



## Comments and Response Report

### The Proposed Construction of an Access Road, Residential Dwelling on Portion 76 of the Farm 216 Uitzicht, Brenton, Knysna

#### Pre-Consultation PPP

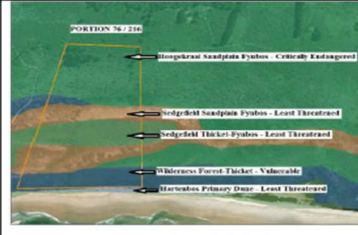
COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO THE DRAFT BASIC ASSESSMENT REPORT – 3 September 2020 to 3 October 2020	
<b>STATE DEPARTMENTS</b>	
Forestry, Fisheries & The Environment (DFFE) – Melanie Koen – 30 September 2020	
<p>1. Forestry is responsible for the implementation and the enforcement of the National Forest Act (NFA), Act 84 of 1998 as amended and the National Veld and Forest Fire Act, Act 101 of 1998 as amended (NVFFA). Thank you for giving Forestry this opportunity to comment on above application.</p>	
<p>2. Forestry studied the supporting documents for the above-mentioned application and the following points related to Forestry's mandate i.e. the implementation of the NFA is applicable</p> <ol style="list-style-type: none"> <li>a. The above proposal still has to undergo a land-use planning application through the Knysna Municipality: Land-use Planning Section.</li> <li>b. Forestry will thus formally comment on the land-use application firstly before providing further comment to above application.</li> <li>c. Request that a more recent Plant Species Assessment of above property be conducted by a Specialist and that this Specialist report be forwarded to the Department for</li> </ol>	<p>The land use application will be conducted by the designated town planners, Marike Vreken Urban and Environmental Planners.</p> <p>Noted.</p> <p>The findings from the specialised studies have been included in the draft Basic Assessment Report.</p>

<p>perusal with ample photo record templates of the whole study area- especially after the recent fires.</p> <p>d. The exact location of these protected/ forest/ thicket patches/ of protected/ indigenous trees be surveyed/ GPS'd and overlaid within any developmental proposals to determine how these vegetation areas will be impacted- this information to be compiled within a report.</p>	<p>The sensitivity maps and specialist reports are included in the draft Basic Assessment Report.</p>
<p>3. Due to the Nation-Wide COVID-19 Lockdown, officials are working remotely for the duration of the lockdown period; and thus, site inspections are not conducted at this stage. Site inspection might be required at a later stage, in due course, once safe to do so.</p>	<p>Noted.</p>
<p>4. Forestry reserves the right to revise initial comment based on any additional information that may be received or obtained</p>	<p>Noted.</p>
<p><b>SANPARKS - Maretha Alant – 1 October 2020</b></p>	
<p>Portion 76 of Farm Uitzicht 216 is in the buffer zone the Garden Route National Park (GRNP), in the potential expansion footprint, in a Priority Natural Areas and in the Knysna Sand Fynbos Coastal Corridor. The Landowner of Portions 75 and 39 of the Farm Uitzicht 216 has already signed a Resolution consenting to the declaration of the properties as part of the GRNP. Achieving a long-term conservation outcome on Portion 76 is important to SANParks. The property contains Knysna Sand Fynbos which is an ecosystem that is Critically Endangered in terms of Section 2 of the NEMBA (Act 10 of 2004) and Goukamma Dune Thicket. The property is 21.01 ha in extent and zoned Agriculture 1.</p>	<p>Noted.</p>
<p>As stated in the draft BAR, the entire property is classed as Critical Biodiversity Area (CBA) in terms of the Western Cape Biodiversity Spatial Plan 2017 which is defined as areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. The main objective of a CBA area is to maintain it in a natural or near natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low impact, biodiversity sensitive land uses are appropriate.</p>	<p>The entire property is classed as Critical Biodiversity Area (CBA) which is defined as areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. The Ecosystem Threat status indicates that the Northern Portion of the property is classed as Critical Endangered and the Southern Portion as Least Threatened. This is as a result of the vegetation found on site. The Northern Portion is identified as having Knysna Sand Fynbos with an ecological status of Critically Endangered and the Southern Portion as Goukamma Dune Thicket with an ecological status of Least Threatened.</p>

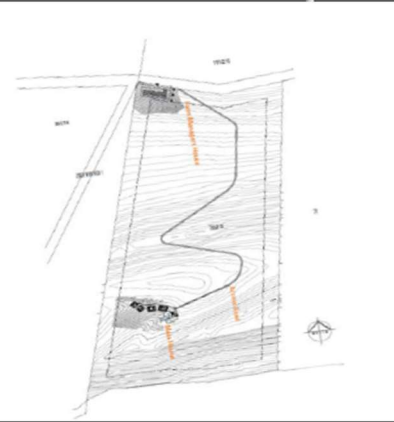
<p>The proposal is to exercise the primary land use rights of the property, (i.e. construction of a main farmhouse and farm manager's house). The development proposal entails the following:</p> <ul style="list-style-type: none"><li>(i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).</li><li>(ii) The construction of one farm manager's house in the north-western corner of the property (600m<sup>2</sup>).</li><li>(iii) The construction of a new internal road to provide access to the southern portion of the property.</li></ul> <p>The proposed development is approximately 8 765m<sup>2</sup> in size. SANParks representatives visited the site on 8 September 2020.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
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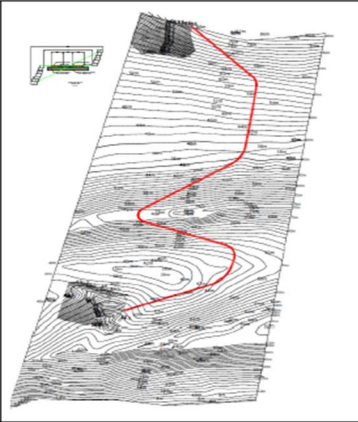
Locality Plan



Vegetation Types GRI



Site Development Plan



Site Development Plan road



The road is proposed over 2 pristine dunes



Post fire Knysna Sand Fynbos in very good condition

Noted.

#### The Main Dwelling House:

The primary dwelling unit will be situated in the south western portion of the property consisting of the following inter leading rooms:

- Six (6) bedrooms.
- Open plan living area consisting of a kitchen, lounge area, dining area, kitchen, bar, scullery, bathroom and wine cellar.
- Open deck and swimming pool.

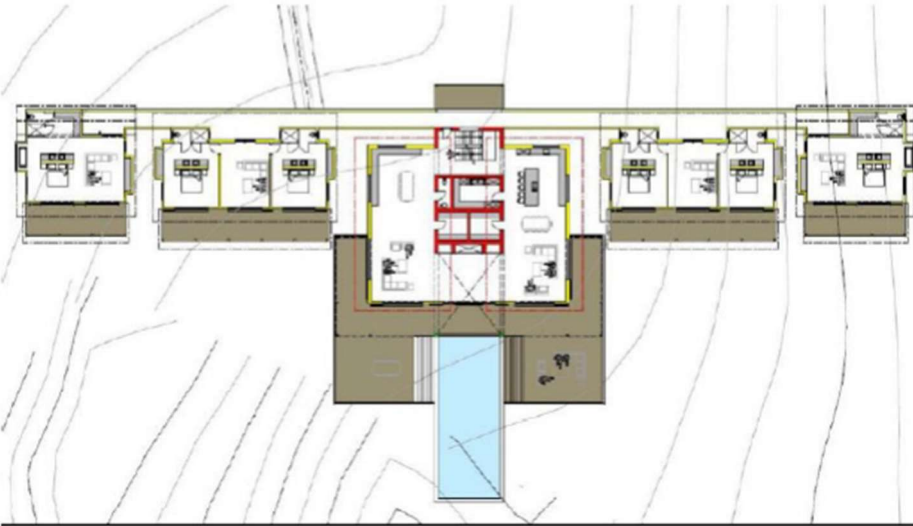


FIGURE 1: PROPOSED MAIN DWELLING HOUSE

#### The Farm Managers House:

The farm manager's house is to be situated in the north-western corner and will encroach the prescribed 30 meter building line, and therefore an application must be made for a permanent departure and relaxation of the northern and western building lines.

The main reason why the house encroaches the prescribed building line is to prevent unnecessary disturbance of sensitive critical endangered Knysna Sand Fynbos.

The proposed footprint in the building line area is an existing transformed area (alien vegetation present) and consist of the following:

- Ground Floor 600m<sup>2</sup>
- First floor 400m<sup>2</sup>
- Footprint 600m<sup>2</sup>
- Disturbance Area 1200m<sup>2</sup>

#### Access to Portion 76 of the Farm Uitzicht 216:

Access is obtained from the Northern portion of the property from an existing servitude road that runs along the boundary of the property. The current access will remain in place

<p>Items for clarification:</p> <ul style="list-style-type: none"> <li>• Backwash from swimming pool was not considered in the DBAR. Fynbos is not a good receiving environment for the backwash.</li> <li>• Access to beach – surely desirable – no boardwalk or footpath was proposed to the beach.</li> <li>• Installation of boreholes. The impact of drilling for boreholes was not discussed in the DBAR.</li> </ul>	<p>It is recommended that the backwash water from a swimming pool be disposed of appropriately by directing it into the sanitary sewer system. Proper disposal practices are essential to ensure compliance with environmental regulations and to maintain public health standards. To clarify backwash water and return it safely to the pool is an option being considered.</p> <p>The applicant is assessing the option of including beach access in their considerations.</p> <p>The particulars concerning the drilling of the boreholes are presently under evaluation.</p>
<div style="border: 1px solid black; padding: 5px;"> <p><b>Water Reticulation</b></p> <p>The applicant propose to supply water for the development by means of the following:</p> <ul style="list-style-type: none"> <li>➢ Installing boreholes – an application for a water licence will have to be submitted to Breede- Gouritz Catchment Management Agency.</li> <li>➢ A large percentage of the water demand will be provided for by collecting rainwater. The total roof areas will be 842m<sup>2</sup> and with an average rainfall for the Knysna area of 500mm per year will supply 421kl. The rainwater will only supply in the order of 87% of the demand.</li> <li>➢ The main building will make provision for 110kl rainwater/borehole storage.</li> </ul> </div> <p>Extract from DBAR</p>	<p>Noted.</p>
<p>SANParks objects to the proposal for the following reasons:</p>	
<p>1. Site Development Plan footprint. The property is in the GRNP potential expansion footprint, as reflected in the approved GRNP Management Plan, and in a CBA in terms of the Western Cape Biodiversity Spatial Plan 2017. SANParks disagrees with the statement below that the areas chosen for development were to have the least negative impact on the environment. The proposed Site Development Plan (6-bed main dwelling with pool, farm manager's house and access route) will have an unnecessarily significant negative impact on biodiversity conservation, the sense of place of the area and transform and fragment the Knysna Sand Fynbos Coastal Corridor.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>

<p><b>The No Go Alternative</b></p> <p>PO Box 1252 Sedgefield, 6573 <span style="float: right;">www.ecoroute.co.za</span></p> <hr style="width: 50%; margin: auto;"/> <p style="text-align: center;">( 46 )</p> <hr/> <p>The proposed re-development of Portion 76 of the farm Uitzicht 216, will remain vacant and the landowner will not be able to exercise his right to develop a residential dwelling and farm manager's house.</p> <p><b>Details of the alternatives considered</b></p> <p>The sizes of the footprints of the farm managers house and main residential dwelling house was options considered for alternatives. The proposed areas to construct the houses was carefully evaluated after consideration of all specialist reports and areas chosen where the least negative impacts on the receiving environment can be expected.</p>	
<p>Extract from DBAR</p>	
<p>2. Biodiversity Stewardship or long-term conservation outcomes were not discussed in the DBAR. The conservation of the vegetation on the property is of national importance. Without a commitment to consent to the declaration of the property as part of the GRNP or with a Biodiversity Stewardship agreement with CapeNature in place, SANParks will continue to object to the proposed development.</p>	<p>The developer is evaluating this option at present.</p>
<p>3. Land use rights. SANParks takes note that Marike Vreken urban and environmental planners were appointed to apply for the required land use rights from Knysna Municipality. From the information provided there was no mention of rezoning the natural portion of the property to Open Space Zone III. Further discussion in this regard is required to ensure a long-term conservation outcome. Relaxation of the building line adjacent to Kerk Laan could be supported.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>

The subject property is now zoned **Agricultural Zone I (AI)** in terms of *Knysna Municipality: Zoning Scheme By-Law, 2020*. According to the transition table, the method used to determine this was:

*"All existing Agricultural Zones to be converted to Agriculture 1. The new definition of "Agriculture" includes "Agricultural Industries".*

**Objective:** The objective of this zone is to promote and protect agriculture on farms as an important economic, environmental and cultural resource. Limited provision is made for non-agricultural uses to provide rural communities in more remote areas with the opportunity to increase the economic potential of their properties, provided these uses do not present a significant negative impact on the primary agricultural resource.

Member: HM Vreken  
Reg. CK 2005/032114/23 VAT: 4690222106

Extract from Specialist Planning Report for EA

<p><small>House (agricultural worker accommodation): The new Integrated Knysna Zoning Scheme By-law provides the following definitions for a "dwelling house" and "agricultural worker accommodation".</small></p> <p><b>dwelling house</b> a building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling house, including:</p> <ul style="list-style-type: none"> <li>• a store room and garaging;</li> <li>• a second dwelling or additional dwelling, with a floor area which does not exceed 40m<sup>2</sup>; provided that application for consent use must be submitted if the second dwelling or additional dwelling is larger than 60m<sup>2</sup>;</li> <li>• a braai room;</li> <li>• renewable energy structures for household purposes;</li> <li>• home occupation;</li> <li>• letting to lodgers;</li> <li>• a bed and breakfast establishment; and</li> <li>• home childcare.</li> </ul> <p><b>agricultural worker accommodation</b> accommodation provided for bona fide agricultural workers, including accommodation for labourers and farm managers, as determined by the Municipality based on the extent of the bona fide agricultural activities on the land unit.</p>	<p><b>OPEN SPACE ZONE III (OSIII)</b> <i>The objective of this zone is to provide for the conservation of natural resources in areas that have not been proclaimed as nature areas (non-statutory conservation), in order to sustain flora and fauna and protect areas of undeveloped landscape including woodlands, ridges, wetlands and the coastline. A range of consent uses is provided to supplement and support the main objective of this zone.</i></p> <p><b>Primary uses</b></p> <ul style="list-style-type: none"> <li>• Nature conservation area</li> </ul> <p><b>Consent uses</b></p> <ul style="list-style-type: none"> <li>• Environmental facilities</li> <li>• Harvesting of natural resources</li> <li>• Tourist facilities</li> <li>• Utility service</li> <li>• Tourist accommodation?</li> <li>• Function venue?</li> </ul> <p><b>OPEN SPACE ZONE IV (OSIV)</b> <i>The objective of this zone is to provide for the conservation of natural resources in areas that have been proclaimed as nature areas (statutory conservation), in order to sustain flora and fauna and protect areas of undeveloped landscape including woodlands, ridges, wetlands and the coastline. A range of consent uses is provided to supplement and support the main objective of this zone.</i></p> <p><b>Primary uses</b></p> <ul style="list-style-type: none"> <li>• Nature reserve</li> </ul> <p><b>Consent uses</b></p> <ul style="list-style-type: none"> <li>• Conference facility</li> <li>• Function venue</li> <li>• Tourist accommodation</li> <li>• Tourist facilities</li> <li>• Utility service</li> </ul>
<p>Extract from Specialist Planning Report for EA</p>	<p>Extract from Integrated Knysna Zoning Scheme Bylaw</p>

Noted.

SANParks could support development in the node where the Managers' Cottage is proposed, adjacent to Kerk Laan, as discussed on-site on 8 September 2020. It would be preferable if all development is consolidated into one area (the area where the farm manager's cottage is proposed) to minimise fragmentation of the landscape and impact on the sensitive fynbos environment.

Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.

The applicant should be reminded that the main objective of Priority Natural Areas and CBAs is to maintain it in a natural or near natural state, with no

Noted.

<p>further loss of natural habitat. Only low impact, biodiversity sensitive land uses are appropriate. The property is currently pristine and was not previously developed.</p>	
<p>SANParks request to meet with the landowners to discuss a way forward that can benefit biodiversity conservation and allow for low impact development without the need for a road over the pristine dunes. The current proposal will set a very bad precedent for potential development of other properties in the Knysna Sand Fynbos Coastal Corridor. The properties on both side of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to 2023.</p>	<p>Noted.</p>
<p><b>SANPARKS FOLLOW UP - Maretha Alant – 28 January 2021</b></p>	
<p>1. Proposed footprint of the main house. The landowners were not willing to change the proposed footprint of the main house to a position adjacent to Kerk Laan. They were willing to move the house to the level area behind the frontal dune to reduce visual impact.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
<p>2. Proposed road over the sand dunes. SANParks continue to object to the construction of a road over the sand dunes. The landowners indicated that their preferred option is to use Susan Campbell's Road for access. They could use Kerk Laan and access via the gate and use the steep section of the Campbell Road. The proposed option to use the Campbell Road will reduce the negative impact on biodiversity but will necessitate a new section of road to be constructed on the Campbell property and over Portion 76. SANParks will not support construction of new roads where there are viable alternatives.</p>	<p>The proposed alternative is not feasible, as it necessitates access to the applicant's property through the neighbouring farmer's land. Such a scenario may give rise to disputes and could result in elevated noise levels in the future.</p>
<p>3. Maretha Alant met with Susan Campbell. Ms Campbell is opposed to providing access for the proposed development over her land.</p>	<p>Noted.</p>
<p>4. Footpath to the beach. Portion 76 of Farm Uitzicht 216 has a steep gradient to the beach and a footpath is not proposed in the BAR.</p>	<p>Noted.</p>

<p>5. Drilling for water required. The proposal is that water will be supplied by a borehole. Bringing drilling equipment to the proposed site for the main house will have a negative impact on biodiversity. Previous attempts to drill for water in the area yielded poor return.</p>	<p>To minimize disruption during drilling operations, it is essential to use minimally invasive techniques, such as smaller diameter and directional drilling. Employing mud rotary systems with environmentally friendly drilling fluids will stabilise the borehole and reduce contamination risks.</p> <p>Continuous groundwater monitoring is crucial for detecting changes in water levels and quality, allowing for timely corrective actions. Additionally, utilising noise-suppressing equipment and sound barriers will help mitigate noise pollution, while vibration-dampening systems can minimise impacts on nearby structures.</p> <p>Effective waste management practices, including the proper containment and disposal of drill cuttings and fluids, will further reduce environmental effects.</p>
<p>6. Contract National Park footprint. The property is in the priority protected area expansion footprint, in the Western Heads coastal ecological corridor, that can potentially link the Goukamma Nature Reserve with the Knysna Estuary. The property was included in the South African National Parks Land Inclusion Plan for the period 2020 – 2023 for the Garden Route National Park (GRNP). The landowners may be interested in incorporating the property into the GRNP, but more information is required from SANParks. SANParks will further engage with the landowners when our draft documents are in place.</p>	<p>Noted.</p>



Proposed Site Development Plan with main house, road and managers cottage.



The proposed option to use the Campbell road will reduce the negative impact on biodiversity but will necessitate a new section of road to be constructed on the Campbell property and over Portion 76.



Proposed location of main house in flat area with high biodiversity value



Area for the proposed main house in foreground



SANParks continue to object to the construction of a road over the sand dunes



Portion 76 of Farm Uitzicht 216 has a steep gradient to the beach and a footpath is not proposed in the BAR.




Susan Campbell's road

A follow up fieldtrip with SANParks and the Southern Cape Fire Protection Association (FPA) present took place on 9 January 2021. Key points discussed:

- Development adjacent to Kerk Laan. Developing the main house in a disturbed area adjacent to Kerk Laan will have the least negative impact on biodiversity and landscape functionality. Other advantages are that

Noted.

Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

<p>the drilling equipment and construction vehicles will have easy access to the site via an existing road.</p>	<p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
<ul style="list-style-type: none"> <li>Development in the low-lying area, over the two sand dunes or using the Campbell Road, will compromise landscape functionality and set a bad precedent. It will create fragmentation of a pristine coastal corridor.</li> </ul>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
 <p>Disturbed area adjacent to Kerk Laan suitable for development</p>	<p>Noted.</p>
<ul style="list-style-type: none"> <li>Fire management. The landowners are members of the Southern Cape FPA. It is possible to make fire breaks to protect infrastructure at the landowner's preferred location for the main house. However, Kerk Laan could act as a firebreak if it is widened and slashed. In a case of emergency, it would be less risky to evacuate people from Kerk Laan than from a fynbos corridor with tricky access for fire trucks. The Campbell Road and the new section of road that would need to be constructed from Campbell Road to preferred site would not be ideal roads for the Knysna Fire Department as their trucks would struggle to gain access easily to the house. However, Kerk Laan</li> </ul>	<p>Noted.</p>

would be a much easier access point for fire trucks, and this should be considered for fire safety in this fire-prone area. Conducting an ecological burn in future will also be more risky with infrastructure developed in the fire path. The June 2017 fire and the ecological burn executed on 15 May 2017, that slowed the fire down dramatically before it reached Brenton, is still fresh in our memories. A functional Fire Management Unit in the Knysna Sand Fynbos will be desirable as there will be future fires.

**Navigating an ecological burn on private land in the GRNP buffer zone**

Objectives:

1. Restore Knysna Sand Fynbos (CR)
2. Reduce fuel load to protect plantations & infrastructure

**Eco-burn successfully executed on 15 May 2017 (Duration:3 weeks with mopping up)**

Challenges Included:

- Fire plan approval for multiple landowner involvement (signed fire-break agreements, insurance not available for damage caused by an ecological burn)
- Wild fires in other areas and unpredictable weather (complex to find a date)
- Fire breaks had to be made 3 times
- Resources involved: 3 x Fire trucks, 6 x skid units (bakkie sakkies); 85 people on day 1 to 3; 50 people week 1; 20 people week 2; 10 people week 3; standby helicopter
- 12 hour shifts as opposed to 8 hour days (overtime), rations and PPE
- The fire spotted and a helicopter had to water bomb the fire (unplanned additional R 46 848)
- The risk of burning near an urban area

**Benefit: Eco-burn minimised the impact of 7 June 2017 fire on Brenton on Sea community**

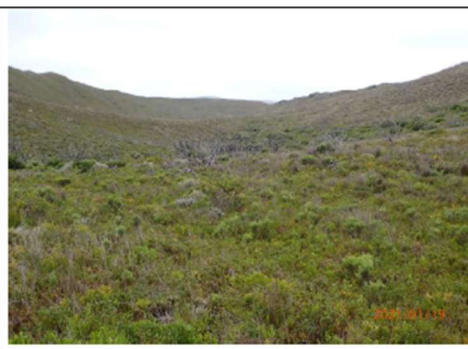
Role players

- o Buffalo Bay Ratepayers: Start up R 30 000
- o SC FPA: Planning, WOF teams, drone, incident command
- o PG Eison (firebreaks, operations and standby)
- o Knysna Municipality: Fire Department & Community Services
- o SANParks: Planning, Operational personnel, BSP buffer zone teams & Honorary Rangers
- o landowners: WWF, Susan, Andre
- o Brenton Ratepayers: support
- o Villa Castollini: provided food

**Maretha Afari (SANParks)  
Dirk Smit (SC FPA)**



Development at Kerk Laan will have good views and limit disturbance of fynbos.



Development in the low lying area over the two sand dunes will compromise landscape functionality and set a bad precedent.

**The Main Dwelling House:**

The primary dwelling unit will be situated in the south western portion of the property consisting of the following inter leading rooms:

- Six (6) bedrooms.
- Open plan living area consisting of a kitchen, lounge area, dining area, kitchen, bar, scullery, bathroom and wine cellar.
- Open deck and swimming pool.

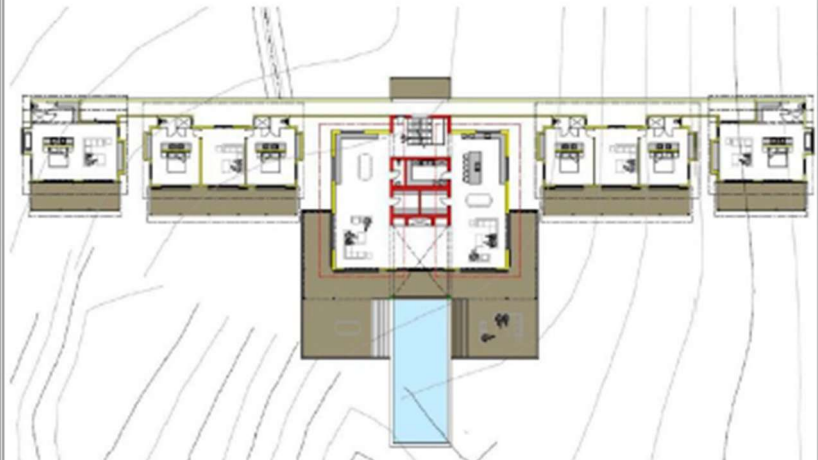


FIGURE 1: PROPOSED MAIN DWELLING HOUSE

- Conservation value of property. More than 50% of the property contains Knysna Sand Fynbos and the entire property is a Critical Biodiversity Area (CBA). Although the Kerk Laan area is located in Knysna Sand Fynbos the transformation footprint can be limited with a good Site Development

Noted.

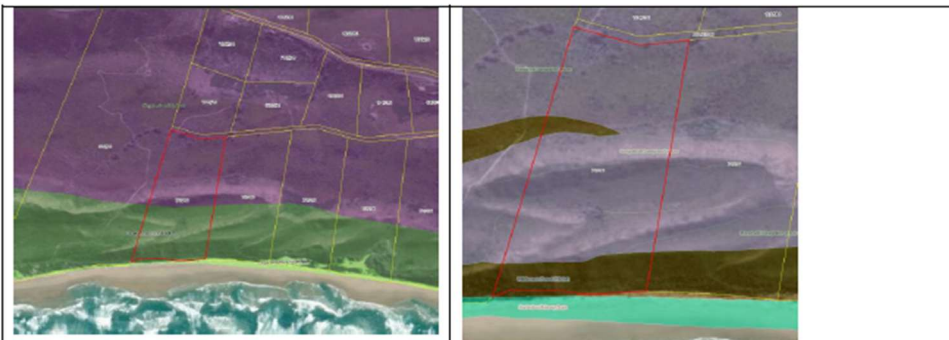
Plan and the current landscape functionality corridor will then be maintained. Knysna Sand Fynbos hosts threatened plant species and five threatened butterfly taxa (Mecenero et al. 2013), including CE taxa *Orachrysops niobe* (Brenton Blue) and *Thestor brachycerus* and is poorly protected. The original extent of Knysna Sand Fynbos was 15 355 ha. The remaining natural extent is 1 478 ha (9.6%) and the Western Cape target is 3 531 ha (23%). The Knysna Sand Fynbos asset is in deficit. Not only is Knysna Sand Fynbos endemic to the Western Cape, but it is also confined to a very specific and limited geographical area along the Garden Route coast (only found from the coastal flats from Wilderness, generally to the north of the system of lakes, several patches around the Knysna Lagoon, with more isolated patches eastwards to the Robberg peninsula near Plettenberg Bay). There is excellent landscape heterogeneity on the property.



Portion 76/216 consists of 50% or more Knysna Sand Fynbos

The entire Portion 76/216 is a Critical Biodiversity Area (CBA)

Noted.



2018 Vegetation Map: Knysna Sand Fynbos and Goukamma Dune Thicket

Vlok Vegetation Map: Wilderness Forest-Thicket, Sedgfield Sandplain Fynbos

Noted.

<p>In summary, from a biodiversity conservation, landscape functionality and integrated fire management perspective, developing the main house adjacent to Kerk Laan is the preferred alternative for SANParks. Developing in the core of the Knysna Sand Fynbos Coastal Corridor will set a very bad precedent and contribute to a loss of biodiversity and landscape fragmentation. The properties on both sides of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to 2023. SANParks will continue to object to the access road over the sand dunes.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
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**TRANSPORT AND PUBLIC WORKS – SW CARSTENS – 30 September 2020**

<p>1. Your e-mail on behalf of Eco Route Environmental Consultancy on 3 September 2020 to the District Roads Engineer, Oudtshoorn refers.</p>	
<p>2. From an environmental point of view this branch will not be opposed to the issuing of an environmental authorisation, provided that:</p>	<p>Noted.</p>
<p>3. The unconstructed road reserve running along the northern boundary is upgraded at its intersection with Divisional Road 1600 (DR1600), for which this branch is the road authority.</p>	<p>Noted.</p>
<p>4. The necessary approvals in terms of this branch's legislation are obtained if any external service is installed along or across Dr1600 to farm 216/76.</p>	<p>Noted.</p>

**NGO**

**The Western Heads–Goukamma Conservancy - Dr David Alan Edge – 3 October 2020**

<p>A. Threatened biodiversity</p>	
<p>1) Uitzicht 216 Portion 76 is part of a Critical Biodiversity Area (CBA), first proclaimed by Knysna Municipality in its Spatial Development Framework (SDF) in 2006, and reconfirmed in the Integrated Spatial Development Framework (ISDF) of 2013, and the current draft SDF (Knysna Municipality, 2020a). CBAs are terrestrial (land) and aquatic (water) areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning. These areas include:</p> <p>a. natural areas identified as requiring safeguarding in order to meet national biodiversity thresholds.</p>	<p>Noted.</p> <p>Noted.</p>

<p>b. areas required to ensure the continued existence and functioning of species and ecosystems, including the delivery of ecosystem services.</p> <p>c. important locations for biodiversity features or rare species.</p> <p>The Environmental Assessment Practitioner (EAP) recognises the significance of this classification on pages 61 and 62 of their report, and even states that the objective of a CBA is to “Maintain in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate”.</p> <p>This objective appears to have been ignored because on page 58 the EAP seems quite content to proceed with the application despite acknowledging that 4.3% of the site will be destroyed if the development is approved.</p>	<p>Noted.</p> <p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
<p>2) Most of the CBA on the Brenton peninsula consists of Knysna Sand Fynbos (FFd 10) – which has been proclaimed as a Critically Endangered ecosystem (vegetation type). The Biodiversity Act (Act 10 of 2004) provides for the listing of threatened or protected ecosystems, in one of four categories: critically endangered (CR), endangered (EN), vulnerable (VU) or protected. The purpose of listing threatened ecosystems is primarily to reduce the rate of ecosystem and species extinction. This includes preventing further degradation and loss of structure, function and composition of threatened ecosystems.</p> <p>The terrestrial ecosystems were listed in the Government Gazette no. 34809 of 9 September 2011, and Knysna Sand Fynbos appears on page 52. It also states that “if any other development that requires environmental authorisation Impacts on a threatened ecosystem, that impact should be avoided, minimised, mitigated and/or offset as appropriate. In determining the significance of impact on biodiversity in an EIA process, loss of natural habitat in a Critically</p>	<p>Noted.</p> <p>Noted.</p>

<p>Endangered or endangered ecosystem should be ranked as highly significant".</p> <p>The proposed development would destroy 1 200 m<sup>2</sup> for the farm manager's house and 3 650m<sup>2</sup> for 80% of the 830 m access road (5.5 m wide) which is in FFd 10. This impact is not acceptable in terms of the above legislate on, and less damaging alternatives need to be proposed and evaluated.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p> <p>The total footprint of the proposed development to be cleared would be 2500 m<sup>2</sup>.</p>
<p>3) A Regalis Environmental Services (RES) 2005 report describes the natural vegetation of the Western Heads and splits it into 16 distinct vegetation types. Uitzicht 216/ 76 contains seven of these vegetation types (Map 4.1), mostly in pristine condition (Map 4.2), some of which only occur on the Brenton peninsula (*):</p> <ul style="list-style-type: none"> <li>• Moist Dune Fynbos</li> <li>• Goukamma Dune Thicket</li> <li>• Arid Dune Fynbos*</li> <li>• Brenton Dune Fynbos*</li> <li>• Primary Dune Slack Fynbos*</li> <li>• Primary Dune &amp; Cliff Fynbos*</li> <li>• Foredune</li> </ul> <p>In the Basic Assessment Report (BAR) prepared by the EAP the asterisked vegetation sub types have all been classified as Southern Cape Dune Fynbos (FFd 11), and "Least Threatened", without taking into account the RES (2005) report (attached).</p>	<p>The findings of the report have been thoroughly reviewed, resulting in a proposed layout that represents the most suitable alternative from an environmental standpoint. This layout also takes into account the developer's rights concerning the site's zoning as Agriculture Zone I.</p>

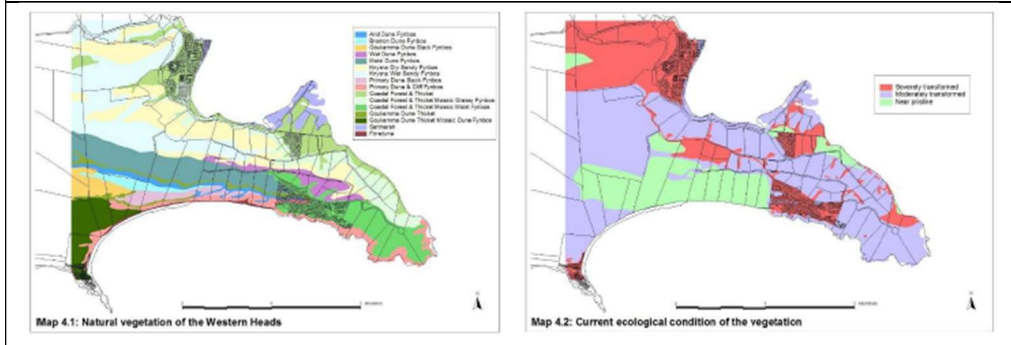
<p>4) The application/ BAR does not comply with “Procedures to be followed for the assessment and minimum criteria for reporting of identified environmental themes in terms of section 24(5) (a) and (h) of the National Environmental Management Act, 1998, when applying for Environmental authorisation. Protocol 3: Terrestrial animal species” Government Gazette no. 42946 dated 10 January 2020 (Knysna Municipality, 2020b).</p>	<p>The screening reports indicate that the receiving environment has a HIGH Relative Plant Species Sensitivity.</p> <p>After the site visit and fauna surveys by Confluent Environmental, it is determined that the site sensitivity for the terrestrial animal theme of Portion 76/216 Uitzicht Farm is VERY HIGH in contrast to the high and medium sensitivities highlighted by the DFFE Screening tool. Based on the information in this report, during the desktop and field assessment, the following reasons support this finding:</p> <ul style="list-style-type: none"> <li>• The discovery of the Cape Flightless Dung Beetle (<i>Circellium bacchus</i>) listed as Vulnerable, thereby resulting in the VERY HIGH sensitivity rating across the site where the SCC is expected to occur.</li> <li>• The high and medium likelihood of occurrence of several SCC is largely owing to the longstanding natural and undisturbed state of the site over the last 88 years, as well as its placement within a greater natural area (most of the surrounding landscape), highly connected to protected areas within 5 km of the site.</li> </ul> <p>A Terrestrial Animal Species Impact Assessment was compiled by Confluent Environmental, dated February 2024.</p>
<p>5) No detailed biodiversity study has been done for rare and threatened plants and animals, as is required in the above legislation.</p>	<p>The screening reports indicate that the receiving environment has a HIGH Relative Plant Species Sensitivity.</p> <p>The property is a near-natural site with minimal past disturbance. Several SCC were observed on the property during the site assessment by Confluent Environmental, as well as before the assessment by various members of CREW (the Custodians for Rare and Endangered Wildflowers). The parasitic cat's nail (<i>Hyobanche sp.</i>) plant on the site could possibly be the EN species, namely <i>Hyobanche robusta</i>; however, it is also likely a LC species <i>H. sanguinea</i>. The precautionary principle must be followed, assuming that the species on the site is the Red Listed EN <i>H. robusta</i>. Of all of the species listed, the following were observed nearby but not within the development footprint: <i>Gladiolus vaginatus</i>, <i>Lebeckia gracilis</i>, and <i>Oxalis pendulifolia</i>.</p> <p>A Plant Species and Terrestrial Biodiversity Impact Assessment was compiled by Confluent Environmental, dated 22 July 2024.</p>

6) The property is located within the expansion footprint of the Garden Route National Park (GRNP) and is both a corridor for wildlife movement (east-west and north-south), and a buffer zone to the GRNP. The property is located between two properties that are in the process of being incorporated into the GNRP. This has not been recognised or dealt with by the EAP.	The developer is evaluating this option at present.
7) The primary dune is home to very special and sensitive vegetation. Removal of vegetation will cause erosion and landslides, as have been seen elsewhere along this strip of coastline.	The preferred alternative has taken into account the environmental considerations of the site, as well as the recommendations provided by the specialists.
Impact of development:	
1) The developers are planning to build the main residence on the primary dune. A lot of concrete and/or piles will be needed for the huge house envisaged. Will the 2.5m wide road planned provide access for construction vehicles?	The road surface area will be 2.5 meters wide and the disturbed area for construction of the road varies between 4 to 5.5 meters wide.
2) The proposed access road to the main residence goes over the summit of the secondary dune, involving a steep climb and a sharp bend. Construction vehicles such as excavators, concrete, sand and brick delivery trucks would not be able to get around such a sharp bend, and consequently, more damage would have to be done to the secondary dune summit to make a wider bend.	The road surface area will be 2.5 meters wide and the disturbed area for construction of the road varies between 4 to 5.5 meters wide.
3) It is proposed that sewerage is treated in septic tanks with a soakaway into the sandy (very permeable) substrate. It is also proposed that water is supplied from boreholes – how will contamination from sewerage be avoided?	To prevent borehole contamination from septic tank soakaways in sandy, permeable soil, key measures include maintaining a safe separation distance (30–50m), drilling boreholes deep enough to access protected groundwater, and conducting hydrogeological assessments to ensure proper siting. Septic tanks should be well-designed, regularly maintained and paired with advanced soakaway systems for better filtration. Boreholes must be properly sealed and lined to prevent contamination, and regular groundwater monitoring should be conducted. If risks remain high, alternative wastewater treatment methods, such as aerobic systems, can be considered.
4) The visual impact of a large house on the primary dune will be highly detrimental to the residents of Buffalo Bay, Brenton-on-Sea, and other Uitzicht properties. The natural beauty of the 5 km unspoilt beach (one of the finest in South Africa) would be defaced and there would	The Heritage Statement concluded that the evident portion 76/216 is only barely visible in the distance from the road leading to and from Brenton-on-Sea. Consequently, the proposed development will have no visual impact on the aesthetic value of the affected area. On heritage grounds, due to the entire absence of heritage resources or themes in and around 76/216,

<p>be a loss of "sense of place". Furthermore, there would be adverse impacts on tourism and property values.</p>	<p>the proposed development will have negligible to no impact on the visual or aesthetic heritage value of the area.</p>
<p>5) A very large (160 kl) swimming pool is planned. How is it intended to dispose of the filter backwash water without harming the environment?</p>	<p>It is recommended that the backwash water from a swimming pool be disposed of appropriately by directing it into the sanitary sewer system. Proper disposal practices are essential to ensure compliance with environmental regulations and to maintain public health standards. To clarify backwash water and return it safely to the pool is an option being considered.</p>
<p>6) Why does the main dwelling have to have a footprint of 4000 m<sup>2</sup>? That is the area of 4 residential erven in Brenton on Sea. Surely, if the largest houses being built in Brenton-on-Sea can be built on a single 1000 m<sup>2</sup> stand, there is no justification for the footprint of the main dwelling to be any more than 1000 m<sup>2</sup>.</p>	<p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
<p>7) It is proposed that water is obtained from rainwater off the roof and borehole(s). The elevation at the bottom of the primary dune slack, where the borehole(s) would be drilled, is c. 40m above mean sea level, so it is likely that the water will be brackish and not fit for consumption. The quantity of water required would quickly lower the water table until seawater was drawn into the borehole pump. Another problem is how would the drilling equipment would be got to the site to prove the water resource?</p>	<p>To minimise disruption during drilling operations, it is essential to use minimally invasive techniques, such as smaller diameter and directional drilling. Employing mud rotary systems with environmentally friendly drilling fluids will stabilise the borehole and reduce contamination risks.</p> <p>Continuous groundwater monitoring is crucial for detecting changes in water levels and quality, allowing for timely corrective actions. Additionally, utilising noise-suppressing equipment and sound barriers will help mitigate noise pollution, while vibration-dampening systems can minimise impacts on nearby structures.</p> <p>Effective waste management practices, including the proper containment and disposal of drill cuttings and fluids, will further reduce environmental effects.</p>
<p><b>Knysna Spatial Development Framework</b></p>	
<p><u>Zoning Scheme</u></p>	
<p>1) The area is located within a Core1b spatial planning category, which is the highest conservation status after formally protected areas which are located in a Core1a category.</p>	<p>Noted. The Application area is also zoned "Agriculture Zone I" and "Agriculture" is a primary land use right in this zoning category.</p> <p>The proposal is to exercise the primary land use rights of the property (i.e., construction of a farmhouse (Main dwelling unit). The dwelling unit complies</p>

	with the definition of "dwelling unit" as per the Section 8 Zoning Scheme Regulations, 1988.
2) The property is zoned Agriculture 1. The primary right is for a dwelling house and only such buildings or infrastructure that are reasonably connected with the main farming activities. As there are minimal farming activities on the property (bee keeping), no additional dwelling or unit is permitted.	Noted. The Application area is also zoned "Agriculture Zone I" and "Agriculture" is a primary land use right in this zoning category.  The proposal is to exercise the primary land use rights of the property (i.e., construction of a farmhouse (Main dwelling unit). The dwelling unit complies with the definition of "dwelling unit" as per the Section 8 Zoning Scheme Regulations, 1988.
3) Furthermore the Zoning Scheme does not permit any additional dwelling unit within 1 km of the high water mark of the sea, unless such unit is attached to the main house and does not exceed a floor area of 60m <sup>2</sup> . Since the entire property falls within 1km of the high water mark of the sea the additional unit will have to be attached to the main house and is restricted to a maximum of 60m <sup>2</sup> .	Noted. The Application area is also zoned "Agriculture Zone I" and "Agriculture" is a primary land use right in this zoning category.  The proposal is to exercise the primary land use rights of the property (i.e., construction of a farmhouse (Main dwelling unit). The dwelling unit complies with the definition of "dwelling unit" as per the Section 8 Zoning Scheme Regulations, 1988.
4) The main dwelling, together with the attached additional unit should be located as close as possible to the existing public road, to minimise damage to the Knysna Sand Fynbos.	Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.  The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m <sup>2</sup> ), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.
<b>Alternatives have not been considered</b>	
Only two alternatives are considered, both of which would cause unacceptable and illegal environmental damage. An alternative that does not cause such damage has not been evaluated – namely, that the main dwelling, together with the attached additional unit, should be situated as close as possible to the access road on the northern boundary of the property. This alternative would destroy less than 1000 m <sup>2</sup> of sensitive vegetation instead of over 8000 m <sup>2</sup> .	Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.  The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m <sup>2</sup> ), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.
<b>Maps</b>	

The maps below are extracted from RES (2005), with kind permission of the author.	Noted.
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**References**

<p>Department of Environmental Affairs, 2020. Procedures to be followed for the assessment and minimum criteria for reporting of identified environmental themes in terms of sections 24(5)(a) and (h) of the National Environmental Management Act 1998, when applying for environmental authorisation. Protocol 3: Terrestrial animal species" Government Gazette no. 42946. 10 January 2020.</p> <p><a href="https://www.gov.za/sites/default/files/gcis_document/202001/42946gon9_0.pdf">https://www.gov.za/sites/default/files/gcis_document/202001/42946gon9_0.pdf</a></p>	Noted.
<p>Knysna Municipality, 2020a. Draft Municipal Spatial Development Framework. May 2020.</p>	The Knysna Municipality, 2020a. Draft Municipal Spatial Development Framework. May 2020 has been taken into consideration.
<p>Knysna Municipality, 2020b. Zoning Scheme By-law. 29 June, 2020. Province of the Western Cape: Provincial Gazette Extraordinary no. 8258.</p> <p><a href="https://www.knysna.gov.za/wp-content/uploads/2020/07/Knysna-Zoning-Scheme-By-law-2020.pdf">https://www.knysna.gov.za/wp-content/uploads/2020/07/Knysna-Zoning-Scheme-By-law-2020.pdf</a></p>	The Knysna Municipality, 2020b. Zoning Scheme By-law. 29 June 2020. Province of the Western Cape: Provincial Gazette Extraordinary no. 8258 has been taken into account.
<p>Regalis Environmental Services (JHJ Vlok), 2005. The natural vegetation of the Western Heads (Knysna): notes on its ecological sensitivity and proposed future development. Unpublished report for the Western Heads Goukamma Conservancy.</p>	Noted.

David A Edge – 04 October 2020 (Properties that support the Western Heads-Goukamma Conservancy objections)

The Uitzicht 216 properties that support these objections are portions 39, 40, 75, 78, 109, 112, 113, 114 and 115. I can provide full details if you need it.	Noted.
<b>Buffelsbaai Inwoners Vereniging (BIV) – H Knoesen – 29 September 2020</b>	
The Buffelsbaai Inwoners Vereniging (BIV) acts on the public invitation to register as an Interested and Affected Party for the environmental assessment process currently being undertaken for Portion 76 of the Farm 216 Uitzicht, Brenton, Knysna Local Municipality, Western Cape. Please thus register the Association as an I & AP. If our understanding of the status of the process is correct, a Draft Basic Assessment Report (which we assume will include a Draft Site Development Plan with description of the proposed activity) has already been prepared. Upon receipt of the aforementioned documentation the Association will hopefully get a better understanding of the nature and extent of the proposed improvements and will then be in the position to comment.	The BIV has been officially included as an interested and affected party in the environmental process. The Draft Site Development Plan is included in the draft Basic Assessment Report.
<b>PUBLIC</b>	
<b>Susan Campbell – 03 September 2020</b>	
This is totally unacceptable. The only acceptable alternative is to build main dwelling and manager's cottage near the existing road. I have registered.	Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.  The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m <sup>2</sup> ), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.
<b>Steve and Barbara Gettliffe – 14 September 2020</b>	
We need to be kept updated as this is a very sensitive area, on primary dunes and could have a significant effect on the biodiversity and ecological functioning of the area.	Noted. The draft Basic Assessment Report will be made available for comment.
<b>Evan Jones (JenEvan Property Trust (owner Portion 112 of Farm 216 Uitzicht) – 29 September 2020</b>	
Below is a summary of my main concerns are the following:	
1. While power supply appears to be proposed as off grid solar there is still Eskom supply alternatives, one of which is a 1665m MV over head line following the access road. This overhead line would have significant detrimental visual impact visually and create a hazard to	There is currently no electrical infrastructure present on the farm or in the adjacent road reserve to the north. It is advisable to consider the installation of a solar power facility in this location.

<p>birds of the likes of harriers, fish eagles and herons. This alternative is strongly opposed and should not be an option, the off grid solar option is supported.</p>	<p>The solar plant will be developed as an off-grid installation, utilizing solar energy to supply the load during daylight hours while recharging the batteries at night. Furthermore, grid-tied photovoltaic inverters may be integrated into this micro-grid configuration through AC coupling, should the energy demand surpass the generation capacity.</p>
<p>2. The proposed location of the managers house on the NW corner requires relaxation of the 30m building line based on invalid motivation of mitigating impact on the Knysna Fynbos. As scan be seen in the Ecological status map on page 57 of the BA, this NW corner has already been impacted by alien Pine vegetation and thus this motivation is inaccurate and or invalid. The true motivation is far more likely the preferrable gradient and better view to the sea. Further there is no reason to create unnecessary visual impact onto the access road which is frequented by Brenton local persons walking along Kerk St on a property of this size.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
<p>3. The site road box cuts will be deep in places and require retaining support which will create significant visual disturbance of the northern face of the pristine coastal dune. Visual impact mitigation measures are not mentioned and need to be added in some suitable form e.g. ensuring these can be vegetated and not end up as concrete walls both a visual disaster and a risk to wildlife.</p>	<p>As per the Geotechnical Report:</p> <p>The road layout must take into account the natural contours and drainage lines present on the site to minimise the extent of earthworks required. It is essential that deep box cuts are properly retained. Typically, box cuts will not encounter rock, and excavated soil can be utilised for filling, excluding the organic-rich topsoil. The in-situ subgrade material varies in quality, generally ranging from G7 to G9. Consequently, it is advisable to provide for the importation of at least one selected subgrade layer of G7 quality, in addition to the standard layer works, which include subbase, base materials, pavers, and cement slabs, for lightly trafficked internal roads and parking areas.</p>
<p>4. The internal roads are stated to be 2.5m concrete strip with passing lanes which is prudent (due the gradients) however paved roads are highly detrimental. It is far more environmentally prudent to limit the paving / concrete strips to areas only where necessary and not on the level valley portion.</p>	<p>Noted. As per the Geotechnical Report:</p> <p>The road layout must take into account the natural contours and drainage lines present on the site to minimise the extent of earthworks required. It is essential that deep box cuts are properly retained. Typically, box cuts will not encounter rock, and excavated soil can be utilised for filling, excluding the organic-rich topsoil. The in-situ subgrade material varies in quality, generally ranging from G7 to G9. Consequently, it is advisable to provide for the importation of at least one selected subgrade layer of G7 quality, in addition</p>

	to the standard layer works, which include subbase, base materials, pavers, and cement slabs, for lightly trafficked internal roads and parking areas.
5. The access road (Kerk St) is currently a single jeep track and carries very little traffic. Cl 5.3 of the Services Report states that the access road will need to be upgraded. While some maintenance of the access road is necessary, major road works will have severe impact on the pedestrian / dog walkers who use this road daily. What is the plan/specification for the upgrade and who will be funding this?	The details will be communicated once the plans have been finalised.
John and Anne Sole – 29 September 2020	
<p>1. Page 21 of the draft BAR states "<i>The property is currently vacant but was used for tourist facilities that include a restaurant, and farm store.</i>"</p> <p>Page 21 further states "<i>The developer intends to re develop the property into a restaurant, farm stall and residential dwelling: .... The property was previously used as a tourist facility that was very popular to local communities and tourist.</i>" All these statements are false in relation to the Portion 76 of Farm 216, the specific property for which this draft BAR is intended and leads to confusion. Is this a 'cut and paste' issue or something more sinister?</p> <p>These statements are certainly not what has been presented in the rest of the draft BAR however, a statement of major concern on page 4 "<i>Section G of this report. The preferred alternative is a restaurant, farm stall and residential dwelling. (No re-zoning required, as consent use already in place). Alternative 1 would be a restaurant and 5 resort units (rezoning required).</i>"</p> <p>Irrespective of the alternatives suggested an EIA would still be required for ANY development planned in the Coastal protection zone. These various statements are at odds with the rest of the draft BAR. What is the intended development plan and/or what is the intention behind these statements? Is this indicative of the quality of the physical assessment done on the property itself. Perhaps also a 'cut and paste' assessment!!</p>	<p>The report has been updated, and the amended draft Basic Assessment will be made available.</p> <p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>

<p>2. We disagree with the sentiment expressed on page 42 in relation to the question "Will the proposed land use/development set a precedent for similar activities in the area (local municipality)?"</p> <p>The location of the "main" dwelling appears to be within the Coastal protection zone and as such the Integrated Coastal Management Act is applicable. It is most definitely within 100m of the high tide mark. This is an extremely environmentally sensitive zone and construction in this zone should be rejected as approval will in all likelihood create a precedent for adjacent properties and cause irreparable damage to the region.</p>	<p>Noted.</p> <p>The proposed site is within a South African Conservation Area (SACAD). After Environmental Authorisation is obtained, it is required to apply for an OSCAER permit Noted.</p>
<p>3. No mention has been made for the establishment of a walkway to the beach down the dune from the "main" dwelling. This must either be disclosed in detail, so the impact can be assessed or there must be an explicit condition precluding the building of a walkway to the beach due to the erosion and the sensitivity of the site (Oyster Catchers et al) in the event that this BAR recommends the development.</p>	<p>The applicant is assessing the option of including beach access in their considerations.</p>
<p>4. The layout of the "main" dwelling appears to be more in line with the establishment of a boutique hotel or B&amp;B. This has not been disclosed or stated as part of the intended use, however, if this EIA process recommends/approves the development based on the current level of disclosures then there must be an explicit condition prohibiting the use as a boutique hotel or B&amp;B as the impact for such use has not been evaluated.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>
<p>5. One of the possible alternatives for the provision of electrical power is the use of an MV supply on overhead cables on Kerk Street. This needs to be rejected outright.</p>	<p>Noted.</p>
<p>6. The disclosure on "managers dwelling" is extremely sparse with absolutely no indication of the number of rooms, provision for permanent staff/employees, vehicles etc and the associated usage impact cannot be fully assessed. The proposed size, essentially 1000 sqm for the "managers" dwelling raises concerns about the intended or non-disclosed usage.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>),</p>

	consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.
7. Relaxation of the building line is not justifiable based on the argument presented. The entire property is critical fynbos (Critical Biodiversity Area) and if it is acceptable to build a road >800m x 2.5m with the associated destruction then an alternative location which doesn't require the relaxation of the building line must be found. A huge double storey "managers" house of approx 1000sqm (600sqm ground floor + 400 1st floor) directly adjacent to Kerk Street requiring the permanent relaxation of the building line should be rejected. The visual and other impacts cannot be assessed due to the sparse information presented in relation to the "managers" dwelling. An alternative location for a "managers" dwelling can/must be found without encroaching on the building line.	Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.  The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m <sup>2</sup> ), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.
8. Kerk Street is a sand-road/single track road which is not maintained by Knysna council and any excess traffic will have a detrimental effect so there needs to be clear disclosure on expected vehicle use and/or conditions imposed to minimise impact. Additionally, any significant road works will need to be specifically environmentally assessed as there is a range of rare geophytic orchids, Brunsvigia and Haemanthus some of which are in the road reserve and will be negatively impacted.	Noted. The details will be communicated once the plans have been finalised.
9. Large scale building operations raise security concerns for the general area and need to be considered and addressed.	Noted.
10. Page 62 refers to the expected capital value of the activity on completion? Value ± R800,000.00 Is this correct or another error?	It is correct.
11. The proposed bee farming operation while desirable has a very low potential at < 1 hive per hectare based on real experience of bee keeping in the Brenton fynbos area and would simply be incidental.	Noted.

