabilisation measures and is intended to accommodate, rather than resist, natural coastal processes. The project proponent further acknowledges the need to consider applicable coastal setback requirements and confirms that no future coastal defence measures are proposed as part of this application.</p> <p>In addition, the EAP disagrees that a coastal assessment is necessary for the proposed project. There is sufficient information readily available to make an informed decision i.e. the DEA&DPs Coastal Management Map Viewer which indicates that the property is beyond the coastal management line and the 20-, 50-and 100-year erosion and run-up lines. Historical GIS data has also been consulted to monitor the movement of the shoreline.</p>

<p>structure will remain stable or become exposed or damaged under future coastal conditions.</p> <p>Recommendation:</p> <p>It is recommended that:</p> <ul style="list-style-type: none">• A site-specific coastal risk assessment be undertaken, including erosion lines and storm surge modelling.• Written confirmation be provided regarding compliance with any applicable coastal setback line.• The structure must be designed as fully reversible, with no permanent stabilisation or coastal defence measures permitted in future.	
<p>2. Vegetation Clearance and Listing Notice Trigger Accuracy</p> <p>The BAR identifies Listing Notice 3 Activity 12 (clearance of indigenous vegetation), but does not clearly quantify the extent of vegetation clearing in relation to the regulatory threshold.</p> <p>The legislation is triggered when 300 m² or more of indigenous vegetation is cleared within sensitive areas such as the coastal zone. While the total development footprint is provided, there is no explicit confirmation of how much indigenous vegetation will be impacted, nor a clear distinction between previously disturbed areas and natural vegetation.</p> <p>Recommendation:</p> <p>It is recommended that:</p> <ul style="list-style-type: none">• The exact extent of indigenous vegetation clearance (in m²) be quantified and clearly stated.• A vegetation map overlay be provided showing disturbance versus intact vegetation.• If clearance exceeds thresholds, the BAR must explicitly justify the impact and confirm correct listing triggers.	<p>Thank you for notifying us of this oversight. The revised layout of the deck and boardwalk will actually amount to the removal of approximately 231m² of indigenous vegetation; therefore, Listing Notice 3 Activity 12 is no longer applicable to the Preferred Alternative.</p>

<p>3. Biodiversity Sensitivity and Ecological Function</p> <p>The BAR concludes that the site has low ecological sensitivity; however, this conclusion is not sufficiently substantiated considering the coastal dune environment. Coastal dune systems are inherently sensitive ecosystems, even where partially disturbed. They play a critical role in:</p> <ul style="list-style-type: none"> • Sand movement and coastal stability • Habitat provision • Protection against storm events <p>The BAR does not adequately demonstrate that the ecological functioning of the dune system will remain intact, nor does it sufficiently assess cumulative impacts of similar developments along the coastline.</p> <p>Recommendation:</p> <p>It is recommended that:</p> <ul style="list-style-type: none"> • The ecological assessment be strengthened to include functional ecological processes, not only vegetation presence. • A precautionary approach be adopted, recognising the sensitivity of dune systems. • A construction-phase ecological control plan be implemented, including on-site supervision where required. 	<p>Noted. While the site occurs within a sensitive coastal dune environment, the proposed development has been specifically designed to minimise impacts on ecological functioning through the use of elevated, permeable, and low-impact structures with a limited footprint largely confined to previously disturbed areas. A precautionary approach has informed the assessment and design process, and construction-phase mitigation and environmental control measures will be implemented to minimise disturbance to dune processes, vegetation, and habitat functioning.</p>
<p>4. Design and Structural Impacts on Dune Dynamics</p> <p>While the use of elevated timber structures is supported, the BAR lacks sufficient technical detail regarding how the structure will physically interact with the dune environment. There is no detailed explanation of:</p> <ul style="list-style-type: none"> • Foundation type and installation method • Depth of structural supports • Whether concrete will be used <p>These aspects are critical, as improper installation can:</p> <ul style="list-style-type: none"> • Disrupt sand movement • Damage root systems 	<p>Technical drawings and methodologies have been included in the BAR and EMPr to provide further clarity.</p>

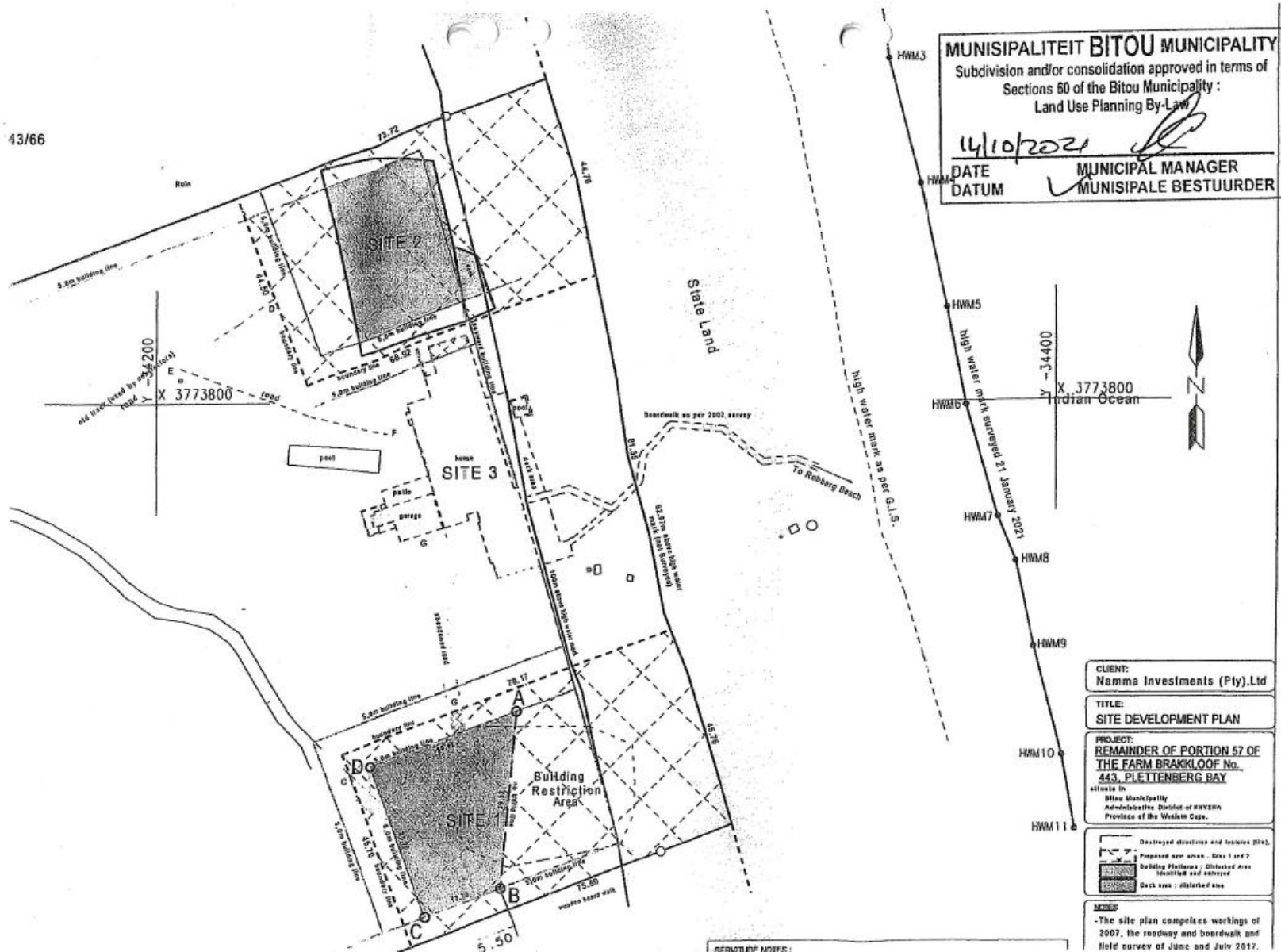
<ul style="list-style-type: none"> • Initiate erosion pathways <p>Recommendation</p> <p>It is recommended that:</p> <ul style="list-style-type: none"> • Detailed engineering drawings and construction methodology be submitted. • The design must ensure minimal ground disturbance, preferably through hand installation methods. • The use of concrete foundations must be avoided or strictly justified. 	
<p>5. Fire Risk Associated with Proposed Fire Pit</p> <p>The inclusion of a fire pit as part of the development has not been adequately assessed in the BAR.</p> <p>The site is located within a coastal vegetation environment, which may be susceptible to fire, particularly under dry and windy conditions. The BAR does not assess:</p> <ul style="list-style-type: none"> • Fire risk to surrounding vegetation • Compliance with local fire regulations • Emergency response considerations <p>Recommendation</p> <p>It is recommended that:</p> <ul style="list-style-type: none"> • The fire pit component be removed from the current application, or • A separate fire risk assessment be conducted and submitted. • Compliance with municipal fire by-laws must be demonstrated. 	<p>Agreed. The applicant has opted to remove the fire pit component from the proposal and will make this a seating area instead.</p>
<p>6. Stormwater and Erosion Management</p> <p>The BAR does not provide sufficient detail on how stormwater runoff and erosion during construction and operation will be managed. Even small structures can alter surface runoff patterns, particularly in sandy environments, leading to:</p>	<p>A stormwater management methodology has been compiled by the architect and will be incorporated into the EMPr.</p>