## Draft Basic Assessment Report

COMMENTS	RESPONSE
<b>COMMENTS RECEIVED IN RESPONSE TO THE DRAFT BASIC ASSESSMENT REPORT – 06 March 2025 to 07 April 2025</b>	
<b>STATE DEPARTMENTS</b>	
<b>Forestry, Fisheries &amp; The Environment (DFFE) Directorate: Biodiversity Mainstreaming and EIA – Lindiwe Victoria Dlamini – 25 March 2025</b>	
<p>Dear Sir/Madam</p> <p>DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation on the 06 March 2025 to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs M Rabothata and Ms Lindiwe Dlamini (Copied on this email). In addition, kindly share the shapefiles of the development footprints/application site with the Case Officers.</p> <p>Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: <a href="mailto:BCAdmin@dffe.gov.za">BCAdmin@dffe.gov.za</a> for attention of Mr Seoka Lekota.</p>	<p>Noted.</p> <p>Submissions will be made the Directorate: Biodiversity Conservation at Email: <a href="mailto:BCAdmin@dffe.gov.za">BCAdmin@dffe.gov.za</a> for attention of Mr Seoka Lekota.</p>
<b>Forestry, Fisheries &amp; The Environment (DFFE) Directorate: Biodiversity Mainstreaming and EIA – Mrs M Rabothata – 14 April 2025</b>	
<p>The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned report.</p> <p>Based on the information provided in the report, the terrestrial biodiversity sensitivity of this site is classified as Very High due to a significant area of remaining natural vegetation, specifically Knysna Sand Fynbos, which is Critically Endangered (CR) and located north of the large barrier dune. This area faces threats from invasive species, particularly pines. The southern section consists of sensitive habitat, characterized by a strandveld-fynbos mosaic with thicket patches in fire refugia, including dune bases and crests. Additionally, the site is designated as a Critical Biodiversity Area 1 (CBA1) and serves as an important ecological corridor along the coastline. It is rated as High for terrestrial plant species sensitivity, as it hosts several Species of Conservation Concern (SCC), with notable spatial variation in their distribution across the site.</p>	<p>Noted.</p>

<p>Approximately 5 kilometres from the site are several protected areas, including the Brenton Blue Butterfly Special Nature Reserve, established in July 2003 for a Critically Endangered species (CR PE). Other nearby protected areas include the Skuilte and Featherbed Private Nature Reserves, Pledge Nature Reserve, and Goukamma Provincial Nature Reserve, along with its Marine Protected Area.</p> <p>Notwithstanding the above, the following recommendations must be considered in the final report:</p> <ul style="list-style-type: none"> <li>▪ SANParks and CapeNature must be consulted, and their comments be considered and included in the final report.</li> <li>▪ DFFE Directorate: Protected Areas Planning and Management Effectiveness must be added to the key stakeholder list and be consulted for comments at email: <a href="mailto:mamudau@dffe.gov.za">mamudau@dffe.gov.za</a> for attention of Ms. Mashudu Mudau. In addition, the comments must be obtained from the reserves management authority.</li> <li>▪ Prevent the loss and fragmentation of vegetation communities and the CBA areas in the vicinity of the study area. Developments are not permitted on CBA irreplaceable.</li> <li>▪ The Alien Invasive Plant Species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate habitat degradation due to erosion and alien plant invasion.</li> <li>▪ The BAR must comply with "Procedures to be followed for the assessment and minimum criteria for reporting of identified environmental themes in terms of section 24(5) (a) and (h) of the National Environmental Management Act, 1998, when applying for Environmental authorisation.</li> </ul>	<p>Noted.</p> <p>Comments from CapeNature and SANParks have been obtained and are included in the Basic Assessment Report.</p> <p>DFFE Directorate: Protected Areas Planning and Management Effectiveness will be added to the key stakeholder list and be consulted for comments at email: <a href="mailto:mamudau@dffe.gov.za">mamudau@dffe.gov.za</a> for attention of Ms. Mashudu Mudau. In addition, the comments will be obtained from the reserves management authority.</p> <p>The proposed project has been carefully designed to align with conservation priorities and to ensure the protection of ecological integrity within the study area, in accordance with the applicable environmental management framework.</p> <p>The Alien Invasive Plant Species Management Plan and Rehabilitation Plan will be developed and submitted as part of the updated report to mitigate habitat degradation due to erosion and alien plant invasion.</p> <p>The Basic Assessment Report (BAR) has been compiled in strict adherence to the "Procedures to be followed for the assessment and minimum criteria for reporting of identified environmental themes in terms of section 24(5)(a) and (h) of the National Environmental Management Act, 1998 (Act No. 107 of 1998)," as published in Government Notice 320 of 20 March 2020. In compliance with these procedures:</p>
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<p>▪ No detailed biodiversity study has been done for rare and threatened plants and animals, as is required in the legislation. The Terrestrial Biodiversity Assessment study which is underway must be submitted with the final report for review.</p> <p>All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: <a href="mailto:BCAdmin@environment.gov.za">BCAdmin@environment.gov.za</a> for attention of Mr Seoka Lekota.</p>	<ul style="list-style-type: none"> <li>• All relevant environmental themes identified through the National Web-based Environmental Screening Tool have been thoroughly assessed.</li> <li>• Thematic sensitivity ratings for the study area (e.g., biodiversity, heritage, agriculture, animal species, plant species, etc.) were determined, and site-specific sensitivity verification was conducted where applicable.</li> <li>• Specialist studies have been undertaken where themes were rated as "very high" or "high" sensitivity, in accordance with the applicable Minimum Assessment and Reporting Criteria.</li> <li>• The report includes evidence-based motivation for the use of available protocols or for any deviation where not applicable, with supporting documentation and maps included as appendices.</li> <li>• The BAR also reflects integration of public participation outcomes, ensuring that environmental, social, and cultural considerations have been appropriately addressed as part of the environmental authorisation process.</li> </ul> <p>This BAR therefore meets all legislative requirements and procedural standards necessary for the competent authority to evaluate the application for Environmental Authorisation.</p> <p>The Terrestrial Biodiversity Assessment study is attached.</p> <p>Noted.</p>
<p><b>SANParks Garden Route National Park - Dr Vanessa Weyer – 7 April 2025</b></p>	
<p>DFFE Reference: 14/12/16/3/3/1/3114 Uitzicht 216</p> <p>Portion 76 is situated: (1) within the <u>Buffer Zone</u> of the Garden Route National Park (GRNP); (2) within the <u>Knysna Protected Environment (KPE)</u> with the <u>KPE Development Control Area (DCA)</u> extending some 50m into the lower</p>	<p>Noted.</p>

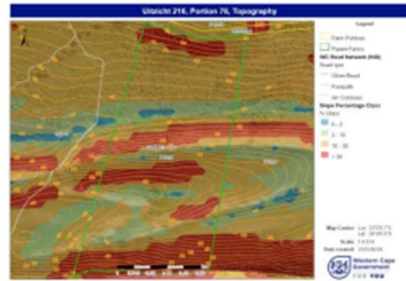
<p>southern section of Portion 76; (3) with the <u>Coastal Management Line (CML)</u> extending for between 70 to 100m in places into the lower southern section. The CML was included in the Knysna Spatial Development Framework, is shown on the Knysna GIS Viewer, and the Western Cape DEA&amp;DP Coastal Management Map Viewer. Risks associated with developing in this area are known and have been published; and (4) within the <u>Coastal Protection Zone (CPZ)</u>, as designated in terms of the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008) (NEM: ICMA). The CPZ is established to manage, regulate, and restrict the use of land that is adjacent to coastal public property, or that plays a significant role in the coastal ecosystem (Figs. 1 &amp; 2).</p> <p>The <u>high-water mark</u> runs adjacent to the property's southern boundary, and <u>20-, 50- and 100-Year Erosion Risk Lines</u> have been mapped in proximity (Fig. 2).</p> <p>Two <u>foredunes</u> traverse the lower southern section of the property, which run east-west. <u>Slopes are steep</u> on either side of these foredunes, with many areas classified with a Slope Percentage Class of &gt;30% (Figs. 3 &amp; 4).</p> <p>As the property falls within the KPE, <u>Critical Biodiversity Areas (CBAs)</u> are not mapped in the 2023 Western Cape Biodiversity Spatial Plan (WCBSBP), Biodiversity Spatial Plan Map (BSP Map), as adopted on the 13 December 2024 (Gazette Extraordinary 9017).</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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**Fig. 1.** Uitzicht 216 Portion 76, location, in the Knysna Protected Environment (CapeFarmMapper3).



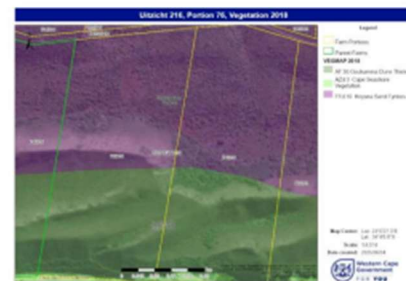
**Fig. 2.** Coastal Risks (DEA&DP Coastal Management Map Viewer).



**Fig. 3.** Steep slopes occur on either side of the two foredunes, which traverse the property east-west (CapeFarmMapper3).



**Fig. 4.** The hotter steep north-facing foredune slopes contain sparse vegetation with bare soil patches evident, 2019 aerial photograph (Knysna GIS Viewer).



**Fig. 5.** Vegetation is mapped as (CE) Knysna Sand Fynbos (FFd10) on the northern sector, whilst on the southern sector (LC) Goukamma Dune Thicket (AT 36) is mapped (CapeFarmMapper3).



**Fig. 6.** Soil erodibility is mapped as high (CapeFarmMapper3).

<p><u>Vegetation</u> is mapped by Mucina and Rutherford, 20061 and revised by SANBI, 20182, as (CE) Knysna Sand Fynbos (FFd10) on the northern sector, whilst on the southern sector (LC) Goukamma Dune Thicket (AT 36) is mapped (Fig. 5).</p>	<p>Noted.</p>
<p>Portion 76 is mapped as having a high <u>soil erodibility</u> K-Factor (Fig. 6) and an Extreme <u>Veldfire</u> Risk (CapeFarmMapper3).</p>	<p>Noted.</p>
<p>The property falls within <u>SANParks' protected area expansion footprint and Land Inclusion Plan</u> for the GRNP. It falls within the <u>Western Heads Knysna Sand Fynbos Coastal Corridor</u>, which is the subject of a collaborative conservation initiative being supported by SANParks, CapeNature, Knysna Municipality, the Table Mountain Fund, WWF, the Western Heads Goukamma Conservancy (WHGC), and landowners.</p>	<p>Noted.</p>
<p>Due to the extremely high conservation value of this corridor, and the threatened loss of the last remaining (CE) Knysna Sand Fynbos, <u>WWF purchased three properties</u> which SANParks manages (Portions 71, 72 and 40) (Fig. 7). Several other landowners in this corridor have committed their properties to conservation stewardship and are in various stages of <u>Contract National Park (CNP) commitment</u>. These properties include Portions 46, 39, 74, 75, 106, 109, 111, and 113 (Fig. 7). A Contract National Park is an area of privately owned land that is declared as a National Park - landowners retain ownership of their property but commit the property to formal conservation for 99 years and co-manage the property with SANParks. In return, the landowner may derive financial incentives.</p>	<p>The project team recognises the high conservation value of the ecological corridor in which the proposed activity is situated. Notably, the presence of Critically Endangered (CE) Knysna Sand Fynbos, a distinctive and highly threatened vegetation type endemic to this area, is of particular significance.</p> <p>In recognition of this value, several strategic conservation interventions have already been undertaken in the area:</p> <ul style="list-style-type: none"> <li>• WWF South Africa has secured Portions 71, 72, and 40, which are now under the stewardship of SANParks for long-term biodiversity protection (refer to Fig. 7).</li> <li>• A growing number of private landowners have demonstrated a strong commitment to conservation through active participation in the Contract National Park (CNP) framework. Properties including Portions 46, 39, 74, 75, 106, 109, 111, and 113 are at various stages of formal declaration as part of the CNP system.</li> </ul> <p>The Contract National Park model plays a crucial role in conserving biodiversity on private land by allowing landowners to retain ownership while formally committing to 99 years of conservation. In turn, these properties are co-managed with SANParks and may benefit from financial and technical</p>



Fig. 7. SANParks Contract National Park commitment properties (in various stages of commitment).

In summary, some 334ha has been committed to formal CNP conservation (in various stages of the commitment process), a legacy which will extend for 99 years, to benefit future generations. Other properties in the corridor are further under conservation, either privately or with CapeNature stewardship agreements in place, totalling some 154ha. Therefore, approx. 500ha (i.e., 28%) of the last remaining 1750ha of (CE) Knysna Sand Fynbos on the Western Heads is under conservation protection or planned to be conserved. Further concerted efforts to secure the remaining two thirds is required. Achieving a conservation outcome on this property is important to SANParks, and to other key role-players in the area, that have invested considerable time, resources and finances towards conservation in the Western Heads Knysna Sand Fynbos corridor.

support, thereby promoting a sustainable land-use model that benefits both conservation and landowners.

Given the strategic importance of this corridor and the substantial existing conservation investment, the project fully supports and aligns with the landscape-level conservation goals for this area. The proposed development has been rigorously assessed to ensure that it does not compromise the ecological integrity of the corridor, and consideration is given to nature-compatible land use.

The proposed residential development is located within a highly sensitive ecological corridor on the Western Heads, an area that supports the last remaining fragments of the Critically Endangered (CE) Knysna Sand Fynbos.

Recognising this, the project has been carefully designed to align with the broader conservation objectives already underway in the region. To date, approximately 334 hectares have been committed to formal Contract National Park (CNP) conservation agreements, currently in various stages of the declaration process. These contracts secure land for conservation over a 99-year period, ensuring that ecological benefits are preserved for future generations.

An additional 154 hectares within the corridor are under conservation through private stewardship or formal agreements with CapeNature, bringing the total area under protection to approximately 500 hectares or 28% of the remaining 1750 hectares of Knysna Sand Fynbos.

<p>The property is zoned Agricultural Zone I, falls outside the Urban Edge, and is 21ha in extent. The Applicant is Midnight Storm Investments 180(Pty) Ltd. The property is vacant, has never been developed previously, and is considered in pristine condition.</p> <p>SANParks has provided comments on earlier development applications for Portion 76, key points as extracted include:</p>	<p>This landscape-level conservation legacy represents significant investment by SANParks, NGOs such as WWF South Africa, and private landowners, all working collaboratively to conserve biodiversity in this nationally important area.</p> <p>The proposed development acknowledges these efforts and seeks to complement rather than compromise them. The site layout and scale have been informed by ecological assessments and are designed to avoid areas of highest biodiversity sensitivity. Furthermore, the development includes conservation servitudes, ecological buffers, and invasive alien species management as part of its environmental management commitments.</p> <p>Given that approximately two-thirds of the Knysna Sand Fynbos within this corridor remains unsecured, the project proponents are open to exploring opportunities for conservation partnerships, including the potential for stewardship agreements on undisturbed portions of the property.</p> <p>Achieving a conservation-compatible outcome on this property is of strategic importance to SANParks and other key stakeholders. The proposed development aims to strike a balance between limited, sustainable land use and the continued protection of a globally significant ecosystem, thereby contributing to both socio-economic and environmental resilience in the region.</p> <p>Noted.</p>
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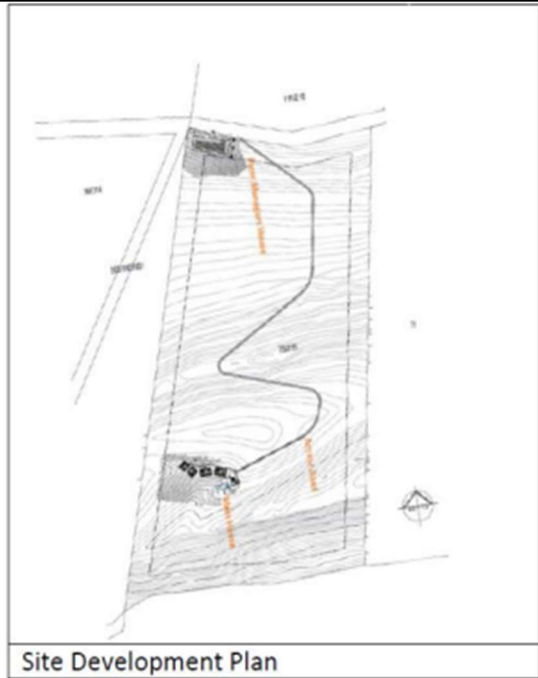
**(1) Draft Basic Assessment, Objection, 1 October 2020.**

The proposal is to exercise the primary land use rights of the property, (i.e. construction of a main farmhouse and farm manager's house). The development proposal entails the following:

- (i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).
- (ii) The construction of one farm manager's house in the north-western corner of the property (600m<sup>2</sup>).
- (iii) The construction of a new internal road to provide access to the southern portion of the property.

The proposed development is approximately 8 765m<sup>2</sup> in size. SANParks representatives visited the site on 8 September 2020.

Noted.



SANParks objects to the proposal for the following reasons:

Noted.

1. Site Development Plan footprint. The property is in the GRNP potential expansion footprint, as reflected in the approved GRNP Management Plan, and in a CBA in terms of the Western Cape Biodiversity Spatial Plan 2017. SANParks disagrees with the statement below that the areas chosen for development was to have the least negative impact on the environment. The proposed Site Development Plan (6 bed main dwelling with pool, farm managers house and access route) will have an unnecessary significantly negative impact on biodiversity conservation, the sense of place of the area and transform and fragment the Knysna Sand Fynbos Coastal Corridor.

2. Biodiversity Stewardship or long-term conservation outcomes were not discussed in the DBAR. The conservation of the vegetation on the property is of national importance. Without a commitment to consent to the declaration of the property as part of the GRNP or with a Biodiversity

The applicant acknowledges the environmental sensitivity of the property and the concerns raised by SANParks regarding the Site Development Plan (SDP). It is noted that the property falls within the Garden Route National Park (GRNP) potential expansion footprint, as indicated in the approved GRNP Management Plan, and within a Critical Biodiversity Area (CBA) as per the Western Cape Biodiversity Spatial Plan (2017).

While the primary objective of the SDP was to minimise environmental impact by siting infrastructure in areas previously disturbed and of lower ecological sensitivity (based on preliminary ecological input and on-site observations), the concerns regarding the potential transformation and fragmentation of Knysna Sand Fynbos are duly acknowledged. The project team acknowledges the ecological significance of the site and developed a design that is compatible with conservation principles and legislative requirements.

To this end, the following measures are proposed to address SANParks' concerns:

1. Commitment to on-site conservation measures, including the demarcation of no-go areas, restoration of temporarily disturbed zones, and ongoing invasive alien clearing.
2. Engagement with SANParks and other conservation stakeholders to explore the potential for stewardship or conservation servitudes on undisturbed portions of the property to contribute to the broader landscape-level conservation goals of the GRNP and Western Heads corridor.

It is further noted that site-specific botanical and ecological assessments have been undertaken to validate sensitivity ratings and inform the revised layout (Preferred Alternative). These findings are included in the BA and will be submitted to be used to guide decision-making.

It is noted that biodiversity stewardship or consent to formal declaration under the Garden Route National Park (GRNP) was not explicitly addressed in the Draft Basic Assessment Report (DBAR). The applicant is open to exploring appropriate conservation mechanisms in collaboration with

Stewardship agreement with CapeNature in place, SANParks will continue to object to the proposed development.

relevant stakeholders, including SANParks and CapeNature. This may include:

- Pursuing a Biodiversity Stewardship Agreement with CapeNature for the undisturbed portions of the property, to ensure formal protection and management of critical habitats.
- Engaging in discussions regarding Contract National Park (CNP) inclusion, subject to the outcome of technical and legal feasibility assessments.
- Establishing formal conservation servitudes or management plans for non-development portions of the property, which would be legally binding and implemented in perpetuity.
- Developing a Biodiversity Management Plan (BMP) as part of the environmental authorisation conditions, with monitoring and reporting obligations.

The options outlined are presently under evaluation, and the applicant is prepared to engage in constructive discussions with SANParks and CapeNature to identify the most suitable conservation approach.

3. Land use rights. SANParks takes note that Marike Vreken urban and environmental planners were appointed to apply for the required land use rights from Knysna Municipality. From the information provided there was no mention of rezoning the natural portion of the property to Open Space Zone III. Further discussion in this regard is required to ensure a long-term conservation outcome. Relaxation of the building line adjacent to Kerk Laan could be supported.

It is confirmed that Marike Vreken Urban and Environmental Planners have been appointed to manage the land use application process with Knysna Municipality. The primary objective of this process is to obtain the necessary land use rights to accommodate the proposed limited residential development, while ensuring alignment with both municipal planning policy and regional conservation priorities.

This suggestion will be actively explored with the appointed planning team and discussed with Knysna Municipality as part of the integrated planning process. The intention is to develop a land use framework that supports both low-impact development and formal conservation commitments in perpetuity.

The applicant is open to exploring appropriate conservation mechanisms in collaboration with relevant stakeholders, including SANParks and CapeNature.

SANParks could support development in the node where the Managers Cottage is proposed adjacent to Kerk Laan, as discussed on-site on 8 September 2020. It would be preferable if all development is consolidated into one area (the area where the farm managers cottage is proposed) to minimise fragmentation of the landscape and impact on the sensitive fynbos environment.

The applicant should be reminded that the main objective of Priority Natural Areas and CBAs is to maintain it in a natural or near natural state, with no further loss of natural habitat. Only low impact, biodiversity sensitive land uses are appropriate. The property is currently pristine and was not previously developed.

SANParks request to meet with the landowners to discuss a way forward that can benefit biodiversity conservation and allow for low impact development without the need for a road over the pristine dunes. The current proposal will set a very bad precedent for potential development of other properties in the Knysna Sand Fynbos Coastal Corridor. The properties on both side of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to 2023.

Proposed footprint of the main house. The landowners were not willing to change the proposed footprint of the main house to a position adjacent to Kerk Laan. They were willing to move the house to the level area behind the frontal dune to reduce visual impact.

The ecological integrity of the site, characterised by its pristine condition and absence of prior development, has been duly acknowledged and serves as a fundamental consideration in the planning of the proposed residential development.

The project is situated within a CBA Irreplaceable and Priority Natural Area, and it is therefore imperative that any proposed land use is biodiversity-sensitive, low-impact, and aligned with the conservation goals of the broader landscape. The development proposal has been informed by this context, and the following measures are being taken to respond directly to this concern:

- **Minimisation of Development Footprint:** The Site Development Plan (SDP) has been amended to ensure the smallest possible footprint located in the least sensitive area, based on ecological and botanical input.
- **Biodiversity-Compatible Land Use:** The proposed use — a single low-density residential dwelling and a small ancillary unit — is being designed in a manner that is non-intrusive and landscape-responsive, avoiding bulk earthworks, mass clearance, or hard infrastructure beyond what is absolutely necessary.
- **Commitment to Long-Term Conservation:** The applicant is open to considering the option to explore formal biodiversity stewardship or Contract National Park (CNP) status for the undeveloped portion of the property, ensuring legal protection in perpetuity.
- **Environmental Management Commitments:** The Environmental Management Programme (EMPr) includes clear actions for erosion control, invasive species management, construction phase restrictions, and rehabilitation, ensuring no degradation of the natural habitat.

While relocation of the dwelling adjacent to Kerk Laan was recommended to avoid sensitive habitat and utilise more disturbed areas, the landowner was not willing to consider this option. However, they have shown a willingness to move the house slightly inland, to a more level area behind the frontal dune, in order to reduce the visual impact from the beach and nearby viewpoints.

Proposed road over the sand dunes. SANParks continue to object to the construction of a road over the sand dunes. The landowners indicated that their preferred option is to use Susan Campbell's Road for access. They could use Kerk Laan and access via the gate and use the steep section of the Campbell Road. The proposed option to use the Campbell Road will reduce the negative impact on biodiversity but will necessitate a new section of road to be constructed on the Campbell property and over Portion 76. SANParks will not support construction of new roads where there are viable alternatives.

This adjustment represents a partial mitigation, as it may reduce:

- Visual scarring of the dune system,
- Construction challenges on steep dune slopes,
- Risk of erosion on unstable frontal dunes.

The originally proposed access road traversing the sand dunes within Portion 76/216 (Uitzicht Farm) remains the preferred access route for the landowner due to practical, legal, and land use constraints associated with alternatives that cross privately owned neighbouring properties. While the ecological sensitivity of the dune system is acknowledged, the landowner have no secured or formal right of access over adjacent properties, including Susan Campbell's Road, which presents significant limitations to implementation of this alternative.

Challenges with the Alternative Access via adjacent landowner Road:

- No legal servitude or access agreement is in place, and securing such a servitude is not guaranteed.
- Use of Campbell's Road would necessitate construction of a new section of road across private land (Campbell property) and across Portion 76 to reach the dwelling.
- Topographic constraints, including steep gradients, make the road technically difficult, more expensive to construct, and potentially hazardous for long-term access and emergency services.

Rationale for the Sand Dune Route:

- The proposed route lies entirely within the property boundary, giving the landowners full control over its development, maintenance, and legal compliance.
- The alignment has been carefully considered to avoid the most sensitive microhabitats and to limit the disturbance footprint as much as possible.
- This route ensures direct and safe access to the main dwelling, which is especially important for emergency response, deliveries, and service access.
- Compared to other alternatives, it presents a lower construction cost, less engineering complexity, and avoids protracted negotiations with neighbours.

<p>Maretha Alant met with Susan Campbell. Ms Campbell is opposed to providing access for the proposed development over her land.</p>	<ul style="list-style-type: none"> <li>• The alignment can be designed to minimise ecological damage, using techniques such as: <ul style="list-style-type: none"> <li>○ Narrow, single-track, raised or permeable surfacing to maintain sand movement.</li> <li>○ No deep foundations or cut-and-fill activities that destabilise the dune system.</li> <li>○ Construction timing outside critical breeding or flowering periods for key faunal and floral SCC.</li> <li>○ Edge effect mitigation, alien control, and active rehabilitation post-construction.</li> </ul> </li> </ul> <p>Environmental Mitigation Measures:</p> <ul style="list-style-type: none"> <li>• The detailed Environmental Management Plan (EMP) will guide construction with: <ul style="list-style-type: none"> <li>○ Demarcated no-go areas and environmental buffers.</li> <li>○ On-site Environmental Control Officer (ECO) monitoring throughout.</li> <li>○ Post-construction revegetation using indigenous dune species.</li> <li>○ Long-term monitoring of erosion and species return in the rehabilitated zone.</li> </ul> </li> </ul> <p>While SANParks has advised against the construction of new roads through sensitive habitats, the unique legal, technical, and safety-related constraints on this site make the dune crossing the most feasible and controlled access option for the landowner. This route can be implemented with a low-impact design approach, robust mitigation, and ongoing ecological monitoring, ensuring that the biodiversity objectives are balanced with landowner rights and practical development needs.</p> <p>This correspondence serves to reaffirm a significant concern previously articulated by the landowner, specifically that access across neighbouring private land cannot be deemed feasible or implementable without the consent of the landowner or the establishment of a legally recognised servitude. The absence of secure access across Ms. Campbell's property presents critical legal and practical limitations, rendering this alternative route non-viable, despite its potentially reduced environmental impact. Consequently, the landowners' position to retain access exclusively within</p>
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Footpath to the beach. Portion 76 of Farm Uitzicht 216 has a steep gradient to the beach and a footpath is not proposed in the BAR.

Drilling for water required. The proposal is that water will be supplied by a borehole. Bringing drilling equipment to the proposed site for the main house will have a negative impact on biodiversity. Previous attempts to drill for water in the area yielded poor return.

their property boundaries, utilising a route over the sand dunes, emerges as the only viable option from both a rights-of-access and long-term management perspective.

While the Draft Basic Assessment Report (BAR) did not propose a formal footpath to the beach, a footpath will be utilised to provide pedestrian access from the property to the coastline.

Given the steep gradient and the environmental sensitivity of the dune system, particularly the presence of Critically Endangered Knysna Sand Fynbos, the footpath will:

- Follow an existing informal route or natural contour where possible, to minimise new disturbance.
- Be designed as a low-impact, non-permanent structure (e.g., stepping stones or reinforced geotextile surfaces), without excavation or concrete.
- Avoid any sensitive dune slack areas or confirmed Species of Conservation Concern (SCC) locations, as identified in the specialist reports.
- Incorporate erosion control measures, such as biodegradable matting, and will be narrow in width, suitable for pedestrian use only.

The applicant is committed to ensuring that the footpath is developed in a manner that aligns with the mitigation hierarchy, focusing on minimising habitat disturbance, preventing erosion, and maintaining natural dune function.

This decision is based on the absence of municipal bulk water services in the area and the need for independent, sustainable water supply for residential use, fire safety (via the proposed pool reservoir), and general domestic needs.

Use small, track-mounted rigs suitable for remote access.

- Restrict equipment movement to existing cleared or degraded areas.
- Time drilling activities outside of sensitive breeding or flowering periods.

Contract National Park footprint. The property is in the priority protected area expansion footprint, in the Western Heads coastal ecological corridor, that can potentially link the Goukamma Nature Reserve with the Knysna Estuary. The property was included in the South African National Parks Land Inclusion Plan for the period 2020 – 2023 for the Garden Route National Park (GRNP). The landowners may be interested in incorporating the property into the GRNP, but more information is required from SANParks. SANParks will further engage with the landowners when our draft documents are in place.



Proposed location of main house in flat area with high biodiversity value

Strict Construction Controls:

- Demarcate a limited work area.
- Ensure all spill prevention, noise reduction, and dust suppression measures are in place.

The property's inclusion in the South African National Parks (SANParks) Land Inclusion Plan (2020–2023) for possible incorporation into the Garden Route National Park (GRNP) is also noted. The applicant recognises the conservation value of the site and supports, in principle, broader landscape-level conservation planning in the region.



Area for the proposed main house in foreground



SANParks continue to object to the construction of a road over the sand dunes



Portion 76 of Farm Uitzicht 216 has a steep gradient to the beach and a footpath is not proposed in the BAR.



Susan Campbell's road

A follow up fieldtrip with SANParks and the Southern Cape Fire Protection Association (FPA) present took place on 9 January 2021. Key points discussed:

- Development adjacent to Kerk Laan. Developing the main house in a disturbed area adjacent to Kerk Laan will have the least negative impact on biodiversity and landscape functionality. Other advantages are that

Based on the Terrestrial Plant Species and Biodiversity Assessment (Appendix D7)—the vegetation adjacent to Kerk Laan, in the north-western corner of Portion 76 of Uitzicht 216, is described as follows:

the drilling equipment and construction vehicles will have easy access to the site via an existing road.

- The area adjacent to Kerk Laan falls within the Knysna Sand Fynbos vegetation type, which is classified as Critically Endangered.
- The north-western section of Portion 76 near Kerk Laan is characterised by uneven terrain and slopes, which would require substantial excavation, terracing, or platform construction. These interventions could trigger erosion, disrupt natural drainage, and expose soil prone to destabilisation, particularly in sandy fynbos soils, which have a high erodibility factor (as confirmed in the Geotechnical Report).
- The area adjacent to Kerk Laan is elevated and more visible from public roads and nearby viewpoints, increasing the potential for visual intrusion. This is a concern given the area's status as a Natural Scenic Area under the National Heritage Resources Act (NHRA).
- Placing a structure near Kerk Laan may fragment an important ecological corridor that links adjacent SANParks Contract National Park (CNP) properties to the east and south. This could compromise landscape connectivity, particularly for faunal movement and pollinator pathways.
- Although Kerk Laan may offer some advantages for fire truck access, the area's slope and narrowness present risks during fire evacuation and would make it challenging to create a safe defensible space around structures without encroaching further into surrounding vegetation.

The landowners have chosen not to relocate the main house to the Kerk Laan boundary. This decision is influenced by personal preferences and specific design objectives pertinent to the site:

- Orientation toward the coastline for views and natural light.
- Integration of the dwelling into the existing dune landscape, consistent with the architectural vision.
- A desire to maximize privacy and visual screening, which is more feasible in the southern part of the property.

However, the landowners have demonstrated willingness to compromise by:

- Adjusting the house position to a more level area behind the frontal dune, reducing visual intrusion and avoiding the steepest and most sensitive slopes.
- Committing to low-impact construction methods and active rehabilitation post-construction.

- Development in the low-lying area, over the two sand dunes or using the Campbell Road, will compromise landscape functionality and set a bad precedent. It will create fragmentation of a pristine coastal corridor.



Disturbed area adjacent to Kerk Laan suitable for development

While the Kerk Laan option is acknowledged as environmentally optimal, the relocation of the dwelling to that position is not considered feasible from the landowner's perspective. As such, the preferred location behind the frontal dune will proceed with a robust mitigation strategy, including:

- Sensitive micro-siting with specialist guidance.
- Erosion control, habitat restoration, and alien plant management.
- Environmental Control Officer (ECO) oversight during all phases of development.

This approach seeks to balance conservation priorities with reasonable land use rights, ensuring that residual environmental impacts are minimised and managed responsibly.

The proposed development, whether situated in the low-lying area, across the sand dunes, or accessed via Campbell Road, raises significant concerns regarding landscape connectivity and the ecological integrity of the coastal corridor.

While the project does require development within a sensitive landscape, several steps have been taken to minimise fragmentation and preserve ecological function:

1. Compact and Contained Development Footprint
  - The proposed disturbance area accounts for less than 4% of the property.
  - The layout avoids the steep foredune and is confined to a level area to reduce dune instability and erosion risk.
2. No Fencing or Visual Barriers Across the Corridor
  - The design avoids boundary walls or fencing that would block wildlife movement or fragment the corridor.
  - Open space between the dunes will be maintained to preserve landscape permeability.
3. Low-Impact Access Road Design
  - The road alignment will be limited in width, constructed with permeable surfaces, and follow natural contours.
  - If the Campbell Road is used, the route will be shortened, avoiding full-length dune crossings.
4. Vegetation and Habitat Rehabilitation

- Fire management. The landowners are members of the Southern Cape FPA. It is possible to make fire breaks to protect infrastructure at the landowner's preferred location for the main house. However, Kerk Laan could act as a firebreak if it is widened and slashed. In a case of emergency, it would be less risky to evacuate people from Kerk Laan than from a fynbos corridor with tricky access for fire trucks. The Campbell Road and the new section of road that would need to be constructed from Campbell Road to preferred site would not be ideal roads for the Knysna Fire Department as their trucks would struggle to gain access easily to the house. However, Kerk Laan would be a much easier access point for fire trucks, and this should be considered for fire safety in this fire-prone area. Conducting an ecological burn in future will also be more risky with infrastructure developed in the fire path. The June 2017 fire and the ecological burn executed on 15 May 2017, that slowed the fire down dramatically before it reached Brenton, is still fresh in our memories. A functional Fire Management Unit in the Knysna Sand Fynbos will be desirable as there will be future fires.

- Indigenous planting and erosion control will be implemented post-construction to restore ecological structure.
  - Alien invasive species will be actively managed.
5. Commitment to Stewardship Principles
- The landowners are open to long-term conservation agreements or stewardship arrangements that would offset residual impacts and contribute to corridor protection in perpetuity.

The development has been designed to minimise fragmentation and respect the coastal ecological corridor. While some level of impact is unavoidable, the proposal integrates measures to preserve landscape functionality, maintain wildlife movement, and avoid setting a precedent for uncontrolled development.

The landowners are active members of the Southern Cape Fire Protection Association (FPA) and are committed to complying with all fire safety obligations under the National Veld and Forest Fire Act. At the preferred location for the main house, it is feasible to implement managed firebreaks in line with best practice to reduce fuel loads and create defensible space around the structure.

#### Emergency Access and Road Safety Considerations

#### Ecological Burns and Landscape-Scale Fire Management

The landowners support the establishment of a functional Fire Management Unit (FMU) in the area, ideally in collaboration with SANParks, CapeNature, Local conservation bodies, and the adjacent landowners.

The applicant is willing to participate in future fire management planning efforts that support:

- Safe, controlled ecological burns,
- Coordinated response strategies, and
- Maintenance of fire-adapted fynbos systems.

The proposed development will include robust, site-specific fire safety measures, developed in consultation with the FPA and emergency services.

#### 1. Infrastructure and Building Design

- Non-combustible building materials for roofing, cladding, decks, and finishes.
- Double-glazed or tempered glass windows to reduce heat breakage risk.
- Enclosed eaves and underfloor spaces to prevent ember intrusion.
- Fire-resistant seals on all openings and vents.
- Perimeter dripper irrigation system to maintain moisture in defensible space during fire season.

## 2. Defensible Space and Landscaping

- Establish and maintain a 30 m defensible zone around all structures, cleared of flammable vegetation and organic matter.
- Use of fire-wise indigenous plant species with low volatile oil content.
- Creation of green firebreaks using irrigated groundcovers or low-fuel vegetation.
- Terraced landscaping on steep slopes to reduce flame spread.

## 3. Access and Emergency Services Support

- Construction of all-weather access roads with:
  - Minimum width of 4–6 metres, firm surface (gravel, reinforced pavers, etc.).
  - Passing bays and turn-around points for large firefighting vehicles.
  - Clear signage and reflective markers for emergency access points.
- Clearly marked emergency assembly point(s) on the property.
- Visible house number at entry gate for rapid identification.

## 4. Water Supply and Firefighting Infrastructure

- Dedicated firefighting water storage, e.g.:
  - 160,000-litre pool with fire hose fittings and quick couplings.
  - Additional storage tanks (10,000–20,000 litres) with gravity-fed or pump access.
- Hydrant or hose points accessible from fire service access route.
- On-site portable firefighting equipment, e.g. high-pressure hose reels, knapsacks, fire beaters.

## 5. Fire Planning, Response & Community Coordination

- Site-specific Fire Management Plan (FMP) developed with the Southern Cape FPA.
- Fire awareness signage for guests and contractors on site.

- Conservation value of property. More than 50% of the property contains Knysna Sand Fynbos and the entire property is a Critical Biodiversity Area (CBA). Although the Kerk Laan area is located in Knysna Sand Fynbos the transformation footprint can be limited with a good Site Development Plan and the current landscape functionality corridor will then be maintained. Knysna Sand Fynbos hosts threatened plant species and five threatened butterfly taxa (Mecenero et al. 2013), including CE taxa *Orachrysops niobe* (Brenton Blue) and *Thestor brachycerus* and is poorly protected. The original extent of Knysna Sand Fynbos was 15 355 ha. The remaining natural extent is 1 478 ha (9.6%) and the Western Cape target is 3 531ha (23%). The Knysna Sand Fynbos asset is in deficit. Not only is Knysna Sand Fynbos endemic to the Western Cape, but it is also confined to a very specific and limited geographical area along the Garden Route coast (only found from the coastal flats from Wilderness, generally to the north of the system of lakes, several patches around the Knysna Lagoon, with more isolated patches eastwards to the Robberg peninsula near Plettenberg Bay). There is excellent landscape heterogeneity on the property.

In summary, from a biodiversity conservation, landscape functionality and integrated fire management perspective developing the main house adjacent to Kerk Laan is the preferred alternative for SANParks. Developing in the core of the Knysna Sand Fynbos Coastal Corridor will set a very bad precedent and contribute to a loss of biodiversity and landscape fragmentation. The properties on both sides of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to 2023. SANParks will continue to object to the access road over the sand dunes.

- Engagement in a local Fire Management Unit (FMU) with adjacent landowners for coordinated controlled burns and response planning.

Despite the site's high ecological value, the applicant believes that limited, carefully planned, and ecologically sensitive development can occur without undermining the conservation integrity of the property.

A compact, minimal-footprint Site Development Plan (SDP) has been compiled to ensure that the development is clustered, thereby avoiding unnecessary fragmentation of natural habitat. The SDP has been developed in close collaboration with botanical and faunal specialists, using detailed sensitivity mapping to avoid confirmed locations of Species of Conservation Concern (SCC) and to retain key elements of landscape functionality, such as ecological corridors and natural vegetation buffers.

After careful consideration of site constraints, access logistics, legal boundaries, landowner rights, and technical feasibility, the applicant has found that relocating the main dwelling to Kerk Laan is not viable.

It is important to distinguish that this development is not speculative or commercially driven, but rather a single residential dwelling on a privately owned property that has been under the same ownership since 1999. The proposed development:

- Involves a minimal footprint, affecting less than 4% of the total land area.
- Is being developed within the legal rights of the property, with full control over access and servicing.

	<ul style="list-style-type: none"> <li>• Is subject to a rigorous Environmental Impact Assessment process, including terrestrial biodiversity and SCC mapping, and guided by specialist-driven environmental design.</li> </ul> <p>The concern that this may "open the floodgates" for broader development within the corridor is understood, but it is submitted that:</p> <ul style="list-style-type: none"> <li>• The specific context of Portion 76/216: its zoning, historical use, ownership, and physical constraints, makes it distinct from undeveloped or subdividable properties.</li> <li>• The proposal includes active stewardship elements, such as conservation of the undeveloped portions, participation in future GRNP inclusion, and long-term ecological monitoring.</li> <li>• A case-by-case, criteria-based approach to development in CBAs is supported by existing environmental legislation and provincial planning frameworks.</li> </ul> <p>By integrating robust ecological mitigation and limiting the footprint to a defined and defensible area, this development need not be viewed as creating an open-ended precedent, but rather as a rare, tightly controlled exception aligned with both responsible private land use and regional conservation goals.</p> <p>The proposal is materially different from large-scale or speculative developments, and demonstrates how sensitive, well-managed development can coexist with long-term conservation outcomes.</p>
<p>Due to SANParks ongoing CNP work in the corridor, SANParks is familiar with the property, and has visited it and adjacent properties several times over the years (Figs. 8 &amp; 9).</p>	<p>Noted.</p>

Due to SANParks ongoing CNP work in the corridor, SANParks is familiar with the property, and has visited it and adjacent properties several times over the years (Figs. 8 & 9).



**Fig. 8.** View from neighboring Uitzicht 216, Portion 39 towards landward foredune on Portion 76.



**Fig. 9.** View from neighboring Uitzicht 216, Portion 39 towards seaward foredune on Portion 76, showing valley between the two foredunes.

The current development proposal as extracted from the Draft Basic Assessment Report (DBAR), Eco Route Environmental Practitioners, January 2025, entails: Proposed Development:

### Proposed Development:



**The preferred alternative:** The development proposal entails the following:

- (i) The construction of one (x1) main dwelling house to be situated in the southwestern corner of the property (3000m<sup>2</sup>).
- (ii) The construction of a new internal road to provide access to the southern portion of the property.

#### The Main Dwelling House

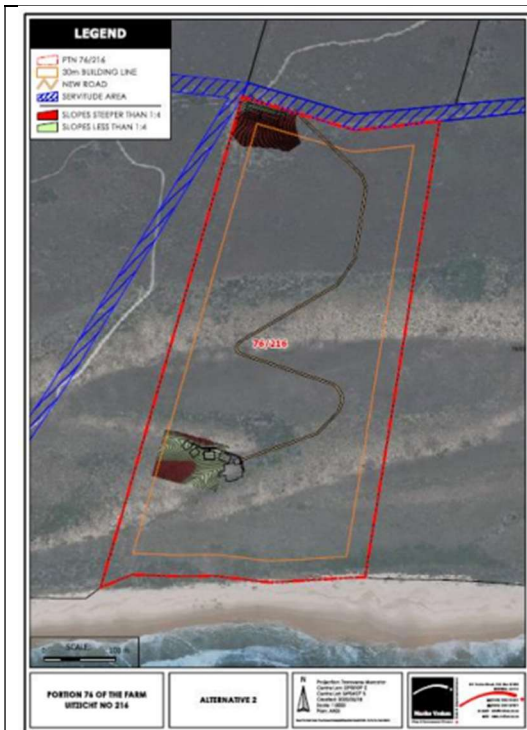
The primary dwelling unit will be situated in the south-western portion of the property consisting of the following inter-leading room's ±3000m<sup>2</sup>:

- 6 Bedrooms.
- Open plan living area consisting of the kitchen, lounge area, dining area, kitchen, bar, scullery, bathroom and wine cellar.
- Open deck and swimming pool.

#### The Internal Road

The internal road will be 830 meters in length. The road surface area will be 2.5 meters wide and the disturbed area for construction of the road varies between 4 to 5.5 meters wide. The internal road is to access the southwestern side of the property.

Noted.



**Alternative 1:** The development proposal entails the following:

- (iii) The construction of one (x1) main dwelling house to be situated in the southwestern corner of the property (4000m<sup>2</sup>).
- (iv) The construction of one (x1) farm manager's house in the northwestern corner of the property (1200m<sup>2</sup>).

- (v) The construction of a new internal road to provide access to the southern portion of the property.

**Note:** Inconsistencies with naming of alternatives occurs throughout the documents provided. Text refers to Alternative 1 yet plans refer to this alternative as Alternative 2. This is very confusing for readers.

Noted.

**The Farm Manager's House**

The Dwelling house to be situated in the north-western corner will encroach the prescribed 30m building line, and therefore an application must be made for a permanent departure for the relaxation of the northern and western building lines.

The main reason why the house encroaches on the prescribed building line is to prevent unnecessary disturbance of sensitive, pristine fynbos. The proposed footprint in the building line area is an existing transformed area, and consists of the following:

- Ground Floor: 600m<sup>2</sup>
- First Floor: 400m<sup>2</sup>
- Footprint: 600m<sup>2</sup>
- Disturbance area: 1200m<sup>2</sup>

**The No Go Alternative**

The proposed redevelopment of Portion 76 of the Farm Uitzicht 216 will remain unutilised and vacant, thereby restricting the landowner's ability to exercise their right to construct a residential dwelling.

## Servicing:

### Electricity

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

### Solar plant

#### Type and system

The solar plant will be developed as an off-grid installation, utilizing solar energy to supply the load during daylight hours while recharging the batteries at night. Furthermore, grid-tied photovoltaic inverters may be integrated into this micro-grid configuration through AC coupling, should the energy demand surpass the generation capacity.

#### Plant location

It is advisable to consider the installation of a **roof-mounted solar power system on the roofs of both the main residence and the adjacent outbuilding units**, should there be a requirement for increased energy generation capacity. The northern-facing roof of the main residence, which has an approximate area of 46 square meters, is capable of accommodating approximately 23 solar panels, providing a total capacity of 7 kilowatts.

#### Plant capacity

The proposed system is designed with a capacity of 15 kWh, while the anticipated peak consumption is estimated to reach 30 kWh per day.

### Water Reticulation

The applicant proposes to supply water for the development by means of the following:

- **Installing boreholes** – an application for a water licence will have to be submitted to Breede- Gouritz Catchment Management Agency.
- A substantial proportion of the water demand will be addressed through the collection of rainwater. The aggregate roof area totals 842 m<sup>2</sup> and given the average annual rainfall of 500 mm in the Knysna region, this system is estimated to supply approximately 421 kilolitres (kl) of rainwater. It is important to note that this rainwater collection will only meet around 87% of the total water demand.
- The main building will make provision for 110kl rainwater/borehole storage.

### Water Reticulation

The proposed development lacks a bulk water network and will **serve as holiday accommodation for a maximum of twelve people, assumed to be occupied for 200 days a year.**

Water demand is 480,000 litres (480 kilolitres) annually. Rainwater collection from 842 square meters of roof space will provide about 421,000 litres (421 kilolitres), covering 87% of the demand. To make up for the shortfall, boreholes will be drilled, which can also serve as storage when powered by on-site generators. The main building will have a storage capacity of 110 kilolitres.

### Fire

This development is **categorized as low-risk and falls within Group 2: residential areas (residential zone 1)**. In these designated areas, the gross floor area of dwelling houses, including any associated outbuildings, is typically expected to range between 100 square meters and 200 square meters, in accordance with the "Guidelines for

### Sewer Reticulation

At this time, municipal bulk sewer services are not available in this area. Following consultation with the Technical Department of Knysna Municipality, it has been determined that the implementation of **septic tanks with soakaways** is a viable option for managing effluent in this locality.

*The above information was obtained from the Engeolab desktop investigation, Geophysical investigation & Feasibility Assessment into groundwater abstraction dated October 2018 and the Civil Services Report dated 2018.*

**Internal Stormwater**

The stormwater will not be accumulated or concentrated at any point but will be allowed to drain naturally over the sandy surface. Care will be taken when designing the access road to ensure that stormwater is properly addressed, according to SUDS principles.

Point 1: Development on the Foredunes and within a Coastal Risk Area Coastal Protection Zone

The CPZ is defined in Section 16 of the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008) (NEM: ICMA). The Western Cape DEA&DPs, “Western Cape Provincial Coastal Management Programme 2022 – 2027”, further summarises aspects of the CPZ as follows.

Feature	Constituents	Characteristics/Purpose
The Coastal Protection Zone	<ul style="list-style-type: none"> <li>• Sensitive coastal areas, as declared in terms of Section 21 of the Environment Conservation Act (Act No. 73 of 1989);</li> <li>• Any part of the littoral active zone that is not coastal public property;</li> <li>• Any coastal protected area, or part of such area, which is not coastal public property;</li> <li>• Any rural land situated wholly or partially within one kilometre of the High-Water Mark (HWM) which is zoned as agricultural or undetermined;</li> <li>• Any urban land unit that is situated completely or partly within 100 metres of the HWM;</li> <li>• Any coastal wetland, lake, lagoon or dam which is situated completely or partially within a land unit situated within 1000 metres of the HWM that was zoned for agricultural or undetermined use, or is within 100 metres of the HWM in urban areas;</li> <li>• Any part of the seashore which is not coastal public property (including all privately owned land below the HWM);</li> <li>• Any Admiralty Reserve which is not coastal public property; and</li> <li>• Any land that would be inundated (submerged or covered) by a 1:50 year flood or storm event (this includes flooding caused by both rainstorms and rough seas).</li> </ul>	<ul style="list-style-type: none"> <li>• To protect the ecological integrity, natural character, and the economic, social and aesthetic value of the neighbouring coastal public property;</li> <li>• To avoid increasing the effect or severity of natural hazards</li> <li>• To protect people, property and economic activities from the risks and threats which may arise from dynamic coastal processes such as wave and wind erosion, coastal storm surges, flooding and sea-level rise.</li> <li>• To maintain the natural functioning of the littoral active zone.</li> <li>• To maintain the productivity of the coastal zone; and</li> <li>• To allow authorities to perform rescue and clean-up operations.</li> </ul>

<b>8</b>	<b>Implementation of land use legislation in coastal protection zone</b>	Section 62 of the NEM: ICMA obliges any organ of state that is implementing any legislation that regulates the planning or development of land, in a manner that conforms to the principles of cooperative governance contained in Chapter 3 of the Constitution, apply that legislation in relation to land in the coastal protection zone in a way that gives effect to the purposes for which the protection zone is established as set out in Section 17 of the NEM: ICMA. Furthermore, SPLUMA requires that a land use scheme must comply with environmental legislation.
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Uitzicht 216, Portion 76 falls entirely in the CPZ (Fig.2), therefore careful environmentally sensitive decision-making must be made for any proposed development on this property. As the property falls within the 1km high-

Noted.

<p>water-mark, this has further implications for agricultural worker accommodation, in terms of the Knysna Municipality: Zoning Scheme Bylaw, 29 June 2020:</p> <p><b>"agricultural worker accommodation"</b></p> <p><b>Land use description:</b> "agricultural worker accommodation" means accommodation provided for bona fide agricultural workers, including accommodation for labourers and farm managers, as determined by the Municipality based on the extent of the bona fide agricultural activities on the land unit.</p> <p><b>Development parameters:</b></p> <p>The development parameters applicable to "agriculture" apply with the following additional development parameters:</p> <ul style="list-style-type: none"> <li>(a) the number of units must be reasonably connected to the bona fide agricultural activities on the land unit; and</li> <li>(b) no agricultural worker accommodation may be erected within 1 km of the high-water mark of the sea or a tidal river.</li> </ul>	
<p><u>Confirmation on the allowance of a second dwelling for a farm manager must be sought from the Knysna Municipality.</u></p> <p>Garden Route National Park Coastal Management Line</p> <p>The Coastal Management Line for the Garden Route National Park was established in GNR. No. 3668, 14 July 2023, in terms of NEM: ICMA. <u>Section 4 describes development risk management measures applicable for new infrastructure seaward of the CML and existing infrastructure in areas at risk to dynamic coastal process. The new and existing infrastructure provisions are what is being applied to SANParks infrastructure. SANParks encourages that these measures be applied to private property adjacent to SANParks land. It must be noted that several properties which border Portion 76, are Contract National Park committed properties, which will legally be declared as part of the park.</u></p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p> <p>The applicant acknowledges the establishment of the Coastal Management Line (CML) for the Garden Route National Park, as gazetted in GNR No. 3668 on 14 July 2023, in terms of the National Environmental Management: Integrated Coastal Management Act (NEM: ICMA). The purpose of the CML is to manage risk from dynamic coastal processes and guide appropriate development.</p>

The CML extends for between 70 to 100m in places into the lower southern section of Portion 76.

#### Knysna Protected Environment Development Control Area

SANParks is responsible for the Proper Administration of the Knysna Protected Environment (KPE) (GN 1175 of 2009) Regulations, and for the authorisation of any development (as defined in the Regulations) in the DCA, as per Section 8. The KPE DCA extends 50m from the high-water mark into Portion 76 (Fig 2), and as such SANParks' authorisation is required for any development to proceed in this area.

As per Section 9 and 10 of the KPE Regulations SANParks may request additional studies to be undertaken, should it be deemed that these are required.

#### Dune Stability, Coastal Erosion & Climate Change Resilience

SANParks does not support and objects to any development and infrastructure on the two foredunes situated in the southern section of Portion 76.

The stability of the foredunes is a concern. Dune slumping on the seaward foredune of Portion 72 has recently occurred (2023 – 2024) (Fig. 10), and blowouts are evident on Portion 73 and 74 (Fig. 11). These dune areas could be deemed littoral active zones, being unstable and dynamic because of natural processes.

The applicant acknowledges that SANParks is the designated authority responsible for the proper administration of the Knysna Protected Environment (KPE), in terms of Government Notice No. 1175 of 2009, and that any development within the Designated Control Area (DCA), as defined in the KPE Regulations, requires formal authorisation by SANParks under Section 8 of the Regulations.

It is noted that the KPE DCA extends 50 metres inland from the high-water mark (HWM) and that this zone overlaps the southern portion of Portion 76, as illustrated in Figure 2.

Noted.

The proposed site development plan integrates specific mitigation measures designed to address the identified issues. The alignment of these measures with environmental and regulatory standards may establish a compelling case for approval. The development plan encompasses comprehensive mitigation strategies and provides essential context for evaluation.

According to SANParks, the instability of Portion 76's foredunes, which is influenced by the dynamics of the littoral active zone, has been evidenced by recent slumping observed in Portion 72 (2023–2024). To mitigate these challenges, the proposed development integrates advanced engineering solutions, including reinforced foundations specifically designed to withstand dune movement and erosion-resistant materials, thereby reducing the risks associated with infrastructure stability. Furthermore, the implementation of non-invasive construction techniques, such as elevated structures supported

Conserving the seaward foredune and ensuring that it remains free from development is a necessary climate change resilience strategy. Any development on this active foredune would be at risk as coastal erosion impacts intensify in the future with climate change. It would be difficult to defend such development from coastal erosion, given the unstable steep dune slopes, erodibility, and slumping potential. The effects of climate change are already being experienced along this stretch of coast (Fig. 12).



**Fig. 10.** Recent dune slumps (2023-2024) evident on the seaward foredune, Portion 72.



**Fig. 11.** Two blowouts are evident on the seaward foredune, Portions 73 & 74.



**Fig.12.** September 2023 storm surge, which washed away the Brenton on Sea beach walkway.

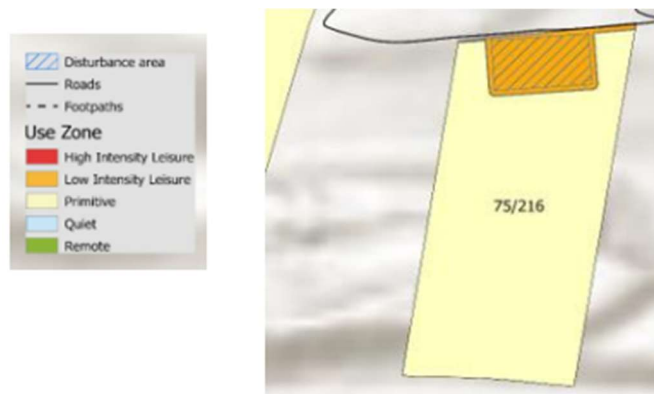
by piles, aims to preserve the natural morphology of the dunes and minimise disruption to coastal processes.

The proposed development implements dune rehabilitation programs, such as planting indigenous vegetation like marram grass or other dune-stabilising species, to enhance dune stability and mitigate erosion risks.

Point 2: Knysna Sand Fynbos Corridor: Development Options Supported

As stated, several adjoining and adjacent properties are in various stages of SANParks CNP stewardship commitment with landowners. Many of these landowners have intentions to exercise their primary development rights, which SANParks supports. Part of the CNP process involves formulating a Property Operational Plan for co-management with SANParks and the landowner. A component of this is the drafting of a Zonation Plan, based on park zonation principals, as the property is eventually declared as part of the park. The Zonation Plan sets out which portions of the property may be developed, and what activities may take place in the various areas of the property.

SANParks' position for properties situated seaward of Church Street is to allow only a development area situated directly adjacent to Church Street, in which a primary dwelling is permitted, and if approved by the Knysna Municipality, a second managers house may be permitted, however this must be placed in this same development area. No development is supported lower down the property, and on the foredunes, and no roads may be constructed through the property to the foredunes. Approved hiking paths, a beach access path, and a small sea viewing deck of approximately 25m2 maximum may be permitted. An example of a Zonation Plan, which was prepared for the previous landowner of Portion 75 is as follows:



The project proponents are open to exploring opportunities for conservation partnerships, including the potential for stewardship agreements on undisturbed portions of the property.

Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.

Based on the Terrestrial Plant Species and Biodiversity Assessment (Appendix D7)—the vegetation adjacent to Kerk Laan, in the north-western corner of Portion 76 of Uitzicht 216, is described as follows:

- The area adjacent to Kerk Laan falls within the Knysna Sand Fynbos vegetation type, which is classified as Critically Endangered.
- The north-western section of Portion 76 near Kerk Laan is characterised by uneven terrain and slopes, which would require substantial excavation, terracing, or platform construction. These interventions could trigger erosion, disrupt natural drainage, and expose soil prone to destabilisation, particularly in sandy fynbos soils, which have a high erodibility factor (as confirmed in the Geotechnical Report).
- The area adjacent to Kerk Laan is elevated and more visible from public roads and nearby viewpoints, increasing the potential for visual intrusion. This is a concern given the area's status as a Natural Scenic Area under the National Heritage Resources Act (NHRA).
- Placing a structure near Kerk Laan may fragment an important ecological corridor that links adjacent SANParks Contract National Park (CNP)

SANParks supports a clustered layout approach for dwelling/s and infrastructure placement. A diffuse layout approach that fragments the landscape is not supported. This approach is applied throughout the corridor. The only exception to this position, is Portion 39, which has a road constructed across the foredunes and a dwelling situated behind the seaward foredune. It must however be noted that Portion 39 has been owned by the same landowners since 1972, and the road was formalised from 1980 to 1990, and the dwelling was pre-existing, prior to the EIA Regulations, which were enacted in 1997. The dwelling burnt down in the 2017 fires and municipal approval was attained to re-build it.

SANParks will not support any new developments of this nature in the corridor. SANParks' position is not only based on the need to prevent landscape fragmentation and biodiversity loss, and support landscape connectivity and functioning, but is further intended to retain tranquillity and a sense of place across the conservation corridor.

properties to the east and south. This could compromise landscape connectivity, particularly for faunal movement and pollinator pathways.

- Although Kerk Laan may offer some advantages for fire truck access, the area's slope and narrowness present risks during fire evacuation, and would make it challenging to create a safe defensible space around structures without encroaching further into surrounding vegetation.

Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.

The project's current layout reflects this clustered development principle, with:

- The main house and manager's cottage positioned in close proximity, using minimal access routes,
- All infrastructure located to minimise new disturbances, with service lines routed adjacent to the internal road,
- And the remaining undeveloped areas retained for ecological integrity and potential stewardship inclusion.

Noted. The development proposal has been substantially revised to address these concerns:

- The layout has been changed to a single, compact cluster, reducing fragmentation.
- The overall development footprint has been significantly reduced, now occupying less than 4% of the property.
- Infrastructure is placed within lower-sensitivity areas, avoiding confirmed SCC locations and steep foredunes.
- No new roads or access routes are proposed across the dune corridor or into the conservation buffer.

Therefore, based on the above, SANParks does not support and objects to the preferred layout. SANParks does not support the construction of a road across the foredunes and the construction of a house on the foredunes. Further, the disturbance/ building footprint areas suggested (main dwelling approx. 3000m<sup>2</sup>, and road approx. 4565m<sup>2</sup>, total 7565m<sup>2</sup>) are excessive and underestimated.

Noted. According to the Conservation of Agricultural Resources Act (CARA), 1983 (Act No. 43 of 1983), land capability and soil conservation are central to sustainable land use. CARA explicitly aims to prevent the degradation of valuable agricultural land and to regulate the subdivision and rezoning of high-potential agricultural land.

While the site in question may not currently be under cultivation, it forms part of a broader agro-ecological matrix and landscape that holds potential for low-impact, sustainable agriculture or rehabilitative conservation grazing, both of which are preferable over hard infrastructure development. The proposed development is:

- Within the scale typically permitted for primary dwellings and associated infrastructure in rural/agricultural zones.
- Designed with sensitivity to existing topography, minimising large-scale cut-and-fill or alteration of natural landform.
- Intended to coexist with open space buffers and rehabilitated vegetation areas, not replace them.

The total development footprint of 7,565 m<sup>2</sup> has been realistically estimated to include not only the physical built form, but also associated infrastructure such as internal roads, firebreak buffers, and service access. This represents a low overall development density on the portion, which spans several hectares. Importantly:

- No further subdivision is proposed.
- The development is clustered to minimize fragmentation.
- The footprint constitutes a small fraction (well under 10%) of the total erf size, maintaining substantial open space.

Reducing the footprint would compromise the functionality, safety, and sustainability of the development, including necessary fire access, stormwater drainage, and ecological edge management.

Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

Likewise, SANParks does not support Alternative 2. This alternative would have a greater negative impact, as disturbance/ building footprint areas are greater (main dwelling approx. 4000m<sup>2</sup>, farm managers house 1200m<sup>2</sup>, and road approx. 4565m<sup>2</sup>, total 9765m<sup>2</sup>) with two disturbance areas proposed on the northern and southern section of the property, with a road access to the foredunes.

It is unclear whether the areas provided refer to building footprint area or to disturbance areas. If referring to a building footprint area, the actual disturbance area may in fact be double/ triple. No area calculations have been provided for embankments, water tanks, garages, storage areas, vegetable gardens, etc.

SANParks will only support development close to Church Street, as extracted from the Alternative 2 layout below:

The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.

The revised figures of 1000 m<sup>2</sup> for the main dwelling and 1,500 m<sup>2</sup> for associated access, services, and working areas (a total estimated disturbance area of approximately 2,500 m<sup>2</sup>) refer to the full extent of site disturbance, not only the structural building footprint.

This total includes:

- Primary and ancillary structures (main house, garage, pool, covered verandas).  
Hard surfaces (driveway, turning circle, temporary construction area).  
Utility-related features (water tanks, septic system, rainwater harvesting tanks).  
Landscape areas directly associated with the dwelling cluster.
- All components within this consolidated 2,500 m<sup>2</sup> footprint are functionally necessary to ensure safety, sustainability, and liveability of the rural homestead.

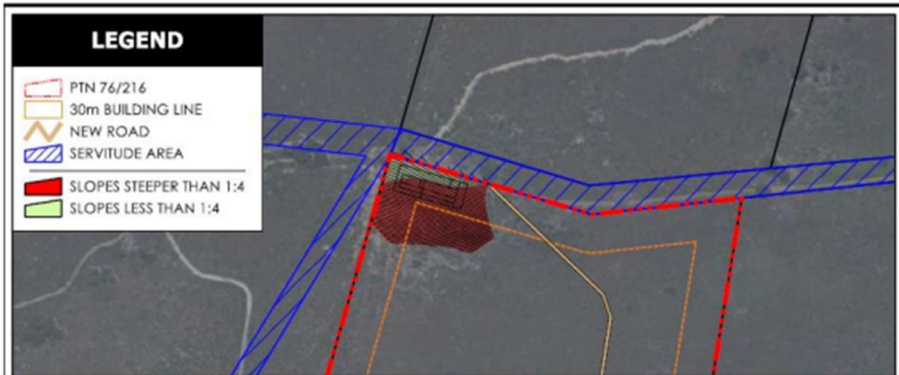
These include:

- Water and fire tanks (for emergency resilience in a rural fire-risk zone).
- Storage areas for tools and maintenance equipment.
- Turning space designed to allow fire-fighting access and reduce disturbance elsewhere.

The proposed development cluster has been strategically located to:

- Respect visual corridors and avoid skyline intrusion.
- Consolidate all structures within a single, compact disturbance zone behind the 30 m coastal building line, rather than dispersing impacts across the erf.

Noted.



Point 3: Infrastructure

Water

Should the landowner require borehole water the following should be noted:

In terms of the National water Act, 1998 (Act No. 36 of 1998), Revision of General Authorisations for the Taking and Storing of Water, GNR. No 40243, 2 September 2016, Section 2.3; a Water Use License (WUL) may be required due to the property being situated within 500m from the high-water mark of the ocean.

Section 2.3 states the following exclusions from General Authorisations:

**2.3. Geographical area and water resources to which the authorisation applies**

Except where stated differently in the notice this authorisation applies to all land and all water resources in South Africa, subject to the following exclusions:

1. No water that is taken in terms of this authorisation may be taken within a 500 metre radius from the boundary (delineated edge) of a wetland, pan or estuary.
2. No groundwater that is taken in terms of this authorisation may be taken within a 500 metre radius from the boundary of a wetland or estuary, within a 100 metre radius from the delineated riparian edge of a water course or a state dam, within a 500 metre radius of a state dam wall or within 500 metres from the high-water mark of the ocean.

Noted. The development will not be permanently occupied but will be utilised for holiday accommodation. The assumption is made that the units will be occupied for 200 days of the year.

The facilities will cater for a maximum of twelve people. Provision needs to be made for the following demand: 200l per day/occupant for a total of 200 days = 480kl. A large percentage of the water demand will be provided for by collecting rainwater. The total roof area will be 842m<sup>2</sup> and with an average rainfall for the Knysna area of 500mm per year will supply 421kl. The rainwater will only supply in the order of 87% of the demand. Borehole/s will be drilled to make up for the shortfall.

Further a WUL may be required, if water demand for the primary supply is >1kl/da/ha (>1kl/day/ha which is permitted for general usage). Confirmation from the relevant Competent Authority should be sought.

#### Sewerage

SANParks is not in support of septic tanks. Cleaner environmentally friendly options should be investigated.

#### Electricity

SANParks supports the use of solar panels, however these should be positioned so as not to face east/ west to minimise glare and reflections. Similarly glare from windows should be minimised.

#### Point 4: Alien Invasive Species and Fire Management

The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on their property. SANParks requests sight of the required Invasive Species Control Plan (ISCP), and clarity on whether this has been submitted to and approved by the Department of Forestry Fisheries and the Environment (DFFE). SANParks seeks confirmation on whether alien clearing if any has occurred on the property.

Conservancy tanks can be considered.

Noted. The main house Northern face roof (assumed 46m<sup>2</sup>) can fit about 23 panels (7 kW).

The applicant acknowledges the provisions of the National Environmental Management: Biodiversity Act (NEM:BA), 2004 (Act 10 of 2004) and the associated Alien and Invasive Species Regulations promulgated on 25 September 2020, which place a legal obligation on landowners to identify, control, and remove listed invasive species on their properties.

It is confirmed that Portion 76 of Uitzicht Farm does contain invasive alien plant species, including *Acacia cyclops* and *Eucalyptus spp.*, as recorded in the specialist botanical assessment. In response to this:

- The applicant is in the process of preparing a formal Invasive Species Control Plan (ISCP) in accordance with Regulation 3(1) of the AIS Regulations.
- The ISCP will be aligned with the requirements of the Department of Forestry, Fisheries and the Environment (DFFE) and will be submitted for approval as part of the development's environmental management process.
- The ISCP will include:
  - Baseline mapping of invasive species present,
  - A prioritisation plan for phased clearing,
  - Methods of control (mechanical/manual, with no chemical use in sensitive areas),
  - Rehabilitation and indigenous replanting strategy, and

Compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. SANParks requires clarity on whether the landowner is a member of the Southern Cape Fire Protection Association (SCFPA), and whether the necessary legally required firebreaks, agreements and/or exemptions are in place.

SANParks stands firm on previous comments made regarding fire.

- A monitoring and reporting framework.

In the interim, limited alien clearing activities have already occurred on-site, primarily targeting accessible *Acacia* infestations in previously disturbed areas. These were conducted manually to avoid soil disturbance, in line with ecological recommendations.

The applicant acknowledges the legal obligation to comply with the National Veld and Forest Fire Act, 1998 (Act 101 of 1998) and supports the intent of the legislation to reduce wildfire risks, protect biodiversity, and ensure coordinated fire response planning.

It is confirmed that the landowners are registered members of the Southern Cape Fire Protection Association (SCFPA) and actively participate in local fire management initiatives. As part of this membership:

- The property is included in the SCFPA's regional Fire Management Plan, and
- The landowners are committed to adhering to the minimum fire readiness requirements applicable to landowners in fire-prone areas.

Regarding firebreaks and legal compliance:

- The landowners are aware of the requirement to establish and maintain firebreaks as per Section 12 of the NVFFA.
- Firebreak planning will be incorporated into the final site-specific Fire Management Plan (FMP), which is being developed in consultation with the SCFPA and will align with best practices for fynbos systems.
- No blanket exemptions have been requested at this stage; however, should exemptions or agreements be necessary (e.g. in ecologically sensitive areas where firebreaks could harm biodiversity), the landowners will apply for such exemptions through the appropriate legal channels.
- The development design includes a 1 60 kl fire pool, dedicated fire-fighting infrastructure, and access roads engineered to support emergency response.

Noted.

- Fire management. The landowners are members of the Southern Cape FPA. It is possible to make fire breaks to protect infrastructure at the landowners preferred location for the main house. However, Kerk Laan could act as a firebreak if it is widened and slashed. In a case of emergency, it would be less risky to evacuate people from Kerk Laan than in a fynbos corridor with tricky access for fire trucks. The Campbell road and the new section of road that would need to be constructed from Campbell road to preferred site would not be ideal roads for the Knysna Fire Department as their trucks would struggle to gain access easily to the house. However, Kerk Laan would be a much easier access point for fire trucks and this should be considered for fire safety in this fire-prone area. Conducting an ecological burn in future will also be more risky with infrastructure developed in the fire path. The June 2017 fire and the ecological burn executed on 15 May 2017, that slowed the fire down dramatically before it reached Brenton, is still fresh in our memories. A functional Fire Management Unit in the Knysna Sand Fynbos will be desirable as there will be future fires.

Point 5: Summary and Way Forward

In summary, SANParks does not support and objects to the Preferred and Alternative layouts. SANParks does not support the construction of a road across the foredunes and the construction of a house on the foredunes. SANParks will only support a disturbance area directly adjacent to Church Street, where a primary dwelling and managers house if permitted by the Knysna Municipality may be constructed.

This is in line with SANParks position for development in the Western Heads Knysna Sand Fynbos corridor, which is being applied to directly adjacent and neighbouring properties to Portion 76, which are under CNP stewardship commitment, in various phases of commitment. SANParks will not deviate from this position.

The lower southern section of Portion 76 is considered particularly sensitive: the CML extends some 70 to 100m in; the high-water-mark adjoins the southern property boundary; dune stability, coastal erosion, and climate change resilience are concerns; the property in its entirety falls within the CPZ; and the KPE Development Control Area extends 50m into the property.

Noted.

Please refer to the above discussion.

Please refer to the above discussion.

Please refer to the above discussion.

<p>Authorisation of any development in the Development Control Area is required from SANParks as per Section 8 of the KPE Regulations.</p> <p>In terms of infrastructure: a Water Use License may be required due to the property being situated within 500m of the high-water mark of the ocean; SANParks is not in support of septic tanks; and solar panels and windows must be positioned to reduce glare.</p> <p>SANParks requests sight of the required Invasive Species Control Plan, and clarity on whether this has been submitted to and approved by the Department of Forestry, Fisheries and the Environment. SANParks seeks confirmation on whether alien clearing, if any, has occurred on the property.</p> <p>Compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. SANParks requires clarity on whether the landowner is a member of the Southern Cape Fire Protection Association, and whether the necessary legally required firebreaks, agreements and/or exemptions are in place. In terms of fire management, development close to Church Street is more desirable than development lower down the property and on the foredunes.</p> <p>Should the landowner wish to place Portion 76 into CNP stewardship with SANParks, the property would qualify, and the landowner could benefit from financial incentives. SANParks is willing to provide information and have further discussions should the landowner be interested.</p> <p>It is requested that SANParks' full comments letter be included in the body of the Draft Basic Assessment Report, and not only in a Comments and Responses table.</p>	<p>Please refer to the above discussion.</p> <p>Please refer to the above discussion.</p> <p>Please refer to the above discussion.</p> <p>Please refer to the above discussion.</p> <p>Noted.</p> <p>Noted. The full comments will be included in the Draft Basic Assessment Report.</p>
<p>SANParks reserves the right to revise initial comments if additional information becomes available.</p>	<p>Noted.</p>
<p><b>Cape Nature - Megan Simons – 08 April 2025</b></p>	
<p>CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity</p>	

<p>related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:</p>	
<p>The property is within the Knysna National Lake Area Protected Environment<sup>1</sup>. At the time of the assessment the 2017 Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017)<sup>2</sup> was used to inform the study. The entire property was mapped as Critical Biodiversity Area (CBA 1: Terrestrial).</p>	<p>Noted.</p>
<p>The property does not have any aquatic features but is within the National Strategic Water Source Area (SWAS) for surface water for the Outeniqua region and serves as a water source protection for the Knysna Estuary and Watercourse protection for South Eastern Coastal Belt. Furthermore, the property is within the Coastal Protection Zone and has coastal habitat.</p>	<p>Agreed.</p>
<p>The fine-scale map described the vegetation as Moist Dune Fynbos, Goukamma Dune Thicket, Arid Dune Fynbos, Brenton Dune Fynbos, Primary Dune Slack Fynbos, Primary Dune &amp; Cliff Fynbos, and Fore dune (Vlok 2005)<sup>3</sup>. According to the National Biodiversity Assessment (Skowno et al. 2018) the vegetation units are Knysna Sand Fynbos which is listed as Critically Endangered (NEM:BA, 2022)<sup>5</sup> and Goukamma Dune Thicket which is Least Concerned (SANBI 2022).</p>	<p>Agreed.</p>
<p>The Knysna Sand Fynbos is a narrowly distributed vegetation with high rates of habitat loss of which plantations were the primary pressure on this ecosystem together with cropping and alien invasions (SANBI 2022). Only 21% of the natural extent remains and this is a poorly protected ecosystem. The high rates of habitat loss over the past 28 years (and still ongoing) places this ecosystem at risk of collapsing which makes it crucial to conserve and manage the remaining areas that are still natural.</p>	<p>Noted.</p>
<p>Following a review of the proposed development, CapeNature has the following comments:</p> <ol style="list-style-type: none"> <li>1. The 2017 Western Cape Biodiversity Spatial Plan has been replaced by the 2023 Western Cape Biodiversity Spatial Plan. The latter mapped the</li> </ol>	<p>The applicant acknowledges the update and publication of the 2023 Western Cape Biodiversity Spatial Plan (WCBSPP), which replaces the 2017</p>

property as being within the Knysna National Lake Area Protected Environment which is managed by SANParks (CapeNature 2024)<sup>7</sup>. This is also consistent with the Register of Protected Areas of which the Department of Forestry, Fisheries, and Environment are the data custodians.

2. The current alternatives and layouts are within the most sensitive area of the property. The property has coastal habitat and foredunes. The foredunes are important "building blocks" which ensures the stability of the more inland dune systems. Furthermore, the preferred development layout is within steep areas and within the dunes. Housing developments on dunes are destroying these sensitive ecosystems and adds additional strain on dune systems (Cadman 2016). Furthermore, the dune system is highly sensitive and will become mobile and will move again when it is disturbed. In addition, the property has a high soil erodibility factor and removing vegetation might destabilise the soil which could result in land slipping. CapeNature objects to the preferred and alternative development layouts to the south of the property.

3. It is understood that the property is within the Western Heads Knysna Sand Fynbos Coastal Corridor and within the expansion/ buffer area of SANParks. The property is also within the National Protected Areas Expansion Strategy (NPAES) which aims is to achieve cost effective protected area expansion for improved ecosystem representation, ecological sustainability and resilience to climate change. It establishes protected area targets, identifies priority areas for expansion, and provides recommendations on strategies to accomplish these objectives (South Africa's National Protected Area Expansion Strategy, 2018).

3.1. In addition, the Western Cape Protected Area Expansion Strategy<sup>10</sup> (WCPAES) outlines several criteria for expanding protected areas of which CBA is a core criterion. The property meets following criteria of the WCPAES:

version as the most current provincial conservation planning instrument. In line with this update, it is recognised that Portion 76 of Farm Uitzicht 216 is now mapped as falling within the Knysna National Lake Area Protected Environment, as confirmed by CapeNature (2024) and consistent with the Register of Protected Areas (RoPA) maintained by the Department of Forestry, Fisheries and the Environment (DFFE).

The applicant has developed the preferred development layout to avoid construction on dune crests, instead selecting a more level inland area located behind the frontal dune. Infrastructure has been designed to minimise vegetation disturbance, with internal roads restricted to 2.5-metre-wide reinforced strips, aligned along previously disturbed areas where possible. The applicant is also committed to using modular construction methods and elevated foundations where feasible, thereby reducing excavation and soil disruption. A natural stormwater management strategy, guided by Sustainable Urban Drainage Systems (SUDS) principles, has been adopted to prevent concentrated runoff and mitigate erosion. These planning responses are supported by findings from the Aquatic Compliance Statement, and Geotechnical Report, all of which highlight the importance of careful siting to avoid slope instability, the preservation of natural vegetation for soil anchoring.

The applicant is fully aware of the property's inclusion in national and regional protected area expansion frameworks, and the proposed development has been approached with this conservation context in mind. While a limited, low-impact residential use is being pursued, the overall site development has been guided by the principles of avoidance, minimisation, and rehabilitation.

<p>3.1.1. In addition, the Western Cape Protected Area Expansion Strategy<sup>10</sup> (WCPAES) outlines several criteria for expanding protected areas of which CBA is a core criterion. The property meets following criteria of the WCPAES:</p> <p>Threatened ecosystems: <i>Critically Endangered (Knysna Sand Fynbos)</i>; Under-protected ecosystems and strategic landscapes: <i>Poorly protected</i>; Essential habitat for priority species: <i>SCCs (fauna and flora), primary dune and foredunes (east-west running dune systems)</i>; Strategic Water Source Areas: <i>Outeniqua SWSA for surface water</i>; and Climate change and connectivity corridors: <i>the property is within the Knysna Lakes PE, within the Western Heads Knysna Sand Fynbos coastal corridor and within the expansion footprint of the Garden Route National Park.</i></p>	<p>The applicant fully acknowledges the conservation significance of the property under the WCPAES framework and is committed to supporting long-term biodiversity protection. Although limited residential development is proposed, it has been designed with a minimal ecological footprint, informed by specialist guidance, and includes measures to avoid impacts on the most sensitive areas.</p>
<p>As this area is of national importance, we would encourage the landowner to form part of the SANParks expansion strategy. It is also understood that the adjacent properties (i.e., 216/39&amp;111&amp;75) will be proclaimed as Contract National Parks. Including this property will further strengthen this corridor as this will connect to the World Heritage Site to the west and the Knysna Estuary to the East.</p> <p>4. The property is within a SWSA which is of national importance and their ecological functioning must be protected and maintained (Le Maitre et al. 2018)<sup>11</sup>. Furthermore, the SWSA is a key component of Ecological Infrastructure providing critical services such as maintaining biodiversity conservation (corridor movement of both fauna and flora) and climate management (resilience to climate change). CapeNature would support the inclusion of this property within the current stewardship mechanism in the area.</p> <p>5. The current preferred alternative is within the Primary Dune Slack Fynbos and Arid Dune Fynbos (Vlok 2005). Once soil erosion occurs in the latter vegetation it can be rapid and challenging to manage once the</p>	<p>The applicant acknowledges that Portion 76 of Uitzicht Farm 216 falls within a Strategic Water Source Area (SWSA) of national importance, as identified by Le Maitre et al. (2018).</p> <p>The values presented are substantiated by various findings detailed in the specialist reports accompanying this application, including the Aquatic Compliance Statement. This statement affirms the absence of regulated watercourses or wetlands on the site while highlighting the critical importance of preserving natural vegetation cover and soil structure to safeguard downstream water quality and flow.</p> <p>Although the South African National Vegetation Map currently categorises these vegetation types as Least Concern, the more detailed Terrestrial Biodiversity and Plant Species Specialist Reports (Appendices D5 and D7)</p>

vegetation has been disturbed. The Primary Dune Slack may be restricted to this area. Furthermore, in the SA vegetation map the vegetation is Least Concerned however in the Terrestrial and Plant report the botanical specialist established that several plant SCCs were confirmed to occur on site. Other SCCs had a very high and high probability of occurring on site. Thus, the entire property has many rare and sensitive species.

5.1. The Brenton Dune Fynbos vegetation would correspond to the botanist's Invaded valley bush and N-facing Strandveld-Fynbos vegetation which is across the centre of the property. This unit according to the fine-scale map is restricted to the area. This unit has two rare and threatened plant species, *Pentashistis barbata ssp. orientalis* and *Satyrium princeps*. Table 12 from the Terrestrial and Plant Assessment report indicated that the latter SCC was found on site. Furthermore, *Erica glumaeflora*, which was also found by the botanist, is a characteristic species of this unit.

indicate that the site supports a much higher conservation value than previously mapped at a national scale. Specifically:

- Several plant Species of Conservation Concern (SCCs) have been confirmed to occur on the property, including *Watsonia pillansii* and *Erica glandulosa subsp. fourcadei*.
- A number of additional SCCs have a high to very high probability of occurring, based on habitat suitability modelling and historical records.

Furthermore, the Arid Dune Fynbos component is characterised by sandy soils with limited cohesion, making them particularly vulnerable to rapid erosion once vegetative cover is disturbed. As highlighted in both the Geotechnical Report and Civil Services Report, such erosion can be difficult to control, especially on sloped terrain or in areas exposed to wind and rainfall.

In light of this, the applicant has:

- The Site Development Plan to avoid the steepest and most erosion-prone foredunes,
- Committed to micro-siting the final building platform in consultation with the botanical specialist to avoid confirmed SCC locations,
- Adopted low-impact construction methods including modular units, minimal earthworks, and elevated foundations,
- Integrated stormwater and erosion control measures based on SUDS principles to prevent soil loss during and after construction,
- And pledged to restore any disturbed areas using locally sourced indigenous vegetation, with a focus on SCC-friendly species.

The applicant has committed to the following:

- The central portion of the property, where this Brenton Dune Fynbos vegetation unit occurs, will be designated as a no-go area for development, ensuring the protection of this rare plant community.
- The proposed infrastructure layout has been strategically shifted to avoid confirmed locations of *Satyrium princeps* and other SCCs.
- A buffer zone will be maintained between the development footprint and the Brenton Dune Fynbos band to reduce edge effects and allow for ecological connectivity.

<p>5.2. The Terrestrial Biodiversity Sensitivity was confirmed as Very High and the Terrestrial Plant Species as High. Based on the impact assessment, the specialist recommended alternative 4 as the most acceptable layout, which is only one dwelling in the northern corner of the property.</p> <p>6. The landowner has the right to apply for one dwelling based on his/her primary right but not an additional building. Furthermore, the position of the dwelling should be in the least sensitive area and preferably within an already disturbed area. Thus, if the applicant wishes to have two dwellings the development footprint of 3000m<sup>2</sup>, which is not supported by CapeNature, should be significantly reduced and the developments should be next to each other. In other words, cluster the units in areas that minimises the visual impact and within existing footprints. Considering that alternative 4 is within the highly sensitive Critically Endangered Knysna Sand Fynbos.</p> <p>7. The property last burned during the 2017 Knysna fires and the risks and vulnerability layers of CapeFarm Mapper indicate that the property has an extreme risk for wildfire. In terms of section 12 (1) and 2 (a) of National Veld and Forest Act adequate firebreak must be prepared and</p>	<ul style="list-style-type: none"> <li>• Ongoing monitoring of SCC populations will be incorporated into the post-construction environmental management programme.</li> </ul> <p>The development has been carefully designed to avoid this high-value habitat and ensure its long-term protection.</p> <p>While the landowners have expressed a preference for a location further south on the property to maximise views, privacy, and site integration, the applicant remains committed to:</p> <ul style="list-style-type: none"> <li>• Avoiding all confirmed SCC locations.</li> </ul> <p>The applicant acknowledges that the primary land use right permits the construction of a single residential dwelling. It is understood that any additional units, including a secondary dwelling or ancillary outbuildings, will necessitate the acquisition of appropriate planning approvals and environmental authorisation. The applicant regards CapeNature's position that any proposed expansion beyond this right must be motivated, particularly in areas designated as having high biodiversity sensitivity.</p> <p>It is further noted that CapeNature does not support the proposed 3,000 m<sup>2</sup> development footprint, and that if more than one dwelling is pursued, the structures should be clustered in the least sensitive and previously disturbed area of the property to:</p> <ul style="list-style-type: none"> <li>• Reduce habitat fragmentation,</li> <li>• Maintain landscape connectivity, and</li> <li>• Minimise both ecological and visual impacts, especially from nearby conservation land and public viewpoints.</li> </ul> <p>The applicant acknowledges that Alternative 4, although recommended by the specialist for minimising ecological impact in some respects, still lies within Critically Endangered Knysna Sand Fynbos, and therefore requires cautious planning and strict footprint limitation to avoid unnecessary disturbance.</p> <p>In terms of Section 12(1) and (2)(a) of the National Veld and Forest Fire Act (Act 101 of 1998), the applicant accepts the legal responsibility to prepare and maintain adequate firebreaks around the property to reasonably prevent the spread of unwanted fires. These firebreaks will be planned and</p>
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maintained around the property to reasonably prevent the spread of unwanted fires in the area. Additionally, the Fynbos Forum guidelines mention that the impacts of housing developments must be minimised, buildings should be clustered within fire-free zones and protected with firebreaks. The Fynbos Forum guidelines also state "*firebreaks must be cleared within the development footprint of the housing estate, not in the adjacent veld*" (Cadman 2016). We recommend that the owner, if not registered yet, apply for membership with the Southern Cape Fire Protection Association (SCFPA).

8. The impact of the internal road should account for both the construction phase and its long-term effects, including the recovery rate of the vegetation. It is important to consider that construction vehicles are large, and edge effects are likely to occur.

implemented in consultation with fire authorities and ecological specialists to ensure they are effective, environmentally responsible, and compliant with national legislation.

The landowners are registered members of the Southern Cape Fire Protection Association (SCFPA) and actively engage in fire risk reduction and planning in the region. All firebreaks and emergency preparedness measures will be developed with reference to SCFPA guidelines and in collaboration with the Knysna Fire Department and SCFPA Fire Management Unit, where applicable.

The road infrastructure can contribute to habitat fragmentation, introduce edge effects, and reduce the natural recovery capacity of indigenous vegetation, particularly within Critically Endangered Knysna Sand Fynbos. To minimise these impacts, the internal road has been carefully planned with the following considerations:

- Alignment along previously disturbed areas or natural contours wherever possible, to avoid intact high-sensitivity vegetation.
- A narrow road width of 2.5 m, using reinforced concrete strips with central grassed or permeable surfaces to allow for infiltration and reduce the heat island effect.
- Minimal edge disturbance through clearly demarcated construction boundaries and the use of track mats or geotextiles during construction to prevent compaction and rutting.
- Controlled construction vehicle access, limited to light or appropriately sized machinery, with a defined access route and no off-road movement permitted.
- Post-construction rehabilitation of disturbed areas, including the replanting of locally sourced indigenous species and alien invasive control, to assist in ecological recovery.

The construction of the road will be managed through a site-specific Environmental Management Programme (EMPr), with oversight by an Environmental Control Officer (ECO).

<p>9. CapeNature reminds the applicant of Section 28 of the National Environmental Management Act (NEMA) (Act 104 of 1998 as amended) (Duty of Care) that states the following:</p> <p><i>“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.”</i></p> <p>Any action that causes wilful degradation of the environment may therefore constitute a breach of this Duty of Care and the penal provisions of NEMA will apply.</p>	<p>The applicant reiterates that no wilful environmental degradation is intended or permitted under the development. All activities will be:</p> <ul style="list-style-type: none"> <li>• Closely monitored under the supervision of an Environmental Control Officer (ECO),</li> <li>• Undertaken with reference to specialist recommendations, and</li> <li>• Adjusted where necessary to avoid or reduce environmental harm.</li> </ul> <p>Where impacts cannot reasonably be avoided, the applicant is committed to:</p> <ul style="list-style-type: none"> <li>• Implementing site-specific remediation,</li> <li>• Ensuring ecosystem recovery and stabilisation, and</li> <li>• Contributing to the long-term conservation management of undeveloped portions of the property, potentially through stewardship or inclusion in SANParks' contractual protection mechanisms.</li> </ul>
<p>In conclusion, including the property in SANParks' expansion mechanism will help protect the sensitive dune systems, SCC, ensuring the ongoing survival and functionality of this ecosystem, and maintaining of landscape connectivity and would be supported by CapeNature. Considering the sensitivity of the area and due to the site having critical biodiversity and the presence of the last remaining Knysna Sand Fynbos vegetation and restricted fine-scale vegetation, CapeNature strongly object to the current proposed development layout and alternatives and the 3000m2 which is within the most sensitive part of the property. The dwelling/s should be clustered within existing footprints and the development footprint must be significantly reduced to ensure the conservation of the natural landscape.</p>	<p>According to the Plant Species Report and Terrestrial Biodiversity Assessment:</p> <ul style="list-style-type: none"> <li>• The south-western area lies behind the frontal dune, in a relatively flat and stable zone, making it preferable to steeper and erosion-prone areas elsewhere on the site.</li> <li>• While still within Knysna Sand Fynbos, this area can be developed with minimal vegetation clearance and appropriate mitigation (e.g. elevated modular foundations and clustered layout).</li> <li>• No confirmed SCCs were recorded in the immediate footprint zone, and micro-siting informed by pre-construction walkovers can ensure sensitive species are avoided.</li> </ul> <p>The Geotechnical Report further supports this area as being more structurally viable for development, as it offers a stable building platform and avoids both the mobile dune crest and steep slopes identified as high-risk elsewhere on the site.</p>
<p><b>WCDEADP: Biodiversity and Coastal Management – leptieshaam Bekko - 11 April 2025</b></p>	
<p>Good Day,</p> <p>Your request for comment from the Sub-directorate: Coastal Management on the abovementioned draft basic assessment report received on 06 March 2025, 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>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.</p> <p>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.</p> <p>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 2022-2027. The</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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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 have the following commentary:

2.1.1 The proposal entails the construction of a main dwelling house to be situated in the southwestern corner of Farm 76/216 as well as the construction of a new internal road to provide access to the southern portion of the property.

Agreed.

2.1.2 The applicant has considered all critical biodiversity and ecological support areas in accordance with the to the Western Cape Biodiversity Spatial Plan (2023) and proposed mitigation measures as stipulated in the draft EMPr to address environmental concerns are both appropriate and practical and should be strictly adhered to.

Noted.

2.1.3 The applicant adequately considered Farm 76/216 in relation to the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and 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.

Noted.

2.1.4 Be advised Farm 76/216 is located landward of the Garden Route District's Coastal Management Line ("CML"). The technical delineation of the CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, inter alia and was delineated in conjunction with and supported by organs of state. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and proactive planning for future development. The SD: CM notes the subject property is unlikely to be impacted by coastal processes due to its elevation, however it is essential that the applicant obtains comments from SANParks on the proposed development.

2.1.5 Be advised that the location of the proposed development is located within the littoral active zone ('LAZ') as defined in the NEM: ICMA and it should be noted that any activities within this area that does not support natural coastal processes may result in erosion. The NEM: ICMA regards the LAZ to be a dynamic system where the free movement of sand must not be interfered with. It is essential that the competent authority not only considers the impact(s) the proposal and its associated activities will have on the receiving environment, but also the impact(s) that environment. As such the SD: CM proposes that the proposed dwelling be located in the north-western part of Farm 76/216 outside of the LAZ.

Noted. Comments have been obtained from SANParks.

Noted. The applicant acknowledges that a portion of the proposed development area falls within or near the Littoral Active Zone (LAZ) as defined in the National Environmental Management: Integrated Coastal Management Act (NEM: ICMA). It is understood that the LAZ represents a dynamic coastal system where natural sand movement, dune migration, and coastal processes must be preserved and not obstructed by permanent infrastructure.

While the SD: Coastal Management has recommended relocating the dwelling to the north-western section of Portion 76/216, the applicant maintains a strong preference for siting the main house in the south-western section of the property. This location has been chosen based on a combination of factors, including topographical suitability, natural visual screening, privacy, and alignment with the landowner's long-term intentions for low-impact, conservation-compatible residential use.

<p>2.1.6 The applicant must be informed that they may not create any formal or informal pathways/walkways from their property to the coast outside their property boundaries with any future development on the subject property and any activities on Farm 76/216 may in no way impede on the general public's ability to access coastal public property.</p> <p>2.1.7 Based on the information provided, the SD: CM acknowledges the EMPr that proposes to mitigate impacts on the environmental sensitivities applicable to the proposed development and associated infrastructure on Farm 76/216. However, the SD: CM does not support the proposed location of the dwelling within the littoral active zone, and as such suggests that the applicant either position the proposed dwelling as per Alternative Layout 2 or elsewhere outside the LAZ on Farm 76/216.</p>	<p>The applicant confirms that:</p> <ul style="list-style-type: none"> <li>• No footpaths, boardwalks, steps, or access infrastructure are proposed beyond the legal boundaries of Portion 76.</li> <li>• There is no intention to restrict or interfere with the public's access to the coastline.</li> <li>• All development and land use activities will respect existing public access routes and comply with Section 13 of NEM: ICMA, which ensures the public's right to access coastal public property.</li> </ul> <p>If a footpath is established within the property boundaries for recreational or fire management purposes, it will be designed in a non-invasive and reversible manner, using natural materials, and will terminate within the legal property limits, without extending into dune zones or the coastal public realm.</p> <p>While fully recognising the sensitivity and dynamic nature of the LAZ, the applicant maintains a preference for the south-western portion of the property for the siting of the primary dwelling. This location has been selected due to its:</p> <ul style="list-style-type: none"> <li>• Topographical stability on a relatively level area behind the frontal dune,</li> <li>• Natural visual screening, and</li> <li>• Feasibility for access, services, and fire management.</li> </ul> <p>The applicant is committed to implementing enhanced mitigation measures to ensure that the proposed development does not interfere with natural coastal processes, including:</p> <ul style="list-style-type: none"> <li>• Refining the siting of the dwelling to ensure it is located behind the active dune crest, in a stable zone,</li> <li>• Avoiding any development on mobile dune slopes or in areas subject to erosion or aeolian activity,</li> <li>• Using modular, lightweight construction and minimal earthworks to maintain dune integrity,</li> <li>• Ensuring that stormwater runoff is dispersed, absorbed, and does not channel towards the foredune,</li> <li>• And maintaining indigenous vegetation buffers between the development and the LAZ boundary.</li> </ul>
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<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>4. The SD: CM reserves the right to revise or withdraw its comments and request further information from you based on any information that may be received.</p>	<p>These mitigation measures, as outlined in the EMPr, are aimed at balancing the applicant's land use needs with the ecological protection goals of NEM: ICMA.</p> <p>The applicant acknowledges the reminder of their general duty of care as stipulated in Section 28(1) of the National Environmental Management Act (NEMA), Act 107 of 1998, which obliges every person who causes, has caused, or may cause significant pollution or degradation of the environment to take reasonable measures to:</p> <ul style="list-style-type: none"> <li>• Prevent environmental harm from occurring, continuing, or recurring, and</li> <li>• Where such harm is authorised or unavoidable, to minimise and rectify the impacts.</li> </ul> <p>This responsibility is fundamental to the applicant's approach to land management and development on Portion 76 of Uitzicht 216, and is further reinforced by Section 58 of the National Environmental Management: Integrated Coastal Management Act (NEM: ICMA), which imposes a duty to avoid adverse effects on the coastal environment.</p> <p>In response to these legal obligations, the applicant confirms that:</p> <ul style="list-style-type: none"> <li>• The development has been designed to avoid the most sensitive ecological features, including confirmed SCC habitat, dune crests, and wetland-prone areas.</li> <li>• Mitigation and rehabilitation measures have been embedded in the Environmental Management Programme (EMPr), including erosion control, alien species removal, vegetation re-establishment, and runoff management.</li> <li>• All construction and operational activities will be monitored by a qualified Environmental Control Officer (ECO) to ensure compliance and to implement corrective actions where any environmental harm is identified.</li> <li>• Any unintended environmental impacts will be promptly addressed, in accordance with the requirements of NEMA and NEM: ICMA.</li> </ul> <p>Noted.</p>
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<b>Garden Route District Municipality – L Herwels – 20 March 2025</b>	
Your letter under reference 14/12/16/3/3/1/3114 concerning the above mentioned have reference.	
The office subjected to the following conditions has no objection to the proposed activity.	Noted.
<ul style="list-style-type: none"> <li>• Ensure that no Municipal Health Nuisance occurs during the construction of the premises.</li> <li>• The borehole water to be treated before utilising the water as potable water to ensure compliance with SANS 241: 215 (Specifications for drinking water).</li> <li>• This office recommends that the planned septic tank to be replaced with a conservancy tank and the planned access road consider the position of the conservancy tank.</li> </ul>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
<b>WESTERN HEADS-GOUKAMMA CONSERVANCY – Johan Buschagne -</b>	
<p>Thank you Bianca,</p> <p>For some reason I have also not been notified - representing the Western Heads Goukamma Conservancy.</p> <p>We have been confirmed by email by Janet on 22 February as I&amp;AP.</p> <p>Please note that we require 30 days from notice to compile our response.</p> <p>Kind regards Johan</p>	<p>Good afternoon, Johan.</p> <p>Thank you for the email.</p> <p>We acknowledge your confirmation as an Interested and Affected Party (I&amp;AP) as outlined in Janet's email dated 22 February. We apologise for any oversight in notifying you and sincerely appreciate your correspondence.</p> <p>We have received your request for a 30-day period to compile and submit your response, effective from the date of your receipt of the notice. We would like to confirm that the comment period for submitting your comments is extended to April 18, 2025.</p> <p>Please be assured that you will be included in all future communications concerning this matter.</p> <p>Please let us know if there is anything further, we can assist with.</p> <p>Best regards Ms. Bianca Gilfillan</p>
Dear Madam, we have noted the extension granted to the Western Heads Conservancy. Will this also apply to the Buffelsbaai Inwoners Vereeniging	Good afternoon, Roelof.