<ul style="list-style-type: none"> • Localised erosion • Undermining of structures • Degradation of surrounding vegetation <p>Recommendation</p> <p>It is recommended that:</p> <ul style="list-style-type: none"> • A stormwater and erosion management plan be included in the EMPr. • Measures must ensure that no runoff is concentrated or redirected in a manner that destabilises dunes. • Temporary construction-phase controls must be implemented. 	
<p>7. Public Access and Coastal Use</p> <p>The BAR states that the development will not restrict public access; however, this is not sufficiently substantiated. Private boardwalks in coastal environments may create a perception of exclusivity, even where access is technically not restricted. This can influence public use patterns and lead to informal access routes forming elsewhere.</p> <p>Recommendation</p> <p>It is recommended that:</p> <ul style="list-style-type: none"> • No fencing, signage, or structures be installed that restrict or discourage public access. • The development must remain visually and functionally non-exclusive. 	<p>Public access is not prohibited as the proposed will take place on private property. However, public access onto the coastal dune is not recommended as this would overtime compromise the integrity of the dune.</p>
<p>8. Need and Desirability</p> <p>The justification for the development is primarily based on reinstating a previously existing structure and its location within a residential property. While this is noted, the development remains a private amenity rather than essential infrastructure. As such, it must meet a higher environmental threshold, particularly given its location in a sensitive coastal zone.</p>	<p>Noted. While the proposed development is ancillary to residential use, the design approach has prioritised minimising environmental impact through a reduced footprint, low-impact materials, elevated and permeable structures. Historical disturbance informed the alignment; however, the proposal has been refined to ensure the least invasive and most environmentally sensitive design practicable within the site context.</p>

<p>Recommendation</p> <p>It is recommended that:</p> <ul style="list-style-type: none">• Greater emphasis be placed on minimising environmental impact, rather than relying on historical precedent.• The smallest feasible footprint and least invasive design be implemented.	
<p>9. Concluding Remarks</p> <p>Based on the information provided, the proposed development may be considered acceptable, provided that:</p> <ul style="list-style-type: none">• Coastal risk and setback compliance are clearly demonstrated;• Biodiversity impacts are more rigorously assessed;• Design and construction methods minimise disturbance; and• Strict environmental management conditions are enforced. <p>While the development footprint is relatively small, the location within the coastal protection zone and proximity to dynamic dune systems significantly elevates environmental risk. The GRDM emphasises that approval should not be based on footprint size alone, but rather on long-term coastal stability, ecological integrity, and cumulative impacts along the coastline. Failure to adequately address the above concerns may result in long-term environmental degradation, particularly within the sensitive coastal zone.</p> <p>The comments provided above aims to complement the specialist inputs by ensuring practical accountability, policy alignment, and transparent decision-making.</p> <p>We appreciate the efforts made by Eco Route Environmental Consultancy and the applicant to ensure responsible and legally compliant development activities.</p>	<p>Thank you for your comment. All listed recommendations have been addressed above.</p>

The Garden Route District Municipality reserves the right to provide comment/s or to amend initial comment/s.

ANNEXURE 1: BITOU MUNICIPALITY APPROVED SDP 2021



MUNISIPALITEIT BITOU MUNICIPALITY
 Subdivision and/or consolidation approved in terms of
 Sections 60 of the Bitou Municipality :
 Land Use Planning By-Law
 14/10/2021
 DATE DATUM
 MUNICIPAL MANAGER
 MUNISIPALE BESTUURDER

CLIENT:
 Namma Investments (Pty)Ltd

TITLE:
 SITE DEVELOPMENT PLAN

PROJECT:
 REMAINDER OF PORTION 57 OF
 THE FARM BRAAKLOOF No.
 443, PLETTENBERG BAY

situated in:
 Bitou Municipality
 Administrative District of GARDEN
 Province of the Western Cape.

- Destroyed structures and features (dashed lines)
- Proposed new areas - Sites 1 and 2
- Building Footprints; Disturbed Area Identified and surveyed
- Deck areas; Disturbed area

NOTES
 -The site plan comprises workings of 2007, the roadway and boardwalk and field survey of June and July 2017.

ANNEXURE 2:

----- Original Message -----

Subject: Fw: : EIA: PROPOSED DEVELOPMENT OF A BOARDWALK AND DECK FOR THE DWELLING CURRENTLY UNDER CONSTRUCTION, ERF 9706, PORTION 57 OF 443, PLETTENBERG BAY

Date: 2026-03-18 16:01

From: Rabokale Mphahlele <rmphahlele@bocma.co.za>

To: 'Lizelle' <lizelle@ecoroute.co.za>

Dear Lizelle

See below for feedback on subject matter as requested.

Best regards

From: Philisiwe Ntanzi <PNtanzi@bocma.co.za>

Sent: Wednesday, March 18, 2026 3:14 PM

To: Rabokale Mphahlele <rmphahlele@bocma.co.za>

Subject: RE: : EIA: PROPOSED DEVELOPMENT OF A BOARDWALK AND DECK FOR THE DWELLING CURRENTLY UNDER CONSTRUCTION, ERF 9706, PORTION 57 OF 443, PLETTENBERG BAY

Dear Rabokale

The report does not clearly indicate whether any aquatic features will be affected, and only states that the receiving environment has a low aquatic biodiversity sensitivity. However, a desktop review was

undertaken using Cape Farm Mapper and Google Earth to better understand the site context (refer to screenshot below). Based on this review, the nearest aquatic feature appears to be a depression wetland located on the opposite side of the property, separated by a road. The topography between the proposed activity area and the wetland also appears relatively steep.

Based on these desktop observations, it is unlikely that the proposed activity will impact the identified depression wetland. Therefore, it is my view that no water uses in terms of Section 21(c) and (i) are triggered.

It must, however, be noted that this conclusion is based solely on desktop assessment, and no site verification was undertaken to confirm the absence of aquatic features within the project area. Notwithstanding this limitation, it is my opinion that the mapped depression wetland will not be impacted by the proposed activity, and as such, no water use is anticipated.

Feel free to contact me should you have further queries.

Kind regards

Philisiwe Ntanzi, Pr.Sci.Nat.