<p>who is considering a comment and whom the writer represents. Kinly advise. Regards</p>	<p>Thank you for your email.</p> <p>The extension was granted to the Western Heads Goukamma Conservancy due to the fact that Mr Johan Labuschagne was not notified at the commencement of the Public Participation Process (PPP). Consequently, this extension is only applicable to the Western Heads Goukamma Conservancy to provide them the 30-day comment period for their input as per the NEMA regulations.</p> <p>Kindly be advised that the BIV was informed when the PPP commenced.</p> <p>Thank you for your attention to this matter.</p> <p>Best regards</p> <p>Ms. Bianca Gilfillan</p>
<p>Objections to the above Draft Basic Assessment Report (DBAR) by the Western Heads Goukamma Conservancy (registered with CapeNature 2004), hereinafter referred to as WHGC</p> <ul style="list-style-type: none"> <li>• WHGC is supported by the Table Mountain Fund (TMF), a subsidiary of WWF South Africa, (WWFSA) in a project to conserve and restore the Critically Endangered Knysna Sand Fynbos (FFd10).</li> <li>• The WHGC also works closely with SANParks in its Park Expansion objective, by facilitating Contractual National Park (CNP) agreements between landowners and SANParks.</li> </ul>	<p>Noted.</p> <p>Noted.</p>
<p>Structure of this document</p> <p>This document addresses the above referenced DBAR, following the section headings and page numbering employed by the applicant.</p>	
<p>SECTION B – Property description (pp 13–14)</p> <p>The applicant states (p. 13):</p> <p>The entire property is classed as Critical Biodiversity Area (CBA) which is defined as areas in a natural condition that are required to meet biodiversity</p>	<p>Noted.</p>

targets, for species, ecosystems or ecological processes and infrastructure. The main objective of a CBA area is to maintain it in a natural or near natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low impact, biodiversity sensitive land uses are appropriate. Taking the CBA into consideration a low impact route was followed during the planning stages of the alternatives in order to have the least impact on the receiving environment.

WHGC submits that the applicant, in addition to not taking full cognisance of the above, has not considered the property in its landscape, ecological and human context and this has resulted in an ill-considered and fatally flawed development proposal, for the reasons given below:

#### Landscape context

Uitzicht 216/76 is situated within an exceptionally sensitive Critical Biodiversity Area (CBA), which is of the highest conservation, aesthetic and tourism value not only for the residents of Knysna, but also for the region. The property is immediately adjacent to the SANParks CNP properties Uitzicht 216/39, 40, 74, 75 and 111 (Fig. 1).

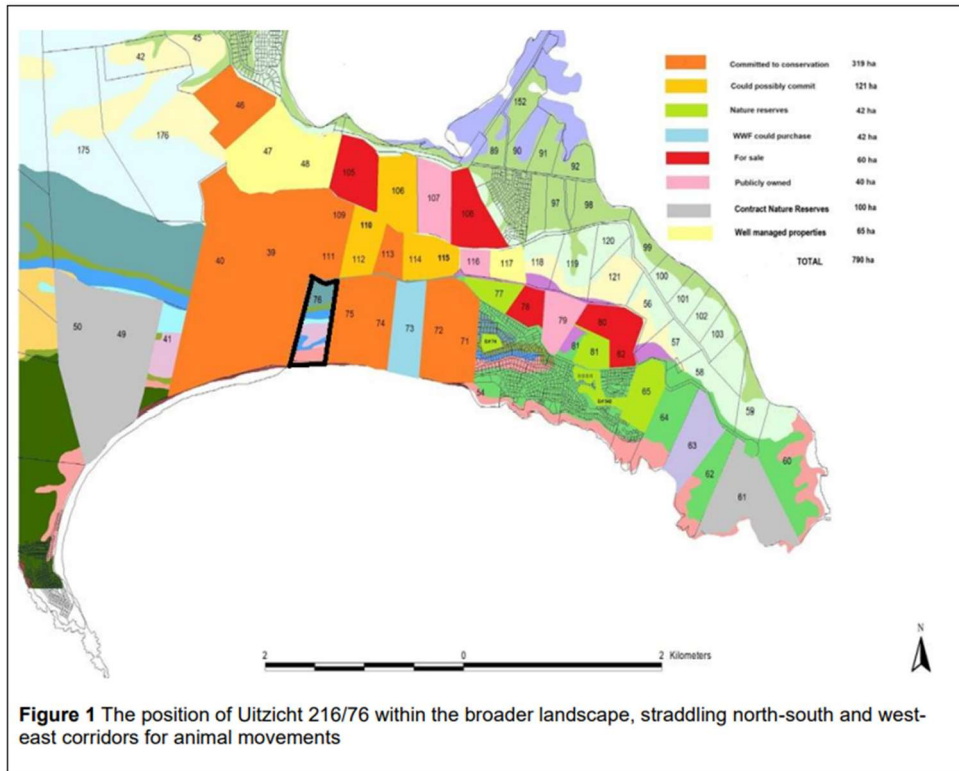
This CBA itself is of enormous regional and national conservation importance because:

- It contains the largest remaining contiguous extent of the Critically Endangered Knysna Sand Fynbos (FFd 10) vegetation type.
- It is within the expansion footprint of the Garden Route National Park (GRNP).
- It is a natural scenic area as per the National Heritage Resources Act (NHRA), and will provide future growth of tourism activities, which will benefit all the inhabitants of the Brenton Peninsula and the whole Knysna area.

The significance of this area is recognised by all specialist reports submitted as part of the environmental assessment process, and aligns with the following key national and regional conservation priorities:

- It supports the largest remaining contiguous extent of Critically Endangered Knysna Sand Fynbos (FFd 10), a vegetation type with less than 10% of its original extent remaining and which is poorly protected across the province.
- The property falls within the formal expansion footprint of the Garden Route National Park (GRNP) and is identified as a candidate site for future stewardship or contractual inclusion under SANParks' Protected Area Expansion Programme.
- The site is designated as a natural scenic area under the National Heritage Resources Act (NHRA), offering high aesthetic and tourism value, which supports the local economy and cultural identity of the Brenton Peninsula and greater Knysna region.

- It has the highest conservation status (Core1b) for spatial planning purposes in the Knysna and Western Cape Spatial Development Framework (WCSPDF).



**Figure 1** The position of Uitzicht 216/76 within the broader landscape, straddling north-south and west-east corridors for animal movements

- It is classified as Core 1b in both the Knysna Spatial Development Framework (SDF) and the Western Cape Spatial Development Framework (WCSPDF), meaning that its ecological integrity should be retained as a planning priority.

In light of the property's ecological and spatial planning importance, the applicant confirms that the proposed development:

- Will affect less than 4% of the total land area and is designed to be highly compact and clustered, with the remainder of the site left undeveloped and potentially available for formal conservation stewardship.
- Has been revised to avoid confirmed SCC locations and retain key elements of landscape connectivity, based on input from botanical, faunal, and geotechnical specialists.
- Will not introduce any hard infrastructure into the dune crest or active littoral zone, and will comply with relevant guidelines under the NHRA, NEMA, and ICMA.

- It is within the Coastal Protection Zone (CPZ) defined by the Coastal Management Act 24 of 2008 (CMA).
- It has been the subject of extensive and costly conservation and restoration efforts by the WHGC, TMF, WWF, SANParks, CapeNature and conservation sensitive landowners in the CBA.

Noted.

Noted

These conservation and restoration efforts include:

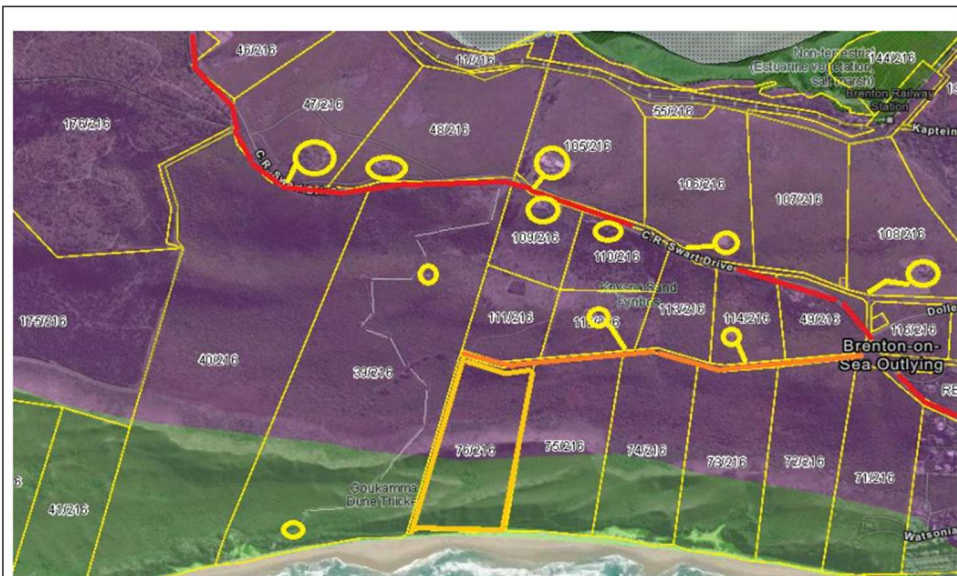
Noted.

- Persuading Uitzicht properties to become SANParks CNPs
- Alien clearing & rehabilitation programmes funded by the TMF and WWFSA
- Purchase of three large properties by the WWFSA and declaration of CNPs

- Expert botanical surveys to record the plant species within the CBA.
- Implementation of a coordinated fire management programme to protect dwellings from fire and restore a natural fire regimes through periodical ecological burns, guided by the Southern Cape Fire Protection Agency (SCFPA).

Location of existing Uitzicht residences in relation to servitude roads

Existing residences on all Uitzicht 216 properties are located as close as possible to municipal or provincial roads to prevent further fragmentation and disturbance by linear infrastructure such as internal roads (Fig. 2). The only exception (Uitzicht 216/39) has a historical road which was in existence when the current owners acquired the land in the early 1970s and runs along a registered public servitude that eventually leads to the coast. Uitzicht 216/39 (90 ha) also has a small dwelling close to the coast, which is a wooden structure between the primary and secondary dunes with an estimated disturbance footprint of 600 m2. This dwelling is not visible from the beach, Buffalo Bay, Brenton on Sea, or any public roads.



**Figure 2** Residences (yellow circles) on Uitzicht properties are located adjacent to servitude roads (red and orange) to minimise internal access roads

The applicant's proposed development on Portion 76:

- Is new and subject to contemporary environmental and planning regulation, including full assessment under the NEMA EIA Regulations, NEM: ICMA, and Knysna Zoning Scheme.
- Will not construct any infrastructure within primary or secondary dune systems and is specifically located behind the frontal dune in a more stable zone, as supported by the Geotechnical Report.
- Will be accessed using a single, short internal road, routed along existing disturbed terrain where possible, with a clustered layout that avoids the fragmentation concerns associated with dispersed development.
- Has been reviewed from a heritage perspective (Appendix D1), with no impact identified on cultural or visual heritage, and the site being non-visible from key public viewpoints such as Brenton-on-Sea, Buffalo Bay, or provincial roads.

<p>There are therefore no visible buildings on the primary sand dunes between Brenton on Sea and Buffalo Bay. This natural and unspoiled beach is an international tourist attraction and one of the crown jewels of Knysna's many natural attractions, which drive its tourism industry, possibly second only to the famous Knysna Heads.</p>	<p>The proposed development on Portion 76 of Uitzicht 216 has been specifically designed to maintain this visual integrity by:</p> <ul style="list-style-type: none"> <li>• Avoiding any development on the primary or secondary dune systems, as confirmed in the Terrestrial Biodiversity Report and Geotechnical Report,</li> <li>• Placing the dwelling behind the frontal dune ridge, within a naturally screened area of the south-western corner of the property, and</li> <li>• Committing to earth-toned finishes, low-reflective materials, and modular construction that integrates with the surrounding vegetation and topography.</li> </ul> <p>The Heritage Impact Statement (Appendix D1) confirms that the proposed structures will not be visible from key public viewpoints, including the beach, coastal trails, Buffalo Bay, Brenton-on-Sea, or provincial roads. The specialist concludes that there is no significant visual or heritage impact and that the proposed layout preserves the sense of place associated with the area's natural coastal landscape.</p>
<p>Objection 1</p> <p>The WHGC submits that the DBAR has failed to address adequately the landscape context of the proposed property development and has misleadingly stated that "The property does not fall within the protected area, neither does it border a protected area" (DBAR pp. 25-26).</p> <p>SECTION C – Location of activities (pp. 13–17)</p>	<p>The applicant acknowledges that this description did not sufficiently reflect the ecological, conservation, and spatial planning context in which the property is situated. Specifically:</p> <ul style="list-style-type: none"> <li>• The property lies entirely within a Critical Biodiversity Area (CBA1) as mapped in the Western Cape Biodiversity Spatial Plan (2023),</li> <li>• It forms part of the Knysna Sand Fynbos ecological corridor, linking adjacent protected and stewardship lands,</li> <li>• It is located within the SANParks Protected Area Expansion Footprint, as outlined in the GRNP Land Inclusion Plan 2020–2023, and</li> <li>• It is immediately adjacent to several Contract National Park (CNP) properties managed by SANParks, namely Uitzicht 216/39, 40, 74, 75 and 111.</li> </ul> <p>These contextual elements are critical to understanding the ecological importance and conservation planning relevance of the site, and the DBAR will be updated to reflect this more accurately in the updated Draft BAR.</p>

This section of the DBAR only shows the preferred Alternative 1, which includes linear infrastructure (an internal road), which is covered below in section G, and found to not be allowed in a CBA Core 1 SPC in terms of the Western Cape Land Use Planning Guidelines Rural Areas 2019 (WCLUPGRA).

The preferred layout, which positions the main house and associated infrastructure in the south-western corner of Portion 76 of Uitzicht 216, remains the most practical, topographically appropriate, and environmentally responsive option, when considered in conjunction with:

- Geotechnical constraints: The south-western corner provides a stable, level building platform behind the frontal dune, unlike the steeper and erosion-prone slopes near Kerk Laan (Geotechnical Report – Appendix D10).
- Ecological sensitivity: Although the entire property falls within a CBA1, the preferred site has fewer confirmed SCCs, avoids the mobile dune crest, and allows for clustering of development into a single node with a reduced footprint, limiting additional ecological disturbance (Terrestrial Biodiversity & Botanical Reports – Appendices D5 & D7).
- Visual and heritage impact: The Heritage Impact Statement confirms that the proposed development will be invisible from coastal public viewpoints, preserving the scenic quality of the unspoiled dune corridor (Appendix D1).

The proposed internal road is required to access the south-western corner, and the applicant acknowledges that its alignment traverses a CBA1 area. However, to reduce its impact:

- The road will follow the shortest possible alignment, through areas that have been partially disturbed,
- Its width will be limited to 2.5 m, constructed with permeable surfaces (e.g., reinforced grass blocks or gravel strips),
- It will be located to avoid SCC habitat and steep slopes, and
- All construction will be overseen by an Environmental Control Officer (ECO) and implemented under a site-specific EMPr.

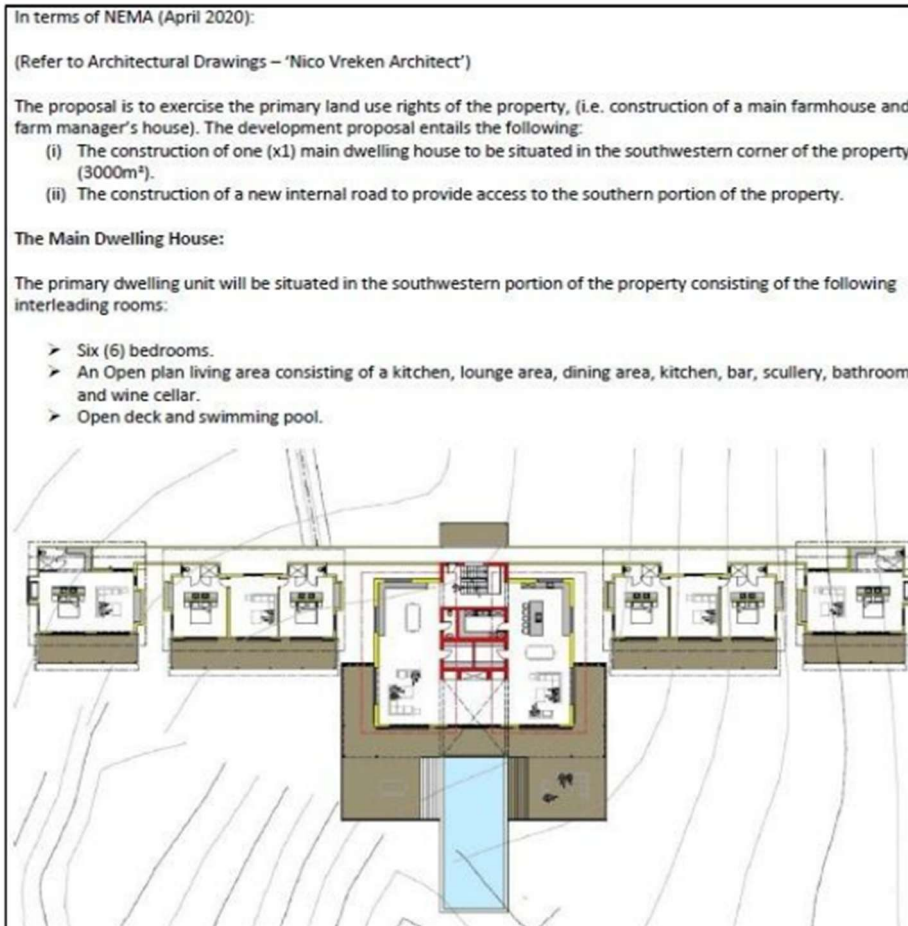
#### SECTION D – Scope of proposed activities

##### Primary dwelling - disturbance footprint and profiles

Only a basic floor plan of the preferred main dwelling proposed for the south-western corner of the site has been submitted for consideration (see Fig. 3 below), despite a reference to other architectural drawings. However,

The applicant acknowledges the comment regarding limited architectural detail in the DBAR. A basic conceptual floor plan for the main dwelling—

there are no details pertaining to elevations, sections, 3D views, floor levels, or any external views from different angles. Reference is made to the approximately 3,000 m<sup>2</sup> disturbance area, without clarifying how much of this is building footprint, disturbance during construction, parking areas, water storage, utility areas sewerage disposal facilities, topsoil storage areas and so on. The floor plan in Fig. 3 has no scale and we can only guess that the main dwelling appears to be approximately 55m long and could be double or even triple storey.



**Figure 3** – Architectural plan of the proposed main dwelling

located in the south-western corner—has been provided at this stage, as the project is still in the environmental assessment phase. Full architectural details, including elevations, sections, and 3D views, will be submitted with the formal land use application to the Knysna Municipality, in line with statutory requirements and public participation.

The reference to a 3,000 m<sup>2</sup> disturbance footprint applies solely to the main dwelling.

The structural information provided in the DBAR gives no evidence that any attempt was made to minimise the footprint of the main dwelling as is required when planning a development in a known CBA.

The extensive spread-out or "detached room" layout of the proposed main dwellings can be seen in the layout sketches provided in Appendix B1 Alternative Layouts 1 & 2 that the "dwelling" seems to be a resort or lodge under the guise of a single residence with "detached rooms". The result is an enormous building footprint that far exceeds the footprint of a conventional design of even a luxury 6 bedroom house, which ranges from 600 to 1200 m2.

In both the layouts provided, the said "rooms" are designed as completely independent units, and this results in a much bigger footprint than a traditional residential design. The WCLUPGRA 2019 guidance for Core 1 area requires a "small low-density footprint" and an "appropriate scale and form". The proposed main dwelling with a disturbance area of 3000 m2 far exceeds the biggest houses in the Brenton or Buffalo Bay neighbourhoods. We conclude that the architect has not been instructed to "minimise biodiversity loss" or to offer designs with "appropriate scale and form" as required for CBAs.

Objection 2

The proposed 3,000 m<sup>2</sup> disturbance footprint for the main dwelling has been carefully considered in light of specialist input.

- The entire development is clustered into a single node in the south-western corner, avoiding landscape fragmentation.
- No secondary dwellings or dispersed infrastructure are proposed.

The final architectural design will further reflect footprint efficiency and will be submitted as part of the formal land use application, where additional mitigation and refinement can be implemented.

The proposed layout has been guided by a combination of site-specific environmental, geotechnical, and fire safety considerations, and is intentionally designed to:

- Disperse built forms across a compact, clustered node to reduce bulk and visual intrusion,
- Avoid significant cut-and-fill on the undulating topography of the south-western corner,
- And allow for passive design elements, improved fire defensibility, and optimal natural ventilation/light.

It is confirmed that the development remains a single private residence, not a commercial lodge or multi-unit facility. The final architectural design, including building form, materials, and massing will be refined and submitted with the land use application, and will align with municipal and environmental guidelines for low-impact, context-sensitive design in a CBA1 setting.

The design, while not conventional, was deliberately developed in response to the site's physical constraints (including topography and dune stability), fire management requirements, and the need for low visual impact in a sensitive coastal landscape.

Although the layout differs from typical compact residential forms, the applicant confirms that:

- The development is a single private dwelling, not a resort, lodge, or multi-unit facility.
- The layout remains clustered within one consolidated development node, thereby avoiding landscape fragmentation; and

The WHGC therefore objects to the unnecessarily extensive and spread-out design of the main dwelling. There has clearly been insufficient effort not only to minimise the disturbance footprint and biodiversity loss, but also to mitigate the aesthetic impact in a very sensitive natural landscape.

- The overall form and footprint are considered by the applicant to be proportionate to the site's scale, environmental setting, and private land use rights.

The applicant further notes that the Western Cape Land Use Planning Guidelines for Rural Areas (2019) allow for contextual interpretation of "appropriate scale and form," and maintains that the proposed layout is consistent with the intent of these guidelines when balanced with fire safety, geotechnical stability, and topographical integration.

WHGC's objection is noted regarding the scale and spread of the proposed main dwelling and acknowledges the concern regarding both biodiversity impact and aesthetic integration within a sensitive natural setting.

The current design, reflects a deliberate response to the site's unique physical and environmental constraints, including:

- The need to work with the natural topography to avoid extensive earthworks or terracing,
- Geotechnical limitations that necessitate placement and separation of structural components to ensure stability and minimal interference with dune processes,
- Fire management considerations, which recommend spacing to enable defensible zones around built structures, and
- A design intention to break up visual bulk through detached, low-profile elements rather than a monolithic structure.

The applicant reiterates that:

- The development is for a single private residence, not a commercial or tourism-related facility,
- The entire disturbance is confined to a single development node, in the south-western corner of the property,

Visual and architectural detailing will be refined and submitted as part of the formal land use application, where they will be evaluated in accordance with municipal guidelines for scale, character, and visual impact within a rural and environmentally sensitive landscape.

## Drilling boreholes for water

The DBAR (p. 50) says that the primary source of water will be rainwater collection from the roof. The expected annual yield would be 420 kl, which be less than the demand. Consequently it is intended to drill one or two boreholes to make up the shortfall in supply.

The environmental risk and impact of borehole development has not been considered in the DBAR and EMPr. Three major risk factors need to be addressed:

- Movement of heavy drilling equipment to remote locations over steep slopes and sandy soil conditions can cause severe damage to the sensitive vegetation. If drilling is to take place near Kerk Laan this risk is to some extent mitigated.



**Figure 4 – boreholes situated close to Kerk Laan.**

- The use of drilling fluids as per Appendix D3 and D10 "This is done by flushing drill fluids, fines and debris from the borehole on completion of drilling. The

To address these risks:

- No boreholes will be drilled within dune crest or primary dune vegetation zones.
- Borehole locations will be identified in consultation with botanical and geotechnical specialists, and site-walkovers will be conducted to confirm low-impact access routes.
- If feasible, borehole siting will prioritise locations closer to existing disturbed areas or road access, such as the south-western development node, to limit equipment movement and avoid steep slopes.
- A method statement for borehole installation—including access route marking, vegetation protection measures, and post-drilling rehabilitation—will be added to the Updated EMPr.
- Drilling will be supervised by the Environmental Control Officer (ECO), and topsoil will be retained and restored in accordance with rehabilitation guidelines.

As referenced in Appendices D3 (Civil Services Report) and D10 (Geotechnical Report), the borehole drilling method will include plunging

method used is that of plunging and surging". These fluids need to be captured and disposed of in a suitable offsite location.

and surging to flush drill fluids, fines, and debris from the borehole upon completion.

The applicant confirms the following mitigation measures to address this issue:

- Drilling fluids and associated waste (including fines and debris) will not be released into the surrounding natural environment under any circumstances.
- All fluids will be captured on-site using temporary containment structures, such as lined sumps or above-ground tanks, to prevent seepage into sensitive dune soils and fynbos vegetation.
- Contained material will be collected and disposed of at a registered waste disposal facility, in accordance with the requirements of the National Environmental Management: Waste Act (NEM:WA) and any applicable municipal by-laws.
- A method statement for borehole drilling and fluid management will be included in the Updated EMP, detailing:
  - Fluid containment design,
  - Handling procedures,
  - Spill response protocols, and
  - Offsite disposal verification (e.g. weighbridge slips or disposal certificates).
- The Environmental Control Officer (ECO) will monitor compliance during all drilling activities to ensure no contamination of soil or vegetation occurs.

To address potential fragmentation and vegetation loss, the following mitigation and management measures will be implemented:

- Final borehole siting will prioritise locations that minimise pipeline length and align with existing disturbed areas or firebreaks, where possible, to avoid cutting through intact fynbos or dune vegetation.
- A detailed trench alignment plan will be prepared in consultation with the botanical specialist, ensuring that no Species of Conservation Concern (SCCs) or sensitive vegetation units are impacted.
- All trenching activities will be carried out under the supervision of the Environmental Control Officer (ECO), and a pre-clearance walkover will be conducted to flag and avoid key biodiversity features.

- Since the proposed locations of the boreholes are far from the proposed main dwelling on the southern part of the site pipelines will have to be installed. (estimated length 830 m). requiring excavation of 100-80 cm wide and 50 cm deep pipe trenches with disturbance and fragmentation impacts (footprint of the water pipeline/s) could be between 6– 800 m<sup>2</sup>.

	<ul style="list-style-type: none"> <li>• Trenches will be backfilled immediately after pipe installation, and topsoil will be separated, stockpiled, and restored to promote rapid re-vegetation.</li> <li>• Rehabilitation of the pipeline route will be mandatory and will include reseeded with locally sourced indigenous species or allowing for natural recolonisation, depending on specialist advice.</li> <li>• These measures will be included in a pipeline-specific method statement in the Updated Environmental Management Programme (EMPr).</li> </ul>
<p>Objection 3</p> <p>The WHGC insists that the drilling and usage of boreholes can only be done if the environmental risk is carefully managed. The best mitigation factor is to reduce the number of people occupying any dwelling so that less water is required. All other families in this area collect sufficient rainwater from their roofs to meet all their needs.</p> <p><u>Manager's dwelling</u></p> <ul style="list-style-type: none"> <li>• Only one dwelling is allowed if the property is within 1 km from the shoreline according to the CMA.</li> <li>• If the property is zoned Agriculture 1 only one dwelling is allowed unless actively farming (Manager's house).</li> </ul>	<p>Borehole water would only be used as a supplementary supply, and only if rainfall proves insufficient over the long term. The applicant fully agrees that borehole development must be guided by strict environmental safeguards, including:</p> <ul style="list-style-type: none"> <li>• Site-specific specialist input before siting or drilling,</li> <li>• A detailed method statement for drilling, containment of drilling fluids, and rehabilitation,</li> <li>• Supervision by an Environmental Control Officer (ECO), and</li> <li>• Regulatory compliance under the National Water Act and relevant biodiversity legislation.</li> </ul> <p>Regarding water use, the applicant notes the comment that other households in the area meet their needs through rainwater alone. While this is encouraging, the scale, occupancy, and use profile of each household may differ. The proposed residence, though larger in footprint, will consider including sustainable water-saving technologies, such as:</p> <ul style="list-style-type: none"> <li>• Low-flow fittings, and</li> <li>• Smart water monitoring to track and manage consumption.</li> </ul> <p>Noted.</p> <p>Noted.</p>

- We therefore support the applicant's decision not to apply for a second dwelling.

Internal road

- The need for an internal road is the result of an illogical and flawed site selection process, as described under Section G below. Furthermore, information provided in the DBAR on the true extent and impact of this internal road is ambiguous. The DBAR (p. 40) specifies the road as being 830m long and 2.5 m wide with a construction disturbance of 4m to 5.5m wide.

- The Civil Services Report does not credibly calculate the total disturbance footprint of the road. It can be deduced from DBAR pages 40 & 46 that the disturbance area and loss of biodiversity is calculated between 4150 to 4565 m<sup>2</sup>. However, this does not adequately allow for the required retaining walls to stabilise the mobile sand on the steep slopes and hairpin bends, particularly on the highly unstable slopes of the Arid Dune Fynbos described by Vlok (2005). It also omits the need for installing a stormwater drainage system to prevent erosion. The reference to a 2.5m wide surface area of the road is therefore an attempt to conceal the true extent of the

Noted.

The DBAR (p. 40) does specify an internal road of ±830 m in length and 2.5 m in width, with a temporary construction disturbance zone of 4–5.5 m, consistent with industry standards for narrow, low-impact access roads.

To further clarify:

- The final access route will be aligned along previously disturbed or naturally low-sensitivity areas, as far as possible, based on pre-construction ecological walkovers.
- The road will be constructed using low-impact surfacing methods (e.g., geotextile-stabilised gravel or reinforced grass strips) to limit erosion and soil compaction.
- All disturbed areas outside the permanent 2.5 m width will be rehabilitated immediately post-construction, and this will be formalised in the Updated Environmental Management Programme (EMPr).
- The Environmental Control Officer (ECO) will oversee the road installation to ensure biodiversity impact is minimised.

While the road length is significant, its necessity arises from the applicant's decision to cluster the development in the least visually and topographically intrusive part of the site. The road design will prioritise minimal ecological footprint, and its impacts will be strictly controlled through construction method selection, route sensitivity mapping, and rehabilitation obligations.

1. Road Width and Disturbance Area

The DBAR (pp. 40 & 46) references a 2.5 m wide finished road surface with an estimated temporary construction width of 4–5.5 m, resulting in a disturbance footprint of approximately 4150–4565 m<sup>2</sup>. This includes clearing for:

- Access and working space during construction,
- Limited topsoil stockpiling,
- Edge slope grading, and
- Temporary manoeuvring space.

disturbance required to build it. The Geotechnical Test Report itself specifies the need for "significant earthworks and retaining walls" as well as "an additional 2-meter disturbance envelope surrounds all proposed roads". (DBAR page 76).

- Reinforced concrete strip roads (Fig. 4 above) are environmentally harmful, and except on steep slopes the internal road should be built of natural materials like the road on Uitzicht 216/39.

## 2. Retaining Walls and Earthworks

The Geotechnical Report (Appendix D10) does acknowledge the need for "significant earthworks and retaining structures" in sections where slopes are steep, especially through the Arid Dune Fynbos, as described in Vlok (2005).

The applicant confirms that:

- Final road alignment will avoid the steepest, most unstable sections wherever feasible,
- The potential for retaining walls has been noted and will be integrated into the Updated EMP and engineering designs, and
- Stabilisation methods will use vegetation-compatible materials (e.g. geogrids, gabions, or terraced bioswales) where possible to reduce visual and ecological impact.

## 3. Stormwater Management

The need for a stormwater control system is acknowledged and will be addressed in the Final Civil Services and Drainage Plan. This will include:

- Surface runoff controls, such as swales or contour bunds,
- Infiltration-based solutions (e.g. SUDS principles), and
- Erosion control measures at bends and slope transitions.

## 4. Envelope Clarification

The reference in the Geotechnical Report to a 2-meter disturbance envelope around proposed roads was a precautionary planning recommendation. The applicant confirms that this envelope will only apply where necessary based on slope, soil type, and construction staging. It will not apply uniformly across the entire route, and refinement of the route and footprint will be guided by specialist site walkovers prior to construction.

The use of reinforced concrete strips was initially considered to:

- Provide a durable, low-maintenance surface for emergency access and steep gradients,
- Reduce the need for wide-scale grading and compaction compared to full-width paving,
- And maintain all-weather access to the south-western development node.

<ul style="list-style-type: none"> <li>• Will this internal road be sufficiently strong and wide enough to support heavy construction equipment which has a large turning circle?</li> <li>• The internal road traverses a steep second primary dune with a &gt;50% gradient to reach the main dwelling in the southwest part of the property. Appendix D12 Civil Services Report (p. 13) shows the volume of soil to be removed &amp; added. Fig. 4 also shows the ground stabilising blocks needed due to the extreme gradient of the road over the second primary dune.</li> <li>• There is no consideration of the impact of an estimated 4 000 ton topsoil excavation (Appendix D12 Civil Services Report) during road construction. The majority of this soil needs to be removed and some potentially stored for backfill. This 4 000 ton or 2282 m<sup>3</sup> of soil will require over 400 loads of 10 ton trucks that hold a high environmental risk component. It will also place huge pressure on the farm road which is the only access to the site (see Fig. 4 “the dirt track along the road reserve will need to be upgraded”).</li> </ul>	<p>The internal road design, as outlined in the Civil Services Report (Appendix D3) and supported by the Geotechnical Report (Appendix D10), is being developed to accommodate:</p> <ul style="list-style-type: none"> <li>• The safe passage of construction and delivery vehicles, including light and medium-duty trucks, drilling rigs, and materials transport vehicles.</li> <li>• A finished surface width of 2.5 m, with a temporary construction width of up to 5.5 m, allowing for vehicle manoeuvring during construction.</li> <li>• Turning areas or passing bays at designated intervals and bends, particularly on hairpin curves or steeper slopes.</li> <li>• And appropriate subgrade preparation, compaction, and, where necessary, reinforced surfacing on steep or unstable sections.</li> </ul> <p>These challenges were considered during the preliminary route planning, and the following mitigation measures will apply:</p> <ul style="list-style-type: none"> <li>• Precise alignment and grading of the road will be optimised to minimise slope disturbance and reduce the extent of cut-and-fill wherever possible.</li> <li>• Erosion control structures, including soil retention blocks, terraced sections, and stormwater attenuation features, will be incorporated in high-risk areas.</li> <li>• The road surface in this section will use high-friction, permeable surfacing materials, compatible with steep gradients and engineered to withstand stormwater flow and construction traffic.</li> <li>• Vegetation clearance and platform widths will be kept to the minimum necessary to install and stabilise the road safely.</li> <li>• All earthworks and stabilisation will be monitored and implemented under the supervision of the Environmental Control Officer (ECO) and project engineer.</li> </ul> <p>The applicant confirms the following mitigation measures to address these issues:</p> <ol style="list-style-type: none"> <li>1. Soil Management <ul style="list-style-type: none"> <li>• Topsoil will be stockpiled in designated, contained areas on-site for reuse in backfilling, rehabilitation, and landscape restoration.</li> <li>• All stockpiles will be stabilised to prevent erosion and sedimentation and managed in accordance with the Updated EMPr.</li> </ul> </li> </ol>
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- Amongst the environmental impacts of the proposed internal road even after it is built will be:
  - disruption & fragmentation of the vital east-west ecological corridor for animals
  - stimulation of alien plant growth in the disturbance area
  - roadkill of animals from heavy vehicle traffic during construction and later passage of clients to and from what appears to be a “boutique hotel” on the primary dune

- The excavation footprint will be minimised through careful road alignment, slope optimisation, and the use of engineered retaining structures to reduce cut volumes where feasible.
2. Construction Traffic Management
- A Construction Traffic Management Plan will be developed, addressing:
    - Truck scheduling to avoid peak ecological sensitivity periods (e.g., wet season or flowering periods),
    - Dust suppression (e.g., regular wetting),
    - Speed limits and erosion control along the farm access route,
    - Pre-construction condition assessment of the access road, with rehabilitation obligations post-construction.
3. Access Route Reinforcement
- The existing dirt track along the road reserve (as per Fig. 4) will be temporarily reinforced where needed using geotextile stabilisation, matting, or crushed stone, to reduce surface degradation and rutting.
  - Any temporary upgrades will be reversible and rehabilitated post-construction to restore the road to its original condition or better.
- The internal road alignment will be finalised in consultation with a botanical and faunal specialist to avoid key movement corridors and habitat areas, with the road positioned as close as possible to previously disturbed or low-sensitivity areas.
  - The road will not include fencing or barriers that would restrict wildlife movement.
  - All cleared areas along the road verge will be rehabilitated with indigenous vegetation, and monitored for alien regrowth, which is a recognised risk following disturbance.
  - An Alien Invasive Species Management Plan (AISMP) will be implemented, as required under the NEM: Biodiversity Act, and will form part of the Updated EMPr.
  - Construction equipment and vehicles will be required to be cleaned before entering the site, to prevent seed introduction.
  - Construction vehicle movements will be strictly regulated, with speed limits enforced on the internal road and signage installed to warn of wildlife presence.

<ul style="list-style-type: none"> <li>• Aesthetic Impact of the road, which will be visible from CR Swart Drive, Brenton on Sea and Buffalo Bay.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Construction staff will be briefed on faunal sensitivity, and any animal encounters will be managed according to SOPs developed by the faunal specialist.</li> <li>▪ The post-construction traffic volumes will remain very low, as this is a private single residence and not a commercial operation. The reference to a “boutique hotel” is incorrect—there is no lodge or tourism facility proposed.</li> <li>▪ The road alignment has been carefully selected to follow natural contours and remain below dune ridgelines wherever possible, thereby minimising its visibility from surrounding public vantage points.</li> <li>▪ The internal road will not be paved with bright or reflective materials; instead, it will use low-profile, earth-toned finishes (e.g., reinforced grass strips or natural aggregate) to blend into the surrounding landscape. Where stabilisation is required, vegetation-compatible materials will be prioritised.</li> <li>▪ The route is heavily screened by existing vegetation, especially in the south-western section of the property, which is already naturally sheltered from direct views from the coast and elevated roads.</li> <li>▪ The Heritage Impact Statement (Appendix D1) confirms that the proposed dwelling and associated infrastructure, including the road, will not be visibly intrusive from public roads or key viewpoints.</li> <li>▪ Any temporary visual impact during the construction phase (e.g., exposed soil, earthworks) will be rehabilitated immediately after construction, using indigenous vegetation and erosion control measures to restore the natural appearance of the corridor.</li> </ul>
<p>Objection 4</p> <p>The WHGC therefore objects to the proposed internal road based on:</p> <ul style="list-style-type: none"> <li>• its illegality in terms of WCLUPGRA 2019 guidelines pertaining to Core 1 SPC</li> <li>• the unacceptably high biodiversity loss of vegetation</li> <li>• the fragmentation of the Critically Endangered Knysna Sand Fynbos</li> <li>• the unacceptable aesthetic impact of the internal road.</li> </ul>	<p>The applicant acknowledges that the site falls within a Critical Biodiversity Area (CBA1), aligned with the Core 1 Spatial Planning Category in the Western Cape Land Use Planning Guidelines for Rural Areas (WCLUPGRA, 2019). While these guidelines generally discourage new linear infrastructure in Core 1 areas, they also allow for case-by-case consideration of essential access, particularly where:</p> <ul style="list-style-type: none"> <li>• No viable alternative exists,</li> <li>• The development is clustered, and</li> </ul>

- Mitigation measures are robust.

The internal road has been designed to provide access to a single, consolidated development node in the least visually and topographically disruptive part of the property and is not intended to fragment the site or open up further development potential.

#### 2. Biodiversity Loss

The applicant recognises the ecological sensitivity of the site and the broader corridor. The road alignment will be:

- Finalised in consultation with a botanical specialist,
- Routed to avoid Species of Conservation Concern (SCC) hotspots,
- Limited in width and length as far as practicable, and
- Constructed using methods that support post-construction rehabilitation.

A full biodiversity offset and mitigation strategy will be integrated into the Updated EMPr where residual impacts remain.

#### 3. Fragmentation of Knysna Sand Fynbos

The applicant has purposefully taken a clustered development approach, with all infrastructure (including the road) restricted to a single, contained node in the south-western corner. The road does not dissect the property from east to west, and ecological corridors remain intact, with wildlife and seed dispersal connectivity retained across the remainder of the site.

#### 4. Aesthetic Impact

The road will be constructed using natural-coloured, non-reflective materials, following the terrain to minimise visibility. Screening from vegetation and topography will further reduce any visual intrusion. The Heritage Impact Statement (Appendix D1) confirms that the proposed road and dwelling will not be visible from key public viewpoints including CR Swart Drive, Buffalo Bay, or Brenton-on-Sea.

The applicant does not dispute that these elements represent a significant construction effort. However, the combined impact is managed through the following measures:

#### Upgrading of Kerk Laan

The preferred Alternative 1 will result in two major construction projects – the main dwelling and the internal road, both of which will require heavy

construction equipment. The Appendix D12 Civil Services Report has the following statement:

### 5.3 ROADS

There is an existing road network servicing this area, all roads leading to the road reserve are tarred and of good quality. The dirt track along the road reserve will need to be upgraded.

Kerk Laan provides access to the Uitzicht 216 properties 111, 112, 113, 114, 76, 75, 74, 73, 72 and 71. It is a narrow, unsurfaced sand and gravel road, which is scarcely wide enough for two vehicles to pass each other. The road verges contain some rare plants, and in some places the Endangered butterfly SCC *Aloeides thyra orientis* sits on the road or the sandy verges around midday. Widening the road will cause significant environmental damage.

- The project is fully consolidated in a single node, avoiding multiple spread-out construction zones and thereby limiting the spatial extent of disturbance.
- All construction access will be strictly managed under a Construction Environmental Management Programme (CEMP), including:
  - Defined access routes and laydown areas,
  - Erosion and sediment control, particularly on slopes and during wet conditions,
  - Dust suppression, noise control, and timing restrictions to protect sensitive habitats,
  - Topsoil conservation and phased rehabilitation.
- Equipment staging, construction duration, and material sourcing will be planned to minimise the total number of trips required and reduce compaction and habitat damage.

It is understood that:

- Kerk Laan is a narrow, unsurfaced sand and gravel track, with limited passing opportunities,
- The road verges host sensitive vegetation, including rare plant species and threatened invertebrates, such as the Endangered butterfly SCC *Aloeides thyra orientis*, which is known to rest on sandy verges and open track areas during peak sun periods.

The applicant confirms that no widening or upgrade of Kerk Laan is proposed as part of this development. The preferred access route to the south-western corner of Portion 76 remains via a new internal road, despite its environmental and engineering challenges, precisely to avoid ecological disturbance along Kerk Laan.

In addition:

- Kerk Laan will be used only for temporary access during early construction stages, if necessary, and this will be tightly managed under the Construction Environmental Management Programme (CEMP).
- No verge clearing, realignment, or surfacing of Kerk Laan will occur.
- Vehicle movement along Kerk Laan will be speed-limited and timed to avoid midday periods when sensitive butterfly species may be active on or near the road.



be maintained in a natural or near-natural state, with no further loss of habitat. Degraded areas should be rehabilitated. Only low impact, biodiversity-sensitive land uses are appropriate. The property was rated as VERY HIGH sensitivity as far as terrestrial animals are concerned, since one SCC was observed and the habitat was suitable for three other SCCs.

#### Vegetation types

The Plant Species and Terrestrial Biodiversity Assessment (Fouché 2024) looked at the SANBI vegetation types (VEGMAP, 2018) but also at Vlok's vegetation types (2005) which are on a finer scale (see Fig. 5). Knysna Sand Fynbos (FFd10) is equivalent to Vlok's "Moist Dune Fynbos", which is south facing and moderately steep in places. Goukamma Dune Thicket (AT36), which Mucina & Rutherford had named South Cape Dune Fynbos (FFd11) in 2006, is only present as a thin strip in Vlok's vegetation mapping, found at the bottom of the primary dune. Higher up the dune this becomes Arid Dune Fynbos, which is north facing, very steep and sandy near the summit, and erodes easily if the vegetation is removed. The proposed "internal road" has to overcome this substantial obstacle. After the top of the dune it descends into south facing and gently sloping Brenton Dune Fynbos (BDF), a very rare vegetation sub-type poorly represented in the Goukamma Nature Reserve (GNR). In the shallow valley Primary Dune Slack Fynbos occurs, which is only found on the Brenton dunes and even scarcer than BDF. On this incredibly rare vegetation the applicant wants to build a 3000 m<sup>2</sup> dwelling, which will be high enough to be seen from Buffalo Bay behind the highest primary

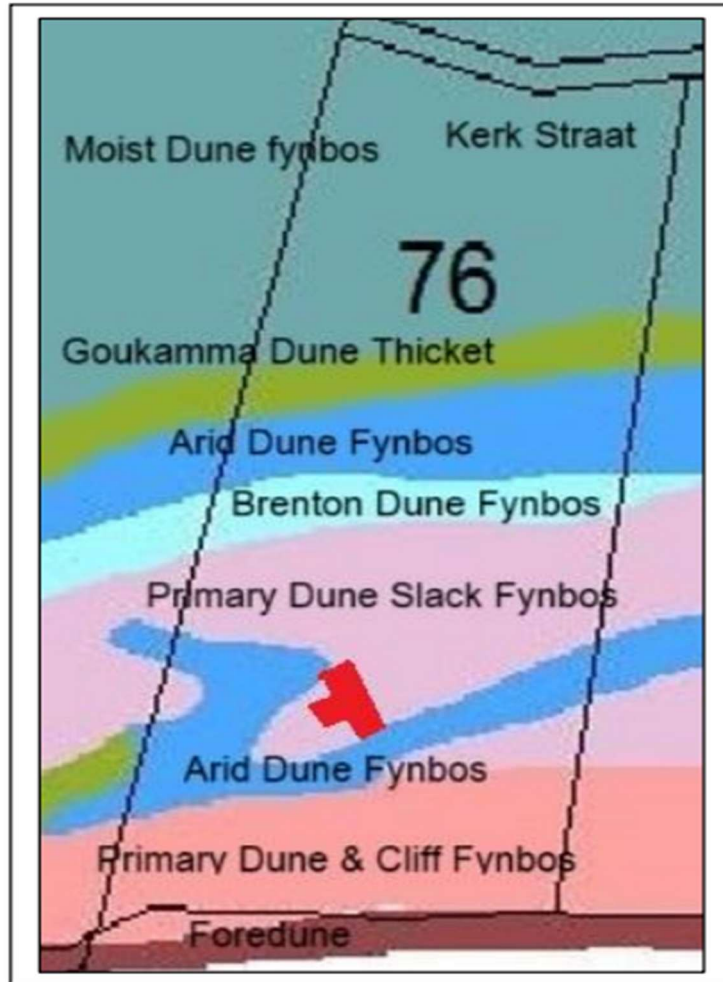
- The proposed development has been designed to be highly contained, with all infrastructure clustered within a single, consolidated node in the south-western corner of the property.
- The overall development footprint, while concentrated, is limited to ±1000 m<sup>2</sup>, representing a small percentage of the total property area.
- The project will retain the majority of the natural habitat and avoid known SCC locations, as confirmed by terrestrial biodiversity specialists.
- No fencing, hard barriers, or lighting systems that could disrupt faunal movement or behaviour are proposed.
- The Updated Environmental Management Programme (EMPr) will include a faunal management plan, detailing:
  - Pre-construction walkthroughs by a faunal specialist,
  - Search-and-rescue protocols for sensitive species,
  - Mitigation of construction-related disturbance (e.g. noise, vibration, and timing of activities), and
  - Post-construction monitoring and rehabilitation commitments.

the applicant offers the following clarification and mitigation perspective:

- The proposed development node, while within a highly sensitive area, has been confined to a single location to avoid multiple intrusions across the site and reduce fragmentation.
- The road alignment will be refined, where possible, to follow less steep contours and disturbed areas, based on pre-construction botanical walkovers and slope stability analysis (Appendix D10).
- Where unavoidable, disturbance to rare vegetation types will be mitigated through strict construction controls, ecological restoration, and if necessary, off-site biodiversity offsets, in line with national policy.
- The Updated EMPr will include:
  - Vegetation-specific mitigation measures,
  - A rehabilitation and erosion control plan,
  - And construction method statements tailored to each vegetation type.

dune (with Arid Dune Fynbos). The steep, densely vegetated Primary Dune & Cliff Fynbos continues down to the Foredune.

Fouché (2024) found that the vegetation now mapped as Goukamma Dune Thicket contains a number of Red List plants and has a HIGH sensitivity ecologically. From an environmental perspective it would be difficult to find a place less suited to building a house.



**Figure 5 – The vegetation of Uitzicht 76**

## 6. SITE SENSITIVITY VERIFICATION

### 6.1 Terrestrial Biodiversity

The sensitivity of the **terrestrial biodiversity** theme for the site is confirmed as **Very High** as the site contains a significant area of remaining natural vegetation of a CR vegetation type (Knysna Sand Fynbos) north of the large barrier dune on the site, which is threatened by invasive plants, especially pines. The southern section of the site is also sensitive habitat, characterised by a strandveld-fynbos mosaic with thicket patches in fire refugia on the site (i.e., the dune slacks, and some sections on the dune crests). Furthermore the whole site is a CBA1, and forms part of an area that served an important corridor function along the coastline.

### 6.2 Botanical diversity

The **site sensitivity in terms of the terrestrial plant species** theme is confirmed as **High**, as the site is home to several SCC, and there is some spatial heterogeneity over the site in terms of the distribution of the SCC found.

These High and Very High sensitivities mean that is of critical importance to minimise the disturbance area of all activities during construction and operations, and in fact it would be best to not disturb the southern part of Uitzicht 76 at all.

While complete avoidance of the area is not feasible given the integrated planning constraints, the development will be implemented with site-specific mitigation, clustered design, and strict environmental controls, consistent with the recommendations of the specialist assessments.

## Objection 6

The WHGC asserts that insufficient emphasis has been placed on the environmental sensitivity of the southern section of the site, which confirms the very poor judgement of making this area the site of the main dwelling.

## SECTION F – Need and desirability

### Exercising primary rights

- 'Dwelling unit' means a self-contained interleading group of rooms with not more than one kitchen, used only for the living accommodation and

It is important to clarify that the decision to cluster development in the south-western corner was made not in disregard, but rather in full recognition of the site's constraints, and after extensive input from:

- Botanical, faunal, and geotechnical specialists,
- The Heritage Impact Assessment, and
- Fire safety and visual impact considerations.