Freshwater Ecologist

Tel: 0233468031 | Cell: 0839959246 | Fax: 044 873 2199 | Email: pntanzi@bocma.co.za

Unit 302, 3rd Floor, 101 York Street, P.O. Box 1205, George, 6530

DRAFT BAR COMMENTS

REFERENCE NUMBER: 16/3/3/1/D1/15/0005/26

DATE OF ISSUE: 06 March 2026

Andrew James Beveridge and Katharine Josephine Beveridge
No. 4 Whale Rock Beach

PLETTENBERG BAY

6600

E-mail: andrew@beveridge.co.za | jo@beveridge.co.za

Tel.: +27(0) 83 300 8665 | +27(0) 83 293 714

Dear Sir and Madam,

COMMENT ON THE DRAFT BASIC ASSESSMENT SRPORT FOR THE PROPOSED DEVELOPMENT OF A DECK AND A BEACH ACCESS BOARDWALK WITH VIEWING DECK WITHIN 100 METERS FROM THE HIGHWATER MARK OF THE SEA LOCATED ON ERF 9706 AND PORTION 57 OF THE FARM BRAKKLOOF NO. 443, PLETTENBERG BAY

1. The abovementioned document Referenced: DRAFT BAR/9706 dated 30 January 2026, compiled by the appointed Environmental Assessment Practitioner, Ms. Samantha Teeluckdhari (EAPASA No: 2023/6443), and assisted by Candidate Environmental Assessment Practitioner ("Candidate EAP"), Ms. Lizelle Genade (EAPASA No: 2023/7793) of Eco Route Environmental Consultancy, and received by this Department on 09 February 2026, refer.
2. Following a review of the information submitted to this Department, we note the following:
 - 2.1. From the draft BAR it is understood that the proposal entails the development of a beach access boardwalk plus viewing as well as an outside deck with a combined footprint of 379.3 m² within 100 meters from the highwater mark of the sea on the above-mentioned property.
 - 2.2. From the information, including photographs and Google Satellite imagery, it is clear that the proposed boardwalk will largely be on disturbed area where a boardwalk may have previously been located. The site is in a disturbed state going as far back as 2004.
3. You are reminded that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that the applicable listed activities are assessed as part of the Environmental Impact Assessment ("EIA") process. Furthermore, this Directorate can only consider what has been applied for and what has been assessed.
4. This Directorate provides the following comments on the Draft BAR:
 - 4.1. The Draft BAR does not fully comply with the minimum information requirements prescribed in the Environmental Impact Assessment Regulations, 2014 (Government Notice R.982 of 4 December 2014, as amended), ("EIA Regulations, 2014").

4.2. Consent to undertake activities on land if the applicant is not the owner

- 4.2.1. As you were previously advised, if the applicant is not the owner or person in control of the land on which the activity is to be undertaken and unless the provisions of Regulation 39(2) apply to the application, the written consent referred to in regulation 39(1) must be provided with the application form.

Notwithstanding the provisions of Regulation 39(2), the applicant is still required to provide the written consent of the owner or person in control of the land on which the activity is to be undertaken.

- 4.2.2. The draft BAR still does not include a “*landowner's consent form*” document for Portion 57 of the Farm Brakkloof No. 433 as part of the description of the site. It therefore remains unclear whether there will be any activities undertaken on land which does not belong to the Applicant.

Nonetheless, the draft BAR includes Portion 57 of the Farm Brakkloof No. 433 as part of the description of the site, which implies that listed activities may be undertaken on said property. If this is the case, proof must be provided of ownership and the SDP must clearly illustrate where those activities will be undertaken. The final BAR must provide clarity and prove of the above-mentioned.

- 4.2.3. Development on Erf 2132 (unalienated State Land)

As previously highlighted, the information in the Notice of Intent, it was noted that there were structures and activities that had apparently been undertaken on a portion of unalienated State Land (i.e., Erf 2132., Plettenberg Bay), in addition hereto it is understood that a portion of the access boardwalk will be expanded on this portion of State Land. Notwithstanding any prior activities on Erf 2132, you are required to demonstrate that such activities and structures were lawfully established, and that the State has granted permission for such structures to remain on said State Land. In addition, you are required to demonstrate that written consent has been granted from the relevant State Department for any additional activities to be undertaken on the portion of the property.

The above is a matter, which if not addressed properly, will prejudice the success of the application, specifically any activities on Erf 2132.

4.3. Minimum Information Requirements: Specialist Input

This Directorate notes from the BAR that a Biodiversity Specialist assessment was conducted by Dr. David Hoare and a Geotechnical Assessment was undertaken by Iain Paton. The draft BAR also shows that these specialist reports are attached to the draft BAR as Appendix G, yet no appendix G was attached to the draft BAR submitted to this Directorate. This Directorate is therefore not in a position to provide comment on the content and findings of these reports. Furthermore, the specialist declarations attached to the draft BAR are not signed by either of the above-mentioned specialists.

In light of this omission, the Draft BAR does not comply with the minimum information requirements of Appendix 1 of the EIA Regulations, 2024 nor the applicable Protocol published by the Minister.

Notwithstanding this, the EAP must ensure that the final BAR complies with Appendix 1 and the applicable protocols and Appendix 6 of the Environmental Impact Assessment Regulations, 2014. In this regard, your attention is drawn to Regulation 42, and if not addressed, this matter shall prejudice the success of the application.

4.4. *Other legislative considerations*

4.4.1. *The National Water Act, 1998 (Act No. 36 of 1998)*

The Breede Olifants Catchment Management Agency (BOCMA) states that, "With specific reference to the proposed development, any activities occurring within the regulated area of a watercourse and resulting in the alteration of the bed, banks, course, or characteristics of a watercourse may trigger water uses in terms of Section 21(c) and/or Section 21(i) of the NWA and would require prior authorisation." From this statement it is not clear whether the proposal requires a water use license or not. Please ensure that the final BAR includes written confirmation from BOCMA on whether the proposed development requires a water use license.

Notwithstanding the above, you are reminded that it is now a legal requirement to synchronise the EIA process with the Water Use Process in order for these two processes to duly inform one another. Please be advised of the required synchronisation between the EIA process and the Water Use License Application ("WULA") process (if the latter is required). You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for environmental authorisation.

4.4.2. *Outeniqua Sensitive Coastal Area Extension Regulations:*

The OSCA permit attached to the draft BAR is for earthworks associated with the development of a house while the application for environmental authorisation is for the development of a boardwalk. It is unclear how the one relates to the other and why the application for environmental authorisation does not include the development of a house. Please provide clarity in this regard.

4.5. *Climate Change*

Climate change presents severe risks to development in coastal protection zones, characterized by rising sea levels, increased erosion, and more intense storm surges. These risks threaten to damage or destroy infrastructure, disrupt economies, and degrade natural buffers that protect inland areas. Considering the location of the site and development, please ensure that the final BAR considers and reports on these risks.

4.6. *Public Participation*

4.6.1. It is unclear whether the omission of the specialist reports was in the submission to this Directorate; or whether the same incomplete BAR (without the specialist reports) was circulated to all registered I&APs, including Organs of State. Please be reminded that all the registered interested and affected parties must have access to all the information in the final BAR. Failure to adhere to this may result in non-compliance with Regulation 42 of the EIA Regulations, 2014.

4.6.2. In light of the outstanding information on land-owner's consent, it is unclear if all relevant parties / land-owners identified in Regulation 41 have indeed been notified of the application and the DBAR and commenting period. Clarity must be provided on this matter.

4.6.3. It is reiterated that the appointed EAP and person responsible for the public participation process, must coordinate the public participation processes (including the consultation with any organ of state administering a law relating to a matter affecting the environment such as BOCMA; HWC etc.), including the consultation that may be undertaken by the relevant specialists. Such specialists must provide the EAP with a description of any consultation process that may be undertaken during the course of preparing the specialist report. Keep in mind that those persons consulted must be added to the register of I&APs that must be maintained (Regulation 42 refers). The provisions of the POPIA will be applicable to that information too, and the EAP must inform the specialists accordingly.

4.6.4. The EAP must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must also include a description of the public participation process followed. This report must also be included in the public participation information attached to the BAR to be submitted for decision.

4.7. *Environmental Management Programme ("EMPr")*

In accordance with Section 24N of NEMA and Regulation 19 of the EIA Regulations, 2014, the applicant is required to submit an Environmental Management Programme ("EMPr") with the BAR. The contents of such an EMPr must meet the requirements outlined in Appendix 4 of the EIA Regulations, 2014.

The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). It must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005), must be taken into account.

BAR Requirements:

5. The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations, 2014 and must also include the information requested in the correspondence issued by the Department, including any pre-application consultation with the Department. Failure to submit any information prescribed in Appendix 1 of the EIA Regulations, 2014 may prejudice the outcome of the Environmental Authorisation and it may even be refused.
6. The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014. In accordance with Regulation 19, the Department stipulates that the BAR must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department, to be reckoned from 30 January 2026.

If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/ EAP must notify this Department that an additional 50 days (i.e., 140 days from receipt of the Application Form for Environmental Authorisation) will be required for the submission of the final BAR for decision-making. The additional 50 days must include a minimum commenting period of thirty (30) days to allow registered Interested and Affected Parties ("I&APs") to comment on the revised report/additional information.

7. If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted, and the prescribed application fee would have to be paid again (if applicable).

General:

8. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
9. Kindly quote the above-mentioned reference number in any future correspondence in respect of this application.
10. The Department reserves the right to revise initial comments and request further information based on any new or revised information received.

Yours faithfully

pp



Digitally signed by Francois Naudé
Date: 2026.03.06 15:20:38 +02'00'

**HEAD OF COMPONENT:
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES (REGION)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

(reference number: 16/3/3/1/D1/15/0005/26)

Copied to: **Eco-Route Environmental Consultancy**
EAP: Ms. S. Teeluckdhari
Candidate EAP: Ms. Lizelle Genade

E-mail: samantha@ecoroute.co.za
E-mail: lizelle@ecoroute.co.za

Bitou Municipality
Mrs A. Minne

E-mail: aminne@plett.gov.za

The EAP
Eco Route Environmental Consultancy
PO Box 1252
Sedgefield
6573

Attention: Ms. Samantha Teeluckdhari

Tel: 072 773 5397

E-mail: samantha@ecoroute.co.za

Good day Madam

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE DRAFT BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF AN OUTSIDE DECK (WITH FIREPIT) WITHIN 100 METRES FROM THE HIGH-WATER MARK OF THE SEA AND A BEACH ACCESS BOARDWALK PLUS VIEWING DECK ON ERF 9706, PORTION 57 OF FARM 443 BRAKKLOOF, PLETTENBERG BAY, BITOU MUNICIPALITY, WESTERN CAPE

Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received via email on 09 February 2026, refers.

1. CONTEXT

1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations."

- 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request.
- 1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved.
- 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.

2 COMMENT

- 2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and has the following commentary:

The proposal comprises the proposed development of an outside deck with a firepit within 100 meters from the HWM and a beach access boardwalk plus a viewing deck, and possibly the inclusion of an additional 28m² shallow dog wash and shower on Erf 9706, Portion 57 of 443, Plettenberg Bay.
- 2.2 The proposed site falls inland of the draft Coastal Management Line as delineated by DEA&DP in collaboration with relevant organs of state and is within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and delineated by DEA&DP, available spatially on the DEA&DP web-based viewer. It should be noted that the purpose of the CPZ is to avoid increasing the effect or severity of

natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the NEM: ICMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ.

- 2.3 The Site Development Plan appears to indicate that the proposed deck is located within the cadastral boundaries of Erf 9706; however, the proposed boardwalk appears to extend beyond the seaward cadastral boundary into unalienated state land. The DBAR confirms that the proposed boardwalk alignment will traverse onto state coastal land. Be advised that any development on state land requires a lease agreement with the relevant authority. As the proposal comprises the re-development a previous structure, a copy of the previous lease agreement is required to confirm historic lawful use.
- 2.4 The WC Coastal Access Audit – *Garden Route Municipal District (Appendix 1 – Maps and Tables, October 2019)*, determines that the area where the development proposal is located within an area of “Restricted Access.” The area comprises Plettenberg Bay from Robberg Reserve to the western Bank of the Piesang river. Public access is via private residences only. Encroachment of private gardens into the primary dunes is of concern and is prohibited. Private gardens must be withdrawn to within the cadastral boundaries and the dunes must be rehabilitated.
- 2.5 Be advised that the facilitation of public access is an object of the NEM: ICMA as well as a priority of the WC PCMP. As such, the Department does not support the proliferation of private boardwalks but instead recommends that, in collaboration with the local municipality and adjacent residents, that the current ad-hoc pathways are consolidated into shared paths and that redundant pathways be rehabilitated. This will prevent destruction of the dune vegetation and improve the resilience of the dune in maintaining its function as ecological infrastructure against impacts of coastal processes, climate change and human activities.
- 2.6 The DBAR states that the proposed structures replace a previous boardwalk destroyed during the 2017 fire; however, no documentation confirming that the previous boardwalk was lawfully authorised has been provided. Confirmation of the legality of the previous structure, including copies of relevant approvals, should therefore be submitted to confirm the lawfulness of the previous structure.
- 2.7 The Screening Tool identifies high and very high environmental sensitivities for several environmental themes. However, the application does not include a Site

Sensitivity Verification Report or Environmental Compliance Statements as required in terms of the NEMA EIA Regulations (2014, as amended) and associated Specialist Assessment Protocols. These requirements must be addressed.

2.8 Based on the spatial information provided, the Coastal Flood Risk Map and the Coastal Long-Term Erosion Risk Map (Appendix A2 – Coastal Risk Zones) show the development in relation to colour coded risk lines. However, there is no key provided to explain the level of risk (e.g. high, medium, low) and the colour assigned to it (i.e. blue, green, red, orange or yellow). Additionally, the coastal risk appears to be based on the national coastal vulnerability data and not on the coastal risk modelling that was commissioned by the DEA&DP. Bear in mind that the coastal risk modelling conducted by the DEA&DP is more refined than the national coastal vulnerability data. Please see image from DEA&DP web-based GIS viewer below (Figure 1).



Figure 1: Coastal Risk for Erf 9706, Ptn 57 of 443, Plettenberg Bay

- 2.9 Below is the link to the DEA&DP Coastal Map Viewer, that provides web based access to coastal data for the Western Cape - <https://gis.westerncape.gov.za/portal/apps/experiencebuilder/experience/?draft=true&id=638b806ed2354fa2b40b7101b7ecc05b>.
- 2.10 The DBAR refers to a Terrestrial Biodiversity, Plant and Animal Species Assessment compiled by Dr Hoare; however, this report does not appear to be included in the application documentation.
- 2.11 Based on the above, the SD:CM does not support the development proposal on Erf 9707, Portion 57 of Farm 443 Brakkloof, Plettenberg Bay in its current form.
3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..." together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.
4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.

Yours faithfully



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leptieshaam Bekko
Date: 2026.03.17
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leptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
DIRECTORATE: BIODIVERSITY AND COASTAL MANAGEMENT
DATE: 17 March 2026



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia, PRETORIA

Reference: EDMS - 270202

Inquiries: Mr. Xolani Myanga

E-mail: OCEIA@dfffe.gov.za

Telephone: (021) 493 7064

Ms Samantha Teeluckdhari
Eco Route Environmental Consultancy
P.O Box 1252,
Sedgefield,
6573

Email: Samantha@ecoroute.co.za

Cell: 082 557 7122

Dear Ms Teeluckdhari

COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT - FOR THE PROPOSED DEVELOPMENT OF OUTSIDE DECK WITHIN 100 METERS OF THE HIGH-WATER MARK AND BEACH ACCESS BOARDWALK & VIEWING DECK ON ERF 9706, PORTION 57 OF FARM 443 BRAKKLOOF, PLETTENBERG BAY, BITOU MUNICIPALITY, WESTERN CAPE.

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Basic Assessment Report (DBAR) in the subject of this letter. This Branch will provide comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social,

and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.