While the proposed residence includes multiple bedrooms, it remains a single dwelling unit designed to accommodate a large or extended family. The design does not include multiple kitchens or separate residential units, and

<p>housing of a single family, together with such outbuildings as are ordinarily used therewith.</p> <ul style="list-style-type: none"> <li>▪ Six bedrooms seems an awful lot for a single family.</li> </ul> <p>▪ The Coastal Management Act – within 1km from shoreline only one dwelling is allowed.</p> <p>▪ Knysna zoning scheme only allows for one dwelling unit per erf for Agriculture 1 properties unless there are substantial farming activities.</p> <p>• Beekeeping does not qualify, and local residents say there are very low yields from this activity, because there is not enough forage (nectar sources) for more wild bees on the Brenton Peninsula.</p>	<p>there is no intention of commercial or tourism use, such as short-term letting or hospitality operations.</p> <p>Larger family homes are not uncommon in rural and estate contexts, particularly where extended families, visiting relatives, or multi-generational households are anticipated. The building form remains interconnected and functionally unified, complying with the definition and intent of a private residential dwelling.</p> <p>The proposed residence, despite its size, remains a single-family dwelling within the legal and planning framework, with no deviation from land use rights. The number of bedrooms reflects family accommodation needs and does not alter the land use character or introduce commercial elements.</p> <p>The proposed development complies with this requirement, as it involves the construction of a single primary dwelling only. There is no second dwelling, no additional units, and no subdivision proposed. The development is entirely in line with the intent of the Act, which is to limit intensified land use pressure in the sensitive coastal zone and ensure sustainable, low-impact development. The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p> <p>The applicant acknowledges that in terms of the Knysna Zoning Scheme (2020), properties zoned Agriculture Zone I are permitted one primary dwelling unit per erf unless supported by substantial bona fide agricultural activity.</p> <p>The current proposal includes only one dwelling unit and therefore complies fully with the zoning scheme's primary land use rights. No additional residential units are proposed, and no land use departure is being sought. While beekeeping is included in the range of agricultural activities recognised in the Western Cape Provincial Zoning Scheme Model By-law, the applicant understands that it is not considered substantial farming on its own for the purposes of justifying additional dwellings. The beekeeping activities</p>
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	referenced are small-scale and supplementary in nature and are not being used to justify intensification or a second dwelling.
<p>Objection 7</p> <p>Whilst the WHGC supports the applicant's entitlement to exercise its primary rights for a property zoned for Agriculture 1, the preferred main dwelling exceeds by far the definition of a dwelling. Refer to Section D and Objection 2 for details.</p> <p>SECTION G – Alternatives considered (pp. 44–52, and 76–77)</p> <p>As per the applicant's DBAR section G (p. 44), the development aims to “exercise the owner's primary land use rights for Agriculture Zone I properties to a residence (dwelling)”. The entire property is classed as a CBA, and this places constraints on what is allowed from an environmental perspective, as below and elsewhere in this submission.</p> <p><u>Western Cape Land Use Planning Guidelines Rural Areas (WCLUPGRA 2019)</u></p> <p>WCLUPGRA (2019) classified the Western Heads CBA as Core 1 SPC. The DBAR wrongly refers (p. 36) to the superseded legislation “Draft Western Cape Rural Development Guidelines (2009)”.</p> <p>Relevant factors from WCLUPGRA 2019 pertaining to Core 1 SPC (CBA) that need to be considered are summarised as follows:</p> <p>4.1.2 GUIDELINES ON LAND USE AND ACTIVITIES IN THE CORE 1 SPC</p> <ul style="list-style-type: none"> <li>▪ human impact must be restricted to ensure that there is no further loss of natural habitat</li> <li>▪ structures associated with activities in Core Areas should <u>preferably be located in neighbouring Buffer areas</u></li> <li>▪ structures <u>should preferably be located on disturbed footprints</u></li> <li>▪ “Appropriate form and scale”</li> </ul>	<p>Please refer to the previous discussion in Section D.</p> <p>Noted.</p> <p>Noted.</p> <p>1. Siting and Disturbance Avoidance</p> <ul style="list-style-type: none"> <li>• The development has been clustered into a single node in the south-western corner of the property to avoid fragmentation and cumulative impacts.</li> </ul>

- o aesthetic qualities of the receiving environment must be the factor determining the appropriate scale and form of the proposed development
- o small low-density footprints, appropriate technology and design concepts should be encouraged (e.g. Enviro-loos, temporary structures, green architecture and use of natural resources)
- o structures to achieve the least impact
- Land uses that should not be located in Core 1
  - o linear infrastructure of any sort that will cause significant loss of habitat and/or disrupt the connectivity of ecological corridors



**Figure 4 – Alternative 4**

These guidelines specifically exclude the construction of an internal road (linear infrastructure), and therefore the only place a dwelling can be is as close as possible to the existing road along the northern boundary (Kerkstraat – Fig. 3), which for some reason the applicant has not given any

- While this area is sensitive, the applicant has chosen it over more dispersed alternatives to ensure disturbance is consolidated and the rest of the property remains undisturbed.
- Where possible, previously disturbed or lower-sensitivity areas will be used for access and service infrastructure.

## 2. Scale and Form

- The proposed dwelling will be designed to reflect the scale and aesthetic qualities of the surrounding landscape, with materials and finishes selected to reduce visual contrast and bulk.
- The structure, although larger in footprint, will incorporate low-profile architecture, modular design, and natural colours and textures to reduce landscape intrusion.
- Technologies aligned with green design principles (e.g. solar power, rainwater harvesting, ecological waste systems) will be incorporated to support low-impact living.

## 3. Linear Infrastructure

- The applicant acknowledges that linear infrastructure in Core 1 areas is discouraged, particularly where it disrupts ecological corridors.
- The internal road has been limited in width and length, avoids east–west fragmentation, and is designed as single access to one residence.
- The road will follow contours where possible, and its alignment and impact will be finalised in consultation with biodiversity and geotechnical specialists.
- Post-construction, road verges will be rehabilitated, and stormwater management will be based on Sustainable Urban Drainage Systems (SUDS) principles to minimise erosion and ecological degradation.

The applicant further notes that SANParks has consistently advocated for the dwelling to be located near Kerk Laan, which would reduce infrastructure requirements and potentially limit transformation to less than 1,500 m<sup>2</sup>, as

attention to, despite it being advocated for by SANParks in written and verbal exchanges. This would minimise the project footprint, reduce the fire risk, limit landscape fragmentation, and result in a much lower (< 1 500 m<sup>2</sup>) transformation of the property.

The DBAR illogically provides three (3) site plan alternative layouts (pp. 73–74), two of which include an internal road, which is not permitted, and one of which includes using the Uitzicht 216/39 existing road, which the owner of this property has refused to entertain.

The DBAR mentions four (4) site plan alternative layouts but does not provide the site layout of Alternative 4, which is “preferable because it minimises project footprint, reduces fire risk, limits landscape fragmentation, and results

compared to the currently proposed 3,000 m<sup>2</sup> footprint in the south-western node.

However, the applicant respectfully submits that, while the Kerk Laan edge may offer logistical advantages and align with planning guidance, it also presents several site-specific challenges:

- Geotechnical instability: The northern area adjacent to Kerk Laan includes steep slopes and high erodibility soils, as outlined in the Geotechnical Report (Appendix D10).
- Visual exposure: Development near Kerk Laan would be highly visible from CR Swart Drive and adjacent properties, potentially leading to greater visual and heritage impact.
- Access constraints: Kerk Laan is narrow, unsurfaced, and ecologically sensitive, with threatened species present along its verges, as noted in the biodiversity reports.
- Topographic limitations: Flat, developable platforms are limited near Kerk Laan without major earthworks, which would increase the extent of disturbance.

In contrast, the south-western node, though ecologically sensitive, offers:

- More topographic stability for clustered development,
- Reduced visibility from public roads and the coastline,
- Lower fire evacuation risk due to its defensible position and proximity to secondary access, and
- The ability to consolidate impact into one contained zone, avoiding multiple disturbed areas.

The applicant has therefore elected to pursue the single-node approach in the south-west, with the understanding that it triggers the need for an internal access road.

Noted.

While Alternative 4 has environmental advantages, it was not selected as the preferred option due to site access limitations, topographical constraints,

in less than 1% transformation of the property, compared to over 2% for other options" (DBAR p.77).

The DBAR Illogically selects the worst two Alternatives (1 & 3 ref BAR page 76) contrary to the conclusion that Alternative 4 is the best as per Page 77 and ignores the fact that an internal road is not allowed under the WCLUPGRA 2019 guidelines pertaining to Core 1 SPC. The applicant needs to be interrogated as to why Alternative 4 (Fig. 6) is not being considered, and Alternative 1 is the preferred option.

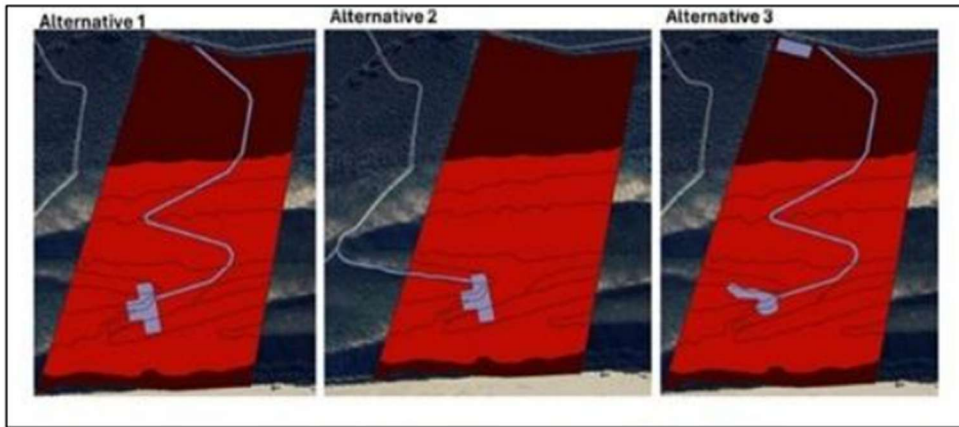


Figure 5 – The three alternatives assessed in the DBAR – Alternative 4, the least environmentally damaging, was not considered

The proposed development on Portion 76/216 will affect sensitive fynbos and strandveld vegetation within a Critical Biodiversity Area 1 (CBA 1). The impact assessment recommends Alternative 4 as the best layout, with Alternative 2 also being viable. Both result in Minor or Negligible impacts, while Alternatives 1 and 3 risk requiring offsets due to Moderate impacts. Alternative 4 is preferable because it minimizes project footprint, reduces fire risk, limits landscape fragmentation, and results in less than 1% transformation of the property, compared to over 2% for other options.

Extract from the DBAR (p. 77)

and the applicant's requirement for a more functional and integrated development layout, which is better achieved in the south-western node.

It is also noted that Alternatives 1 and 3, while more impactful, were prioritised for consideration due to their perceived greater feasibility from a technical, access, visual and layout functionality perspective.

The applicant recognises that WCLUPGRA 2019 guidelines for Core 1 SPCs discourage the creation of linear infrastructure, such as new internal roads, due to their potential to disrupt ecological corridors and amplify habitat loss. However, the guidelines also allow for site-specific assessment and specialist-led mitigation where no viable alternatives exist to access a consolidated, low-density development node.

While Alternative 4 presents clear environmental advantages and aligns more closely with Core 1 guidelines, the applicant has selected Alternative 1 based on a broader set of site-specific constraints and design criteria. This selection does not negate the importance of the WCLUPGRA principles but seeks to achieve a workable balance through strong mitigation, clustering, and minimal infrastructure spread.

**Comparative Table of Disturbance footprints in square meters (m<sup>2</sup>)**

	<b>Preferred Alternative 1</b>	<b>Alternative 2 (use 216/39 road)</b>	<b>Alternative 3 (two dwellings)</b>	<b>Alternative 4 (least impact)</b>
Primary dwelling	3000	3000	4000	1200
Road	4565	500	4565	200
Manager's House	0	0	1200	0
Water Pipeline/s	415	600	600	200
<b>Total*</b>	<b>7 980 m<sup>2</sup></b>	<b>4 100 m<sup>2</sup></b>	<b>10 365 m<sup>2</sup></b>	<b>1 600 m<sup>2</sup></b>
<b>% of total property</b>	<b>4.0%</b>	<b>2.0%</b>	<b>5.2%</b>	<b>0.8%</b>

\*These totals exclude unknown disturbances e.g. water tanks, internal road retaining walls and water aspects, primary residence parking area, etc.

**Objection 8**

Consequently the WHGC objects to the selection of Alternative 1 and supports Alternative 4, which was also favoured by SANParks, several other I & APs and the applicant's own biodiversity experts because:

- No internal road will be needed, with its huge biodiversity and visual impacts
- No main dwelling on the primary dune with significant biodiversity and visual impacts
- Main dwelling will be in an already disturbed area, as the legislation favours
- shorter water pipeline from boreholes, which might not be needed anyway

**SECTION H – Details of the public participation process (PPP)**

The notices and advertisements seem to have been dealt with properly, and most of the I & APs are listed in Appendix G. The issues raised by the I & APs and responses given in the DBAR are summarised below:

The applicant acknowledges the WHGC's position opposing Alternative 1 and supporting Alternative 4, based on its alignment with biodiversity protection goals, infrastructure minimisation, and planning principles. The applicant also recognises that SANParks, several Interested and Affected Parties (I&APs), and biodiversity specialists have expressed support for Alternative 4.

While the applicant has selected Alternative 1 based on a broader integration of geotechnical, fire management, and visual containment factors, the strengths of Alternative 4 from a biodiversity conservation perspective are acknowledged and have informed the applicant's commitment to:

- Apply all practicable mitigation measures to the preferred layout to reduce its ecological footprint;
- Fully evaluate and illustrate Alternative 4 in the Updated BAR with updated layout drawings and quantitative impact comparison;
- Justify the selection of the preferred layout with a clear explanation of why each alternative was considered but not selected, including a response to SANParks' and I&AP inputs.

Noted.

Issues raised by I & APs	Responses in DBAR	
1) Solar energy preferred to Eskom supply	Solar energy is being used	
2) Relaxation of 30m boundary line for manager's not acceptable	No manager's house	
3) Box cuts on road over primary dune will need retaining wall supports – must be vegetated to reduce visual impacts	See geotechnical report	
4) Internal road to be concrete strip construction essential areas, more natural designs across the valley	See geotechnical report - limited to	

5) Kerk Laan is an unmaintained sand road which cannot support construction vehicles	Road will be upgraded
6) Building on primary dunes will affect biodiversity and ecological functioning	No response
7) SANParks – Uitzicht 76 is in buffer zone of GRNP	Noted
8) Knysna Sand Fynbos coastal corridor fragmented	Noted
9) Critically Endangered Knysna Sand Fynbos is present	Noted
10) Critical Biodiversity Area – only biodiversity sensitive land uses	Noted
11) Preferred development plan has disturbance area of 8 765 m <sup>2</sup>	No response
12) How will swimming pool backwash be disposed of	To septic tanks or recycle
13) No access to beach down steep primary dune	Noted
14) How will drilling equipment get to the site?	Will use small drilling m/cs
15) Impact of drilling for water not discussed in BAR	Being evaluated
16) Significant harm to biodiversity, alters character of landscape and fragments the coastal corridor	Noted
17) Conserving CR vegetation types nationally important	Accepted but not all CR
18) Stewardship with CapeNature or SANParks essential	Under consideration
19) Development close to Church Street preferred	Refuse to consider this
20) Creates a bad precedent for future developments	Noted
21) Fire risk to a house on the primary dunes, House near Church Street easier to access	Noted
22) Large construction operations raise security concerns	No response
23) Coastal Management Act - main dwelling within 100m of high tide mark is environmentally sensitive	No response
24) The preferred main dwelling looks like a boutique hotel or B&B – is this the real intention?	Noted
25) Usage of the manager's dwelling to be detailed	No manager's house
26) Rare plants in the road reserve could be harmed	Ignored
27) Bee farming not economically feasible < 1 hive per ha	No bee farming
28) Forestry to comment on land-use application to KM	Pending
29) Send more recent plant list to DFFE for comment	Sent to DFFE
30) Exact locations of forest/ thicket patches needed	Sent to DFFE
31) For preferred alternative 4.3% of CBA disturbed	Noted
32) 2005 Vlok report identified 16 vegetation types – 7 in pristine condition occur on Uitzicht 76	Insists that vegetation is Least Threatened
33) EAP has classified all vegetation in the southern part of property as Goukamma Dune Fynbos, disregarding Vlok 2005 report	No change – need to contest this
34) No biodiversity study done for threatened plants and Animals	Animals Very High Sensitivity
35) Uitzicht 76 between two SANParks CNPs	Noted
36) Primary dune has special and sensitive vegetation removal will cause erosion	Their experts have assessed and this and say it can be done
37) Is a 2.5m wide road sufficient for construction vehicles - steep climbs and hairpin bends	Claim that 2.5 m road is wide enough
38) Soakaway from septic tanks used to treat sewerage will possibly leak into borehole water - probably	Will carefully design the system to prevent leakage

brackish anyway	
39) Large house on primary dune negatively impacts view for residents of Buffalo Bay, Brenton-on-Sea and Uitzicht, defacing natural beauty of the pristine beach and affecting tourism and property values	The Heritage Statement said the impacts will be small
40) Why a 3000 m <sup>2</sup> house when stands in Brenton on Sea are only 1000 m <sup>2</sup> ?	There are six bedrooms all on one level
41) Knysna zoning scheme only allows one dwelling for unless substantial farming activity – beekeeping does not qualify	No manager’s house Agriculture 1,
42) Coastal Management Act – up to 1 km from shoreline only one dwelling is permitted.	No manager’s house
43) Only two alternatives considered whereas the least environmentally harmful alternative 4 is ignored. EAP must state why this option was not considered.	Noted

<p>Objection 9</p> <p>Out of 43 issues raised by the I &amp; APs, 4 issues elicited “No response” and 12 elicited “Noted”. Some feedback was given on the other 25 issues, in most cases unsatisfactorily.</p> <p>The WHGC objects to the incomplete PPP and asks that the EAP fully responds to all the issues raised.</p> <p>SECTION I – Natural Heritage Resources and visual impact assessments (VIA)</p> <p>1) The DBAR exclusively relies upon “Appendix D1 Heritage Impact Statement (HIA)” for visual impact assessments (VIA). However, the DBAR (p. 84) clearly states that the Appendix D1 should not be regarded as an HIA, but as a scoping report that offers supplementary information.</p>	<p>Noted.</p> <p>Noted.</p> <p>This is correct. Appendix D1 was commissioned as an initial visual and heritage scoping report to:</p> <ul style="list-style-type: none"> <li>• Identify potential visual exposure zones and sensitive public viewpoints,</li> <li>• Comment on landscape compatibility of the proposed development,</li> <li>• And assess whether a full HIA or Visual Impact Assessment (VIA) would be required under Section 38 of the National Heritage Resources Act (NHRA).</li> </ul> <p>The scoping report concluded that the proposed development is unlikely to result in significant visual impacts due to topographical and vegetative screening.</p>
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<p>2) The requirement for a full VIA as per “DEADP WC Visual Guideline” is triggered as the area is classified as a “Protected area with significant visual qualities”.</p> <p>3) Furthermore, the following legislation specifically applies to the study area, as per the Garden Route Environmental Management Framework, the Knysna Spatial Development Framework (SDF), SANParks Contractual National Park agreements and the Coastal Management Act (CMA):</p> <ul style="list-style-type: none"> <li>▪ Areas with protection status, such as national parks or nature reserves.</li> <li>▪ Areas with proclaimed heritage sites or scenic routes.</li> <li>▪ Areas with intact wilderness qualities, or pristine ecosystems.</li> <li>▪ Areas of important tourism or recreation value.</li> <li>▪ Areas with important vistas or scenic corridors</li> </ul> <p>4) The quantum of the development also necessitates an appropriate VIA because the size and scale of the current proposal is very large (&gt;7000 m2 disturbance), with a high risk that the development will detract from the natural rural characteristics of the area and significantly change its sense of place, possibly causing environmentally aware residents to move elsewhere.</p>	<p>The scoping report concluded that the proposed development is unlikely to result in significant visual impacts due to topographical and vegetative screening.</p> <p>The applicant recognises that the site lies within a strategically important environmental and visual landscape and has aligned the project with the intent of applicable legislation and frameworks.</p> <p>Key Findings of the VIA:</p> <ul style="list-style-type: none"> <li>• The south-western node, where the dwelling is proposed, is partially screened by existing dune topography and dense vegetation, significantly reducing long-distance visibility.</li> <li>• From CR Swart Drive and Brenton-on-Sea, the visual exposure is low to negligible, particularly when the structure is built with low-profile design and natural finishes.</li> <li>• The development is not skylined from any major viewpoint, meaning it will not break the horizon line or dominate visual corridors.</li> <li>• With appropriate architectural articulation, the proposed dwelling can be integrated into the landscape with minimal visual intrusion.</li> <li>• The internal road, while introducing linear infrastructure, is proposed to follow natural contours and be surfaced with low-reflective, earth-toned materials to reduce visibility and blend with surrounding soils and vegetation.</li> </ul> <p>Visual Mitigation Measures Include:</p> <ul style="list-style-type: none"> <li>• Use of natural colours and materials consistent with the surrounding landscape (e.g., wood, stone, green roofs).</li> <li>• Planting of indigenous vegetation to reinforce existing screening buffers.</li> <li>• Restriction of building height and bulk to avoid dominance over the natural dune ridgelines.</li> </ul>
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5) It is important to note that critical details required for a VIA are not provided in the DBAR. The available information of the main dwelling is high level and lacks important detail, e.g. scale, form and bulk. No architectural drawings or 3D were provided or considered for any the different options. Important details of the internal road are also not available to be considered in a VIA.

6) Consequently, for assessment of the visual impact, the DBAR just states that the site is “barely visible in the distance” and that the “proposed development is barely visible in the distance”, and refers to Appendix D1 Fig. 18, stating that the proposed development will have no visual impact on the aesthetic value of the affected area.



**Appendix D1 Figure 18** – Views from C R Swart road looking towards the study area that is not readily visible from the road unless you stop at a lookout point from where 216/76 is also barely visible in the distance

7) None of the photos provided are from highly impacted positions on the tourist route, populated places as well as the farm residences located within proximity of the site, e.g. Whale Viewpoint, Angels Leap Viewpoint

- And incorporation of non-invasive lighting to avoid night-time light spill.

Noted.

The updated draft BAR will include additional information to provide further clarity and detail.

Noted. Photographs from significantly affected locations along the tourist route, as well as residential areas and farm properties situated in close proximity to the site, such as Whale Viewpoint, Angels Leap Viewpoint, and

<p>or the Brenton Beach. The photos in Appendix D1 are therefore not a true reflection of the visual impact of the development.</p> <p>8) The DBAR has also failed to consider the visual impact from Buffalo Bay. The impact will be significant, in terms of the proposed enormous main dwelling, during daylight hours as well as the significant light pollution at night.</p> <p>9) The DBAR states and concludes that “Consequently, the proposed development will have no visual impact on the aesthetic value of the affected area.” and rate the Visual impact as Low (BAR page 108 and EMPr p19-20)</p> <p>10) The DBAR is also silent regarding the visual impact of the internal road. The internal road will be fitted with lights as well as have prominent features such as “significant earth works and retaining walls” (Geotechnical Test Report).</p>	<p>Brenton Beach, will be incorporated into the revised draft of the Basic Assessment Report (BAR).</p> <p>Key Findings of the VIA:</p> <ul style="list-style-type: none"> <li>• The south-western node, where the dwelling is proposed, is partially screened by existing dune topography and dense vegetation, significantly reducing long-distance visibility.</li> <li>• From CR Swart Drive and Brenton-on-Sea, the visual exposure is low to negligible, particularly when the structure is built with low-profile design and natural finishes.</li> <li>• The development is not skylined from any major viewpoint, meaning it will not break the horizon line or dominate visual corridors.</li> <li>• With appropriate architectural articulation, the proposed dwelling can be integrated into the landscape with minimal visual intrusion.</li> <li>• The internal road, while introducing linear infrastructure, is proposed to follow natural contours and be surfaced with low-reflective, earth-toned materials to reduce visibility and blend with surrounding soils and vegetation.</li> </ul> <p>This is correct. The statement is based on the findings of the Visual Impact Assessment (VIA), which concluded that:</p> <ul style="list-style-type: none"> <li>• The proposed development node is naturally screened by dune topography and indigenous vegetation.</li> <li>• The site is not visible from key public vantage points such as CR Swart Drive, Brenton-on-Sea, or Buffalo Bay.</li> <li>• The proposed structure is not skylined, meaning it does not intrude on the skyline or break visual continuity.</li> <li>• With the implementation of recommended mitigation measures—including natural finishes, height control, and strategic planting—the visual intrusion would be minimal and not alter the overall sense of place in the broader landscape.</li> </ul> <p><u>Key Findings of the VIA:</u></p> <ul style="list-style-type: none"> <li>• The internal road, while introducing linear infrastructure, is proposed to follow natural contours and be surfaced with low-reflective, earth-toned</li> </ul>
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**Figure 6** – Google Earth map showing visibility of the proposed site and road from a major tourist road, Brenton and Buffalo Bay beaches, populated places and farm residences located in proximity to the site.

Key aspects for VIA have not been made available

No report was presented that appropriately evaluates the Visual Impact of the development (residences and road) as per requirements of “DEADP WC Visual Guideline”.

- the project's physical aspects (form, scale, and bulk) on the landscape and receptors.
- the visual impact from various required locations: tourist route, beach (tourist place), populated places, homesteads (farm residences) located within proximity of the site
- as per required VIA criteria, such as the nature, extent, duration, intensity, probability, and significance of the impacts.
- propose and evaluate potential mitigation measures to minimize or avoid the negative visual impacts, such as landscaping, screening, or altering the design of the development.
- the visual impact of the road and the main dwelling from Buffels Bay
- light pollution at night

materials to reduce visibility and blend with surrounding soils and vegetation.

The VIA assessed the visibility of the proposed development from key public viewpoints, including:

- CR Swart Drive,
- Brenton-on-Sea and Buffalo Bay, and
- Elevated portions of the conservation corridor to the north and east.

Key Findings of the VIA:

- The south-western node, where the dwelling is proposed, is partially screened by existing dune topography and dense vegetation, significantly reducing long-distance visibility.
- From CR Swart Drive and Brenton-on-Sea, the visual exposure is low to negligible, particularly when the structure is built with low-profile design and natural finishes.
- The development is not skylined from any major viewpoint, meaning it will not break the horizon line or dominate visual corridors.
- With appropriate architectural articulation, the proposed dwelling can be integrated into the landscape with minimal visual intrusion.
- The internal road, while introducing linear infrastructure, is proposed to follow natural contours and be surfaced with low-reflective, earth-toned

	<p>materials to reduce visibility and blend with surrounding soils and vegetation.</p> <p>Visual Mitigation Measures Include:</p> <ul style="list-style-type: none"> <li>• Use of natural colours and materials consistent with the surrounding landscape (e.g., wood, stone, green roofs);</li> <li>• Planting of indigenous vegetation to reinforce existing screening buffers.</li> <li>• Restriction of building height and bulk to avoid dominance over the natural dune ridgelines.</li> <li>• And incorporation of non-invasive lighting to avoid night-time light spill.</li> </ul>
<p>Objection 10</p> <p>The WHGC therefore objects to the DBAR's conclusion that the development "has no visual impact on the aesthetic value of the affected area" as it relies on the conclusions and statements as per "Appendix D1 Heritage Impact Statement" that, by own admission, was not intended as a VIA; nor does it comply to the Western Cape's Guidelines for Involving Visual and Aesthetic Specialists in EIA Processes (CSIR 2005). (Ref Oberholzer, B. 2005. <i>Guideline for involving visual and aesthetic specialists in EIA processes: Edition 1. CSIR Report No ENV-S-C 2005 053 F. Republic of South Africa, Provincial Government of the Western Cape, Department of Environmental Affairs and Development Planning, Cape Town</i>).</p>	<p>Appendix D1 was commissioned as an initial visual and heritage scoping report to:</p> <ul style="list-style-type: none"> <li>• Identify potential visual exposure zones and sensitive public viewpoints,</li> <li>• Comment on the landscape compatibility of the proposed development,</li> <li>• And assess whether a full HIA or Visual Impact Assessment (VIA) would be required under Section 38 of the National Heritage Resources Act (NHRA).</li> </ul> <p>The VIA confirms that while the development is of a notable scale, it can be successfully absorbed into the landscape with mitigation. The applicant is committed to implementing the VIA's recommendations in full, through both site planning and design guidelines, as well as enforcing visual controls through the Environmental Management Programme (EMPr) and municipal design approvals. These measures will ensure that the natural character and sense of place of the area are retained.</p>
<p>Objection 11</p> <p>WHGC objects to the missing and/or ambiguous information and details provided in the DBAR, EMPr and Appendices.</p> <p>The key missing and/or ambiguous information and details are:</p> <ul style="list-style-type: none"> <li>▪ Internal road disturbance footprint <ul style="list-style-type: none"> <li>○ No definite disturbance information provided, only vague 830m long with between 4.5- 5.5 m wide</li> </ul> </li> </ul>	<p>Noted.</p> <p>The internal road is approximately 830 m long and a construction corridor of 4.5–5.5 m wide was provisionally estimated.</p>



<ul style="list-style-type: none"> <li>○ This was also highlighted by SANParks in their previous comments but has still not been addressed.</li> <li>▪ Water pipeline disturbance footprint</li>   <li>▪ Location and footprint of the 110kl water storage tanks estimated as disturbance of 200 m<sup>2</sup> (22 x 5 kl tanks)</li> </ul>	<ul style="list-style-type: none"> <li>• Revegetating verges immediately post-construction using indigenous species,</li> <li>• Limiting night-time lighting along the road to preserve dark-sky conditions.</li> </ul> <p>The pipeline will:</p> <ul style="list-style-type: none"> <li>• Be approximately 830 m in length,</li> <li>• Require a trench approximately 800 mm wide and 500 mm deep,</li> <li>• Result in an estimated disturbance footprint of 600–800 m<sup>2</sup>.</li> </ul> <p>Mitigation measures:</p> <ul style="list-style-type: none"> <li>• Pipeline routes will follow existing disturbed tracks where possible,</li> <li>• Trench rehabilitation will include topsoil replacement and indigenous vegetation restoration immediately after pipe installation,</li> <li>• No open trenching will be left exposed beyond construction periods to prevent erosion and habitat disruption.</li> </ul> <ul style="list-style-type: none"> <li>• Water storage tanks with a combined capacity of approximately 110 kl are planned.</li> <li>• The tanks will: <ul style="list-style-type: none"> <li>○ Be modular (5 kl units) clustered close to the main dwelling,</li> <li>○ Occupy a total footprint of about 200 m<sup>2</sup>,</li> <li>○ Be located on a stabilised, vegetated platform to reduce visibility and erosion risks.</li> </ul> </li> <li>• Visual and environmental mitigation: <ul style="list-style-type: none"> <li>○ Tanks will be neutral-coloured to blend with natural surroundings,</li> <li>○ Screening vegetation will be used to minimise visibility from key viewpoints.</li> </ul> </li> </ul> <p>Water Management Strategy</p> <ul style="list-style-type: none"> <li>• Primary water supply will be through rainwater harvesting from the roof, aiming to meet the majority of household demand (±420 kl/year expected).</li> <li>• Groundwater abstraction via boreholes will serve as a secondary/back-up source only if strictly necessary and subject to: <ul style="list-style-type: none"> <li>○ Specialist hydrogeological assessment,</li> <li>○ Environmental monitoring to avoid over-abstraction,</li> <li>○ No interference with surrounding natural hydrological processes.</li> </ul> </li> </ul>
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<ul style="list-style-type: none"> <li>No consideration was given to the Long-term conservation plans for this property that it is situated in a very sensitive CBA1.</li> </ul>	<p>No backwash discharge will occur into natural vegetation or onto open ground.</p> <p>Long-term conservation strategies involve the exploration of formal stewardship mechanisms, such as the registration of conservation servitudes on undeveloped portions of the property or contractual conservation agreements facilitated through SANParks or CapeNature. The applicant is dedicated to the development of a formal Invasive Species Control Plan (ISCP) in accordance with the NEM: Biodiversity Act Alien and Invasive Species Regulations. This will be accompanied by ongoing efforts in alien species removal and the management of indigenous vegetation. As a participant in the Southern Cape Fire Protection Association (SCFPA), the applicant will implement a Fire Management Plan designed to safeguard both infrastructure and the natural fynbos ecosystems, while also preserving the ecological role of fire. To prevent landscape fragmentation, no fencing or new infrastructure will be introduced, thereby ensuring the preservation of natural wildlife movement corridors. All disturbed areas, including pipeline trenches and road verges, will undergo rehabilitation following construction. An Environmental Control Officer (ECO) will oversee compliance throughout both the construction and operational phases. The applicant reiterates that the long-term conservation of the undeveloped sections of the property remains a fundamental objective, in alignment with the site's CBA1 conservation value.</p>
<p>Objection 12</p> <p>The applicant has not demonstrated a Duty of Care for this property, particularly since it is situated in a CBA1.</p> <p>For example the applicant has not done any Invasive Alien Clearing since taking possession of the property in 2017, despite being in contravention of the NEMBA Alien and Invasive species regulations and lists (2020). Multiple environmental studies by the EAP and environmental specialists, including the 2020 scoping study, have pointed out since 2017 the threat of invasive species to the CBA1, as well as the fire risk, and the importance of removing</p>	<p>Noted.</p> <p>The applicant acknowledges the concern that, since assuming possession of the property in 2017, no active clearing of alien invasive species has taken place, despite the stipulations outlined in the National Environmental Management: Biodiversity Act (NEMBA) Alien and Invasive Species Regulations (2020). It is further recognized that several specialist studies, including the scoping study conducted in 2020 and the recent biodiversity assessments, have underscored the persistent threat that invasive species</p>

<p>them. It would not have cost very much to have done this fairly soon after the June 2017 fire, but now it has become very expensive.</p>	<p>pose to the site's Critical Biodiversity Area 1 (CBA1), as well as the increased fire risk resulting from unmanaged alien vegetation.</p> <p>The applicant concedes that the failure to undertake invasive species clearing constitutes non-compliance with the statutory obligations prescribed by NEMBA. Furthermore, it is acknowledged that timely clearing efforts, particularly in the aftermath of the June 2017 fires, would have proven more effective and cost-efficient. The applicant accepts responsibility for this oversight and affirms that alien species clearing and management will now be prioritised as a formal and binding environmental management commitment going forward.</p>
<p>Conclusions</p> <ul style="list-style-type: none"> <li>▪ The WHGC does not dispute the applicant's primary land use right to building a residence.</li> <li>▪ However, the WHGC objects to the illogical selection of the proposed site location as well as the enormous building footprint.</li> <li>▪ The WHGC is extremely concerned about the high environmental impact of the proposed internal road that is required to access the irrationally proposed site.</li> </ul> <p>The WHGC's objections are primarily caused by illogical conclusions in the BAR that result in unnecessary large &amp; severe biodiversity loss, ecosystem fragmentation and aesthetic/visual impact.</p> <p>Various I &amp; APs have pointed out a very feasible and low environmental impact location on the northern boundary; however, this option was not evaluated or presented by the DBAR.</p> <p>The WHGC requests that the Regulator considers the failure to follow the due process required in a DBAR specifically with regard to:</p> <ol style="list-style-type: none"> <li>1) The selection of the proposed location of the primary residence and required internal road, which has the highest environmental and aesthetic impact of all the alternatives. It appears that the selection was</li> </ol>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>The applicant wishes to clarify that the selection of the south-western location for the residence was informed by a combination of site constraints and technical considerations, including the topographical suitability of the relatively level area behind the frontal dune, reduced visual exposure from</p>

<p>made based on the desire of the owner to have the primary residence as close to the beach as possible. This location has the highest biodiversity loss and ecological impact.</p> <p>2) The evaluation of all the site alternatives" for the primary residence ignores the obvious option of locating the structures in the disturbed footprint on the "northern boundary". Also to consider that the presented site alternatives are practically identical and simply ignore the low ecological impact site alternative.</p> <p>3) the large building footprint size of the "main residence "that is excessive due to a "spread-out design". The proposed footprint of &gt;3000 m2 is excessive, especially bearing in mind the requirement to minimise disturbance in a CBA.</p> <p>4) The absence of building designs, levels and building aesthetics that are key attributes required for a VIA. This is compounded by the fact that the proposed location is very visible from various public and tourist locations.</p>	<p>major public viewpoints compared to development adjacent to Kerk Laan, greater geotechnical stability in a clustered zone behind the dune system, and the ability to consolidate development impact into a single node rather than dispersing infrastructure across multiple parts of the property.</p> <p>A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:</p> <ul style="list-style-type: none"> <li>• Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,</li> <li>• Include input from relevant biodiversity, fire management, and geotechnical specialists,</li> <li>• And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.</li> </ul> <p>After careful evaluation of site constraints, environmental sensitivities, engineering feasibility, fire management, and access considerations, the applicant maintains that the current proposed layout, consolidated into a single node in the south-western corner of the property.</p> <p>Specifically:</p> <ul style="list-style-type: none"> <li>• A compact, low-profile design approach will be applied to ensure that the scale and form of the buildings integrate sensitively into the landscape.</li> <li>• Locating the development adjacent to the relatively level inland dune base reduces slope stability risks, engineering challenges, and the potential for visual prominence from public viewpoints compared to alternative higher-elevation or steeper sites.</li> </ul> <p>It is recognised that while a basic conceptual floor plan was included for the main residence, more detailed information such as elevations, sectional drawings, building height specifications, 3D massing models, and material palettes was not yet provided in the DBAR phase.</p> <p>This was primarily because the project is still undergoing environmental authorisation processes, with final architectural designs intended to be submitted during the formal land use application stage to the Knysna Municipality.</p>
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<p>5) The likely significant Visual impact that was not assessed by the DBAR.</p>	<p>The VIA findings indicate the following:</p> <ul style="list-style-type: none"> <li>• The proposed main dwelling site is partially screened by dune topography and dense indigenous vegetation, which reduces visibility from major public viewpoints, including CR Swart Drive, Buffalo Bay, and Brenton-on-Sea.</li> <li>• The building will not break the skyline when viewed from key vantage points, thus avoiding one of the most severe forms of visual intrusion.</li> <li>• With appropriate architectural design controls—such as earth-toned materials, low-reflectivity surfaces, limited building height, and indigenous landscaping—the development will be visually integrated into the landscape to a significant extent.</li> <li>• Night-time light pollution can also be controlled by using shielded, downward-directed, low-intensity lighting.</li> </ul> <p>The VIA further assessed the nature, extent, duration, intensity, probability, and significance of the visual impacts in line with standard methodology, concluding that:</p> <ul style="list-style-type: none"> <li>• Without mitigation, visual impacts could be Moderate to High in certain sensitive viewpoints.</li> <li>• With mitigation fully implemented, the residual visual impact significance is reduced to Low to Moderate.</li> </ul> <p>Therefore, while the development will inevitably have a visual effect, it is considered manageable and acceptable provided that all mitigation measures proposed in the VIA and EMP are fully adopted.</p>
<p>6) The DBAR's conclusion that "insignificant visual impact" of the proposed site relies on a scoping document and without the required VIA.</p>	<ul style="list-style-type: none"> <li>• The VIA findings indicate that while the proposed development will introduce new built elements into the landscape, the visual impact is assessed as Low to Moderate with mitigation, not "insignificant" as previously concluded.</li> <li>• The VIA involved detailed view shed analyses, photomontages from key viewpoints (including Buffalo Bay, Brenton-on-Sea, and CR Swart Drive), and a full impact significance rating considering nature, extent, duration, intensity, and probability.</li> </ul> <p>The VIA further recommends a comprehensive set of mitigation measures to ensure that:</p> <ul style="list-style-type: none"> <li>• Building height and form are controlled to avoid skyline intrusion,</li> <li>• Earth-toned, low-reflectivity materials are used,</li> </ul>

7) the DBAR's illogical conclusion that the proposed location of the primary residence and required road will not set a precedent or change the character of this pristine area.

- Indigenous vegetation screening is enhanced,
- And lighting impacts are strictly managed to prevent night-time glow in the coastal landscape.

These recommendations will be incorporated into the Updated BAR and Environmental Management Programme (EMPr) to ensure that visual impacts are properly addressed and managed.

The specialist studies, including the Geotechnical Report, Civil Services Report, and Terrestrial Biodiversity Assessments, confirm that:

- Construction of the internal road is technically feasible, provided strict mitigation measures are applied,
- The road alignment has been carefully selected to follow natural contours, thereby reducing the extent of cut-and-fill earthworks,
- Slope stabilisation methods, such as ground-stabilising blocks and low-retaining structures, are proposed to prevent erosion and land slippage on steeper sections,
- The road will use narrow reinforced concrete strips (2.5 m surfaced width) with a construction disturbance corridor limited to 4.5–5.5 m, reducing the permanent footprint compared to wider conventional roads,
- The overall loss of habitat will be restricted to a relatively narrow linear feature in an already disturbed corridor of the property (along previously impacted areas where possible).

Furthermore, the Visual Impact Assessment (VIA) concludes that:

- With appropriate mitigation (earth-toned surfacing, revegetation of verges, no formal lighting), the internal road will have low to moderate visual impact, and
- The road will not be visible from major public areas like Buffalo Bay or Brenton-on-Sea, nor will it break the skyline from critical viewpoints.

In terms of landscape character:

- The development remains consolidated into a single node in the south-western portion of the property, avoiding widespread fragmentation,
- The rest of the property will be formally protected from further disturbance through conservation management commitments outlined in the EMPr and Updated BAR,
- No new development nodes or additional roads are proposed that would fragment the landscape beyond the current application.

<p>8) The WHGC also points out that the WCSPF guidelines were not considered, and that the proposal would result in the first and only dwelling on the primary dune between Brenton and Buffalo Bay.</p>	<p>Thus, the applicant maintains that the construction of the road, in this specific case, does not establish an inappropriate precedent for unrestricted development.</p> <p>Instead, it is a site-specific solution designed with strict environmental controls, responding directly to the physical and ecological characteristics of the property, without compromising the broader conservation goals of the coastal corridor.</p> <p>While it is correct that the WCSPF was not directly quoted in the DBAR, the applicant confirms that the spirit and intent of the WCSPF, particularly its emphasis on biodiversity conservation, protection of sensitive landscapes, and responsible settlement form, have been considered throughout the project planning process.</p> <p>Regarding the location on the primary dune:</p> <ul style="list-style-type: none"> <li>• The applicant confirms that the proposed house site is positioned behind the frontal dune, on a level area sheltered from direct coastal processes, and not on the foredune ridge itself.</li> <li>• The Geotechnical Report confirms that the selected platform is stable for development, subject to appropriate earthworks management and erosion control.</li> <li>• The Terrestrial Biodiversity and Vegetation Studies recognise that while the dune system is sensitive, the chosen site avoids the most mobile dune areas and critical frontal habitats, where disturbance would cause the greatest ecological instability.</li> <li>• The Visual Impact Assessment (VIA) indicates that the dwelling will not be visible from the beach, will not break the skyline, and will be screened by topography and vegetation, minimising aesthetic intrusion into the scenic coastal corridor.</li> </ul> <p>It is further emphasised that the dwelling will be part of a single consolidated development node on the property and will be subject to strict mitigation measures to manage both ecological and visual impacts.</p> <p>No additional dwellings, subdivisions, or future expansions will be allowed outside the authorised footprint.</p>
<p>9) There are multiple key specifications and facts that are ambiguous or missing in the BAR and EMPr that could result in an ambiguous EA and</p>	<p>The applicant confirms that the following critical aspects will be fully clarified and expanded upon in the Updated BAR and EMPr:</p>

EMPr e.g. building footprint, disturbance footprint, key aesthetic details of the proposed building, internal road exact path and total disturbance footprint, 110k1 water storage tanks and supply pipeline disturbance footprints, Septic tank & soak away location and footprint, the management (use, removal and storage) of topsoil & subsoil from proposed substantial site and road excavations.

- **Building Footprint and Disturbance Area:**  
The exact building footprint and the overall disturbance footprint (including all construction-related activities such as working areas, laydown areas, and defensible firebreak space) will be mapped accurately, with clear square meterage calculations.
  - **Aesthetic Details of the Proposed Building:**  
Basic architectural elevations, height specifications, and external materials and finishes will be presented to enable proper visual integration assessments and to inform the Visual Impact Assessment (VIA) findings.
  - **Internal Road Exact Path and Disturbance Footprint:**  
The final alignment of the internal road will be fixed, with surveyed coordinates, and the total construction disturbance corridor width and associated earthworks volumes will be quantified.  
Post-construction rehabilitation methods for verges and temporary disturbance areas will also be detailed.
  - **Water Storage Tanks (110 kl) and Supply Pipeline:**  
The location and layout of the modular water tanks (and any associated platforms) will be mapped, and the pipeline trench route, width, and rehabilitation measures will be detailed to assess associated disturbance footprints.
  - **Septic Tank and Soakaway System:**  
The precise location, size, and design of the septic tank and soakaway field will be identified, and any associated vegetation clearing or land disturbance will be included in the footprint calculations.
  - **Topsoil and Subsoil Management:**  
A Topsoil and Subsoil Management Plan will be included, detailing:
    - How topsoil will be stripped, stored, protected, and reinstated after construction,
    - How subsoil will be managed to prevent erosion, contamination, and loss of fertility,
    - Measures to preserve the indigenous seed bank critical for successful rehabilitation.
- Each of these project components will have clearly defined specifications, construction management conditions, and rehabilitation commitments incorporated into the EMPr.

<p>10) The proposed but unspecified "upgrading" of Kerk Laan with a high risk of severe environmental impact as it is currently a "low key, minimal impact" road in a CBA1 and conservation area.</p>	<p>The applicant confirms that Kerk Laan is currently a low-key, minimal impact gravel track, and agrees that any significant widening, hard surfacing, or heavy formalisation would risk:</p> <ul style="list-style-type: none"> <li>• Habitat destruction, including potential impacts on threatened species present in the sandy verges (e.g., the Endangered butterfly <i>Aloeides thyra orientis</i>),</li> <li>• Edge effects such as the introduction of alien species and increased erosion,</li> <li>• Visual intrusion into a largely natural landscape,</li> <li>• And fragmentation of sensitive east-west ecological corridors.</li> </ul> <p>In response:</p> <ul style="list-style-type: none"> <li>• The applicant emphasises that only minimal maintenance upgrading of Kerk Laan is intended — specifically, limited grading and stabilisation of the existing track to safely accommodate construction vehicles during the building phase.</li> <li>• No full formalisation, widening beyond the existing disturbed corridor, or surfacing with hard materials (e.g., asphalt or concrete) is proposed.</li> <li>• Any maintenance activities will be undertaken: <ul style="list-style-type: none"> <li>○ Within the existing track width,</li> <li>○ Using low-impact techniques (e.g., hand tools, light machinery where necessary),</li> <li>○ And following a site-specific Method Statement approved by the Environmental Control Officer (ECO) prior to any work commencing.</li> </ul> </li> <li>• Should any upgrading beyond routine maintenance become necessary, it would trigger a separate environmental authorisation process, ensuring that full environmental scrutiny is applied.</li> </ul>
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The WHGC reserves the right to revise its initial comments and to request further information based on any additional information that may be received.

Noted.

Appendix

Noted.

**TABLE 4.1:** Land-use guidelines for protected areas and Critical Biodiversity Areas. Spatial layers can be viewed in CapeFarmMapper and on SANBI BGIS (continued).

Map category	Desired management objective	General guidelines	Specific guidelines
Critical Biodiversity Area 1: Terrestrial & Forest	Maintain in a natural or near-natural state, with no further loss of habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land-uses are appropriate.	<ul style="list-style-type: none"> <li>Biodiversity loss and land-use change in verified CBAs should not be permitted. Unauthorised land-use change or degradation by neglect or ignorance must be monitored as a matter of priority.</li> <li>Ideally, conservation management activities should be the primary land-use in all Biodiversity Priority Areas, or they should at least be managed in ways that have no negative impact on species, ecosystems, or ecosystem services.</li> <li>Conservation efforts should focus on conserving Species of Conservation Concern and populations of keystone species and species responsible for pollination and seed dispersal.</li> </ul>	<ul style="list-style-type: none"> <li>Ideally, developments should be avoided in these areas. If they cannot be avoided, it must be shown that the mitigation hierarchy has been applied. If the impact cannot be avoided or reduced to a residual low significance, a biodiversity offset may be considered as a last resort.</li> <li>The features behind a site being identified as a CBA must be fully investigated. Some areas may appear degraded but still be important for water or ecological connectivity for example.</li> <li>Relevant specialist studies must form part of a Basic Assessment or the Scoping and EIA process for all land-use applications in these areas, using the services of an experienced and locally knowledgeable biodiversity expert who is registered with the South African Council for Natural Scientific Professions (SACNASP).</li> <li>Applications for land-use of any kind should be referred to the Land-use and Conservation Planning team at CapeNature.</li> </ul>

Ref: WC biodiversity spatial plan 2023 page 46

## Western Cape Land Use Planning Guidelines Rural Areas

TABLE 1: CATEGORIES ON THE BIODIVERSITY SPATIAL PLAN MAP AND THEIR RECOMMENDED CORRESPONDING SPATIAL PLANNING CATEGORY

		WCBSP MAP CATEGORY						
		PROTECTED AREAS PA	CRITICAL BIODIVERSITY AREA 1 (TERRESTRIAL/AQUATIC) CBA 1	CRITICAL BIODIVERSITY AREA 2 (DEGRADED) CBA 2	ECOLOGICAL SUPPORT AREA 1 (TERRESTRIAL/AQUATIC) ESA 1	ECOLOGICAL SUPPORT AREA 2 ESA 2	OTHER NATURAL AREAS (NATURAL TO NEAR-NATURAL/DEGRADED) ONA	NO NATURAL REMAINING NNR
SPATIAL PLANNING CATEGORY	CORE 1	•	•					
	CORE 2			•	•			
	BUFFER 1						•	
	BUFFER 2					•	•	
	AGRICULTURE							•
	SETTLEMENT							•

TABLE 1: CATEGORIES ON THE BIODIVERSITY SPATIAL PLAN MAP AND THEIR RECOMMENDED CORRESPONDING SPATIAL PLANNING CATEGORY

### 4.1 GUIDELINES FOR THE CORE 1 SPC

#### 4.1.1 DESCRIPTION AND OBJECTIVE

**Core 1 Areas** are those parts of the rural landscape required to meet targets/thresholds for **biodiversity patterns or ecological processes** (i.e. Protected Areas and Critical Biodiversity Areas). These include habitats classified as highly irreplaceable, critically endangered, or endangered terrestrial (land), aquatic (rivers, wetlands and estuaries) and marine habitats.

These also include areas currently not yet exhibiting high levels of biodiversity loss, but which should be **protected and restored**, in order to ensure biodiversity pattern and ecological process targets/thresholds can be met, in the most efficient way possible. It also includes essential biological corridors vital to sustain their functionality.

Three components of the rural landscape as mapped by the Western Cape Biodiversity Spatial Plan, make up Core 1 Areas, with the following management objectives:

- **Protected Area** in terms of National Environment Management: Protected Areas Act (NEM: PAA): Must be kept in a natural state, with a management plan focused on maintaining or improving the state of biodiversity.
- **Critical Biodiversity Area 1: Terrestrial:** Maintain in a natural or near-natural state with no further loss of natural habitat.
- **Critical Biodiversity Area 1: Aquatic:** Keep natural, with no further loss of habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land-uses are appropriate.

#### The Core 1 SPC:

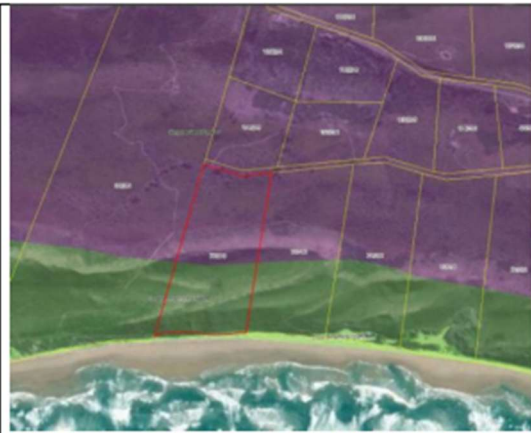
- Identifies which parts of the rural landscape are of highest conservation importance, and if they are currently protected or not.
- Informs expansion of the Protected Area network through a Protected Area Expansion Strategy.
- Delineates areas that must be maintained in, or restored to, a natural state in order to sustain biodiversity patterns and processes and the functionality of eco-system services.
- Identifies areas of land that could serve as biodiversity offset receiving areas.
- In combination with Core 2 Areas, spatially defines the 'core' of the rural landscape's ecological network.

#### 4.1.2 GUIDELINES ON LAND USE AND ACTIVITIES IN THE CORE 1 SPC

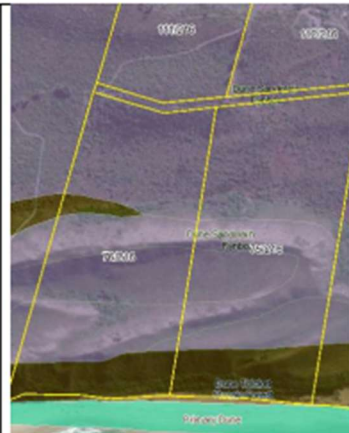
##### What kinds of activities?

- Essentially Core areas are 'no-go' areas from a development perspective. Accordingly, human impact must be restricted to ensure that there is no further loss of natural habitat.
- Conservation management activities, such as alien clearing, research and environmental education should be encouraged.
- Subject to stringent controls the following biodiversity-compatible land uses (i.e. those of very low impact) may be accommodated in Core 1 areas:

Noted.



2018 Vegetation Map: Knysna Sand Fynbos and Goukamma Dune Thicket



Vlok Vegetation Map: Wilderness Forest- Thicket, Sedgfield Sandplain Fynbos

Noted.

## NGO

### Breda Lombard Town Planners – S Van B Lombard – 10 March 2025

1. We refer to the attached notice in respect of the public participation process.
2. Breda Lombard Town Planners represent the Belvidere Homeowners Association (BHOA).
3. The BHOA is a pro-active association that manages Belvidere Estate.
4. The BHOA is also involved in the Western Heads / Goukamma conservancy initiatives.
5. Kindly register the BHOA as an interested and affected party.
6. Contact information for the process:
  - Breda Lombard Town Planners
  - 38 Bompas Road
  - DUNKELD
  - 2196
  - E-mail: [breda@bredalombard.co.za](mailto:breda@bredalombard.co.za)
  - Landline: 011 327 3310
7. Kindly acknowledge receipt. We are awaiting the draft report.

In an email dated 02 April 2024, Ms Gilfillan responded:

Good afternoon, Ms Lombard.

We hereby acknowledge receipt of your email and comments.

Thank you for your attention to this matter,

Should you require any information, please do not hesitate to contact me.

Best regards

Ms. Bianca Gilfillan

**Breda Lombard Town Planners – S Van B Lombard – 10 March 2025**

<p>1. We refer to the attached notice in respect of the public participation process.</p> <p>2. We represent the Belvidere Homeowners Association (BHOA).</p> <p>3. Belvidere Estate is located within the demarcated boundaries of the Western Heads / Goukamma Conservancy.</p> <p>4. The application site is also located within the Western Heads / Goukamma Conservancy.</p>	<p>Noted.</p>
<p>5. Herewith comments regarding the Environmental Impact Assessment application:</p> <p>5.1. The site is located in an area demarcated as a critical “biodiversity area”.</p> <p>5.2. The development potential of the site is therefore extremely limited and subject to stringent environmental criteria.</p> <p>5.3. The “farming” potential of the site is even more restricted and limited.</p> <p>5.4. The application proposes the construction of two dwellings – a main house and a farm manager's cottage.</p> <p>5.5. The proposal of a main house and a farm manager's cottage is misleading and an attempt to create the impression that “farming activities” will require accommodation for a “farm manager”.</p> <p>5.6. The BHOA objects to the attempt to create two “separate” dwellings on the site.</p>	<p>Agreed.</p> <p>Agreed.</p> <p>Agreed.</p> <p>The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p> <p>Noted.</p> <p>Agreed. However, the preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>),</p>

<p>5.7. We acknowledge the fact that a main and a second dwelling can be permitted on the site in terms of the applicable zoning.</p> <p>5.8. The site is furthermore subject to a very specific “disturbance area” where structures must be located.</p> <p>5.9. Both the dwellings must be located in the “disturbance area”.</p> <p>5.10. No structures should be allowed on the primary dune facing the Buffalo Bay / Brenton Beach.</p>	<p>consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p> <p>Agreed.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. The proposed development on Portion 76 of Uitzicht 216 has been specifically designed to maintain this visual integrity by:</p> <ul style="list-style-type: none"> <li>• Avoiding any development on the primary or secondary dune systems, as confirmed in the Terrestrial Biodiversity Report and Geotechnical Report,</li> <li>• Placing the dwelling behind the frontal dune ridge, within a naturally screened area of the south-western corner of the property, and</li> <li>• Committing to earth-toned finishes, low-reflective materials, and modular construction that integrates with the surrounding vegetation and topography.</li> </ul> <p>The Heritage Impact Statement (Appendix D1) confirms that the proposed structures will not be visible from key public viewpoints, including the beach, coastal trails, Buffalo Bay, Brenton-on-Sea, or provincial roads. The specialist concludes that there is no significant visual or heritage impact and that the proposed layout preserves the sense of place associated with the area's natural coastal landscape.</p>
<p>6. We reserve the right to supplement our comments when additional information becomes available.</p>	<p>Noted.</p>
<p>7. We also require a site plan indicating the locality of the two structures within the disturbance area.</p>	<p>Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.</p> <p>The development proposal entails the construction of one main dwelling house to be situated in the south-western portion of the property (1000 m<sup>2</sup>), consistent with the reduced preferred alternative that limits environmental disturbance and aligns with specialist recommendations.</p>

REFERENCE: 4/10/2/K50B/UITZICHT 216/76, KNYSNA

DATE: 24 MARCH 2025

ECOROUTE ENVIRONMENTAL CONSULTANCY  
PO Box 9187  
**GEORGE**  
6530

Attention: Ms C. Leslie

**RE: DRAFT BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF A RESIDENTIAL DWELLING ON PORTION 76 OF THE FARM 216 UITZICHT, KNYSNA, WESTERN CAPE**

Reference is made to the above mentioned Draft Basic Assessment Report made available to Breede-Olifants Catchment Management Agency (BOCMA) for comments.

The following are BOCMA comments relating to Draft Basic Assessment Report for proposed development of a residential dwelling on Portion 76 of the Farm Uitzicht 216, which should be adhered to:

1. The Breede-Olifants Catchment Management Agency has reviewed the Draft Basic Assessment Report & Aquatic Compliance Statement and has no objections. Based on the findings of the Aquatic Compliance Statement section 21(c) and (i) water uses are not triggered by the proposed development, therefore no water use authorisation required in terms of the National Water Act, (Act No. 36 of 1998) for these water uses.
2. The abstraction of groundwater from the borehole(s) for domestic use is regarded as Schedule 1 water use. However, if the amount of water to be abstracted exceeds Schedule 1 limits it will trigger water use(s) in terms of section 21(a) of the National Water Act, 1998 (Act No. 36 of 1998), which refers to taking water from a water resource and must be authorised.
3. Please note that harvesting of rainwater and storage in tanks does not trigger a water use, thus it does not require an authorisation.
4. Please note that NO water shall be derived from any water resource and used on Portion 76 of Farm Uitzicht 216 for any purposes, without prior approval by means of a water use authorisation in terms of section 22 of the National Water Act, 1998 (Act No. 36 of 1998).

Noted.

Noted.

Noted.

Noted.

5. For off-grid sanitation facilities, it is recommended to dispose domestic wastewater into conservancy tank serving no more than 50 households, that must be emptied on regular basis. Sceptic tanks/french drains are not recommended as they are likely to impact on groundwater resources.
6. Please note that no treated or untreated wastewater/effluent shall be disposed to the environment or discharged into a water resource or even used to irrigate without a water use authorisation.
7. All reasonable measures shall have to be taken to prevent the potential pollution of the groundwater resources due to the proposed onsite sanitation facilities i.e. a service provider must be appointed to remove domestic wastewater from conservancy/sceptic tanks.
8. Please note that according to the General Authorisation Government Gazette No. 36820 Notice 665 of 2013; a person who stores wastewater in terms of this authorisation must submit a registration form for registration of the water use before commencement of storage if more than 1000 cubic metres are stored for disposal or if more than 500 cubic metres are stored for re-use.
9. Should water and sewage collection services be provided by the municipality in the near future, there must be an agreement in place between the property owner and the municipality and service charges must be paid directly to the municipality.
10. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.
11. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.
12. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.
13. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.
14. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at
15. Should you have further enquiries, the office can be contacted or alternatively contact Mr. SI Ndlovu at the above-mentioned contact number or on

Noted. Conservancy tanks are being considered.

Noted. The development will utilise septic tanks and soakaways, due to the fact that there is no municipal sewerage network available. Care will be taken when positioning the soakaways in regard to the position of the borehole/s. Vehicle access to the septic tanks needs to be provided to allow suction of the tank, if and when required.

Noted.

Noted.

Noted.

Noted and agreed.

Noted.

Noted.

Noted.

Noted.

<b>Buffelsbaai Inwoners Vereniging – RJ Feenstra – 7 April 2025</b>	
<p>Hallo Bianca</p> <p>Stuur asb volledige dokumentasie na my toe oor die bostaande openbare deelname proses. Ek wil dringend daarna kyk.</p> <p>Ek is betrokke by die Buffelsbaai Inwonersvereniging wat omtrent driekwart van die eienaars verteenwoordig.</p> <p>En jy kan die Buffelsbaai Inwoners Vereniging (BIV) solank registreer as 'n party tot die ondersoek.</p>	<p>Goeie more, Jacques.</p> <p>Baie dankie vir die epos.</p> <p>Die link vir al die dokumentasie op die webtuiste is soos volg: <a href="http://www.ecoroute.co.za/node/107">www.ecoroute.co.za/node/107</a></p>
<p>Middag Bianca</p> <p>Aangeheg is briewe van Feenstra Inc en ook van Jacques Malan (Voorsitter van die Buffelsbaai Inwonersvereniging) om beswaar aan te teken teen die ontwikkelingsvoorstel van gedeelte 76 van plaas Uitzicht nr 216.</p>	<p>Good afternoon, Vera</p> <p>We hereby acknowledge receipt of your email and comments.</p> <p>Thank you for your attention to this matter.</p>
<p>Ons tree op namens die Buffelsbaai Inwoners Vereniging.</p> <p>Die Buffelsbaai Inwoners Vereniging (BIV) verteenwoordig 160 uit 209 inwoners/eindomme in Buffelsbaai. Die BIV het erenstige besware rakende die huidige ontwikkelings voorstel soos via die voorgeskrewe omgewings proses aan BIV gelewer vir oorweging. Die BIV het 'n noue verbintenis met die WHGC en dit sluit in gemeenskaplike sienings rakende veral die bestuur, bewaring en behoud van die unieke natuurlike omgewing. Die BIV vertrou die beindings en sinings van die kundiges in die relevante velde soos deur WHGC aangevra. In hierdie lig onderskryf die BIV die aangehege opsommende kommentaar van die WHGC.</p> <p>Die BIV behou die reg voor om sy bogemelde kommentaar te hersien en by te werk, asook om verdere inligting aan te vra wat verband hou met enige nuwe inligting wat beskikbaar gestel en ontvang mag word.</p>	<p>Noted.</p> <p>Noted.</p>
<p>Reference: DFFE Reference number: 14/12/16/3/3/1/3114- Portion 76 of the Farm Uitzicht, Knysna, Western Cape</p>	

The WHGC does not dispute the owner's primary land use right to a residence. However, the WHGC objects to the illogical selection of the proposed site location as well as the enormous building footprint. The WHGC is extremely concerned about the high environmental impact of the proposed internal road that is required to access the proposed site.

The WHGC objections are based primarily due to illogical conclusions in the BAR that result in large & severe biodiversity loss, ecosystem fragmentation and aesthetic/visual impact.

Noted. The applicant acknowledges that biodiversity, landscape connectivity, and aesthetic values are critical concerns in this sensitive landscape and reaffirms a commitment to apply the strictest mitigation measures to limit disturbance, rehabilitate impacted areas, and maintain long-term ecological integrity.

The specialist studies, including the Geotechnical Report, Civil Services Report, and Terrestrial Biodiversity Assessments, confirm that:

- Construction of the internal road is technically feasible, provided strict mitigation measures are applied,
- The road alignment has been carefully selected to follow natural contours, thereby reducing the extent of cut-and-fill earthworks,
- Slope stabilisation methods, such as ground-stabilising blocks and low-retaining structures, are proposed to prevent erosion and land slippage on steeper sections,
- The road will use narrow reinforced concrete strips (2.5 m surfaced width) with a construction disturbance corridor limited to 4.5–5.5 m, reducing the permanent footprint compared to wider conventional roads,
- The overall loss of habitat will be restricted to a relatively narrow linear feature in an already disturbed corridor of the property (along previously impacted areas where possible).

Furthermore, the Visual Impact Assessment (VIA) concludes that:

- With appropriate mitigation (earth-toned surfacing, revegetation of verges, no formal lighting), the internal road will have low to moderate visual impact, and
- The road will not be visible from major public areas like Buffalo Bay or Brenton-on-Sea, nor will it break the skyline from critical viewpoints.

In terms of landscape character:

- The development remains consolidated into a single node in the south-western portion of the property, avoiding widespread fragmentation,
- The rest of the property will be formally protected from further disturbance through conservation management commitments outlined in the EMPr and Updated BAR,
- No new development nodes or additional roads are proposed that would fragment the landscape beyond the current application.

Various Stakeholders have pointed out a very feasible and low environmental impact location on the northern boundary; however, this option was not evaluated or presented by the BAR.

**The WHGC request that the Regulator consider the comprehensiveness of the due process and proposals in the BAR specific to:**

- a. **The selection of the proposed location of the primary residence and required internal road** as it has the highest ecological and aesthetic impact of all the alternatives due to the need for an internal road. The selection of the preferred location is irrational from an environmental impact perspective. It appears that the selection was made based on the desire of the owner to have the primary residence as close to the beach as possible. This location has the highest loss of biodiversity and ecological impact.

Thus, the applicant maintains that the construction of the road, in this specific case, does not establish an inappropriate precedent for unrestricted development.

Instead, it is a site-specific solution designed with strict environmental controls, responding directly to the physical and ecological characteristics of the property, without compromising the broader conservation goals of the coastal corridor.

A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:

- Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,
- Include input from relevant biodiversity, fire management, and geotechnical specialists,
- And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.

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b. The evaluation of all the “site alternatives” for the primary residence that ignores the proposed “northern border”. Also consider that the presented site alternatives are practically identical and do not consider a low ecological impact site alternative(s).

c. the large building footprint size of the “residence” that is excessive due to a “spread out design”. Considering the proposed residence of >3000sqm is excessive especially bearing in mind the requirement to minimise disturbance in a CBA.

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- And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.

After careful evaluation of site constraints, environmental sensitivities, engineering feasibility, fire management, and access considerations, the applicant maintains that the current proposed layout, consolidated into a single node in the south-western corner of the property.

Specifically:

<p>d. The absence of building designs, levels and building aesthetics that are key attributes required for a Visual Impact Assessment. This is compounded by the fact that the proposed location is very visible from various public and tourist locations.</p> <p>e. <u>the large Visual impact that was discounted by the BAR.</u></p> <p>f. the BAR's conclusion of an "ignorable visual impact" of the proposed site, relying on a scoping document and without the required Visual Impact Assessment (VIA).</p> <p>g. <u>the BAR's illogical conclusion that the proposed location of the primary residence and required road will not set a precedent or change the character of this</u> untouched area. The WHGC point out that the WCSPF guidelines were not considered, and the proposal will result in the first and only primary residence on the primary dune between Brenton and Buffels Bay.</p> <p>h. <u>to various key specifications and terms that are ambiguous or missing</u> in the BAR and EMPr that could result in an ambiguous EA and Environmental management, E.g. building footprint, disturbance footprint, key aesthetic details of the proposed building, internal road exact path and total disturbance footprint, 110k! water storage tanks and supply pipeline disturbance footprints, Septic Tank &amp; soakaway location and footprint, the management (use, removal and storage) of topsoil &amp; subsoil from proposed substantial site and road excavations.</p>	<ul style="list-style-type: none"> <li>• A compact, low-profile design approach will be applied to ensure that the scale and form of the buildings integrate sensitively into the landscape.</li> <li>• Locating the development adjacent to the relatively level inland dune base reduces slope stability risks, engineering challenges, and the potential for visual prominence from public viewpoints compared to alternative higher-elevation or steeper sites.</li> </ul> <p>The VIA findings indicate the following:</p> <ul style="list-style-type: none"> <li>• The proposed main dwelling site is partially screened by dune topography and dense indigenous vegetation, which reduces visibility from major public viewpoints, including CR Swart Drive, Buffalo Bay, and Brenton-on-Sea.</li> <li>• The building will not break the skyline when viewed from key vantage points, thus avoiding one of the most severe forms of visual intrusion.</li> <li>• With appropriate architectural design controls—such as earth-toned materials, low-reflectivity surfaces, limited building height, and indigenous landscaping—the development will be visually integrated into the landscape to a significant extent.</li> <li>• Night-time light pollution can also be controlled by using shielded, downward-directed, low-intensity lighting.</li> </ul> <p>The VIA further assessed the nature, extent, duration, intensity, probability, and significance of the visual impacts in line with standard methodology, concluding that:</p> <ul style="list-style-type: none"> <li>• Without mitigation, visual impacts could be Moderate to High in certain sensitive viewpoints.</li> <li>• With mitigation fully implemented, the residual visual impact significance is reduced to Low to Moderate.</li> </ul> <p>Therefore, while the development will inevitably have a visual effect, it is considered manageable and acceptable provided that all mitigation measures proposed in the VIA and EMPr are fully adopted.</p> <p>The applicant confirms that the following critical aspects will be fully clarified and expanded upon in the Updated BAR and EMPr:</p> <ul style="list-style-type: none"> <li>• Building Footprint and Disturbance Area: The exact building footprint and the overall disturbance footprint</li> </ul>
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(including all construction-related activities such as working areas, laydown areas, and defensible firebreak space) will be mapped accurately, with clear square meterage calculations.

- **Aesthetic Details of the Proposed Building:**  
Basic architectural elevations, height specifications, and external materials and finishes will be presented to enable proper visual integration assessments and to inform the Visual Impact Assessment (VIA) findings.
- **Internal Road Exact Path and Disturbance Footprint:**  
The final alignment of the internal road will be fixed, with surveyed coordinates, and the total construction disturbance corridor width and associated earthworks volumes will be quantified.  
Post-construction rehabilitation methods for verges and temporary disturbance areas will also be detailed.
- **Water Storage Tanks (110 kl) and Supply Pipeline:**  
The location and layout of the modular water tanks (and any associated platforms) will be mapped, and the pipeline trench route, width, and rehabilitation measures will be detailed to assess associated disturbance footprints.
- **Septic Tank and Soakaway System:**  
The precise location, size, and design of the septic tank and soakaway field will be identified, and any associated vegetation clearing or land disturbance will be included in the footprint calculations.
- **Topsoil and Subsoil Management:**  
A Topsoil and Subsoil Management Plan will be included, detailing:
  - How topsoil will be stripped, stored, protected, and reinstated after construction,
  - How subsoil will be managed to prevent erosion, contamination, and loss of fertility,
  - Measures to preserve the indigenous seed bank critical for successful rehabilitation.

Each of these project components will have clearly defined specifications, construction management conditions, and rehabilitation commitments incorporated into the EMPr.

<p>i. <u>the unquantified “upgrading” of Kerk Laan with high risk of severe environmental impact as it currently is a “low key” road in a CBA1 and conservation area.</u></p>	<p>The applicant confirms that Kerk Laan is currently a low-key, minimal impact gravel track, and agrees that any significant widening, hard surfacing, or heavy formalisation would risk:</p> <ul style="list-style-type: none"> <li>• Habitat destruction, including potential impacts on threatened species present in the sandy verges (e.g., the Endangered butterfly <i>Aloeides thyra orientis</i>),</li> <li>• Edge effects such as the introduction of alien species and increased erosion,</li> <li>• Visual intrusion into a largely natural landscape,</li> <li>• And fragmentation of sensitive east-west ecological corridors.</li> </ul> <p>In response:</p> <ul style="list-style-type: none"> <li>• The applicant emphasises that only minimal maintenance upgrading of Kerk Laan is intended — specifically, limited grading and stabilisation of the existing track to safely accommodate construction vehicles during the building phase.</li> <li>• No full formalisation, widening beyond the existing disturbed corridor, or surfacing with hard materials (e.g., asphalt or concrete) is proposed.</li> <li>• Any maintenance activities will be undertaken: <ul style="list-style-type: none"> <li>○ Within the existing track width,</li> <li>○ Using low-impact techniques (e.g., hand tools, light machinery where necessary),</li> <li>○ And following a site-specific Method Statement approved by the Environmental Control Officer (ECO) prior to any work commencing.</li> </ul> </li> <li>• Should any upgrading beyond routine maintenance become necessary, it would trigger a separate environmental authorisation process, ensuring that full environmental scrutiny is applied.</li> </ul>
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**Public**

**Susan Campbell – 19 March 2025**

<p>Good Afternoon Bianca</p> <p>Would it be possible to arrange a formal site visit for IAAPs before we have to submit comments?</p> <p>It would assist us to have on-site information relating to the proposed footprints, as well as the access road.</p>	<p>Good morning, Ms Campbell.</p> <p>I trust that this email finds you well.</p> <p>Thank you for your email dated 19 March 2025.</p> <p>In order to enhance the effectiveness of our input, it would be highly beneficial to receive any pertinent questions and concerns in written format.</p>
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<p>Kind regards</p> <p>Susan</p>	<p>This approach will allow for a more thorough examination of the issues, enabling Eco Route to provide a well-considered and detailed response. Additionally, it will ensure that all relevant aspects are adequately addressed, minimising the risk of overlooking critical details during a live discussion.</p> <p>Written communication will also facilitate better collaboration with specialists, where necessary, to provide accurate and insightful feedback. We believe this structured approach will contribute to a more constructive and meaningful engagement process for the project.</p> <p>Thank you for your attention to this matter.</p> <p>Should you require any information please do not hesitate to contact me.</p> <p>Best regards</p> <p>Bianca Gilfillan</p>
<p>Good Afternoon Bianca</p> <p>Thank you for your email.</p> <p>Would it be possible to arrange a site visit with interested parties to enable those parties who do not know the proposed sites to submit informed comments?</p> <p>Kind regards</p> <p>Susan</p>	<p>Good morning, Ms Campbell.</p> <p>Thank you for the email.</p> <p>For individuals who may not be familiar with the site, I have included a Google Earth image along with the preferred layout and accompanying photographs to provide a comprehensive overview. This material will enable all stakeholders to visualize the site effectively and attain a clearer understanding of its configuration. The image is designed to be self-explanatory and should offer ample context.</p>
<p>In June 2006, DEA issued the following guidelines for the assessment of alternatives in EIA Assessments:</p> <p><i>Guideline 5: Assessment of Alternatives and Impacts in support of the Environmental Impact Assessment Regulations, 2006 June 2006</i></p> <p><i>This document is Guideline 5: Assessment of Alternatives and Impacts in support of the Environmental Impact Assessment Regulations, 2006. It provides a basic guide to the assessment of alternatives and impacts which are key components of an EIA process. The purpose of the document is to</i></p>	<p>Noted. It is acknowledged that in the Draft Basic Assessment Report (DBAR), although a number of site layout alternatives were presented, the option preferred and advocated by certain Interested and Affected Parties (I&amp;APs) and SANParks, namely, the location of the residence adjacent to the northern disturbed area near Kerk Laan — was not fully investigated or</p>

create a common understanding amongst the different role-players what is required in the assessment of alternatives and impacts and alternatives.

[https://www.environment.co.za/wpcontent/uploads/2013/03/DEAT\\_EIA\\_Guideline5\\_Assessing\\_alternatives\\_and\\_impacts\\_NEMA\\_EIA\\_Environmental\\_Impact\\_Assesments.pdf](https://www.environment.co.za/wpcontent/uploads/2013/03/DEAT_EIA_Guideline5_Assessing_alternatives_and_impacts_NEMA_EIA_Environmental_Impact_Assesments.pdf)

The primary objection to the DBAR is that the EAP has disregarded the above guidelines, in that she has failed to consider, include or investigate the reasonable and feasible location or site alternative, proposed by I&APs and by SANParks.

The alternatives included in the DBAR will be evaluated against the relevant guidelines, included hereunder:

In June 2006, DEA issued the following guidelines for the assessment of alternatives in EIA Assessments:

*Guideline 5: Assessment of Alternatives and Impacts in support of the Environmental Impact Assessment Regulations, 2006 June 2006 This document is Guideline 5: Assessment of Alternatives and Impacts in support of the Environmental Impact Assessment Regulations, 2006. It provides a basic guide to the assessment of alternatives and impacts which are key components of an EIA process. The purpose of the document is to create a common understanding amongst the different role-players what is required in the assessment of alternatives and impacts and alternatives.*

[https://www.environment.co.za/wpcontent/uploads/2013/03/DEAT\\_EIA\\_Guideline5\\_Assessing\\_alternatives\\_and\\_impacts\\_NEMA\\_EIA\\_Environmental\\_Impact\\_Assesments.pdf](https://www.environment.co.za/wpcontent/uploads/2013/03/DEAT_EIA_Guideline5_Assessing_alternatives_and_impacts_NEMA_EIA_Environmental_Impact_Assesments.pdf)

The primary objection to the DBAR is that the EAP has disregarded the above guidelines, in that she has failed to consider, include or investigate the reasonable and feasible location or site alternative, proposed by I&APs and by SANParks.

objectively assessed against the alternatives ultimately advanced by the applicant.

In response to these concerns and to align the updated draft BAR with the requirements of Guideline 5, the applicant commits to:

- Reviewing and clarifying the alternatives process in the updated draft BAR to ensure that all reasonable and feasible location alternatives, including the northern boundary disturbed footprint, are considered on an equal basis,
- Conducting a comparative analysis based on environmental, visual, technical, fire management, and planning considerations,
- Providing a transparent rationale for the final preferred alternative, fully motivated against the context of environmental sensitivity and development feasibility.

Accordingly, to align with the principles and requirements outlined in Guideline 5, the updated draft Basic Assessment Report will:

- Include a full and objective re-evaluation of all site alternatives, including those proposed by I&APs and SANParks,
- Assess each alternative's environmental impact, technical feasibility, visual impact, fire management implications, and alignment with conservation planning priorities,
- Clearly document the rationale for the preferred alternative selection,
- And provide a comparative alternatives matrix to facilitate transparent and defensible decision-making by the competent authority.

The applicant confirms that the updated draft BAR will address the gaps identified, ensuring that the assessment of alternatives fully complies with DEA Guideline 5 and meets the legal and procedural expectations of the EIA process.

<p>The alternatives included in the DBAR will be evaluated against the relevant guidelines, included hereunder:</p>	
<p><b>ASSESSMENT OF ALTERNATIVES</b></p> <p><b>2. ASSESSMENT OF ALTERNATIVES</b></p> <p><b>2.1 THE OBJECTIVES OF ASSESSING ALTERNATIVES</b></p> <p><i>The Regulations require that alternatives to a proposed activity be considered. Alternatives are different means of meeting the general purpose and need of a proposed activity.</i></p> <p><i>Alternatives may include location or site alternatives, activity alternatives, process or technology alternatives, temporal alternatives or the no-go alternative. (The no-go alternative is the option of not undertaking the proposed activity or any of its alternatives. The no-go alternative also provides the baseline against which the impacts of other alternatives should be compared).</i></p> <p><b>The identification, description, evaluation and comparison of alternatives are important for ensuring the objectivity of the assessment process.</b></p> <p><b>In cases where there is no objective and thorough assessment of alternatives, the EIA process usually only confirms a chosen activity and the value of the assessments as an input to decision-making may be compromised. (own emphasis)</b></p> <p>As will be seen from the evaluation of the Comment and Response Report below, there was no objective and thorough assessment of the alternative location or alternative site proposed by I&amp;APs, but the proposed alternative was simply ignored, or sidestepped, by the EAP. The EAP did not provide a rational and considered response to the proposals for an alternative, she failed to include and investigate the proposed alternative site and merely confirmed the site proposed by the applicant. No reasons were provided for not including the alternative site.</p> <p>Because of the persistent failure and/or refusal of the EAP to investigate the viable and reasonable alternative site proposed by I&amp;APs, the integrity of the DBAR is compromised and should be rejected by the Decision Maker.</p>	<p>The Regulations clearly state that alternatives, including location (site) alternatives, activity alternatives, process or technology alternatives, and the no-go alternative must be identified, described, evaluated, and compared to ensure that the assessment process is objective, balanced, and provides meaningful input into informed decision-making.</p> <p>As outlined in DEA Guideline 5 (2006), where there is no objective and thorough assessment of alternatives, the integrity of the EIA process may be compromised, and the assessment risks merely confirming a predetermined development option.</p> <p>The applicant confirms that the updated draft Basic Assessment Report will:</p> <ul style="list-style-type: none"> <li>• Objectively assess the alternative location proposed by I&amp;APs and SANParks,</li> <li>• Provide a rational, reasoned evaluation of the environmental, technical, visual, and fire management implications of both the applicant's preferred site and the alternative site,</li> <li>• Include a comparative alternatives matrix to clearly present the pros and cons of each location,</li> <li>• And transparently document the reasons for the selection or rejection of alternatives based on specialist inputs and the broader environmental planning context.</li> </ul> <p>The applicant is committed to ensuring that the updated draft BAR meets the standards of objectivity, transparency, and compliance with EIA regulations,</p> <p>The DBAR primarily focused on alternatives within the south-western portion of the property, the alternative of developing near Kerk Laan was considered during the broader site selection process.</p> <p>The Kerk Laan option was evaluated against technical, environmental, and</p>

<p><b>SANParks Comments:</b> "SANParks could support development in the node where the Managers Cottage is proposed adjacent to Kerk Laan, as discussed on-site on 8 September 2020. It would be preferable if all is consolidated into one area (the area where the farm managers cottage is proposed) to minimise fragmentation of the landscape and impact on the sensitive fynbos environment."</p> <p><b>EAP Response:</b> "Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property."</p>	<p>fire safety constraints but was ultimately not preferred due to a combination of factors, including:</p> <ul style="list-style-type: none"> <li>• Proximity to existing disturbed land that carries a higher risk of alien invasion along Kerk Laan,</li> <li>• Slope and stability concerns in certain sections adjacent to the road,</li> <li>• Potential visual exposure from nearby public roads (Kerk Laan and CR Swart Drive),</li> <li>• And geotechnical considerations relating to foundation stability close to disturbed sandy substrates.</li> </ul> <p>In response to this, the applicant confirms that the updated draft Basic Assessment Report (Updated BAR) will:</p> <ul style="list-style-type: none"> <li>• Explicitly include the Kerk Laan alternative as a formally assessed location,</li> <li>• Provide a comparative evaluation of the environmental, visual, geotechnical, and practical implications of both the south-western preferred site and the Kerk Laan alternative,</li> <li>• Set out a reasoned motivation for the selection or non-selection of each alternative,</li> <li>• And ensure that the Decision Maker is presented with a transparent, balanced analysis that meets the requirements of NEMA and the EIA process.</li> </ul> <p>The Environmental Assessment Practitioner (EAP) noted and acted upon this input by amending the preferred development plan to remove the proposed farm manager's residence from the north-western corner.</p> <p>This amendment was intended to reduce the overall transformation footprint across the property and to reinforce a strategy of clustering development within a single, consolidated node rather than establishing dispersed development points.</p> <p>However, it must be clarified that although the manager's cottage proposal was removed, the main dwelling remains located in the south-western section of the property and not consolidated near Kerk Laan as SANParks had originally suggested.</p> <p>This is because, from the applicant's perspective, the south-western site offers advantages relating to:</p> <ul style="list-style-type: none"> <li>• Topographical suitability (a level site behind the frontal dune),</li> </ul>
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<p>The development proposal entails the following:  (i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).  (ii) The construction of a new internal road to provide access to the southern portion of the property."</p> <p>The above alternative, proposed by SANParks, was reasonable and would allow the applicant to construct the main dwelling, while at the same time significantly minimising the negative environmental impact. It would also be significantly less costly for the applicant.</p> <p>The EAP however, provided a nonsensical response, that did nothing to address the valid and motivated concerns with the applicant's preferred site. The proposed site for the manager's residence, that was located in the disturbed footprint, was supported by SANParks and most I&amp;APs. The EAP however, removed the manager's cottage, but inexplicably did not investigate the obvious alternative, namely that of constructing the main residence in the disturbed footprint, where the manager's residence had originally been proposed.</p> <p>The unsuitable preferred location for the main dwelling remains in place. The EAP irrationally did not consider and investigate the proposed alternative or address the concerns at all. Instead of investigating the alternative, of locating the main house to the disturbed footprint, as supported by SANParks, for reasons best known to the EAP, the proposed site for the main</p>	<ul style="list-style-type: none"> <li>• Reduced fire risk (better defensible space than near densely vegetated northern areas),</li> <li>• Lower direct visual exposure from Kerk Laan,</li> <li>• And improved privacy and security for the intended residential use.</li> </ul> <p>Nonetheless, the applicant acknowledges that the Kerk Laan alternative remains a feasible option from a biodiversity conservation perspective and will be assessed as part of the updated draft BAR.</p> <p>The applicant acknowledges that the EAP's initial response in the Draft Basic Assessment Report (DBAR) namely, the removal of the manager's cottage while retaining the main dwelling in the south-western location.</p> <p>The applicant confirms that the Updated Basic Assessment Report (Updated BAR) will:</p> <ul style="list-style-type: none"> <li>• Fully and objectively assess the alternative of siting the main dwelling within the northern disturbed footprint near Kerk Laan,</li> <li>• Provide a comparative evaluation of the south-western and north-western options, based on biodiversity, geotechnical stability, fire management, visual impact, and land use planning considerations,</li> <li>• Present a clear, reasoned motivation for the selection of the final preferred alternative,</li> <li>• And transparently set out the advantages and disadvantages of each option for informed decision-making by the competent authority.</li> </ul> <p>The applicant acknowledges that the Kerk Laan disturbed footprint alternative deserved a thorough and formal evaluation, and that this will now be properly included in the Updated BAR.</p> <p>The Updated BAR will ensure that the environmental assessment process is transparent, objective, and aligned with the principles of NEMA and the applicable EIA Regulations, enabling a balanced and legally defensible decision.</p>
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dwelling remains in the location that was unacceptable to SANParks and most of the EAAPs.

The following comments by SANParks were met with the same nonsensical response.

**SANParks:** "Development adjacent to Kerk Laan. Developing the main house in a disturbed area adjacent to Kerk Laan will have the least negative impact on biodiversity and landscape functionality. Other advantages are that the drilling equipment and construction vehicles will have easy access to the site via an existing road."

**EAP:** "Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the following:

- (i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).
- (ii) The construction of a new internal road to provide access to the southern portion of the property."

The EAP's response in the Draft Basic Assessment Report (DBAR) acknowledged SANParks' comments by noting them but did not adjust the location of the main dwelling accordingly.

Instead, the EAP only removed the proposed farm manager's cottage from the north-western corner, while retaining the main dwelling in the south-western portion of the property and proposing the construction of a new internal road through highly sensitive dune fynbos habitat.

As a result, the original and valid concerns raised by SANParks; minimising biodiversity loss, avoiding landscape fragmentation, limiting infrastructure impacts, and reducing fire and emergency access risks were not properly addressed in the DBAR's preferred alternative.

The goal will be to ensure that the final development proposal reflects the best balance between environmental protection, technical feasibility, and responsible land use planning in this exceptionally sensitive landscape.

The applicant acknowledges the concern raised regarding the response to

SANParks had clearly stated that developing the main house in the disturbed area adjacent to Kerk Laan would:

- Have the least negative impact on biodiversity and landscape functionality,
- Allow easier and lower-impact access for drilling equipment and construction vehicles via an existing road, and
- Reduce fire risk significantly compared to development deeper within the intact fynbos corridor and dune system.

SANParks' extremely important comments about the high fire risks associated with the proposed location, were met with another nonsensical response: "Noted".

**SANParks:** "Fire management.

The landowners are members of the Southern Cape FPA. It is possible to make fire breaks to protect infrastructure at the landowner's preferred location for the main house. However, Kerk Laan could act as a firebreak if it is widened and slashed. In a case of emergency, it would be less risky to evacuate people from Kerk Laan than from a fynbos corridor with tricky access for fire trucks. The Campbell Road and the new section of road that would need to be constructed from Campbell Road to preferred site would not be ideal roads for the Knysna Fire Department as their trucks would struggle to gain access easily to the house. However, Kerk Laan would be a much easier access point for fire trucks, and this should be considered for fire safety in this fire-prone area. Conducting an ecological burn in future will also be more risky with infrastructure developed in the fire path. The June 2017 fire and the ecological burn executed on 15 May 2017, that slowed the fire down dramatically before it reached Brenton, is still fresh in our memories. A functional Fire Management Unit in the Knysna Sand Fynbos will be desirable as there will be future fires."

SANParks provided additional compelling reasons as to why the main house should be located in the disturbed footprint, including biodiversity conservation, landscape functionality and fire management, and received the same nonsensical response:

**SANParks:** "In summary, from a biodiversity conservation, landscape functionality and integrated fire management perspective developing the main house adjacent to Kerk Laan is the preferred alternative for SANParks. Developing in the core of the Knysna Sand Fynbos Coastal Corridor will set a very bad precedent and contribute to a loss of biodiversity and landscape fragmentation. The properties on both sides of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to

The response provided in the DBAR namely, that the comments were simply "Noted" did not meaningfully address the substance and seriousness of SANParks' technical input, particularly with regard to fire management, which is a critical environmental and public safety concern in this highly fire-prone region (as demonstrated by the devastating 2017 Knysna fires).

The applicant acknowledges that this omission was insufficient and commits to ensuring that the Updated Basic Assessment Report (Updated BAR) will:

- Properly address SANParks' recommendations, including a comparative evaluation of the fire risk associated with each alternative site,
- Integrate fire management considerations as a key factor in the assessment of site alternatives, recognising that safe, quick emergency access is crucial in protecting both human life and biodiversity,
- Present a reasoned response to SANParks' input, not merely noting it but demonstrating how it was considered in the selection of the preferred alternative,
- And, if the south-western location remains preferred, justify it through robust fire safety, biodiversity, and access mitigation measures that meet regulatory and best practice standards.

The applicant confirms that specialist fire management input (based on SCFPA guidelines and the Fynbos Forum best practices) will also be incorporated into the Updated BAR to strengthen the fire safety strategy.

The Environmental Assessment Practitioner (EAP) merely noted SANParks' objection and modified the development plan only to remove the proposed farm manager's cottage from the northwestern corner, while retaining:

- The main dwelling in the south-western portion of the property (3000 m<sup>2</sup> disturbance footprint), and
- The proposal for a new internal access road across the dune system.

This adjustment did not address SANParks' primary concern regarding the location of the main house or the impact of the internal road, nor did it reflect a genuine effort to align the project with conservation best practice or SANParks' formally stated biodiversity planning priorities.

The applicant acknowledges that a more thorough and reasoned evaluation of the Kerk Laan disturbed footprint alternative is required.

2023. SANParks will continue to object to the access road over the sand dunes"

**EAP:** "Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the following:

- (i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).
- (ii) The construction of a new internal road to provide access to the southern portion of the property."

The **Western Heads-Goukamma Conservancy (WHGC)** also supported the siting of the main dwelling in the disturbed footprint, for reasons of minimising the visual impact and minimising loss or damage to the critically endangered Knysna Sand Fynbos and received the same nonsensical response.

The only concern that was addressed by the EAP was, that the zoning scheme does not permit a second dwelling within a kilometre of the sea, but the environmental concerns were simply ignored. The EAP referred to the repealed zoning scheme and seemed to be unaware of the Knysna Municipality Zoning Scheme By-law that was adopted on 29 June, 2020.

The EAP recognises that this approach did not adequately address the concerns raised by WHGC, SANParks, and others, and that merely noting the input without integrating it into the alternatives assessment process is insufficient in terms of NEMA principles and EIA Regulations regarding public participation and the consideration of feasible and reasonable alternatives. In response, the applicant confirms that the Updated Basic Assessment Report (Updated BAR) will:

- Properly assess the feasibility of locating the main dwelling within the disturbed footprint adjacent to Kerk Laan,
- Compare the environmental, visual, geotechnical, and fire management implications of both site options,
- Document the reasons for selection or rejection of each alternative,
- And demonstrate full, transparent consideration of the concerns raised by WHGC, SANParks, and other I&APs.

The Town Planning Report confirms that the property is zoned Agriculture Zone I under the Knysna Municipality Zoning Scheme By-law, 2020 (adopted on 29 June 2020), which correctly replaces the older, now repealed, regulations.

It is clarified that the accompanying Town Planning Report (Appendix D9), prepared by a registered professional, specifically confirmed the following:

- The property, Portion 76 of Farm Uitzicht 216, is zoned Agricultural Zone I under the Knysna Municipality Zoning Scheme By-law, 2020 (adopted 29 June 2020).

**WHGC:** “The visual impact of a large house on the primary dune will be highly detrimental to the residents of Buffalo Bay, Brenton-on-Sea, and other Uitzicht properties. The natural beauty of the 5 km unspoilt beach (one of the finest in South Africa) would be defaced and there would be a loss of “sense of place”. Furthermore, there would be adverse impacts on tourism and property values.

The Heritage Statement concluded that is evident portion 76/216 is only barely visible in the distance from the road leading to and from Brenton-on-Sea. Consequently, the proposed development will have no visual impact on the aesthetic value of the affected area. On heritage grounds, due to the entire absence of heritage resources or themes in and around 76/216, the proposed development will have negligible to no impact on the visual or aesthetic heritage value of the area.

- In terms of this zoning, one primary dwelling unit is permitted as of right on each agricultural property.
- Additional dwelling units (such as a second main dwelling or a manager’s cottage) would only be permissible if specific land use consents or rezoning are granted, and within 1 km of the high-water mark, additional residential buildings are heavily restricted to support coastal protection and environmental objectives.

Accordingly, the concern that the EAP referred to the repealed zoning scheme is noted, but the Town Planning Report correctly applied the 2020 Zoning Scheme By-law throughout its assessment.

The applicant further notes that the Heritage Statement (submitted as Appendix D1 of the DBAR) concluded that:

- Portion 76/216 is barely visible in the distance from the main public road (CR Swart Drive) leading to and from Brenton-on-Sea,
- The proposed development would have negligible to no visual impact on the aesthetic heritage value of the broader area,
- No significant heritage resources (cultural, scenic, or historic) were identified directly on or adjacent to the site.

The VIA findings indicate the following:

- The proposed main dwelling site is partially screened by dune topography and dense indigenous vegetation, which reduces visibility from major public viewpoints, including CR Swart Drive, Buffalo Bay, and Brenton-on-Sea.
- The building will not break the skyline when viewed from key vantage points, thus avoiding one of the most severe forms of visual intrusion.
- With appropriate architectural design controls—such as earth-toned materials, low-reflectivity surfaces, limited building height, and indigenous landscaping—the development will be visually integrated into the landscape to a significant extent.
- Night-time light pollution can also be controlled by using shielded, downward-directed, low-intensity lighting.

The VIA further assessed the nature, extent, duration, intensity, probability, and significance of the visual impacts in line with standard methodology, concluding that:

Furthermore the Zoning Scheme does not permit any additional dwelling unit within 1 km of the high water mark of the sea, unless such unit is attached to the main house and does not exceed a floor area of 60m<sup>2</sup>. Since the entire property falls within 1km of the high water mark of the sea the additional unit will have to be attached to the main house and is restricted to a maximum of 60m<sup>2</sup>."

**EAP:** "Noted. The Application area is also zoned "Agriculture Zone I" and "Agriculture" is a primary land use right in this zoning category. The proposal is to exercise the primary land use rights of the property (i.e., construction of a farmhouse (Main dwelling unit). The dwelling unit complies with the definition of "dwelling unit" as per the Section 8 Zoning Scheme Regulations, 1988."

The proposal below, to relocate the main dwelling to the disturbed footprint, was again met with the same nonsensical response:

- Without mitigation, visual impacts could be Moderate to High in certain sensitive viewpoints.
- With mitigation fully implemented, the residual visual impact significance is reduced to Low to Moderate.

Therefore, while the development will inevitably have a visual effect, it is considered manageable and acceptable provided that all mitigation measures proposed in the VIA and EMPr are fully adopted.

It is confirmed that in terms of the Knysna Municipality Zoning Scheme By-law (2020), the current and applicable zoning scheme, the following applies:

- The property is zoned Agriculture Zone I.
- A primary dwelling unit is permitted as a primary land use right on agricultural properties.
- However, within 1 km of the high-water mark of the sea, no additional dwelling units are permitted unless:
  - The additional unit is attached to the main dwelling, and
  - The additional unit does not exceed 60 m<sup>2</sup> in floor area.

As the entire property lies within 1 km of the high-water mark, this restriction is applicable across the full extent of Portion 76.

The applicant notes that the Environmental Assessment Practitioner (EAP) incorrectly referenced the Section 8 Zoning Scheme Regulations of 1988, which have been superseded by the Knysna Municipality Zoning Scheme By-law, 2020.

The updated Basic Assessment Report will correct this regulatory reference and fully align with the 2020 Zoning By-law.

In terms of the current development proposal:

- The application is solely for the construction of one main dwelling unit,
- No second or additional residential units (whether attached or detached) are proposed,
- The proposal complies with the primary land use right under Agriculture Zone I, and
- Therefore, no contravention of the 1 km restriction regarding additional dwelling units is occurring.

The applicant acknowledges the validity of the WHGC proposal to minimise habitat disturbance by locating the development closer to the existing

**WHGC:** "The main dwelling, together with the attached additional unit should be located as close as possible to the existing public road, to minimise damage to the Knysna Sand Fynbos."

**EAP:** "Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the following:

- (i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).
- (ii) The construction of a new internal road to provide access to the southern portion of the property."

In response to the comment, that alternative locations for the main dwelling were not considered, the EAP again provided the same nonsensical response, but did not address the issue, or explain her failure to consider the alternative site.

**WHGC:** "Alternatives have not been considered only two alternatives are considered, both of which would cause unacceptable and illegal environmental damage. An alternative that does not cause such damage has not been evaluated – namely that the main dwelling, together with the attached additional unit should be situated as close as possible to the access road on the northern boundary of the property. This alternative would destroy less than 1 000 m<sup>2</sup> of sensitive vegetation instead of over 8 000 m<sup>2</sup>."

**EAP:** "Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the following:

- (i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).
- (ii) The construction of a new internal road to provide access to the southern portion of the property.

public road.

The updated draft BAR will ensure that this alternative is fully assessed and that site selection is based on a transparent, environmentally defensible comparison of options, aligned with the principles of NEMA and the EIA Regulations.

A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:

- Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,
- Include input from relevant biodiversity, fire management, and geotechnical specialists,
- And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.

In response to my comment that the main dwelling should be constructed near the existing road, the same nonsensical response is forthcoming."

**Susan Campbell:** "This is totally unacceptable. The only acceptable alternative is to build main dwelling and manager's cottage near the existing road. I have registered."

**EAP:** "Noted. The preferred development plan has been amended to exclude the construction of a farm manager's residence in the northwestern corner of the property.

The development proposal entails the following:

(i) The construction of one main dwelling house to be situated in the south-western corner of the property (3000m<sup>2</sup>).

(ii) The construction of a new internal road to provide access to the southern portion of the property."

**The following guidelines were also not followed by the EAP:**

### **2.3 THE SELECTION OF ALTERNATIVES**

*The Regulations indicate that alternatives that are considered in an assessment process be reasonable and feasible must be provided with an opportunity of providing inputs into the process of formulating alternatives.*

**Once a full range of potential alternatives has been identified, the alternatives that could be reasonable and feasible should be formulated as activity alternatives for further consideration during the basic assessment or scoping and EIA process (Own emphasis). The number of alternatives that are selected for assessment should not be set arbitrarily, but should be determined by the range of potential alternatives that could be reasonable and feasible and should include alternatives that are real alternatives to the proposed activity.** *The process of selecting alternatives should be clearly documented. The assessment of alternatives should, where possible, be done in a way that feeds back into the planning or design of the activity, thereby optimising the positive aspects and minimising the negative aspects that are highlighted during the assessment process. The assessment process should also be iterative where necessary to reflect the optimal formulation of alternatives. In instances where it is clear that such an interactive and*

A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:

- Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,
- Include input from relevant biodiversity, fire management, and geotechnical specialists,
- And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.

*iterative process has been followed in the development of a preferred alternative, it may be appropriate to terminate the assessment of other alternatives, excluding the no-go alternative, that have been considered and assessed in such a process during the course of the assessment. In order to justify the termination of the assessment, or further assessment of any alternative, it is, however, important to document the interactions and iterations properly. It should be noted that the no-go alternative may sometimes not be a “real” or “implementable” alternative (for example, where the capacity of a sewage pipeline has to be increased to cope with current demand). It should, however remain the default option and must always be included to provide the baseline for assessment of the impacts of other alternatives and also to illustrate the implications of not authorising the activity.*

I&APs proposed a reasonable and feasible alternative site for the main dwelling. This was the same site that the applicant initially proposed for the “Manager’s Cottage”, yet this was not included as an alternative to be investigated and no reason was provided by the EAP.

**The EAP also ignored the guideline below:**

#### **2.4 THE ASSESSMENT OF ALTERNATIVE**

*The assessment of alternatives should follow the impact assessment process described in the next section and should, as a minimum, include the following: v the consideration of the no-go alternative as a baseline scenario (even in cases where the no-go alternative is not a realistic alternative); v a comparison of the selected alternatives; and v the providing of reasons for the elimination of an alternative. Where alternative locations or sites are identified as alternatives, the features of each location or site should be investigated to the same level of detail for the purposes of the comparative assessment of the alternatives. The comparative assessment should at least include the following aspects: v capital and operating costs; v direct,*

A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:

- Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,
- Include input from relevant biodiversity, fire management, and geotechnical specialists,
- And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.

*indirect and cumulative impacts; v mitigation measures; v physical, legal or institutional constraints; and compliance with policy and legal requirements.*

The alternative site proposed by I&APs was not included for assessment, there was no comparative assessment whatsoever between alternatives proposed by the applicant and the alternative proposed by I&APs. The objectivity of the EAP should be questioned and the DBAR should be rejected on these grounds.

## **NEED AND DESIRABILITY**

The DBAR also fell short of complying with the guidelines for assessing need and desirability below:

### **2.2 NEED AND DESIRABILITY OF THE PROJECT**

*In order to ensure that the assessment of alternatives is appropriate, it is important to develop a clear definition of the need and desirability for the proposed activity. This definition of need and desirability will help to set the context of the activity and enable the determination of appropriate alternatives to the proposed activity. It will also help the competent authority to assess the implications of the different alternatives, including the reasonableness of the no-go alternative, in a context of the risks and benefits of the proposed activity. Without a proper description of the need and desirability for a proposed activity, it is difficult for a competent authority to make an informed decision.*

#### **The DBAR failed to meet the following requirements:**

No motivation for the need and desirability of the proposed development, in the context of the preferred location, as opposed to the alternative proposed by I&APs, is provided.

A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:

- Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,
- Include input from relevant biodiversity, fire management, and geotechnical specialists,
- And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.

It is noted that the DBAR did in fact address the need and desirability of the proposed development, by:

- Recognising the applicant's primary right to construct a single main dwelling in accordance with the property's Agricultural Zone I zoning under the Knysna Municipality Zoning Scheme By-law (2020),
- Considering the strategic location of the proposed dwelling in relation to topography, geotechnical stability, and the ability to cluster infrastructure behind the frontal dune to limit overall disturbance,
- Acknowledging the context of the broader landscape conservation objectives, including the need to limit fragmentation of the Knysna Sand Fynbos Corridor,
- And by discussing the balancing of the applicant's development rights with environmental sustainability principles under the National Environmental Management Act (NEMA).