Based on the submitted DBAR, the Branch O&C would like to submit the following comments for your consideration:

1. Whilst the Branch notes the support of the proposed effort to minimize vegetation clearance by replanting and rehabilitating disturbed edges with locally indigenous vegetation; and using raised and permeable structures to avoid interference with dune dynamics and hydrological processes. It should also be noted that if deemed necessary by the project proponent to protect the property from the risks of sea level rise/ or general coastal dynamic processes, Section 15 of the ICM Act should be considered.
2. The usage of abbreviations requires defining the term upon first use to ensure that all Interested & Affected Parties (I&APs) from various backgrounds understand them for example the use of the abbreviation “**ESA**” on **Page 3** of the Site Sensitivity Report.
3. Clarity should be provided on the exact location of the proposed beach access boardwalk in relation to the property boundaries – Does it fall within the private property or within the coastal public property?
4. Furthermore, more clarification should be provided on whether the proposed boardwalk and deck are for public or private use, and in terms of land ownership, on which the footprint of the access boardwalk is. To aid this concern, the application should include title deeds and/or SG diagrams. The concern stems from the evaluation of the ICM Act insofar as it is explicit to coastal access, for example, Sections 13, 18, 19 and 20 can be summarised to emphasise that “beach access” or coastal access along the coast of South Africa to mean “public” access and the local municipality as the mandated authority to implement in terms of the ICM Act. The reference to “**A BEACH ACCESS BOARDWALK**” in the application/project title should be amended accordingly if the purpose is for public access.
5. In addition, “Beaches” in terms of Schedule 5 of the Constitution of the Republic of South Africa, 1996 are primarily managed at the local government level i.e. local municipality. To what extent does this proposal comply with municipal by-laws?

Based on the information provided, DFFE O&C objects to the granting of environmental authorisation for the proposed development of the beach access boardwalk and viewing deck on the coastal public property (CPP)

or that impedes the rights of the public to access and use the CPP, unless such development is in the public interest or for public use.

The Oceans and Coasts Branch requests to be registered as a Commenting Authority. Kindly note that the Branch reserves the right to revise its comments based on new or additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dfpe.gov.za / or **Physical Address: Department of Forestry, Fisheries & the Environment (DFPE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001**

Yours sincerely,



Mr Ryan Peter

Director: Coastal Development & Coordination

Department of Forestry, Fisheries, and the Environment

Date: 5/3/2026



Private Bag X65, Pretoria, 0001

Central Government Offices, Cnr Bosman and Madiba Street, Pretoria

Directorate: Town Planning Service Tel: (012) 406 1035

Email: Katlego.Molatudi@dpw.gov.za

Enquiries: Katlego Molatudi

Eco Route Environmental Consultancy

P.O Box 1252

Sedgefield
6573

Dear Sir/Madam

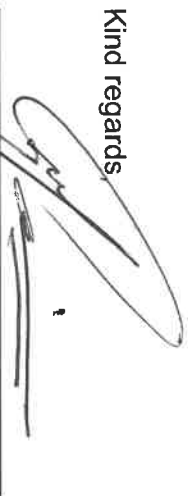
SUBJECT: BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF AN OUTSIDE DECK AND BEACH ACCESS BOARDWALK ON ERF 9706, PORTION 57 OF 443, BRAKKLOOF, PLETTENBERG BAY, WESTERN CAPE

1. Your Basic Assessment Report (BAR) submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), for the above-mentioned development, has reference.
2. The National Department of Public Works and Infrastructure (NDPWI) has assessed the locality, context and content of the Basic Assessment Report for the proposed Environmental Authorisation and has no objection to the proposed development.
3. The Department has observed that the proposed development site, Erf 9706, is a privately owned residential property and does not fall within or encroach upon any state-owned land under the custodianship of the NDPWI. The proposed activities are therefore considered to have no direct physical or operational impact on state facilities.
4. However, this does not absolve the applicant from the responsibility of complying with other relevant legislative and policy requirements and comments set by other departments.
5. In the event that the prospecting activities require the use of, or access to, any state-owned land under the custodianship of the DPWI, the developer must obtain the necessary consent or permission from this Department prior to the implementation of that aspect of the proposed development.

SUBJECT: BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF AN OUTSIDE DECK AND BEACH ACCESS BOARDWALK ON ERF 9706, PORTION 57 OF 443, BRAKKLOOF, PLETTENBERG BAY, WESTERN CAPE

For more information, please do not hesitate to contact this office on (012) 406 1035, Directorate for Town Planning Services.

Kind regards,

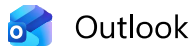


Mr. Malusi Ganiso

Director: Town Planning Services

National Department of Public Works

Date: 15/02/25



Fwd: : EIA: PROPOSED DEVELOPMENT OF A BOARDWALK AND DECK FOR THE DWELLING CURRENTLY UNDER CONSTRUCTION, ERF 9706, PORTION 57 OF 443, PLETTENBERG BAY

From lizelle@ecoroute.co.za <lizelle@ecoroute.co.za>
Date Thu 19 Mar 2026 13:19
To 'Samantha Teeluckdhari' <samantha@ecoroute.co.za>
Cc Admin <admin@ecoroute.co.za>

Hi Sam

Please see response below. No WULA needed.

L

----- Original Message -----

Subject: Fw: : EIA: PROPOSED DEVELOPMENT OF A BOARDWALK AND DECK FOR THE DWELLING CURRENTLY UNDER CONSTRUCTION, ERF 9706, PORTION 57 OF 443, PLETTENBERG BAY
Date: 2026-03-18 16:01
From: Rabokale Mphahlele <rmphahlele@bocma.co.za>
To: 'Lizelle' <lizelle@ecoroute.co.za>

Dear Lizelle

See below for feedback on subject matter as requested.

Best regards

From: Philisiwe Ntanzani <PNtanzani@bocma.co.za>
Sent: Wednesday, March 18, 2026 3:14 PM
To: Rabokale Mphahlele <rmphahlele@bocma.co.za>
Subject: RE: : EIA: PROPOSED DEVELOPMENT OF A BOARDWALK AND DECK FOR THE DWELLING CURRENTLY UNDER CONSTRUCTION, ERF 9706, PORTION 57 OF 443, PLETTENBERG BAY

Dear Rabokale

The report does not clearly indicate whether any aquatic features will be affected, and only states that the receiving environment has a low aquatic biodiversity sensitivity. However, a desktop review was

undertaken using Cape Farm Mapper and Google Earth to better understand the site context (refer to screenshot below). Based on this review, the nearest aquatic feature appears to be a depression wetland located on the opposite side of the property, separated by a road. The topography between the proposed activity area and the wetland also appears relatively steep.

Based on these desktop observations, it is unlikely that the proposed activity will impact the identified depression wetland. Therefore, it is my view that no water uses in terms of Section 21(c) and (i) are triggered.

It must, however, be noted that this conclusion is based solely on desktop assessment, and no site verification was undertaken to confirm the absence of aquatic features within the project area. Notwithstanding this limitation, it is my opinion that the mapped depression wetland will not be impacted by the proposed activity, and as such, no water use is anticipated.

Feel free to contact me should you have further queries.

Kind regards

Philisiwe Ntanzu, Pr.Sci.Nat.

Freshwater Ecologist

Tel: 0233468031 | Cell: 0839959246 | Fax: 044 873 2199 | Email:
pntanzu@bocma.co.za

Unit 302, 3rd Floor, 101 York Street, P.O. Box 1205, George, 6530

From: lizelle@ecoroute.co.za <lizelle@ecoroute.co.za>
Sent: Monday, March 9, 2026 11:14 AM
To: Rabokale Mphahlele <rmphahlele@bocma.co.za>
Cc: 'Samantha Teeluckdhari' <samantha@ecoroute.co.za>; Admin
<admin@ecoroute.co.za>
Subject: Re: : EIA: PROPOSED DEVELOPMENT OF A BOARDWALK AND DECK FOR THE
DWELLING CURRENTLY UNDER CONSTRUCTION, ERF 9706, PORTION 57 OF 443,
PLETTENBERG BAY

Good day Rabokale

We have submitted your response to DEA&DP. At their request, could you please amend the letter to clearly indicate whether a Water Use Licence Application (WULA) is required or not.

They have asked for explicit confirmation in this regard.

Your assistance in providing the amended letter would be greatly appreciated.

Kind regards,
Lizelle Genade
Eco Route

On 2026-01-10 21:33, Rabokale Mphahlele wrote:

- > Good day
- >
- > Please see attached BOCMA's comments on subject matter.
- >)
- > Best regards



Enquiries

A Minne

Contact Details

044 501 3318

E-Mail

aminne@plett.gov.za

File Ref: 18/9706/PB

9 March 2026

Attention: Mrs S Teeluckdhari

Tel:

072 773 5397

E-Mail:

samantha@ecoroute.co.za

Dear Madam,

COMMENT ON DRAFT BASIC ASSESSMENT REPORT IN TERMS OF THE NEMA ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS FOR THE PROPOSED DEVELOPMENT OF A BEACH ACCESS BOARDWALK AND VIEWING DECK ON ERF 9706 (PREVIOUSLY PORTION 57 OF FARM 443), BITOU MUNICIPALITY

DEAD&P Reference Number: 16/3/3/6/7/1/D1/15/0299/25

Bitou Local Municipality would like to thank you for the opportunity to review and comment on the Draft BAR for the proposed development of a beach access boardwalk and viewing deck on Erf 9706 (Previously Portion 57 of Farm 443) within the Bitou Municipal area. Please note that these comments have been drafted by the Land Use and Environmental Management department within the Planning and Development directorate. Additional comments may be required from other relevant departments within the Bitou Local Municipality.

The following information was taken from the supplied report and summarise the proposed activities.

DESCRIPTION OF ACTIVITY

The proposed activity entails the development of a beach access boardwalk and associated viewing deck within the Bitou Municipal Area. Erf 9706 currently contains a dwelling under construction following the destruction of the previous dwelling during the 2017 fires. The applicant proposes to construct an elevated timber boardwalk (approximately 98.3 m²) extending through the coastal dune vegetation to provide controlled pedestrian access to the beach, as well as an external deck area of approximately 281 m² with a firepit located within 100 metres of the High Water Mark (HWM) of the sea. The boardwalk is intended to follow an existing informal path and will be constructed as a lightweight, elevated structure supported by posts in order to minimise disturbance to the underlying dune system and associated vegetation. Access to the property will continue to occur via the existing servitude road along the western boundary of the site, and no new access roads are proposed.

LOCATION

The proposed development is located partially on Erf 9706 (previously Portion 57 of Farm 443, Brakkloof), Plettenberg Bay, within the Bitou Municipal Area, Garden Route District Municipality, Western Cape Province. The property is situated within the coastal zone and lies directly inland of the primary dune system adjacent to the Indian Ocean. The site is zoned Residential and comprises approximately 2.3 hectares.

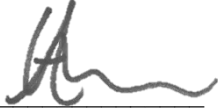
Following a review of the documentation and appendices the following comments are made:

1. The Draft Basic Assessment Report does not clearly indicate on which cadastral properties the proposed structures will be located. It appears from the plans that portions of the proposed boardwalk extend beyond Erf 9706 and may traverse Unalienated State Land (Erf 2132). Clarification is therefore required regarding the exact location of all proposed infrastructure, including the boardwalk, deck, and any associated structures, and whether any component of the development will occur outside the boundaries of the applicant's property. A clear site development plan must be provided that identifies cadastral boundaries and the extent of the development footprint in relation to neighbouring properties and state land.
2. Should the proposal include infrastructure located on Unalienated State Land (Erf 2132), the applicant must demonstrate the legal basis upon which such development would occur. It should be noted that private property owners do not automatically obtain rights of access across State land for private beach access purposes. Any development extending beyond the boundaries of the private property would require appropriate authorisation and permission from the relevant landowner or managing authority.
3. From a municipal coastal management perspective, the privatisation of beach access is generally not supported. Public beaches and coastal areas are a shared resource, and access should not be restricted or perceived to be exclusive to a single property owner. It is, however, acknowledged that an informal access route previously existed in this location.
4. The use of hard structures within the dynamic coastal environment is discouraged, as these structures are vulnerable to storm surge events and coastal erosion processes. Hard infrastructure within the dune system may also exacerbate erosion if damaged or displaced during storm events.
5. Recent coastal storm events along this stretch of coastline have demonstrated the vulnerability of fixed infrastructure within the coastal dune system. Sections of coastline further south towards Robberg Beach End experienced severe erosion during storm events in September 2023 and again in April 2024, which resulted in the destruction of existing wooden walkways and significant changes to the beach profile. These events highlight the dynamic nature of the shoreline and the risks associated with permanent or semi-permanent infrastructure within the coastal zone. Where beach access is required, softer coastal engineering approaches are generally preferable. Such approaches may include:
 - 5.1. Demarcated pathways using timber stakes and logs;
 - 5.2. Sand-trapping measures;
 - 5.3. Temporary dune stabilisation structures; and
 - 5.4. Rehabilitation of dune vegetation.
6. Appendix A2 confirms that the proposed development falls within a Coastal Risk Zone. However, the Draft Basic Assessment Report does not adequately assess the potential risks associated with coastal flooding, storm surge events, sea level rise, and extreme weather events over the expected lifespan of the development. The application must demonstrate that the proposed structures are designed to adequately account for coastal flood risk.
7. The Draft Basic Assessment Report does not include all relevant specialist reports for review despite indicating that they are attached as Appendix G. Given the sensitivity of coastal dune systems, specialist input relating to coastal processes, dune stability, vegetation, and coastal setback considerations are required to adequately assess the environmental implications of the proposed development. These documents should be made available for comment and input, and it should be shown how specialist recommendations are included in the proposal.
8. The alternatives considered within the Draft BAR appear limited, with the primary distinction between alternatives relating only to the inclusion or exclusion of a shower and shallow dog wash facility. This does not represent a meaningful consideration of design alternatives in terms of environmental impact. Additional alternatives should therefore be investigated and presented in the BAR, including:
 - 8.1. A design alternative that terminates the constructed boardwalk at the surveyed property boundary, with the remaining access to the beach managed through soft stabilisation measures within the dune system.
 - 8.2. Alternative alignments that further minimise disturbance to dune vegetation.

The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received. The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorisation for.

Should you require any additional information please do not hesitate to contact this office.

Yours faithfully,



Anjé Minne

Environmental Management Officer
Planning and Development: Land Use and Environmental Management
Bitou Municipality

REVISED BAR COMMENTS

The Environmental Assessment Practitioner (EAP)
Eco Route Environmental Consultancy
PO Box 1252
Sedgefield
6573

Attention: Ms. Samantha Teeluckdhari

Tel: 072 773 5397

E-mail: samantha@ecoroute.co.za

Good day Madam

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE REVISED BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF AN OUTSIDE DECK (WITH FIREPIT) WITHIN 100 METRES FROM THE HIGH-WATER MARK OF THE SEA AND A BEACH ACCESS BOARDWALK PLUS VIEWING DECK ON ERF 9706, PORTION 57 OF FARM 443 BRAKKLOOF, PLETTENBERG BAY, BITOU MUNICIPALITY, WESTERN CAPE

Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received on 09 April 2026, refers.

1. CONTEXT

1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations".

- 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request.
- 1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved.
- 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.

2 COMMENT

The sub-directorate: Coastal Management ("SD: CM") reviewed the information as specified above and had the following commentary:

- 2.1 Previously, in our comment dated 17 March 2026, the following issues were identified, and subsequent responses are as follows:
 - i. Due to the subject property's location within the Coastal Protection Zone (CPZ), the following NEM: ICMA clauses had to be considered: Sections 16, 62 and 63. Furthermore, the EAP was required to spatially demonstrate Coastal Management Lines (CMLs) relevant to the proposed development, which are available on the DEA&DP web-based GIS viewer.

Response from revised draft Basic Assessment Report (dBAR): Sections 16, 62 and 63 have been discussed within the revised dBAR and a map (dated April 8 2026, attached as Appendix A2) was drawn from the DEADP web-based GIS viewer that illustrates CMLs, property boundary and flood lines.