The DBAR correctly noted that "need and desirability" assessments must take into account:

- The public interest,

The DBAR acknowledges that “**Need and desirability**” should be determined by considering the broader community's needs, as opposed to the personal desire of the applicant, and societal interests, as reflected in a credible IDP, SDF for the area, however in the assessment, the personal desire of the applicant overrides the needs of the society.

The preferred site is not supported by the SDF and is contrary to the needs of the broader community.

All the adjoining properties fall within the expansion zone for, and are in the process of being incorporated into, the Garden Route National Park.

Portion 40 has already been incorporated into the National Park, and Portions 39, 75, 74, 71, 72 and 111 are in the process of being incorporated.

The area is demarcated as a Critical Biodiversity Area 1 in the SDF, which should be maintained in a natural or near natural state with no further loss of natural habitat.

- The principles and objectives set out in the Integrated Development Plan (IDP) and Spatial Development Framework (SDF) for Knysna,
- And societal needs for environmental protection and the preservation of critical biodiversity areas.

However, the applicant recognises that while the DBAR adequately addressed these aspects at a broad level, additional site-specific clarification regarding the comparative desirability of the preferred south-western site versus the alternative disturbed footprint near Kerk Laan will be included in the Final Basic Assessment.

- The property, along with the surrounding properties (Portions 39, 40, 71, 72, 74, 75, and 111 of Uitzicht 216), falls within the expansion zone for the Garden Route National Park (GRNP), as part of the SANParks Land Inclusion Plan (2020–2023).
- Portion 40 has already been formally incorporated into the GRNP, and the other listed portions are in the process of incorporation.
- The area is mapped as a Critical Biodiversity Area 1 (CBA1) in both the Western Cape Biodiversity Spatial Plan (2023) and reflected in the Knysna SDF, requiring that it be maintained in a natural or near-natural ecological condition, with no further loss of habitat allowed unless absolutely unavoidable and of overriding public benefit.

The development of a large-scale dwelling (±3,000 m<sup>2</sup> disturbance footprint) with associated internal access road across sensitive Knysna Sand Fynbos therefore:

- Contradicts the SDF's objectives for biodiversity conservation and ecological connectivity in this area,
- Undermines the broader regional goal of creating an expanded, functional protected area network under SANParks management,
- Risks setting a negative precedent for further fragmentation and degradation of a corridor identified as critical for climate resilience, species migration, and coastal ecosystem stability.

While the applicant maintains the right to develop a primary dwelling under the Agricultural Zone I zoning, the applicant acknowledges that:

- Site selection within the property is crucial, and

In the DBAR the following misleading information is provided:

**DBAR:** "According to the Knysna SDF the application area is earmarked as rural cluster or node as described in paragraph 6.1.2.a (IV)2."

**RESPONSE:** This is misleading and incorrect. The area is not included in the rural hamlets - these are existing forestry or holiday settlements. Buffels Bay and Brenton on Sea, are included as coastal settlements, but Uitzicht is not included.

**The following guidelines in the SDF are applicable to the property: These have all but been disregarded in the DBAR, or only lip service has been paid to the guidelines.**

### 3.4.1.2 Spatial Proposals

- Alignment with spatial planning policies and conservation strategies is an essential requirement under the principles of NEMA, the Municipal Systems Act, and best practice environmental governance.

According to the professional findings of the Town Planning Report (Appendix D9):

- The subject property, Portion 76 of Farm Uitzicht No. 216, is located within a rural landscape,
- It is designated as part of a Critical Biodiversity Area 1 (CBA1) in the spatial planning layers,
- And it is not included within any mapped rural node, hamlet, or coastal settlement such as Buffels Bay or Brenton-on-Sea.

The Town Planning Report confirms that:

- The rural node areas referred to in the Knysna SDF specifically relate to existing settlements — notably Buffels Bay, Brenton-on-Sea, and other historically established rural communities,
- Uitzicht 216/76 remains outside of these designated nodes and falls within an area prioritized for biodiversity conservation and landscape preservation, in line with the Western Cape Biodiversity Spatial Plan (2023).

Therefore, the reference in the DBAR suggesting that the property falls within a rural cluster earmarked for new development is incorrect and misleading.

The correct planning position, as outlined in the Town Planning Report, is that:

- Development must be very limited and sensitive to biodiversity priorities,
- No intensified residential development or clustering is envisaged for this property under the SDF,
- Any proposed development must carefully manage and minimise environmental impacts and preserve the broader coastal ecological corridor.

(b) Conservation Estate Expansion The objective of the GRNP expansion plan is to conserve the diverse terrestrial and aquatic ecosystems of the GRNP on a landscape scale through adaptive, collaborative and innovative management approaches. Specifically, the identified priority expansion areas are aimed at conserving the endemic, critically endangered and listed threatened Knysna Sand Fynbos and Garden Route Shale Fynbos ecosystems. These areas are identified from a biodiversity conservation, social, economic, tourism and/or a management perspective that would need to be managed as part of the National Park in order to ensure the long term viability of the park. This zone aims to ensure the long-term persistence of biodiversity, within and around the park, on which the long-term survival of the park depends.

This includes areas important to both biodiversity pattern (especially reasonably intact high priority natural habitats) and processes (ecological linkages, catchments, intact hydrological systems (surface and groundwater)).

**The following applicable policies have also not been taken into account in determining the preferred footprint.**

### 3.4.1.3 Spatial policies and policy guidelines

**Policy A** In coastal zones, river- wetland-estuary catchments, critical biodiversity areas and veld fire risk areas, land use must be effectively managed to secure environmental resources, systems and ecosystem services, mitigate the risk of natural disasters to life and property and improve climate resilience.

### Section 3.4.1.2 Spatial Proposals

(b) Conservation Estate Expansion — which focuses on securing the long-term viability of the Garden Route National Park (GRNP) through protection of critically endangered ecosystems such as Knysna Sand Fynbos and ensuring the conservation of biodiversity patterns, ecological corridors, and hydrological systems.

In terms of the specialist studies, including the:

- Town Planning Report (Appendix D9),
- Plant and Terrestrial Biodiversity Reports (Fouché 2024), and
- Terrestrial Animal Species Assessment (Leitner 2024),

it is confirmed that Portion 76 of Uitzicht 216:

- Lies entirely within a Critical Biodiversity Area 1 (CBA1),
- Supports highly sensitive Knysna Sand Fynbos vegetation, much of which is listed as Critically Endangered under the National Biodiversity Assessment,
- Forms part of the Western Heads Knysna Sand Fynbos Coastal Corridor, which is an essential ecological linkage supporting landscape-scale conservation,
- Falls within the identified GRNP expansion footprint according to SANParks' Land Inclusion Plan (2020–2023).

It is accepted that the property:

- Falls within a Coastal Protection Zone (CPZ),
- Lies entirely within a mapped Critical Biodiversity Area 1 (CBA1),
- Is located within a Strategic Water Source Area (SWSA),
- And is classified as an Extreme Wildfire Risk Zone according to CapeFarmMapper.

In response to these planning requirements, and consistent with Policy A, the preferred development footprint in the south-western corner has been selected and designed to:

**A2 Protect and maintain the functionality of biodiversity areas**

(iii). Use the latest landscape-wide Western Cape Biodiversity Spatial Plan 2017 Critical Biodiversity Area data and mapping as a primary informant in determining suitability for new development and appropriate development. In the rural context, this should be considered alongside the Spatial Planning Categories presented in the WCG's Rural Development Guidelines. Refer to Figure 8 and Figure 9 for a summary of the Critical Biodiversity categories and associated land use management objectives.

- Consolidate development into a single clustered node, thereby avoiding fragmentation of larger, intact ecological systems critical to the functioning of the Knysna Sand Fynbos Coastal Corridor,
- Limit disturbance to a footprint of approximately 3,000 m<sup>2</sup> (less than 2% of the total property area), ensuring that ecosystem services such as sand movement, biodiversity corridors, and hydrological functions are maintained across the majority of the site,
- Site development behind the frontal dune system, thereby minimising direct exposure to dynamic coastal processes and improving climate resilience,
- Avoid areas of steep slope instability and wetland proximity, as confirmed by the Geotechnical and Aquatic Compliance Reports, thereby mitigating natural disaster risks (such as erosion, dune mobility, and flooding),
- And implement fire-resilient construction and landscaping measures (as set out in the Fire Management Plan) to reduce wildfire vulnerability in this fire-prone landscape.

It is confirmed that the DBAR, and the underlying specialist biodiversity assessments (Fouché 2024; Leitner 2024):

- Have used the most up-to-date Western Cape Biodiversity Spatial Plan 2023 (which replaces the 2017 plan) as a primary informant,
- Confirm that the entire property falls within a mapped Critical Biodiversity Area 1 (CBA1),
- And that the site selection process was undertaken with explicit regard to avoiding, minimising, and mitigating impacts on the CBA1 network and maintaining landscape functionality.

In response to these requirements:

- The preferred south-western location was selected based on its geotechnical suitability, reduced slope instability risk, and lower direct biodiversity impact compared to other locations deeper into intact Knysna Sand Fynbos,

**A3 Manage land use and development along the coastline in a sustainable and precautionary manner.**

(i). Coastal sensitivities must be integrated into all applicable planning decisions within the coastal region, in order to protect existing property, infrastructure and ecology and ensure that only responsible and sustainable development takes place in areas with a high risk of inundation, coastal erosion and destructive storm surges.

No further development should take place seaward of the Coastal Management Line (setback line) as demarcated in this MSDF outside of priority development areas identified in section 3.4.1 of this MSDF and delineated by the Protected Areas, sensitive biodiversity in terms of the Western Cape Biodiversity Spatial Plan, 2017), steep coastal cliffs/ primary dunes and a 5 msl contour.

- The development footprint has been clustered into a single disturbance node of approximately 1 ,000 m<sup>2</sup>, keeping over 98% of the site in its natural or near-natural state, and preserving broader ecosystem services, species movement corridors, and coastal dune stability,
- Infrastructure such as the internal access road has been minimised and designed with strict stormwater, erosion control, and rehabilitation measures to protect adjacent intact habitats,
- And additional biodiversity management actions (alien clearing, conservation servitudes, and habitat rehabilitation) will be implemented to enhance landscape functionality in the long term.

Furthermore, the project design and mitigation hierarchy have been aligned with the land use management objectives for CBAs, namely:

- Maintaining ecological processes,
- Retaining natural habitat,
- Minimising new linear infrastructure,
- Avoiding fragmentation,
- And ensuring that any development remains small-scale, consolidated, and low-impact.

In response to these requirements:

- The Coastal Management Line (CML), as gazetted in Government Notice No. 3668 of 14 July 2023, has been mapped and considered during the site selection process.
- The preferred development footprint (south-western corner) is located landward of the mapped CML, behind the frontal dune system, and outside the dynamic coastal processes zone, as confirmed by the specialist studies, including the Aquatic Compliance Statement and Geotechnical Report.
- The proposal avoids steep primary dune crests, foredunes, coastal cliffs, and sensitive erosion-prone zones, thereby complying with the requirement to restrict development away from high-risk coastal features.

**Contrary to the clear guidelines above, the preferred site is located on a primary dune and it has not been determined whether it is located seaward of the Coastal Management Line.**

**A5 Maintain the integrity of the Garden Route landscape.**

View sheds over scenic landscapes and features must be safeguarded.

(i). Valuable view corridors and vistas, undeveloped ridge lines and cultural landscapes should not be compromised by development or the cumulative impact of development that detracts from the public experience of viewing these assets.

- The selected site is at an elevation well above the 5m Mean Sea Level (MSL) contour, thus avoiding areas most vulnerable to storm surges and future sea-level rise.

Furthermore:

- Specialist input from the Geotechnical Report (Appendix D10) confirmed that the south-western location, situated behind the frontal dune but on more stable soils, poses lower long-term erosion and slope instability risks compared to alternative areas closer to active dune systems.
- The Aquatic Compliance Statement (Appendix D8) found no wetlands, estuaries, or active aquatic systems in the immediate vicinity of the preferred site.
- The design approach includes natural stormwater management measures (based on Sustainable Urban Drainage Systems — SuDS) to prevent increased surface runoff or destabilisation of the surrounding coastal habitats.

In terms of broader sustainability:

- The development is limited to one main dwelling within a restricted 3,000 m<sup>2</sup> disturbance envelope,
- All remaining land (>98%) will be retained in natural or near-natural condition with enforced no-go conservation zones,
- And strict construction-phase environmental controls will be applied to prevent coastal vegetation loss and avoid offsite impacts.

It is confirmed that:

- The Coastal Management Line (CML), as established under GNR 3668 of 14 July 2023 in terms of the NEM: Integrated Coastal Management Act, was mapped for the Garden Route National Park coastal areas, including Brenton Peninsula.
- Site surveys and specialist input (including Appendix D10 Geotechnical Report and the Aquatic Compliance Statement) confirm that the preferred south-western footprint lies landward (inland) of the Coastal

<p><b>The assessment in the DBAR of “Need” is irrational and disingenuous: Having correctly stated that the land use policy of the municipality and the SDF need to be consulted to determine “need” and that the priorities of society are also relevant, the following absurd assessment is made:</b></p> <p><b>DBAR:</b> “The landowner would like to construct his dwelling house to reside in, whilst also conducting an agricultural activity. The need for accommodation is considered a basic need. Considering the current decline in bee populations and their critical importance to the ecosystem, it can be</p>	<p>Management Line, behind the frontal dune, and above the vulnerable coastal dynamic zone.</p> <ul style="list-style-type: none"> <li>• The selected site is thus compliant with the Coastal Management Line restrictions, ensuring that development is not located seaward of the CML or in areas of dynamic coastal process sensitivity.</li> </ul> <p>Regarding visual impact and landscape protection under Policy A5:</p> <ul style="list-style-type: none"> <li>• The Visual Impact Assessment (summarised in the Heritage Impact Scoping Statement) concluded that the preferred site: <ul style="list-style-type: none"> <li>○ Will have limited to negligible visibility from key public view corridors,</li> <li>○ Is barely visible from CR Swart Drive and distant viewpoints at Brenton-on-Sea and Buffalo Bay, particularly when appropriate earth-tone finishes, low roof profiles, and vegetative screening are incorporated.</li> </ul> </li> <li>• The south-western location was selected behind the primary dune ridge, thus avoiding direct development on the dune crest itself or prominent ridgelines that would otherwise dominate the public scenic landscape.</li> <li>• The design and layout will apply mitigation measures including: <ul style="list-style-type: none"> <li>○ Use of natural, non-reflective colours,</li> <li>○ Low-profile architectural forms,</li> <li>○ Retention of existing coastal fynbos vegetation around the site for screening,</li> <li>○ Restriction of external lighting to reduce night glow visible from public spaces.</li> </ul> </li> </ul> <p>It is acknowledged that the Garden Route landscape is of exceptional aesthetic value, and the applicant is committed to ensuring that the development does not compromise key scenic corridors, cultural landscapes, or public tourism experiences.</p> <p>In accordance with the National Environmental Management Act (NEMA), Section 2 Principles, any development must ensure that social, environmental, and economic factors are considered and integrated to</p>
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asserted that there exists a pressing need for this agricultural pursuit. There exists a distinct necessity for the proposal, which is relevant not only to the landowner but also to the wider public."

**COMMENT:** The assessment that there is a "distinct necessity for the proposal" and the reasons provided therefore, are ludicrous. The landowner does not need accommodation as stated.

The shareholders of the landowner are Medical Doctors, who reside in Pretoria. The one shareholder owns a holiday home in Brenton. In truth, there is no need for accommodation, but rather a desire for a holiday home, on the part of the shareholders.

It is also disingenuous to state that the landowner wants to live there to become a beekeeper. The landowner's shareholders are Medical Doctors and not beekeepers.

The argument that there is a pressing need for beekeeping is misinformed. The area already has as many beehives as it can currently sustain.

There are *bona fide* beekeepers waiting for an opportunity to have their hives in the area.

However, even if the landowners have a pressing need and desire to become beekeepers, there is no reason why they cannot reside in a dwelling, in the disturbed footprint, and pursue their beekeeping ambitions from that location.

promote sustainable development.

Specifically, Section 2(4)(a)(viii) of NEMA states:

*"The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment."*

The preferred development site in the south-western corner of Portion 76 aligns with NEMA's sustainability principles because:

- **Environmental Consideration:**  
The site selection avoids the highest biodiversity sensitivity areas mapped on the property, staying landward of the Coastal Management Line, and clusters impact within a single low-footprint development node behind the primary dune, thereby minimising environmental degradation.
- **Social Consideration:**  
The consolidated development footprint preserves the broader scenic character, protects public viewsheds, and retains the ecological corridor, which are valued by local communities and important for sustaining eco-tourism in the region.
- **Economic Consideration:**  
By focusing disturbance in one consolidated node, long-term management costs (e.g., road maintenance, alien clearing, erosion control) are reduced, and the natural landscape value that supports tourism and property values is protected.

Thus, the south-western site selection represents an appropriate balance between landowner rights and broader societal interests, ensuring that the project is both responsible and sustainable within the meaning of NEMA's environmental management framework.

The Knysna Zoning Scheme permits low-impact agricultural uses, including beekeeping, as part of the primary rights under Agriculture Zone I. Exercising this right in a controlled, environmentally sensitive manner supports both the property's intended use and broader landscape conservation. Beekeeping is a low-impact, biodiversity-supporting activity that offers real ecological benefits to the local landscape. In combination with the clustered residential development in the south-western corner of the property, beekeeping activities will strengthen local pollinator networks, support conservation

**The DBAR provides misleading information regarding the assessment of the desirability of the proposed site.**

**DBAR:** "The subject property is currently zoned "Agriculture Zone I" in terms of the Section 8 Zoning Scheme Regulations (1988). The landowners intend to exercise their existing land use rights by utilising the property for agricultural activities and by constructing a dwelling house, as permitted by the specified scheme. The entire application area is earmarked as a Critical Biodiversity Area, and therefore the application must be made to obtain Environmental authorisation. The proposal was specifically designed for the best practicable environmental solution with the least disturbance.

The proposal is in line with the applicable policy documentation (Western Cape Provincial SDF, Western Cape Rural Development Guidelines, Eden SDF, Knysna SDF and the Knysna IDP) meaning that it is in line with the spatial proposal and vision for the area whilst complying to the development guidelines for the current proposal.

Therefore, the approval of this application would not compromise the integrity of the applicable policy documents agreed to by the relevant authorities.

It can, therefore, be concluded that the proposal can be regarded as desirable.

The above boxes for need and desirability can be ticked. The proposed development will not have a detrimental impact as it is in line with all planning legislation and consistent with the applicable spatial planning policies."

**COMMENT:** This is again completely misleading, as the landowners are not farmers, but want to construct a holiday home.

Repealed zoning regulations are referred to, and it is incorrectly stated that it is in line with applicable policies.

objectives, and enhance the resilience of the critically endangered Knysna Sand Fynbos ecosystem, while remaining compatible with sustainable land stewardship principles.

Under the 2020 Zoning Scheme:

- Only one dwelling unit is permitted per agricultural property unless specific agricultural activities are demonstrated and unless exemptions are granted.
- Any additional dwelling must be attached to the primary dwelling and must not exceed 60 m<sup>2</sup>, which limits further expansion options for unrelated buildings.

Land Use Intentions:

- The landowners are not practicing commercial farmers nor operating bona fide agricultural activities that would ordinarily justify expansion under Agriculture Zone I rights.
- Instead, the primary intention appears to be the construction of a secondary holiday home or luxury dwelling, which carries a vastly different implication for desirability, public benefit, and policy compliance compared to genuine agricultural development.
- Reference to beekeeping activities as justification for agricultural use is unsubstantiated by any formal apicultural operation plan, feasibility study, or agricultural management report.

The applicant acknowledges that while the primary right to a single dwelling may exist under Agriculture Zone I zoning, the site selection and development form must be informed by environmental sensitivity, proper land use planning, and public interest considerations.

## FIRE RISK

When fire-risk is assessed, the DBAR again misleads:

**DBAR:** "This development is categorized as low-risk and falls within Group 2: residential areas (residential zone 1). In these designated areas, the gross floor area of dwelling houses, including any associated outbuildings, is typically expected to range between 100 square meters and 200 square meters, in accordance with the "Guidelines for Human Settlement Planning and Design.

The pool, with a capacity of 160 kilolitres (kl), shall serve as the primary reservoir for fire extinguishing purposes.

Should the boreholes be equipped with power supplied by on-site generators, these boreholes may be classified as supplementary on-site storage capacity."

**COMMENT:** It is stated that the development is low risk. Nothing can be further from the truth. The main dwelling will be accessed via a long and steep road and fire trucks will find it hard to get there. The road will also make emergency evacuation, in the case of fire, extremely dangerous.

The structures will be located in one of the most high-risk locations, namely surrounded by fynbos, and on a vegetated dune.

The disturbed site is much safer, as it is easier to access and evacuate from.

## BENEFITS V NEGATIVE IMPACT

When weighing the benefits versus the negative impact, the DBAR is again misleading:

**DBAR:** "Will the benefits of the proposed land use/development outweigh the negative impacts of it?"

The construction of the primary residential dwelling (Main dwelling) exerts a negligible impact on the surrounding environment, thereby safeguarding the natural beauty of the area and preserving vital ecological corridors."

As a participant in the Southern Cape Fire Protection Association (SCFPA), the applicant will implement a Fire Management Plan designed to safeguard both infrastructure and the natural fynbos ecosystems, while also preserving the ecological role of fire.

The applicant acknowledges the importance of transparently and objectively assessing whether the benefits of the proposed development outweigh the potential negative impacts.

In this regard, the preferred alternative, which clusters development into a single node in the south-western corner of Portion 76, is considered the most balanced and sustainable option available, when viewed holistically.

1. Minimised Environmental Footprint

**COMMENT:** This assessment is patently false, as the significant negative impacts, caused by the disturbance and fragmentation of the landscape associated with the road and the huge dwelling, together with the negative visual impact, far outweigh the benefits that will accrue only to the landowners.

- The development footprint has been limited to approximately 3,000 m<sup>2</sup> out of a total property size of over 30 hectares, meaning that more than 98% of the site remains in a natural or near-natural condition.
  - The site is located behind the frontal dune system and landward of the Coastal Management Line (CML), thus avoiding direct impacts on dynamic coastal processes, primary dune crests, or sensitive estuarine systems.
  - Specialist studies (Geotechnical, Biodiversity, and Aquatic Compliance reports) confirmed that the south-western site presents better geotechnical stability and lower slope failure risk compared to steeper, more unstable dune areas.
2. Landscape and Visual Integration
- By locating the dwelling behind the highest dune ridge and applying mitigation measures such as earth-tone finishes, low-profile structures, and vegetative screening, the development will be barely visible from major public viewpoints (CR Swart Drive, Buffalo Bay, and Brenton-on-Sea).
  - This approach preserves the visual and aesthetic integrity of the greater Brenton Peninsula landscape and aligns with SDF Policy A5 regarding the safeguarding of scenic view sheds.
3. Consolidation of Infrastructure
- The design deliberately clusters the dwelling and related infrastructure in one location, minimising habitat fragmentation and avoiding multiple disturbance nodes across the property.
  - The internal access road, although new, follows the shortest practical route to the development node and has been designed using environmentally sensitive construction methods (narrow reinforced concrete strips, stormwater management, and revegetation plans) to limit long-term disturbance.
4. Alignment with Conservation Objectives
- By consolidating the disturbance footprint and avoiding ecologically sensitive core areas elsewhere on the property, the preferred alternative supports the landscape connectivity, species movement corridors, and ecological integrity of the Brenton Peninsula.

## NO-GO ALTERNATIVE

The DBAR considers the No-Go Alternative, even though not a single I&AP proposed such, but inexplicably fails to consider the obvious alternative, requested by almost all I&APs, namely to relocate the main dwelling to the disturbed footprint.

- The applicant has also committed to ongoing alien clearing, fire management, and biodiversity stewardship actions that will contribute positively to the long-term conservation of Knysna Sand Fynbos.

### 5. Balanced Public and Private Benefit

- The proposal allows the applicant to exercise their primary land use rights responsibly while ensuring that the broader public interest in preserving scenic, ecological, and tourism values is upheld.
- Beekeeping activities, proposed as part of the agricultural use, offer ancillary ecological benefits through enhanced pollination services supporting the fynbos system.

The preferred south-western development alternative achieves a responsible balance between the applicant's legitimate land use rights and the need to conserve and protect critical biodiversity and coastal landscapes.

The project as proposed:

- Minimises environmental and visual impacts,
- Avoids the most sensitive habitats and dynamic coastal zones,
- Supports landscape resilience, and
- Aligns with the principles of sustainable development as required under NEMA and the Knysna Spatial Development Framework (SDF).

Accordingly, it is motivated that the benefits of the proposed development, under the preferred south-western clustered alternative, outweigh the limited, carefully mitigated negative impacts.

The applicant acknowledges that the inclusion of the No-Go Alternative in the Draft Basic Assessment Report (DBAR) is not only appropriate but legally required under the National Environmental Management Act (NEMA) and the associated EIA Regulations.

In terms of Section 24(4)(b)(i) of NEMA, environmental authorisation processes must ensure that:

*“The potential consequences for or impacts on the environment of the activity and its alternatives, including the option of not implementing the activity, are investigated and assessed.”*

<p>The DBAR does not consider the alternative proposed by almost all I&amp;APS and the outrageous statement, that the area chosen for the main dwelling, is the area that would have the least environmental impact, makes a mockery of what is supposed to be an independent assessment of the anticipated environmental impacts of the development.</p> <p><b>DBAR:</b> "Details of the alternatives considered The sizes of the footprints of the farm manager's house and the main residential dwelling house were options considered for alternatives. The proposed areas to construct the houses were carefully evaluated after consideration of all specialist reports and areas chosen where the least negative impacts on the receiving environment can be expected. The applicant has chosen to exclude the development of the farm manager's residence due to concerns regarding its environmental impact and the existing building restrictions that are in place." <b>COMMENT:</b> The area chosen for the main dwelling has by far the most negative environmental impact. Furthermore, it is misleadingly stated that the manager's residence was excluded, due to concerns regarding its environmental impact. This is totally irrational, as the site proposed for the manager's residence would have by far the least impact and was proposed by most I&amp;APS and SANParks as the alternative site for the main dwelling that would have the least environmental impact.</p> <p>For the reasons above the Decision Maker is requested to reject the DBAR, alternatively to ensure that the alternative site proposed by SANParks and most of the I&amp;APs is included and assessed, and that a full visual impact assessment of both sites be conducted.</p> <p><b>SUBMITTED BY SUSAN CAMPBELL ON THIS 7<sup>TH</sup> DAY OF APRIL 2025.</b></p>	<p>A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:</p> <ul style="list-style-type: none"> <li>• Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,</li> <li>• Include input from relevant biodiversity, fire management, and geotechnical specialists,</li> </ul> <p>And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.</p> <p>A full and proper assessment of the northern boundary alternative will be undertaken in the updated draft BAR. This assessment will:</p> <ul style="list-style-type: none"> <li>• Objectively evaluate the environmental, visual, technical, and planning implications of locating the development near Kerk Laan,</li> <li>• Include input from relevant biodiversity, fire management, and geotechnical specialists,</li> <li>• And present a comparative analysis of all site alternatives, clearly setting out the respective advantages, disadvantages, and associated impacts.</li> </ul> <p>Noted.</p>
<p><b>Tanja Meyburgh – 4/9 April 2025</b></p>	
<p>Objection to the proposed development at section 76 Uitsicht, Brenton.</p>	

Message

To whom it may concern,

I am the new owner of section 74 and 75 Uitzicht which lies adjacent to this property. I bought into this area in support of the Western Heads Conservancy and SANPARKS and their work to conserve this land into perpetuity. It is my intention, as it of other property owners in the area to put these properties into the custodianship of SANPARKS to bring them into protection for future generations. The critical nature of saving this particular area has also been recognized by the World Wildlife Fund.

I completely object to the development proposed on portion 76 for a number of reasons:

1. The footprint of the main house and managers cottage are completely out of line with the current building guidelines.
  
2. The main house is to be constructed on a primary dune which is exactly what SANPARKS and the Western Heads Conservancy are trying to save due to the ecological importance of this kind of habitat which is endangered worldwide.

Noted.

In the context of Portion 76, which lies within a Critical Biodiversity Area 1 (CBA1) and adjacent to conservation expansion corridors of the Garden Route National Park, it is important that footprint size, layout design, and infrastructure placement are carefully considered to align with best practice conservation planning principles. The proposed clustering of development in the south-western corner of the property demonstrates an important step toward minimising overall landscape fragmentation by consolidating disturbance into a single node, rather than dispersing impacts across multiple sensitive areas.

The preferred location behind the frontal dune will proceed with a robust mitigation strategy, including:

- Sensitive micro-siting with specialist guidance.
- Erosion control, habitat restoration, and alien plant management.
- Environmental Control Officer (ECO) oversight during all phases of development.

This approach seeks to balance conservation priorities with reasonable land use rights, ensuring that residual environmental impacts are minimised and managed responsibly.

<p>3. The footprint area of the main house is completely oversized. From the 200 square meters allowed, to 3000 square meters. This would seem more in line with a hotel or B&amp;B, and a public use area than a house.</p> <p>4. The road to get to the house will damage the flora and the soil and be an eyesore in the area.</p>	<p>After careful evaluation of site constraints, environmental sensitivities, engineering feasibility, fire management, and access considerations, the applicant maintains that the current proposed layout, consolidated into a single node in the south-western corner of the property.</p> <p>Specifically:</p> <ul style="list-style-type: none"> <li>• A compact, low-profile design approach will be applied to ensure that the scale and form of the buildings integrate sensitively into the landscape.</li> <li>• Locating the development adjacent to the relatively level inland dune base reduces slope stability risks, engineering challenges, and the potential for visual prominence from public viewpoints compared to alternative higher-elevation or steeper sites.</li> </ul> <p>The specialist studies, including the Geotechnical Report, Civil Services Report, and Terrestrial Biodiversity Assessments, confirm that:</p> <ul style="list-style-type: none"> <li>• Construction of the internal road is technically feasible, provided strict mitigation measures are applied,</li> <li>• The road alignment has been carefully selected to follow natural contours, thereby reducing the extent of cut-and-fill earthworks,</li> <li>• Slope stabilisation methods, such as ground-stabilising blocks and low-retaining structures, are proposed to prevent erosion and land slippage on steeper sections,</li> <li>• The road will use narrow reinforced concrete strips (2.5 m surfaced width) with a construction disturbance corridor limited to 4.5–5.5 m, reducing the permanent footprint compared to wider conventional roads,</li> <li>• The overall loss of habitat will be restricted to a relatively narrow linear feature in an already disturbed corridor of the property (along previously impacted areas where possible).</li> </ul> <p>Furthermore, the Visual Impact Assessment (VIA) concludes that:</p> <ul style="list-style-type: none"> <li>• With appropriate mitigation (earth-toned surfacing, revegetation of verges, no formal lighting), the internal road will have low to moderate visual impact, and</li> <li>• The road will not be visible from major public areas like Buffalo Bay or Brenton-on-Sea, nor will it break the skyline from critical viewpoints.</li> </ul> <p>In terms of landscape character:</p>
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5. The Kerkstraat road is currently a small jeep track and cannot manage additional traffic. None of the neighbours have been approached in this regard. I have no interest in contributing financially to the development of this road and losing the rural feeling of the properties that were bought as agricultural with intention to be turned to conservation. The additional traffic that this kind of development will affect all the properties along Kerkstraat and contribute to noise and light pollution of a pristine wilderness area.

6. The eyesore of this size development is clear as it will sit in the middle of a conservation area and destroy the rural nature of the surroundings.

- The development remains consolidated into a single node in the south-western portion of the property, avoiding widespread fragmentation,
- The rest of the property will be formally protected from further disturbance through conservation management commitments outlined in the EMPr and Updated BAR,
- No new development nodes or additional roads are proposed that would fragment the landscape beyond the current application.

Thus, the applicant maintains that the construction of the road, in this specific case, does not establish an inappropriate precedent for unrestricted development.

Instead, it is a site-specific solution designed with strict environmental controls, responding directly to the physical and ecological characteristics of the property, without compromising the broader conservation goals of the coastal corridor.

- The applicant emphasises that only minimal maintenance upgrading of Kerk Laan is intended — specifically, limited grading and stabilisation of the existing track to safely accommodate construction vehicles during the building phase.
- No full formalisation, widening beyond the existing disturbed corridor, or surfacing with hard materials (e.g., asphalt or concrete) is proposed.
- Any maintenance activities will be undertaken:
  - Within the existing track width,
  - Using low-impact techniques (e.g., hand tools, light machinery where necessary),
  - And following a site-specific Method Statement approved by the Environmental Control Officer (ECO) prior to any work commencing.
- Should any upgrading beyond routine maintenance become necessary, it would trigger a separate environmental authorisation process, ensuring that full environmental scrutiny is applied.

The applicant further notes that the Heritage Statement (submitted as Appendix D1 of the DBAR) concluded that:

- Portion 76/216 is barely visible in the distance from the main public road (CR Swart Drive) leading to and from Brenton-on-Sea,

<p>7. I fully support the Western Heads Conservancy and SANParks endeavours to conserve this critical area and will be submitting further objections in regard of this development.</p> <p>Kind regards Tanja Meyburgh Owner at Portion 74 and 75 Uitsicht</p>	<ul style="list-style-type: none"> <li>• The proposed development would have negligible to no visual impact on the aesthetic heritage value of the broader area,</li> <li>• No significant heritage resources (cultural, scenic, or historic) were identified directly on or adjacent to the site.</li> </ul> <p>The VIA findings indicate the following:</p> <ul style="list-style-type: none"> <li>• The proposed main dwelling site is partially screened by dune topography and dense indigenous vegetation, which reduces visibility from major public viewpoints, including CR Swart Drive, Buffalo Bay, and Brenton-on-Sea.</li> <li>• The building will not break the skyline when viewed from key vantage points, thus avoiding one of the most severe forms of visual intrusion.</li> <li>• With appropriate architectural design controls—such as earth-toned materials, low-reflectivity surfaces, limited building height, and indigenous landscaping—the development will be visually integrated into the landscape to a significant extent.</li> <li>• Night-time light pollution can also be controlled by using shielded, downward-directed, low-intensity lighting.</li> </ul> <p>The VIA further assessed the nature, extent, duration, intensity, probability, and significance of the visual impacts in line with standard methodology, concluding that:</p> <ul style="list-style-type: none"> <li>• Without mitigation, visual impacts could be Moderate to High in certain sensitive viewpoints.</li> <li>• With mitigation fully implemented, the residual visual impact significance is reduced to Low to Moderate.</li> </ul> <p>Therefore, while the development will inevitably have a visual effect, it is considered manageable and acceptable provided that all mitigation measures proposed in the VIA and EMPr are fully adopted.</p> <p>Noted.</p>
<p>Dear Bianca Herewith my objection as owner and director of Meyburgh Property Holdings</p>	<p>Good morning, Tanja.</p> <p>We hereby acknowledge receipt of your email and objection.</p>

<p>LTD, the owner of portion 74 and 75 Uitzicht, Knysna. Please confirm receipt. Thank-you, Tanja Meyburgh</p>	<p>Thank you for your attention to this matter. Should you require any information please do not hesitate to contact me.  Best regards  Ms. Bianca Gilfillan</p>
<p>Re: Objection to the Proposed Development of Portion 76 (A Portion of Portion 54) of Farm 216 Uitzicht, Knysna, Western Cape. As set out in the Draft Basic Assessment Report by Eco Route.</p> <p>I hereby object to the proposed development and support the objections submitted by the Western Heads Gougamma Conservancy and SANParks in this regard. I am owner of the portion 74 and 75 Uitsicht which I bought with the sole intention of supporting the intention to save this sensitive ecological for his environmental value and as a natural ecologically pristine area for generations to come.</p> <p>Portion 76 falls within an exceptionally sensitive biodiversity area as per SANBI Biodiversity classification and is a core conservation area. I share a boundary with portion Uitsicht portion 75 and both the portions 74 and 75 look directly onto the dunes where the intended development is proposed. We also share an access road which runs on the Northern boundary of both my properties. Portion 74 and 75 are already committed to be included into SANParks due to their important conservation value.</p>	<p>Noted.</p> <p>The proposed residential development is located within a highly sensitive ecological corridor on the Western Heads, an area that supports the last remaining fragments of the Critically Endangered (CE) Knysna Sand Fynbos.</p> <p>Recognising this, the project has been carefully designed to align with the broader conservation objectives already underway in the region. To date, approximately 334 hectares have been committed to formal Contract National Park (CNP) conservation agreements, currently in various stages of the declaration process. These contracts secure land for conservation over a 99-year period, ensuring that ecological benefits are preserved for future generations.</p> <p>An additional 154 hectares within the corridor are under conservation through private stewardship or formal agreements with CapeNature, bringing the total area under protection to approximately 500 hectares or 28% of the remaining 1750 hectares of Knysna Sand Fynbos.</p> <p>This landscape-level conservation legacy represents significant investment by SANParks, NGOs such as WWF South Africa, and private landowners, all</p>

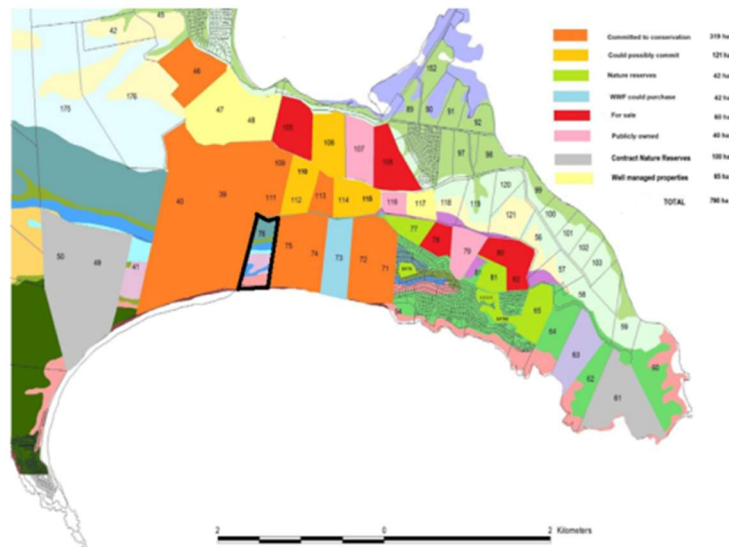


Fig 1 Portion 76 in relation to Portions 74 and 75

**Objections:**

1. **Main house:** The location and size of the footprint of the main dwelling which will be developed in the sensitive dune area. All of the other dwellings in the area are located near the municipal or provincial roads to prevent disturbance of new roads cutting into the landscape creating an even larger footprint of disturbance. All the dwellings in the area are on much smaller footprints and the suggested footprint for those in SANParks is a maximum of 300m<sup>2</sup>, which is what most properties will adhere to. There are no other buildings on the beachfront in the area, which means that this house would not only ruin the existing aesthetics of this important Tourist and ecological attraction, but will set a precedent

working collaboratively to conserve biodiversity in this nationally important area.

The proposed development acknowledges these efforts and seeks to complement rather than compromise them. The site layout and scale have been informed by ecological assessments and are designed to avoid areas of highest biodiversity sensitivity. Furthermore, the development includes conservation servitudes, ecological buffers, and invasive alien species management as part of its environmental management commitments.

Given that approximately two-thirds of the Knysna Sand Fynbos within this corridor remains unsecured, the project proponents are open to exploring opportunities for conservation partnerships, including the potential for stewardship agreements on undisturbed portions of the property.

Achieving a conservation-compatible outcome on this property is of strategic importance to SANParks and other key stakeholders. The proposed development aims to strike a balance between limited, sustainable land use and the continued protection of a globally significant ecosystem, thereby contributing to both socio-economic and environmental resilience in the region.

Following a detailed review of the:

- Terrestrial Biodiversity Assessment (Fouché, 2024),
- Terrestrial Animal Species Assessment (Leitner, 2024),
- Geotechnical Report (2024),
- Aquatic Compliance Statement (2024),
- Town Planning Report (Appendix D9),
- And associated specialist inputs,

the preferred alternative remains the south-western corner of the property, based on the following key considerations:

- Topographical Suitability:  
The south-western corner provides a more level inland platform located behind the primary frontal dune, thereby minimising the need for

for future development which will have devastating effects on the ecology of the dune. SANParks has suggested an alternative location of a residence in the Northern Boundary which minimises the footprint, does not disrupt the connectivity of the ecological corridor, and minimises the aesthetic impact of the road and dwelling in a pristine wilderness landscape. The size and layout of this house is furthermore not in line with a domestic dwelling and I have concerns that this will be used or applied for commercial use in future. Commercial use would mean increased traffic and pollution for the whole area as access runs through the middle of all the portions.

- extensive cut-and-fill, reducing excavation impacts, and ensuring better geotechnical stability.
- **Reduced Visual Exposure:**  
While concerns were raised, the Heritage and Visual Assessments found that the dwelling site would be barely visible from key public viewpoints (including Buffalo Bay and Brenton-on-Sea) when appropriate design measures, materials, and natural screening are applied.
- **Consolidation of Development:**  
Locating the residence in the south-western corner enables the clustering of all infrastructure impacts (dwelling, services, access) into a single consolidated node, rather than fragmenting the landscape across multiple disturbed areas.
- **Avoidance of Highly Sensitive Features:**  
The detailed botanical and biodiversity assessments indicate that while the entire property is sensitive, the selected area:
  - Avoids the most critical plant SCC locations,
  - Sits behind the active frontal dune system,
  - And is located away from primary wetland or aquatic features, as confirmed by the Aquatic Compliance Statement.
- **Fire Management and Emergency Access:**  
Although internal access infrastructure is required, the design proposes a minimal-width internal strip road and reinforced stormwater control measures to limit fire risk and maintain emergency access.
- **Minimisation of Broader Landscape Disturbance:**  
Compared to fragmenting the disturbed area near Kerk Laan, the south-western consolidation limits the transformation of sensitive coastal vegetation elsewhere on the property.
- **Compliance with Strategic Planning Instruments:**  
The proposed development footprint (limited to  $\pm 3,000 \text{ m}^2$ ) respects the principle of minimal transformation (<2% of the total property area) and retains over 98% of the site in a near-natural or natural condition, in line with spatial planning directives.

2. **Internal Road:** the footprint and disturbance to the fynbos is increased by locating the dwelling site on the dunes. This can be mitigated by building the dwelling closer to existing roads. This road will require excavations

The specialist studies, including the Geotechnical Report, Civil Services Report, and Terrestrial Biodiversity Assessments, confirm that:

due to the steep descent of the land which will be an eyesore and disturb the landscape and ecology. The report does not adequately represent the impact of this road.

- Construction of the internal road is technically feasible, provided strict mitigation measures are applied,
- The road alignment has been carefully selected to follow natural contours, thereby reducing the extent of cut-and-fill earthworks,
- Slope stabilisation methods, such as ground-stabilising blocks and low-retaining structures, are proposed to prevent erosion and land slippage on steeper sections,
- The road will use narrow reinforced concrete strips (2.5 m surfaced width) with a construction disturbance corridor limited to 4.5–5.5 m, reducing the permanent footprint compared to wider conventional roads,
- The overall loss of habitat will be restricted to a relatively narrow linear feature in an already disturbed corridor of the property (along previously impacted areas where possible).

Furthermore, the Visual Impact Assessment (VIA) concludes that:

- With appropriate mitigation (earth-toned surfacing, revegetation of verges, no formal lighting), the internal road will have low to moderate visual impact, and
- The road will not be visible from major public areas like Buffalo Bay or Brenton-on-Sea, nor will it break the skyline from critical viewpoints.

In terms of landscape character:

- The development remains consolidated into a single node in the south-western portion of the property, avoiding widespread fragmentation,
- The rest of the property will be formally protected from further disturbance through conservation management commitments outlined in the EMPr and Updated BAR,
- No new development nodes or additional roads are proposed that would fragment the landscape beyond the current application.

Thus, the applicant maintains that the construction of the road, in this specific case, does not establish an inappropriate precedent for unrestricted development.

Instead, it is a site-specific solution designed with strict environmental controls, responding directly to the physical and ecological characteristics of the property, without compromising the broader conservation goals of the coastal corridor.

- The applicant emphasises that only minimal maintenance upgrading of Kerk Laan is intended — specifically, limited grading and stabilisation of

<p>3. <b>Access road:</b> the access road to portion 76 runs along the northern boundary of both portion 74 and 75. It is a road that has not been reinforced and is a dust, farm road which will not tolerate large trucks or larger building machinery. I anticipate damage to the integrity of my northern borders as well as those of my neighbours, with the number and type of vehicles that will be needed to access a development of this size. Nothing is mentioned of who will be responsible for the maintenance and repair of this road and how damage will be minimised. Furthermore there are no overtaking or turning points for vehicles on this road, and this can only be achieved through encroaching on other properties such as mine at portion 74 and 75 and the neighbours.</p>	<p>the existing track to safely accommodate construction vehicles during the building phase.</p> <ul style="list-style-type: none"> <li>• No full formalisation, widening beyond the existing disturbed corridor, or surfacing with hard materials (e.g., asphalt or concrete) is proposed.</li> <li>• Any maintenance activities will be undertaken: <ul style="list-style-type: none"> <li>○ Within the existing track width,</li> <li>○ Using low-impact techniques (e.g., hand tools, light machinery where necessary),</li> <li>○ And following a site-specific Method Statement approved by the Environmental Control Officer (ECO) prior to any work commencing.</li> </ul> </li> <li>• Should any upgrading beyond routine maintenance become necessary, it would trigger a separate environmental authorisation process, ensuring that full environmental scrutiny is applied.</li> </ul> <p>The applicant further notes that the Heritage Statement (submitted as Appendix D1 of the DBAR) concluded that:</p> <ul style="list-style-type: none"> <li>• Portion 76/216 is barely visible in the distance from the main public road (CR Swart Drive) leading to and from Brenton-on-Sea,</li> <li>• The proposed development would have negligible to no visual impact on the aesthetic heritage value of the broader area,</li> <li>• No significant heritage resources (cultural, scenic, or historic) were identified directly on or adjacent to the site.</li> </ul> <p>The VIA findings indicate the following:</p> <ul style="list-style-type: none"> <li>• The proposed main dwelling site is partially screened by dune topography and dense indigenous vegetation, which reduces visibility from major public viewpoints, including CR Swart Drive, Buffalo Bay, and Brenton-on-Sea.</li> <li>• The building will not break the skyline when viewed from key vantage points, thus avoiding one of the most severe forms of visual intrusion.</li> <li>• With appropriate architectural design controls—such as earth-toned materials, low-reflectivity surfaces, limited building height, and indigenous landscaping—the development will be visually integrated into the landscape to a significant extent.</li> <li>• Night-time light pollution can also be controlled by using shielded, downward-directed, low-intensity lighting.</li> </ul>
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4. **Ecology:** no mention has been made of the surrounding areas, the plan already in place to create an ecological corridor along these properties or any of the context of this development. The impact on the surrounding area is massive both in noise, light, sound pollution of a natural conservation environment, and disturbance to the ecological corridor and movement of critical species and animals in the area. This property and its development does not exist in isolation of the larger landscape and development plan pictured below.

The VIA further assessed the nature, extent, duration, intensity, probability, and significance of the visual impacts in line with standard methodology, concluding that:

- Without mitigation, visual impacts could be Moderate to High in certain sensitive viewpoints.
- With mitigation fully implemented, the residual visual impact significance is reduced to Low to Moderate.

Therefore, while the development will inevitably have a visual effect, it is considered manageable and acceptable provided that all mitigation measures proposed in the VIA and EMP are fully adopted.

It is recognised that:

- The subject property, Portion 76 of Uitzicht 216, forms part of a highly sensitive coastal conservation area characterised by the presence of Critically Endangered Knysna Sand Fynbos,
- The property lies within a Critical Biodiversity Area 1 (CBA1) and the Coastal Protection Zone (CPZ), both of which emphasise the need for careful spatial planning and biodiversity protection,
- The surrounding properties (Portions 39, 40, 74, 75, 71, 72, and 111) are either already incorporated or in the process of being incorporated into the Garden Route National Park (GRNP) as part of SANParks' Land Inclusion Plan (2020–2023),
- SANParks, CapeNature, and local conservation groups (such as WHGC) are actively working to establish and maintain an east-west ecological corridor connecting Goukamma Nature Reserve to the Knysna Estuary.

The applicant agrees that:

- The development does not exist in isolation,
- And that the cumulative impact on landscape connectivity, species movement, and natural ecosystem processes must be carefully considered in the decision-making process.

In response to these broader ecological considerations:

- The preferred development footprint in the south-western corner was deliberately selected to cluster infrastructure behind the frontal dune,
- Avoiding direct disturbance to the most critical linkage zones of the primary dune system and foredunes,

5. **Aesthetics:** This is a false statement in the BAR page 100: "As is evident portion 76/216 is only barely visible in the distance from the road leading to and from Brenton-on-Sea. Consequently, the proposed development will have no visual impact on the aesthetic value of the affected area. On heritage grounds, due to the entire absence of heritage resources or themes in and around 76/216, the proposed development will have negligible to no impact on the visual or aesthetic heritage value of the area."

This is an image taken from the main road viewpoint from Belvedere to Brenton (mentioned in the above statement) with the Dune of the proposed site and how it fits into the area on the left of the image. Currently there is no development along this beach from Brenton on Sea up to Buffels Bay village. The proposed development on the dune on Portion 76 is visible and aesthetically devastating to both portion 74 and 75's proposed residence sites on the northern boundaries as well as many other properties in the area, including the ones above me and public access areas such as this viewpoint and beach.

- Minimising light pollution through the commitment to downward-facing, low-intensity lighting designed to protect nocturnal fauna,
- Reducing sound disturbance by implementing construction-phase restrictions on noise levels and operational limitations once occupied,
- And maintaining over 98% of the property in a natural or near-natural state, thereby safeguarding the bulk of the habitat for critical species movement and ecological functionality.

The VIA findings indicate the following:

- The proposed main dwelling site is partially screened by dune topography and dense indigenous vegetation, which reduces visibility from major public viewpoints, including CR Swart Drive, Buffalo Bay, and Brenton-on-Sea.
- The building will not break the skyline when viewed from key vantage points, thus avoiding one of the most severe forms of visual intrusion.
- With appropriate architectural design controls—such as earth-toned materials, low-reflectivity surfaces, limited building height, and indigenous landscaping—the development will be visually integrated into the landscape to a significant extent.
- Night-time light pollution can also be controlled by using shielded, downward-directed, low-intensity lighting.

The VIA further assessed the nature, extent, duration, intensity, probability, and significance of the visual impacts in line with standard methodology, concluding that:

- Without mitigation, visual impacts could be Moderate to High in certain sensitive viewpoints.
- With mitigation fully implemented, the residual visual impact significance is reduced to Low to Moderate.

Therefore, while the development will inevitably have a visual effect, it is considered manageable and acceptable provided that all mitigation measures proposed in the VIA and EMPr are fully adopted.

- The VIA findings indicate that while the proposed development will introduce new built elements into the landscape, the visual impact is assessed as Low to Moderate with mitigation, not "insignificant" as previously concluded.



- The VIA involved detailed view shed analyses, photomontages from key viewpoints (including Buffalo Bay, Brenton-on-Sea, and CR Swart Drive), and a full impact significance rating considering nature, extent, duration, intensity, and probability.