- ii. The Site Development Plan appeared to indicate that the proposed boardwalk extended beyond the seaward cadastral boundary into unalienated state land, thereby requiring a lease agreement with the relevant authority.

Response from revised dBAR: the preferred site area was reduced from the new boardwalk being developed on State Land to now being restricted to the applicant's property (Google Earth image attached as Appendix B2) following feedback from several organs of state. Approximately 20.5m² of the proposed boardwalk follows a new route before terminating at the property boundary.

- iii. Based on the "restricted access" determination of the proposed area by the Western Cape Coastal Access Audit – Garden Route Municipal District (Appendix 1 – Maps and Tables, October 2019), encroachment of private gardens into the primary dunes is of concern and is prohibited. Private gardens must be withdrawn to within the cadastral boundaries and the dunes must be rehabilitated.

Response from revised dBAR: Pedestrian traffic is discouraged due to potential destabilisation of the natural dune system and the proposed new boardwalk will be located entirely within the owners' property. The new boardwalk alignment largely follows the path of the original pre-2017 boardwalk (bare pathway in the footprint of the previous boardwalk that existed there). The structure will be elevated above the dune surface on wooden posts, allowing uninterrupted sand movement and natural regeneration of dune vegetation beneath it.

- iv. To facilitate public access as per the NEM: ICMA, as well as a priority of the Western Cape PCMP, the Department advises that current ad-hoc pathways be consolidated into shared paths and that redundant pathways be rehabilitated to protect dunes and dune vegetation (in collaboration with the local municipality and adjacent residents).

Response from revised dBAR: The Western Cape Biodiversity Spatial Plan (WCBSBP, 2023) map shows that part of the property, as well as the coastal shore to the west of the property, is mapped as an Ecological Support Area (ESA) 1 (attached as Appendix D). However, the location of the deck and boardwalk does not fall within a Critical Biodiversity Areas (CBAs) or an ESAs. Consolidation of shared paths and rehabilitation of redundant pathways is strongly supported.

- v. No documentation was provided confirming that the previous boardwalk was lawfully authorised.

Response from revised dBAR: The Bitou municipality subdivisional approval drawing dated 14 October 2021 is noted. However, this does not clarify if a lease agreement to use coastal public property was in place.

- vi. Exclusion of a Site Sensitivity Verification Report or Environmental Compliance Statements as required in terms of the NEMA EIA Regulations (2014, as amended) and associated Specialist Assessment Protocols.

Response from revised dBAR: The Screening Report for an Environmental Authorisation as required by the 2014 EIA Regulations – proposed site environmental sensitivity (dated 30 April 2025, Appendix I) has been included as part of the revised dBAR.

- vii. The Coastal Flood Risk Map and the Coastal Long-Term Erosion Risk Map (Appendix A2 – Coastal Risk Zones) show the development in relation to colour coded risk lines. However, there is no key provided to explain the level of risk (e.g. high, medium, low) and the colour assigned to it (i.e. blue, green, red, orange or yellow).

Response from revised dBAR: the map dated April 8, 2026 illustrates site specific colour coded risk lines and a key has been provided to explain the level of risk to be brought on by the proposed development.

- viii. Exclusion of Terrestrial Biodiversity, Plant and Animal Species Assessment compiled by Dr Hoare from the application.

Response from revised dBAR: a Plant Species, Animal Species, and Terrestrial Biodiversity Assessment Report (prepared by BioCensus (Pty) Ltd, dated 30 July 2025) has been included as part of the revised dBAR. This Assessment asserts that the proposed development has impacts of Low Significance on Plant Species, Animal Species and Terrestrial Biodiversity.


2.2 It is noted that the proposed boardwalk will no longer traverse coastal public property and will only be erected within the cadastral unit of Erf 9707, Portion 57 of Farm 443 Brakkloof, Plettenberg Bay. The SD: CM is satisfied that no structures will be erected on coastal public property.

2.3 Cognisance must be given to the impact of storm surges in the last few years, especially the storm surge on 06 and 07 May 2026. The SD: CM is aware that a substantial portion of Robberg Beach was eroded in this event. The impact of the aforementioned coastal storm surge is even further exacerbated by the current storm

event (10 – 11 May 2026) that is occurring along the southern coast of the Western Cape.

- 2.4 It is recommended that a precautionary approach be adopted and that only structures that are deemed to be essential be considered. Placement of structures should be as far inland as possible.
3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: “...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment...” together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.
4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.

Yours faithfully

 Digitally signed by
leptieshaam Bekko
Date: 2026.05.11
16:06:27 +02'00'

leptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
DIRECTORATE: BIODIVERSITY AND COASTAL MANAGEMENT
DATE: 11 May 2026



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House ·473 Steve Biko Road, Arcadia, PRETORIA

Reference: EDMS 272722

Inquiries: Mr. Xolani Myanga

E-mail: OCEIA@dfffe.gov.za

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Ms. Samantha Teeluckdhari
Eco Route Environmental Consultancy
P.O Box 1252,
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Dear Ms. Teeluckdhari,

COMMENTS ON THE REVISED DRAFT BASIC ASSESSMENT REPORT - FOR THE PROPOSED DEVELOPMENT OF A DECK AND BOARDWALK WITHIN 100 METERS INLAND OF THE HIGH-WATER MARK OF THE SEA, ERF 9706, PLETTENBERG BAY, BITOU MUNICIPALITY, WESTERN CAPE.

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Revised Draft Basic Assessment Report (DBAR) in the subject of this letter. This Branch will provide comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas, and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social,

and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.

Based on the submitted Revised DBAR, the Branch O&C would like to submit the following comments for your consideration:

1. The Branch acknowledges and welcomes the applicant's commitment to confining the proposed deck and boardwalk development predominantly to already disturbed areas, thereby minimizing the overall environmental impact footprint. The use of soft engineering methods is also noted.
2. The Branch further acknowledges the effort to incorporate a design approach for the proposed infrastructure that is resilient to coastal processes, noting that the development is situated within a dynamic coastal environment.
3. It is noted that the extent of the proposed boardwalk has been reviewed and confined within the boundaries of the property. The project proponent must take cognisance of the provisions of Section 15 of the Integrated Coastal Management Act (Act No. 24 of 2008) in the event that measures are proposed to protect the property from risks associated with sea-level rise and broader coastal dynamic processes. In this regard, the proposed development must be appropriately planned, designed, and implemented to accommodate potential future shifts in the high-water mark (HWM), avoid any encroachment into Coastal Public Property (CPP), and ensure that no permanent structures are established within areas that may form part of the dynamic coastal zone.

Based on the above, the Branch supports the granting of Environmental Authorisation for the proposed development of the deck and boardwalk on Erf 9706, on condition that the development is strictly confined within the boundaries of the private property and does not encroach into Coastal Public Property.

Kindly note that the Branch reserves the right to revise its comments based on new or additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dfpe.gov.za / or **Physical Address: Department of Forestry, Fisheries & the Environment (DFPE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001**

Yours sincerely,



Ms. Makwarela Mnwana

Acting Director: Coastal Development & Coordination

Department of Forestry, Fisheries, and the Environment

Date: 15/05/2026



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OFFICE OF THE MUNICIPAL MANAGER

Enquiries: GJ VOS
Reference: A/10/04/26
Date: 10/04/2026

Ms.S Teeluckdhari
Eco Route
46 President Steyn
Sedgefiled,6573

Ms.

RE: PROPOSED CONSTRUCTION OF A DECK AND BOARDWALK FOR ERF 9706, BITOU MUNICIPALITY, PLETTENBERG BAY.

Your letter under reference: 16/3/3/1/D1/15/0005/26 with attachment dated 09 April 2026 concerning the above mentioned refers:

This office has no objection of the construction of a deck and boardwalk structure to Robberg Beach within 100 metres inland of the high water mark of the sea, erf 9706, subject to the following:

- Proposed development is located within Robberg sensitive coastal and dune environmental , strict adherence to the mitigation measures contained in the Environmental Managed Programme is essential to prevent nuisance conditions and pollution.
- Ablution facilities for construction workers must be sufficient and maintained in a hygienic condition on premises to prevent any pollution or spillage.
- Construction and building materials must be stored in a safe manner to prevent contamination in dune areas.
- Waste generated during construction must be managed in accordance with Bitou Municipality Waste Section.
- No burial, burning, or dumping of waste may occur on site or within adjacent natural dunes areas

We trust that the above recommendations will be considered and incorporated with the project implementation.

Yours faithfully

GJ Vos

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OFFICE OF THE MUNICIPAL MANAGER

Enquiries: Dr NS Viljoen
Reference: 18/2/4/R
Date: 30 April 2026

Attention: Ms. Samantha Teeluckdhari
Eco Route Environmental Consultancy
PO Box 1252
Sedgefield
6573

Email: samantha@ecoroute.co.za

Cc: Mr Gerhard Otto – Manager: Disaster Management
E-mail: Gotto@gardenroute.gov.za

GRDM Admin / Records:
E-mail: Admin2@edendm.co.za

Dear Ms Teeluckdhari,

RE: NOTIFICATION OF THE AVAILABILITY OF REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF A DECK AND BOARDWALK WITHIN 100 METERS INLAND OF THE HIGH-WATER MARK OF THE SEA, ERF 9706, PLETTENBERG BAY, WESTERN CAPE.

DEADP REF: 16/3/3/1/D1/15/0005/26.

The Garden Route District Municipality (GRDM) acknowledge receipt of the revised draft Basic Assessment Report (BAR) prepared by Eco Route Environmental Consultancy on behalf of Andrew James Beveridge and Katharine Josephine Beveridge, dated 10 April 2026. We would like to thank you for providing the Municipality with the opportunity to comment on this application.

After review of the draft BAR, we wish to provide the following comments and recommendations on the proposed activities:

1. Coastal Setback and Risk Positioning

The BAR does not provide sufficient confirmation that the proposed development complies with an officially recognised coastal setback line, nor does it adequately demonstrate long-term resilience to coastal processes such as erosion, storm surge, and sea-level rise.

The development is located within 100 metres inland of the high-water mark, which places it within the coastal protection zone, a highly sensitive and dynamic environment. Although the BAR states that climate risks have been considered, there is no site-specific modelling or verification of shoreline movement or erosion risk over time. Without this, it cannot be confirmed whether the structure will remain stable or become exposed or damaged under future coastal conditions.

Recommendation:

It is recommended that:

- A site-specific coastal risk assessment be undertaken, including erosion lines and storm surge modelling.
- Written confirmation be provided regarding compliance with any applicable coastal setback line.
- The structure must be designed as fully reversible, with no permanent stabilisation or coastal defence measures permitted in future.

2. Vegetation Clearance and Listing Notice Trigger Accuracy

The BAR identifies Listing Notice 3 Activity 12 (clearance of indigenous vegetation), but does not clearly quantify the extent of vegetation clearing in relation to the regulatory threshold.

The legislation is triggered when 300 m² or more of indigenous vegetation is cleared within sensitive areas such as the coastal zone. While the total development footprint is provided, there is no explicit confirmation of how much indigenous vegetation will be impacted, nor a clear distinction between previously disturbed areas and natural vegetation.

Recommendation:

It is recommended that:

- The exact extent of indigenous vegetation clearance (in m²) be quantified and clearly stated.
- A vegetation map overlay be provided showing disturbance versus intact vegetation.
- If clearance exceeds thresholds, the BAR must explicitly justify the impact and confirm correct listing triggers.

3. Biodiversity Sensitivity and Ecological Function

The BAR concludes that the site has low ecological sensitivity; however, this conclusion is not sufficiently substantiated considering the coastal dune environment. Coastal dune systems are inherently sensitive ecosystems, even where partially disturbed. They play a critical role in:

- Sand movement and coastal stability
- Habitat provision
- Protection against storm events

The BAR does not adequately demonstrate that the ecological functioning of the dune system will remain intact, nor does it sufficiently assess cumulative impacts of similar developments along the coastline.

Recommendation:

It is recommended that:

- The ecological assessment be strengthened to include functional ecological processes, not only vegetation presence.
- A precautionary approach be adopted, recognising the sensitivity of dune systems.
- A construction-phase ecological control plan be implemented, including on-site supervision where required.

4. Design and Structural Impacts on Dune Dynamics

While the use of elevated timber structures is supported, the BAR lacks sufficient technical detail regarding how the structure will physically interact with the dune environment. There is no detailed explanation of:

- Foundation type and installation method
- Depth of structural supports
- Whether concrete will be used

These aspects are critical, as improper installation can:

- Disrupt sand movement
- Damage root systems
- Initiate erosion pathways

Recommendation

It is recommended that:

- Detailed engineering drawings and construction methodology be submitted.
- The design must ensure minimal ground disturbance, preferably through hand installation methods.
- The use of concrete foundations must be avoided or strictly justified.

5. Fire Risk Associated with Proposed Fire Pit

The inclusion of a fire pit as part of the development has not been adequately assessed in the BAR.

The site is located within a coastal vegetation environment, which may be susceptible to fire, particularly under dry and windy conditions. The BAR does not assess:

- Fire risk to surrounding vegetation
- Compliance with local fire regulations
- Emergency response considerations

Recommendation

It is recommended that:

- The fire pit component be removed from the current application, or
- A separate fire risk assessment be conducted and submitted.
- Compliance with municipal fire by-laws must be demonstrated.

6. Stormwater and Erosion Management

The BAR does not provide sufficient detail on how stormwater runoff and erosion during construction and operation will be managed. Even small structures can alter surface runoff patterns, particularly in sandy environments, leading to:

- Localised erosion
- Undermining of structures
- Degradation of surrounding vegetation

Recommendation

It is recommended that:

- A stormwater and erosion management plan be included in the EMPr.
- Measures must ensure that no runoff is concentrated or redirected in a manner that destabilises dunes.
- Temporary construction-phase controls must be implemented.

7. Public Access and Coastal Use

The BAR states that the development will not restrict public access; however, this is not sufficiently substantiated. Private boardwalks in coastal environments may create a perception of exclusivity, even where access is technically not restricted. This can influence public use patterns and lead to informal access routes forming elsewhere.

Recommendation

It is recommended that:

- No fencing, signage, or structures be installed that restrict or discourage public access.
- The development must remain visually and functionally non-exclusive.

8. Need and Desirability

The justification for the development is primarily based on reinstating a previously existing structure and its location within a residential property. While this is noted, the development remains a private amenity rather than essential infrastructure. As such,

it must meet a higher environmental threshold, particularly given its location in a sensitive coastal zone.

Recommendation

It is recommended that:

- Greater emphasis be placed on minimising environmental impact, rather than relying on historical precedent.
- The smallest feasible footprint and least invasive design be implemented.

9. Concluding Remarks

Based on the information provided, the proposed development may be considered acceptable, provided that:

- Coastal risk and setback compliance are clearly demonstrated;
- Biodiversity impacts are more rigorously assessed;
- Design and construction methods minimise disturbance; and
- Strict environmental management conditions are enforced.

While the development footprint is relatively small, the location within the coastal protection zone and proximity to dynamic dune systems significantly elevates environmental risk. The GRDM emphasises that approval should not be based on footprint size alone, but rather on long-term coastal stability, ecological integrity, and cumulative impacts along the coastline. Failure to adequately address the above concerns may result in long-term environmental degradation, particularly within the sensitive coastal zone.

The comments provided above aims to complement the specialist inputs by ensuring practical accountability, policy alignment, and transparent decision-making.

We appreciate the efforts made by Eco Route Environmental Consultancy and the applicant to ensure responsible and legally compliant development activities.

The Garden Route District Municipality reserves the right to provide comment/s or to amend initial comment/s.

Yours Sincerely



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MUNICIPAL MANAGER

GARDEN ROUTE DISTRICT MUNICIPALITY

DATE: 30 April 2026