The VIA further recommends a comprehensive set of mitigation measures to ensure that:

- Building height and form are controlled to avoid skyline intrusion,
- Earth-toned, low-reflectivity materials are used,
- Indigenous vegetation screening is enhanced,
- And lighting impacts are strictly managed to prevent night-time glow in the coastal landscape.

These recommendations will be incorporated into the Updated BAR and Environmental Management Programme (EMPr) to ensure that visual impacts are properly addressed and managed.

Noted.

I do not dispute the owner's primary land use right to a residence; however object to the proposed site location of the main residence, the proposed residence size and the proposed internal road (due to site selection on the dune). The objections are based primarily on the level of biodiversity loss, ecosystem fragmentation and aesthetic impact that can be avoided.

Your sincerely  
 Tanja Meyburgh  
 Owner and Director: Meyburgh Property Holdings (LTD)  
 Portion 74 and 75 Uitzicht Farm.

**Judy Harrison – 28 March 2025**

Please register me as an interested and affected party in the above-mentioned Environmental Impact assessment.  
 Thank you  
 Judy Harrison

Good afternoon, Ms Harrison.

I trust that this email finds you well.

I hereby acknowledge receipt of your email to be registered as an I&AP for the project.

The link to the relevant documentation available on the website is as follows:

[www.ecoroute.co.za/node/107](http://www.ecoroute.co.za/node/107)

**Yvonne Kemp – 28 March 2025**

I, Yvonne Ruby Kemp, wish to be added as an Interested & Affected Party for the DFFE public participation process, ref 14/12/16/3/3/1/3114, regarding the proposed development on Portion 76 (a portion of Portion 54) of Farm 216, Uitzicht, Knysna, Western Cape.

I am a resident of Brenton-on-Sea and have for many years walked regularly in the area with my dogs, enjoying the beautiful fynbos, abundant birdlife and other wildlife on this property. I am concerned that a development would be destructive; please send me information about the proposed development.

Yours sincerely,  
Yvonne Kemp

Good afternoon, Ms Kemp.

I trust that this email finds you well.

I hereby acknowledge receipt of your email to be registered as an I&Ap for the project.

The link to the relevant documentation available on the website is as follows:

[www.ecoroute.co.za/node/107](http://www.ecoroute.co.za/node/107)

**COMMENTS RECEIVED IN RESPONSE TO THE DRAFT BASIC ASSESSMENT REPORT – 11 November 2025 until 11 December 2025**

SANParks	
Comment	Response
<p>SANParks could support development in the node where the Managers Cottage is proposed adjacent to Kerk Laan, as discussed on-site on 8 September 2020. It would be preferable if all development is consolidated into one area (the area where the farm managers cottage is proposed) to minimise fragmentation of the landscape and impact on the sensitive fynbos environment.</p>	<p>This comment is acknowledged. SANParks' preference for a clustered development node adjacent to Kerk Laan is understood from a fragmentation and access perspective. However, the final preferred alternative was not based on access considerations alone. The northern / Kerk Laan area falls within the more sensitive northern portion of the property, where Critically Endangered Knysna Sand Fynbos is present, whereas the selected southern footprint was identified as the more feasible option when the botanical, terrestrial biodiversity, geotechnical and visual considerations were read together. The applicant's position is therefore that clustering adjacent to Kerk Laan is not automatically the least-impact option when direct loss of more sensitive vegetation is taken into account.</p>
<p>The applicant should be reminded that the main objective of Priority Natural Areas and CBAs is to maintain it in a natural or near natural state, with no further loss of natural habitat. Only low impact, biodiversity sensitive land uses are appropriate. The property is currently pristine and was not previously developed.</p>	<p>This is accepted. The property is highly sensitive and the objective of maintaining it in a natural or near-natural state is acknowledged. The application has therefore been reduced to a single dwelling with a substantially reduced footprint relative to earlier concepts, and the development envelope remains a very small portion of the overall 21 ha property. The proposal is motivated as a low-density exercise of existing primary land use rights, with the overwhelming majority of the property remaining undeveloped and available to continue functioning as natural habitat and ecological corridor.</p>
<p>SANParks request to meet with the landowners to discuss a way forward that can benefit biodiversity conservation and allow for low impact development without the need for a road over the pristine dunes. The current proposal will set a very bad precedent for potential development of other properties in the Knysna Sand Fynbos Coastal Corridor. The properties on both side of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to 2023.</p>	<p>The request and objection are noted. Engagement with SANParks on biodiversity conservation and potential stewardship options is supported in principle. The concern regarding precedent is also understood. The applicant's position, however, is that this proposal must be assessed on its own site-specific merits, including the completed specialist studies, the reduced footprint, and the specific environmental constraints of Portion 76. It is not proposed as a broad corridor-opening precedent, but as a highly limited</p>

	residential use on a privately owned property where primary rights exist. The conservation status and future inclusion of neighbouring properties in the GRNP is acknowledged but does not of itself extinguish the current owner's right to seek authorisation for a reduced and site-specific proposal.
(2) Draft Basic Assessment, Follow-up Comment, SANParks Objected - 28 January 2021 SANParks objected to the proposed development on 1 October 2020. A site visit with the landowners and FAP took place on 4 January 2021. Key points discussed:	Noted. The follow-up meeting and SANParks' continued objection form part of the historical decision-making context for the property and are acknowledged in full.
1. Proposed footprint of the main house. The landowners were not willing to change the proposed footprint of the main house to a position adjacent to Kerk Laan. They were willing to move the house to reduce visual impact in the level area behind the frontal dune.	This is noted. The current proposal reflects a reduced footprint and a refined siting concept relative to earlier iterations. The reason the dwelling was not moved to the Kerk Laan node is that the northern area is associated with more sensitive and more intact Critically Endangered Knysna Sand Fynbos. The selected location was preferred because it reduced direct impact on that vegetation type while also responding to the geotechnical recommendation regarding feasible siting.
2. Proposed road over the sand dunes. SANParks continue to object to the construction of a road over the sand dunes. The landowners indicated that their preferred option is to use Susan Campbell's road for access. They could use Kerk Laan and access via the gate and use the steep section of the Campbell road. The proposed option to use the Campbell road will reduce the negative impact on biodiversity but will necessitate a new section of road to be constructed on the Campbell property and over Portion 76.	SANParks' objection to the road is acknowledged as one of the central issues in the application. The Campbell Road option was considered but is not feasible in planning or practical terms because it depends on third-party property access and would still necessitate new road construction. The preferred access from Kerk Laan remains the most realistic and controllable access arrangement available to the applicant. The route has been aligned to minimise vegetation disturbance and follow natural contours, but it is accepted that a residual impact remains.
3. Maretha Alant met with Susan Campbell. Ms Campbell is opposed to providing access for the proposed development over her land.	Noted. This confirms that access via Susan Campbell's land is not available to the applicant and therefore cannot be treated as a dependable or lawful preferred alternative.
4. Footpath to the beach. Portion 76 of Farm Uitzicht 216 has a steep gradient to the beach and a footpath is not proposed in the BAR.	Noted. No footpath or beach access structure forms part of the current application. The steep gradient to the beach is acknowledged, and no separate beach access infrastructure is sought or relied upon in motivating the proposed dwelling.

<p>5. Drilling for water required. The proposal is that water will be supplied by a borehole. Bringing drilling equipment to the proposed site for the main house will have a negative impact on biodiversity. Previous attempts to drill for water in the area (Investec) yielded poor return.</p>	<p>The concern is acknowledged. The water strategy for the property is based primarily on rainwater harvesting, with borehole use supplementary only if required and legally permissible. This reduces dependence on groundwater abstraction and limits the need for extensive drilling-related disturbance. If borehole drilling is undertaken, it would be once-off, highly localised, and subject to the same footprint controls that apply to the broader development. Previous poor yields in the area are noted and support the approach of not relying primarily on groundwater.</p>
<p>6. Contract National Park footprint. The property is in the priority protected area expansion footprint, in the Western Heads coastal ecological corridor, that can potentially link the Goukamma Nature Reserve with the Knysna Estuary. The property was included in the South African National Parks Land Inclusion Plan for the period 2020 – 2023 for the Garden Route National Park (GRNP). The landowners may be interested in incorporating the property into the GRNP but more information is required from SANParks. SANParks will further engage with the landowners when our draft documents are in place.</p>	<p>This is acknowledged. The property's position within the protected area expansion footprint and ecological corridor is not disputed. SANParks' willingness to engage further on stewardship and potential future inclusion is welcomed. At the same time, the current application still falls to be considered on its own merits as a limited residential proposal on privately owned land. Stewardship remains a possible future conservation path, but it does not replace the need to evaluate the present application.</p>
<p>A follow up fieldtrip with SANParks and the Southern Cape Fire Protection Association (FPA) present took place on 9 January 2021. Key points discussed:</p>	<p>Noted. The fieldtrip and issues raised are acknowledged as part of the application history.</p>
<ul style="list-style-type: none"> <li>• <u>Development adjacent to Kerk Laan.</u></li> </ul> <p>Developing the main house in a disturbed area adjacent to Kerk Laan will have the least negative impact on biodiversity and landscape functionality. Other advantages are that the drilling equipment and construction vehicles will have easy access to the site via an existing road.</p>	<p>This view is acknowledged. The Kerk Laan option has logistical advantages from an access perspective. However, the applicant and EAP did not adopt it as the preferred layout because the northern portion of the property contains more sensitive and intact Knysna Sand Fynbos. The preference for the southern layout was based on the integrated reading of specialist findings, including the avoidance of direct intrusion into the more sensitive northern habitat and the geotechnical feasibility of the selected footprint.</p>
<ul style="list-style-type: none"> <li>• Development in the low lying area, over the two sand dunes or using the Campbell road, will compromise landscape functionality and set a bad precedent. It will create fragmentation of a pristine coastal corridor.</li> </ul>	<p>The objection is noted. The concern about precedent and fragmentation is valid and remains one of the principal issues in the application. The applicant's counter-position is that the total transformed area remains limited relative to the size of the property, that the majority of the corridor remains intact, and that the selected layout avoids greater direct loss in the northern Critically Endangered vegetation. The proposal does create a localised</p>

	disturbance, but the applicant does not accept that it results in irreversible failure of corridor functionality at the broader landscape scale.
<ul style="list-style-type: none"> <li>• <u>Fire management.</u></li> </ul> <p>The landowners are members of the Southern Cape FPA. It is possible to make fire breaks to protect infrastructure at the landowner's preferred location for the main house. However, Kerk Laan could act as a firebreak if it is widened and slashed. In a case of emergency, it would be less risky to evacuate people from Kerk Laan than in a fynbos corridor with tricky access for firetrucks. The Campbell road and the new section of road that would need to be constructed from Campbell road to preferred site would not be ideal roads for the Knysna Fire Department as their trucks would struggle to gain access easily to the house. However, Kerk Laan would be a much easier access point for fire trucks and this should be considered for fire safety in this fire-prone area. Conducting an ecological burn in future will also be more risky with infrastructure developed in the fire path. The June 2017 fire and the ecological burn executed on 15 May 2017, that slowed the fire down dramatically before it reached Brenton, is still fresh in our memories. A functional Fire Management Unit in the Knysna Sand Fynbos will be desirable as there will be future fires.</p>	<p>This comment is acknowledged in full. Fire risk is a real and material consideration on this property. The landowner's membership in the relevant fire structures and the feasibility of site-specific fire protection measures are noted. SANParks' preference for access and evacuation via Kerk Laan is understandable from a fire management perspective. The applicant's position remains that fire protection measures can be implemented at the preferred site, but SANParks' concern regarding access for emergency response and the implications for long-term ecological burn regimes is valid and must be recognised as an operational constraint associated with the chosen siting.</p>
<ul style="list-style-type: none"> <li>• <u>Conservation value of property.</u></li> </ul> <p>More than 50% of the property contains Knysna Sand Fynbos and the entire property is a Critical Biodiversity Area (CBA). Although the Kerk Laan area is located in Knysna Sand Fynbos the transformation footprint can be limited with a good Site Development Plan and the current landscape functionality corridor will be maintained. Knysna Sand Fynbos type hosts threatened plant species and five threatened butterfly taxa (Mecenero et al. 2013), including CE taxa Orachrysops niobe (Brenton Blue) and Thestor brachycerus and is poorly protected. The original extent of Knysna Sand Fynbos was 15 355 ha. The remaining natural extent is 1 478 ha (9.6%) and the Western Cape target is 3 531 ha (23%). The Knysna Sand Fynbos asset is in deficit. Not only is Knysna</p>	<p>This is accepted as an accurate statement of the exceptional conservation value of the property. The significance of the Knysna Sand Fynbos resource and the conservation corridor is not disputed. The applicant's position is not that the site is of low value, but rather that a very limited residential footprint can still be considered if carefully sited and controlled. The reason the southern option was preferred is precisely because it sought to avoid more direct and permanent loss within the northern Knysna Sand Fynbos areas, even though the entire property remains highly sensitive overall.</p>

<p>Sand Fynbos endemic to the Western Cape, but it is also confined to a very specific and limited geographical area along the Garden Route coast (only found from the coastal flats from Wilderness, generally to the north of the system of lakes, several patches around the Knysna Lagoon, with more isolated patches eastwards to the Robberg peninsula near Plettenberg Bay). There is excellent landscape heterogeneity on the property.</p>	
<p>In summary, from a biodiversity conservation, landscape functionality and integrated fire management perspective, developing the main house adjacent to Kerk Laan is the preferred alternative for SANParks. Developing in the core of the Knysna Sand Fynbos Coastal Corridor will set a very bad precedent and contribute to a loss of biodiversity and landscape fragmentation. The properties on both side of Portion 76 will be included into the GRNP as per the approved SANParks Land Inclusion Plan 2020 to 2023. SANParks will continue to object to the access road over the sand dunes.</p>	<p>SANParks' summary objection is noted in full. The applicant and EAP accept that SANParks' preferred outcome is a northern / Kerk Laan node and continued opposition to a road across the dunes. The final preferred alternative differs because it seeks to avoid the more sensitive northern Critically Endangered Knysna Sand Fynbos, maintain development at a very limited scale, and rely on the portion of the site identified as most feasible through the integrated specialist process. The disagreement is therefore not about whether the site is sensitive, but about which limited option best balances biodiversity loss, feasibility and the exercise of existing land use rights.</p>
<p>(3) Draft Basic Assessment (DFFE Ref. No. 14/12/16/3/3/1/3114), SANParks Objected – 7 April 2025 - Please refer to the full SANParks comment, 7 April 2025.</p>	<p>Noted. SANParks confirms that its earlier 7 April 2025 objection remains relevant and forms part of the full objection record.</p>
<p>(4) The current application is a Draft Basic Assessment, DFFE Ref No. 14/12/16/3/3/1/3185, Eco Route, November 2025. Key aspects of the application are as extracted below.</p>	<p>Noted. The comments on the current November 2025 application are addressed below.</p>
<p><b>Proposed Development Description</b> The proposed development comprises the construction of a single main dwelling in the south-western portion of the property, identified as the most suitable location based on specialist input and alternatives assessment. The development is designed to be environmentally sensitive, maintaining the ecological character of the area.</p>	<p>This is noted. SANParks' disagreement with the identification of the south-western portion as the most suitable location is acknowledged, but the applicant maintains that the selected footprint was chosen through an integrated process that considered biodiversity, geotechnical feasibility, visual absorption and practical development constraints.</p>
<p><u>Main dwelling</u></p>	<p>The reduction from 3000 m<sup>2</sup> to approximately 1000 m<sup>2</sup> is material and is intended to reduce disturbance significantly. The design principles of low profile, earth-toned materials and reduced visual contrast are supported as</p>

<ul style="list-style-type: none"> <li>• A single-storey structure of approximately 1000 m<sup>2</sup> (including covered verandas and integrated garage), downscaled from the previously proposed 3000 m<sup>2</sup>.</li> <li>• Designed in a low-profile, contemporary coastal style, using earth-toned, non-reflective materials to blend with the natural dune landscape.</li> <li>• • Positioned to minimise ecological disturbance and visual intrusion, in accordance with visual, botanical, and geotechnical recommendations.</li> </ul>	<p>appropriate mitigation measures. SANParks' concern remains the location rather than the reduction alone.</p>
<p><u>Access</u></p> <ul style="list-style-type: none"> <li>• Access to the site will be via the existing servitude from Kerk Laan, with a short internal driveway linking to the house.</li> <li>• The access route will follow natural contours to reduce the need for cut-and-fill and minimise vegetation clearance.</li> </ul>	<p>The use of the existing servitude is noted and supported insofar as it reduces the need for new external access infrastructure. The area of disagreement remains the internal extension across the southern portion. The route has nonetheless been aligned to minimise cut-and-fill and vegetation clearance.</p>
<p><u>Water Supply</u></p> <ul style="list-style-type: none"> <li>• The development will be self-sufficient in water supply, relying primarily on rainwater harvesting from roof surfaces.</li> <li>• A minimum rainwater storage capacity of 20 000 litres will be provided.</li> <li>• Borehole abstraction will only be used as a supplementary source, subject to licensing by the Breede-Gouritz Catchment Management Agency (CMA).</li> </ul>	<p>This approach is supported in principle. Prioritising rainwater harvesting reduces pressure on groundwater resources. Any borehole use must remain supplementary and subject to lawful authorisation.</p>
<p><u>Wastewater Management</u></p> <ul style="list-style-type: none"> <li>• On-site sanitation will be provided via a septic tank and soakaway system, designed and located in accordance with the geotechnical report to avoid groundwater contamination.</li> </ul>	<p>SANParks' objection to septic tanks is acknowledged. The applicant's position remains that, in the absence of municipal sewer, a properly sited and engineered on-site system is the only practical servicing option. The geotechnical recommendations are intended to ensure that groundwater contamination risk is avoided.</p>
<p><u>Stormwater Management</u></p> <ul style="list-style-type: none"> <li>• Runoff will be managed through infiltration-based measures such as: <ul style="list-style-type: none"> <li>◦ Rainwater tanks</li> </ul> </li> </ul>	<p>The stormwater approach is appropriate in principle for a site where concentrated runoff must be avoided. The use of infiltration-based measures supports the objective of reducing erosion and managing runoff locally.</p>

<ul style="list-style-type: none"> <li>○ Permeable driveway surfaces</li> <li>○ Swales and soakaways, where applicable</li> <li>● No subsoil drains are required along roads but are recommended behind retaining walls if used.</li> </ul>	
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> <li>● Only indigenous vegetation will be used to: <ul style="list-style-type: none"> <li>○ Maintain ecological integrity</li> <li>○ Reduce fire risk</li> <li>○ Ensure the visual integration of the development with the surrounding landscape</li> </ul> </li> <li>● No disturbance will occur beyond the demarcated development footprint.</li> <li>● Construction Footprint: The total construction disturbance area will not exceed 0.25 ha (2 500 m<sup>2</sup>), representing less than 1.2% of the property.</li> <li>● The layout was selected to avoid sensitive vegetation types and reduce fragmentation of natural habitats.</li> </ul>	<p>These mitigation principles are supported. Indigenous landscaping, clear footprint demarcation and strict limitation of the disturbance area are necessary and appropriate. SANParks' dispute is not with those controls in themselves, but with whether the chosen southern footprint can still be justified despite them.</p>
<p>SANParks points which were raised in the previous comment of 7 April 2025 (attached) stand. SANParks does not support the Preferred Alternative. Points of concern previously raised are re-iterated and elaborated on below, with additional points added.</p>	<p>Noted. SANParks' confirmation that earlier concerns remain applicable is recorded in full.</p>
<p>Point 1: Evaluation of Alternatives by Specialists</p>	<p>Noted. SANParks' concerns regarding alternatives are addressed in the responses below.</p>
<p>The Eco Route DBA report concludes on pg. 52 &amp; 53: Conclusion The preferred alternative, which proposes the development of the main dwelling house in the southwestern section of Portion 76 of the Farm Uitzicht No. 216, with a reduced footprint of approximately 1000 m<sup>2</sup>, is considered the most appropriate and sustainable layout option. This alternative was selected based on its ability to balance legal compliance, environmental sensitivity, and practical development considerations.</p>	<p>This is the EAP's integrated conclusion. SANParks' disagreement with that conclusion is acknowledged. The EAP maintains that the selected layout was chosen on the basis of integrated specialist and practical considerations, not on biodiversity mapping alone.</p>
<p>From an ecological perspective, this layout avoids the Critically Endangered Knysna Sand Fynbos found in the northern portion of the site (as seen in Alternative 1, 2 and 3) and is instead located within an area</p>	<p>This remains the applicant's ecological motivation for the selected footprint. SANParks' contrary view is acknowledged, but the applicant's position is that</p>

<p>dominated by the Least Threatened Goukamma Dune Thicket. The smaller development footprint further limits disturbance to natural habitat and avoids overlap with key ecological corridors. Although the access route does traverse some sensitive vegetation, the impact is considered low and manageable, and will be mitigated through road narrowing, ecological rehabilitation, and strict construction footprint demarcation.</p>	<p>avoiding direct intrusion into the northern Knysna Sand Fynbos remains an important environmental consideration.</p>
<p>The Preferred Alternative, where the main dwelling is proposed on the foredune in the south-western corner of Portion 76, and accessed by a 830m road across the foredune, is based on the premise of the southern foredune area being mapped as (LC) Goukamma Dune Thicket (AT36), and perceived as being less sensitive than (CE) Knysna Sand Fynbos (FFd10) which is mapped on the northern sector. This premise is based on SANBI mapping classification criteria, not necessarily on what is present on the sensitive undisturbed foredune portions of the property. Vegetation variations exist, particularly as the foredune aspects alternate between south and north facing slopes.</p>	<p>SANParks' qualification of the mapped vegetation context is acknowledged. The applicant accepts that the southern area is still sensitive and not impact-free. The point of departure is simply that the northern option would involve more direct loss of the mapped Critically Endangered Knysna Sand Fynbos, whereas the selected southern footprint was considered the better-balanced option overall.</p>
<p>The Preferred Alternative was not supported by Confluent Environmental Pty (Ltd), Ms. Bianca Fouché, Specialist Plant Species and Terrestrial Biodiversity Report, 22 July 2024, who stated that Alternative 4 (One dwelling in the north-western corner of the property) is the most acceptable layout for the proposed dwelling on the property, and that Alternative 1 (One dwelling and new access road) and Alternative 3 (Two dwellings and new access road) would likely trigger Offsets due to residual impacts that can't be reduced with mitigation proposed in their report.</p>	<p>This is acknowledged. The botanical specialist's preference for Alternative 4 is correctly recorded by SANParks. The EAP's final preferred layout differs because the final recommendation was based on an integrated interpretation of all studies and practical site constraints, not the botanical perspective only.</p>
<p>The Alternatives evaluated are described in Table 8, pg. 42 of this report.</p>	<p>Noted.</p>
<p>Discussion of the Alternatives: The residual impacts on the loss of plant species considering the SCC diversity on the property, can be reduced below Moderate for alternative options (Table 10), given the mitigation proposed above. Alternative option 4 is the only alternative where species loss can be reduced to a Negligible negative impact, and this is because the north-western corner, despite being in the most sensitive habitat on the property, has been invaded for several decades. By building there, that</p>	<p>This conclusion is acknowledged. The applicant does not dispute that Alternative 4 has botanical advantages. The applicant's case remains that the preferred southern option better balances biodiversity, geotechnical feasibility, layout practicality and reduced direct intrusion into the northern Sand Fynbos areas.</p>

established invasive stand will be vanquished, and incentive to clear the remaining Knysna Sand Fynbos is also likely.	
These findings and recommendations were not carried through into the DBAR, and contradict that stated by Eco Route. Ms. B. Fouché is a Candidate Botanical Scientist (Registration No: 141757) registered with the South African Council for Natural Scientific Professions (SACNASP), the report was reviewed by Dr. J. Dabrowski, who is Aquatic and Ecological SACNASP registered (Registration No. 115166).	The comment is noted. The specialist credentials are acknowledged. The difference between the specialist preference and the EAP's integrated preferred alternative is recognised and is not denied.
The report followed the: (1) Protocol for the specialist assessment and minimum report content requirements for environmental impacts on terrestrial plant species (28 July 2023); and (2) the protocol for the specialist assessment and minimum report content requirements for environmental impacts on terrestrial biodiversity (20 March 2020).	Noted.
A second specialist study, Terrestrial Animal Species SSVR and Impact Assessment, Confluent Environmental Pty (Ltd), Ms. M. Leitner (SACNASP Ref. No. 166055), February 2024 further concludes:	Noted.
It is however noted that construction of the dwelling in the north rather than the south would have the lowest impact given that it is located in lower sensitivity habitat, and would not require the additional road (A possible Alternative SDP which would have the lowest impact of all). Consideration should also be given to the swimming pool proposed for the southern dwelling regarding the source of the water, whether it is chlorinated, and the	This comment is acknowledged. The northern alternative is recognised as attractive from an access and road-avoidance perspective. The EAP's preference for the southern option nonetheless remains based on the overall integrated balance of constraints. The concern regarding the swimming pool and water source is accepted and supports the need for a controlled water supply strategy, with rainwater harvesting remaining primary.
A third specialist analysis by Dr. C. Ebersohn, Vegetation Sensitivity Analysis April 2017 (undertaken 8 years ago), and although the author is recognised as knowledgeable, the author does not appear to be SACNASP registered, nor were the required specialist protocols followed.	SANParks' concern regarding the status of the older 2017 vegetation analysis is noted. The current application has, however, also been informed by the more recent Confluent specialist work, which forms part of the completed specialist record.
SANParks queries whether the Environmental Screening Tool suggested for a Visual Impact Assessment to be undertaken. Visual impacts have not	This concern is valid and is acknowledged. The applicant's position is that the dwelling has been designed to visually recede into the landscape through

<p>been addressed adequately. The property is visible from tourist view points along CR Swart Road, and other areas.</p>	<p>low profile form and non-reflective materials, but SANParks is correct that the visual issue remains important given the scenic setting.</p>
<p>Point 2: Development on the Foredunes and within a Coastal Risk Area Coastal Protection Zone The CPZ is defined in Section 16 of the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008) (NEM: ICMA). The Western Cape DEA&amp;DPs, "Western Cape Provincial Coastal Management Programme 2022 – 2027", further summarises aspects of the CPZ as follows.</p>	<p>Noted.</p>
<p>Uitzicht 216, Portion 76 falls entirely in the CPZ (Fig 2), therefore careful environmentally sensitive decision-making must be made for any proposed development on this property.</p>	<p>Accepted. The CPZ context is fully acknowledged and is one of the central reasons the proposal has been reduced and tightly defined.</p>
<p>As the property falls within the 1km high-water-mark, this has further implications for agricultural worker accommodation, in terms of the Knysna Municipality: Zoning Scheme By-law, 29 June 2020:</p>	<p>Noted.</p>
<p>"agricultural worker accommodation" Land use description: "agricultural worker accommodation" means accommodation provided for bona fide agricultural workers, including accommodation for labourers and farm managers, as determined by the Municipality based on the extent of the bona fide agricultural activities on the land unit. Development parameters: The development parameters applicable to "agriculture" apply with the following additional development parameters: (a) the number of units must be reasonably connected to the bona fide agricultural activities on the land unit; and (b) no agricultural worker accommodation may be erected within 1 km of the high-water mark of the sea or a tidal river. Approval of any future second dwelling for a farm manager must be attained from the Knysna Municipality, via a Land Use Application process.</p>	<p>This is acknowledged. The current preferred proposal is for a single primary dwelling. Any future second dwelling or worker accommodation would require separate land use consideration and does not form part of the current preferred application.</p>
<p>Garden Route National Park Coastal Management Line The Coastal Management Line for the Garden Route National Park was established in GNR No. 3668, 14 July 2023, in terms of NEM: ICMA. Section 4 describes development risk management measures applicable for new infrastructure seaward of the CML and existing infrastructure in areas at risk to dynamic coastal process. The new and existing infrastructure that</p>	<p>Noted. The influence of the CML on the southern portion of the property is accepted as part of the coastal risk and planning context.</p>

<p>several properties which border Portion 76, are Contract National Park committed properties, which will legally be declared as part of the park. The CML extends for between 70 to 100m in places into the lower southern section of Portion 76.</p>	
<p>Knysna Protected Environment Development Control Area SANParks is responsible for the Proper Administration of the Knysna Protected Environment (KPE) (GN 1175 of 2009) Regulations, and for the authorisation of any development (as defined in the Regulations) in the DCA, as per Section 8. The KPE DCA extends 50m from the high-water mark into Portion 76 (Fig 2), and as such SANParks authorisation is required for any development to proceed in this area. As per Section 9 and 10 of the KPE Regulations SANParks may request additional studies to be undertaken, should it be deemed that these are required.</p>	<p>This is acknowledged. SANParks' role under the KPE regulations is accepted.</p>
<p>Dune Stability, Coastal Erosion &amp; Climate Change Resilience SANParks does not support any development and infrastructure on the two foredunes situated in the southern section of Portion 76. The stability of the foredunes is a concern. Dune slumping on the seaward foredune of Portion 72 has recently occurred (2023 – 2024) (Fig. 13), and blowouts are evident on Portion 73 and 74 (Fig. 14). These dune areas could be deemed littoral active zones, being unstable and dynamic because of natural processes. Conserving the seaward foredune and ensuring that it remains free from development is a necessary climate change resilience strategy. Any development on this active foredune would be at risk as coastal erosion impacts intensify in the future with climate change. It would be difficult to defend such development from coastal erosion, given the unstable steep dune slopes, erodibility, and slumping potential. The effects of climate change are already being experienced along this stretch of coast (Fig. 15).</p>	<p>This is a major concern and is acknowledged in full. The applicant's position remains that the selected footprint is not located within the most unstable active erosion zone and that the seaward dune system in front of the development is to remain undisturbed. Even so, SANParks' climate resilience objection is material and stands as one of the strongest authority objections to the southern option.</p>
<p>Point 3: Infrastructure Water Should the landowner require borehole water the following should be noted:</p>	<p>Noted.</p>
<p>In terms of the National Water Act, 1998 (Act No. 36 of 1998), Revision of General Authorisations for the Taking and Storing of Water, GNR No 40243, 2 September 2016, Section 2.3; a Water Use License (WUL) may be required</p>	<p>Accepted. If a WUL is required, the applicant must comply.</p>

<p>due to the property being situated within 500m from the high-water mark of the ocean.</p>	
<p>Section 2.3 states the following exclusions from General Authorisations: 2.3. geographical area and water resources to which the authorisation applies Except where stated differently in the notice this authorisation applies to all land and all water resources in South Africa, subject to the following exclusions:</p> <ol style="list-style-type: none"> <li>1. No water that is taken in terms of this authorisation may be taken within a 500 metre radius from the boundary (delineated edge) of a wetland, pan or estuary.</li> <li>2. No groundwater that is taken in terms of this authorisation may be taken within a 500 metre radius from the boundary of a wetland or estuary, within a 100 metre radius from the delineated riparian edge of a water course or a state dam, within a 500 metre radius of a state dam wall or within 500 metres from the high-water mark of the ocean. Further a WUL may be required, if water demand for the primary supply is &gt;1kl/day/ha (&gt;1kl/day/ha which is permitted for general usage). Confirmation from the relevant Competent Authority should be sought.</li> </ol>	<p>Noted. The applicant accepts that confirmation must be obtained from the relevant competent authority and that lawful water use compliance is required.</p>
<p>Sewerage SANParks is not in support of septic tanks. Cleaner environmentally friendly options should be investigated.</p>	<p>SANParks' position is acknowledged. In the absence of municipal sewer, the applicant's case remains that a properly designed and correctly sited on-site system is the only practical servicing option.</p>
<p>Electricity SANParks supports the use of solar panels, however these should be positioned so as not to face east/ west to minimise glare and reflections. Similarly glare from windows should be minimised.</p>	<p>Accepted. These are reasonable design controls and can be incorporated into the final building design.</p>
<p>Point 4: Alien Invasive Species and Fire Management The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on their property. SANParks requests sight of the required Invasive Species Control Plan (ISCP), and clarity on whether this has been submitted to and approved by the Department of Forestry</p>	<p>This is acknowledged. Alien invasive management is a legal and environmental obligation and should form part of the operational management of the property.</p>

<p>Fisheries and the Environment (DFFE). SANParks seeks confirmation on whether alien clearing if any has occurred on the property.</p>	
<p>Compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. SANParks requires clarity on whether the landowner is a member of the Southern Cape Fire Protection Association (SCFPA), and whether the necessary legally required firebreaks, agreements and/or exemptions are in place.</p>	<p>Accepted. Compliance with the fire legislation is required and is not disputed.</p>
<p>SANParks stands firm on previous comments made regarding fire.</p>	<p>Noted.</p>
<ul style="list-style-type: none"> <li>• Fire management.</li> </ul> <p>The landowners are members of the Southern Cape FPA. It is possible to make fire breaks to protect infrastructure at the landowner's preferred location for the main house. However, Kerk Laan could act as a firebreak if it is widened and slashed. In a case of emergency, it would be less risky to evacuate people from Kerk Laan than in a fynbos corridor with tricky access for fire trucks. The Campbell road and the new section of road that would need to be constructed from Campbell road to preferred site would not be ideal roads for the Knysna Fire Department as their trucks would struggle to gain access easily to the house. However, Kerk Laan would be a much easier access point for fire trucks and this should be considered for fire safety in this fire-prone area. Conducting an ecological burn in future will also be more risky with infrastructure developed in the fire path. The June 2017 fire and the ecological burn executed on 15 May 2017, that slowed the fire down dramatically before it reached Brenton, is still fresh in our memories. A functional Fire Management Unit in the Knysna Sand Fynbos will be desirable as there will be future fires.</p>	<p>This concern is acknowledged in full. Fire access, emergency evacuation, ecological burn implications and long-term fire management are all valid operational considerations associated with the chosen site.</p>
<p>Point 5: Conservation Stewardship Portion 76 of Uitzicht 216 falls within SANParks' protected area expansion footprint and Land Inclusion Plan for the GRNP. The property is within the Western Heads Knysna Sand Fynbos Coastal Corridor, which is the subject of a collaborative conservation initiative being supported by SANParks, CapeNature, Knysna Municipality, the Table Mountain Fund, WWF, the Western Heads Goukamma</p>	<p>The conservation value of the property and SANParks' stewardship invitation are acknowledged. Stewardship remains a positive potential future path for the property, but does not replace the need to assess the present residential application on its own merits.</p>

<p>Conservancy (WHGC), and landowners. Due to the extremely high conservation value of this corridor, and the threatened loss of the last remaining Critically Endangered Knysna Sand Fynbos, WWF purchased three properties which SANParks manages (Portions 71, 72 and 40) (Fig. 16). Several other landowners have committed their properties to Contract National Park (CNP) conservation stewardship and these are in various stages of the commitment process (Fig. 16). Portion 76 qualifies as a SANParks CNP property (top-tier). The landowner is welcome to have discussions with SANParks on CNP stewardship options and financial incentives available. The following documents would require signing: (1) a Written Agreement in terms of Section 20(3) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (NEM:PAA); (2) a Co-management Agreement in terms of Section 42 of NEM:PAA; (3) a Property Operational Plan; and (4) with a GRNP Declaration process to follow. A component of this process is the drafting of a Zonation Plan, based on park zonation principals, as the property is eventually declared as part of the park. The Zonation Plan sets out which portions of the property may be developed, and what activities may take place in the various areas of the property.</p>	
<p>SANParks' position for properties situated seaward of Church Street is to allow only a development area situated directly adjacent to Church Street, in which a primary dwelling is permitted, and if approved by the Knysna Municipality, a second managers house may be permitted, however this must be placed in this same development area. No development is supported lower down the property, and on the foredunes, and no roads may be constructed through the property to the foredunes. Approved hiking paths, a beach access path, and a small sea viewing deck of approximately 25m<sup>2</sup> maximum may be permitted. An example of a Zonation Plan, which was prepared for the previous landowner of Portion 75 Uitzicht 216 is as follows:</p>	<p>SANParks' policy position is noted in full. The applicant and EAP differ from this position in relation to the preferred site location, but the policy preference for a Church Street node is clearly recorded.</p>
<p>SANParks supports a clustered layout approach for dwelling/s and infrastructure placement. A diffuse layout approach that fragments the landscape is not supported. This approach is applied throughout the corridor. The only exception to this position, is Portion 39, which has a road</p>	<p>This is acknowledged. SANParks' corridor-wide approach to clustering and landscape character retention is clear. The applicant's case is that the current reduced southern proposal, although not aligned with SANParks' preferred clustering philosophy, remains capable of consideration because</p>

<p>constructed across the foredunes and a dwelling situated behind the seaward foredune. It must however be noted that Portion 39 has been owned by the same landowners since 1972, and the road was formalised from 1980 to 1990, and the dwelling was pre-existing, prior to the EIA Regulations, which were enacted in 1997. The dwelling burnt down in the 2017 fires and municipal approval was attained to re-build it. SANParks will not support any new developments of this nature in the corridor. SANParks' position is not only based on the need to prevent landscape fragmentation and to retain landscape character, tranquillity and a sense of place across the conservation corridor.</p>	<p>of the specific trade-off between northern vegetation sensitivity and southern feasibility.</p>
<p>Therefore, based on the above, SANParks does not support the Preferred Alternative. SANParks does not support the construction of a road across the foredunes and the construction of a house on the foredunes. Further, the disturbance/ building footprint areas suggested (main dwelling approx. 2500m<sup>2</sup>, and road approx. 4565m<sup>2</sup>, total 7065m<sup>2</sup>) are excessive and underestimated. It is unclear if this refers to a building or disturbance footprint. No area calculations have been provided for embankments, water tanks, garages, storage areas, vegetable gardens etc. The road will be constructed across steep, erodible slopes.</p>	<p>This objection is acknowledged in full. SANParks' concern regarding the extent and clarity of the disturbance footprint is valid. The applicant's position remains that the current proposal is materially reduced from earlier concepts and that the transformed area remains small relative to the total property. Even so, SANParks' concern regarding footprint clarity and the residual impact of the road is accepted as a substantive issue.</p>
<p>SANParks will only support a dwelling close to Church Street, in the north-western section of the property. Avoiding and minimising the environmental impact in this way would also be aligned with the national environmental management principles (section 2(4) of the National Environmental Management Act, 1998), which provide, amongst other things, that –</p> <ul style="list-style-type: none"> <li>• That the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot altogether be avoided, are minimised and remedied; and</li> <li>• Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure.</li> </ul>	<p>The principle is acknowledged. The difference between SANParks and the applicant is not whether these principles apply, but which limited siting option better satisfies them when the northern Critically Endangered vegetation and southern feasibility constraints are weighed together.</p>

Point 6: Summary and Way Forward In summary,

SANParks does not support the Preferred Alternative, which includes the construction of a dwelling on the foredune in the southern sector, and a road leading from Church Street over the length of the property and foredune to the dwelling. This will result in the destruction and loss of critically endangered vegetation and will set a dangerous precedent for the area. Sea views gained by landowners do not warrant such a loss, particularly when other alternatives are available, which allow primary rights.

SANParks will support a small disturbance area directly adjacent to Church Street, with road access direct from the existing Church Street Road servitude. This is in line with SANParks position for other proposed developments along Church Street, where some level disturbance is permitted to CNP committed properties.

The southern section of Portion 76 is considered highly sensitive: the CML extends some 70 to 100m in; the high-watermark adjoins the southern property boundary; dune stability, coastal erosion, and climate change resilience are concerns; the property in its entirety falls within the CPZ; and the KPE Development Control Area extends 50m into the property.

Authorisation of any development in the Development Control Area is required from SANParks as per Section 8 of the KPE Regulations. Specialist studies undertaken by Confluent Environmental Pty (Ltd) similarly did not support the Preferred Alternative of a dwelling on the southern sector of the property on the foredune and a road leading over the dune to the dwelling. An Alternative 4 was supported (One dwelling in the north-western corner of the property), with an Alternative 1 (One dwelling and new access road) and Alternative 3 (Two dwellings and new access road) noted as likely triggering Offsets due to residual impacts that can't be reduced with mitigation proposed in their report.

SANParks' summary objection, preferred alternative, and recommended conditions are acknowledged in full. The applicant and EAP maintain that the current reduced proposal remains capable of consideration because it avoids the more sensitive northern Knysna Sand Fynbos, confines transformation to a small portion of the property, and is based on the integrated reading of specialist studies rather than a single-issue assessment. At the same time, many of SANParks' recommended management measures are reasonable and supported in principle, including no-go demarcation, alien control, plant rescue, topsoil re-use, fire compliance, protected tree permitting, wildlife-friendly fencing, ECO oversight and heritage chance-find procedure. The main issue of disagreement remains SANParks' view that only a north-western / Church Street node is acceptable, whereas the applicant maintains that the reduced southern option better balances biodiversity avoidance, feasibility and the exercise of lawful primary development rights.

The sensitivity of the southern section is acknowledged and is not disputed. It is accepted that the property falls within a constrained coastal and conservation context, including the CPZ, the influence of the CML, and the KPE Development Control Area. It is further acknowledged that SANParks authorisation is required where applicable in terms of the KPE Regulations. The applicant's position, however, remains that the preferred alternative was identified through an integrated assessment of all specialist inputs, rather than on a single specialist preference only. While Confluent Environmental supported Alternative 4 from a biodiversity perspective, the final preferred layout took into account the direct presence of more sensitive and intact Critically Endangered Knysna Sand Fynbos in the northern portion, together with geotechnical feasibility, overall constructability, and the objective of limiting direct impact on the northern habitat. The selected southern footprint is therefore motivated not on the basis that the area is low sensitivity, but on the basis that it was considered the more feasible option when all site constraints were read together. The proposal is also materially reduced from

These findings and recommendations were not carried through into the DBAR, and contradict findings stated by Eco Route. SANParks does not support septic tanks; and solar panels and windows must be positioned to reduce glare. SANParks questions whether a Visual Impact Assessment should be undertaken.

earlier concepts, limited to a single dwelling, and intended to retain the vast majority of the property in its natural state.

The comment is noted. The DBAR does not disregard the specialist findings; rather, the EAP undertook an integrated assessment in which all specialist inputs, site constraints, engineering feasibility, environmental sensitivity, and planning considerations were considered collectively in the alternatives assessment. While the botanical specialist indicated a preference for Alternative 4 from a vegetation perspective, the final preferred alternative reflects a balanced assessment across all disciplines, including geotechnical constraints, access feasibility, visual integration, services provision, and the objective of limiting the overall development footprint to a very small portion of the property. The preferred alternative has been significantly reduced from the original proposal and now comprises a single dwelling with a limited disturbance footprint, thereby reducing overall environmental impact. With regard to wastewater management, the property is not serviced by municipal sewer infrastructure, and on-site sanitation is therefore required. A septic tank and soakaway system is a standard and widely accepted solution for low-density rural residential development and will be designed and located in accordance with the geotechnical recommendations to ensure that there is no risk of groundwater contamination. Alternative on-site systems can be considered at detailed design stage should the competent authority require a different system. With regard to glare, it is accepted that solar panels, glazing and external materials must be specified to minimise reflectivity. The dwelling is proposed as a low-profile structure using non-reflective, earth-toned materials to reduce both visual and glare impacts. In terms of visual impact, the development is a single dwelling with a low height profile and muted materials, and the visual specialist input and landscape assessment undertaken for the site indicate that visual impacts can be mitigated through appropriate design, siting and landscaping. The scale and nature of the proposed development is consistent with a low-density rural residential use and does not constitute a visually dominant or intrusive development in the broader landscape.

<p>It is recommended that the following conditions are considered, in conjunction with authorisation of a main dwelling next to Church Street in the north-western sector of the property, with road access directly from the existing Church Street Road servitude:</p> <ol style="list-style-type: none"> <li>1. The landowner should commit the remaining portion of the property to a biodiversity conservation stewardship mechanism, which should comprise of: <ol style="list-style-type: none"> <li>1.1. A SANParks NEM:PAA CNP stewardship agreement for a 99-year period. The stewardship process should be concluded through the signing of the following: (1) a Written Agreement in terms of Section 20(3) of NEM:PAA; (2) a Co-management Agreement in terms of Section 42 of NEM:PAA; (3) a Property Operational Plan; and (4) with a GRNP Declaration process to follow.</li> <li>1.2. It is recommended that a voluntary title deed restriction is registered against the property (i.e., via a Notarial Deed). This will ensure that the conservation status of the property is transferred to any new owner on the sale of a property.</li> <li>1.3. These actions should occur prior to any construction activities being permitted to take place on the property.</li> </ol> </li> <li>2. The property should be rezoned to Open Space III or IV.</li> <li>3. Fencing must not inhibit wildlife movement.</li> <li>4. An Environmental Management Programme (EMPr) must be implemented and monitored by an Environmental Control Officer (ECO). The EMPr must be finalised based on any Environmental Authorisation (EA) outcomes/ conditions.</li> <li>5. The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on</li> </ol>	<p>Noted.</p>
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their property. The owner should formalise an Invasive Alien Vegetation Control Plan as required by the NEM:BA.

6. Compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. The owner should join the local Fire Protection Association, if not already a member. The owner should consider using non-flammable building materials, including external fittings such as aluminium gutters, and should consider an irrigation system to mitigate fire risk.
7. A permit from the Department of Forestry, Fisheries & the Environment (DFFE) must be attained should any protected tree species be disturbed on the property, as per the National Forests Act (Act 84 of 1998), as amended.
8. Should any resources of suspected heritage value be uncovered during clearing, Heritage Western Cape (HWC) must be contacted immediately for instructions.
9. The disturbance footprint/ no-go areas should be fenced off during the construction phase with a barrier material, such as shade cloth to prevent workers from encroaching into adjacent vegetation, and to ensure that animals are not injured on the building site.
10. An indigenous plant rescue operation should be conducted prior to site clearance.
11. Topsoil should be set-aside for reuse.
12. Confirmation is required from the relevant Competent Authorities (BOCMA) on the need for a WUL. Due to the property being situated within 500m of the high-water mark of the ocean.

**Breda Lombard Town Planners – on behalf of Belvidere Homeowners Association (BHOA)**  
**Letter dated 5 December 2025**

Comment	Response
1. We refer to the attached notice in respect of the public participation process. The closing date for comments / objections is 11 December 2025.	The comment is noted. The public participation process was conducted in accordance with the requirements of the NEMA EIA Regulations (2014, as amended), and the closing date for the comment period was confirmed as 11 December 2025.
2. We represent the Belvidere Homeowners Association (BHOA).	The Belvidere Homeowners Association has been registered as an Interested and Affected Party and their comments have been captured in the Comments and Response Report.
3. Belvidere Estate is located within the demarcated boundaries of the Western Heads / Goukamma Conservancy.	Noted. The conservancy status of the surrounding area is acknowledged in the BAR and associated specialist reports. Environmental sensitivities have been considered through specialist assessments and site planning to ensure that development occurs within the least sensitive portion of the property.
4. The application site is also located within the Western Heads / Goukamma Conservancy.	Noted. The ecological importance of the broader conservancy area has been considered in the environmental assessment. The proposed development footprint has been limited to the designated disturbance area identified through specialist studies in order to minimise impacts on the surrounding environment.
5.1 The site is located in an area demarcated as a critical "biodiversity area".	The site falls within a Critical Biodiversity Area according to the regional biodiversity planning tools. This has been confirmed through specialist biodiversity assessments which informed the site sensitivity verification. The development footprint has therefore been restricted to the least sensitive portion of the property and designed to minimise disturbance to surrounding natural habitat.
5.2 The development potential of the site is therefore extremely limited.	The environmental sensitivity of the site is acknowledged. The proposed development has been carefully designed and located based on the outcomes of specialist investigations, including geotechnical and biodiversity studies, to ensure that the development occurs within the most feasible and least sensitive area of the property.

5.3 The “farming” potential of the site is even more restricted and limited.	The property is not proposed to be developed for intensive agricultural purposes. The application relates to the construction of a residential dwelling and associated infrastructure. The land capability and environmental constraints of the site have been taken into account in determining the scale and location of the proposed development.
5.4 The application proposes the construction of two dwellings – a main house and a farm manager’s cottage.	The application relates to the development of a primary residential dwelling. Any reference to additional structures in earlier conceptual layouts has been clarified in the updated BAR. The proposed development footprint and layout are clearly illustrated in the final site layout plans.
5.5 The proposal of a main house and a farm manager’s cottage is misleading and an attempt to create the impression that “farming activities” will require accommodation for a “farm manager”.	The comment is noted. The application is for a residential dwelling and associated infrastructure. The environmental assessment evaluates the development proposal as submitted and the scale of development has been kept consistent with residential land use rights applicable to the property.
5.6 The BHOA objects to the attempt to create two “separate” dwellings on the site.	The concerns raised are acknowledged. The final development proposal and associated environmental assessment documentation clearly define the nature and extent of the development being applied for.
5.7 We acknowledge the fact that a main and a second dwelling can be permitted on the site in terms of the applicable zoning.	Noted. The applicable zoning provisions allow for residential development in accordance with municipal planning regulations. The environmental assessment process evaluates the environmental implications of the proposed development within the applicable land-use framework.
5.8 The site is furthermore subject to a very specific “disturbance area” where structures must be located.	Correct. Specialist assessments have identified a designated disturbance area within which development should be located. The proposed dwelling has been positioned within this disturbance area in order to minimise environmental impacts.
5.9 Both the dwellings must be located in the “disturbance area”.	The proposed development footprint is located within the disturbance area identified through specialist investigations and geotechnical analysis.
5.10 No structures should be allowed on the primary dune facing the Buffalo Bay / Brenton Beach.	No development is proposed on the primary dune system. The dwelling footprint is located landward of the dune system and outside areas identified as being susceptible to coastal erosion or dune instability.

5.11 A substantial six-bedroom "lodge" is proposed on the primary dune.	The comment is noted; however, the development footprint assessed in the Basic Assessment Report is located outside the primary dune system and within the identified disturbance area. The design and placement of the dwelling have been informed by specialist studies to ensure that sensitive dune systems remain undisturbed.
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Tanja Meyburgh – November/December 2025	
Comment	Response
The property is located within the expansion footprint of the Garden Route National Park and functions as an ecological corridor and buffer.	The comment is acknowledged. The protected area expansion and corridor function have been recognised and considered in the BAR and specialist studies.
Development within this area may compromise biodiversity and ecological connectivity.	The concern is noted. The potential impacts on biodiversity and ecological connectivity have been assessed and remain key considerations.
The proposed development footprint and associated infrastructure may result in unacceptable environmental impacts.	The objection is acknowledged. The significance of impacts has been assessed, and mitigation measures have been proposed; however, these concerns are recognised as material to the decision-making process.
The proposal is not supported from a conservation planning perspective.	The objection is noted. The DFFE Protected Areas position will be considered together with all other authority comments in the final assessment.
<p data-bbox="91 1002 1070 1121"><b>Re: Objection to the Proposed Development of Portion 76 (A Portion of Portion 54) of Farm 216 Uitzicht, Knysna, Western Cape. As set out in the Draft Basic Assessment Report by Eco Route.</b></p> <p data-bbox="91 1121 1070 1420">I hereby object to the proposed development and support the objections submitted by the Western Heads Gougamma Conservancy and SANParks in this regard. I am owner of the portion 74 and 75 Uitsicht which I bought with the sole intention to help save this sensitive area for his environmental value and as a natural ecologically pristine area for generations to come. Portion 76 falls within an exceptionally sensitive biodiversity area as per SANBI Biodiversity classification, and is a core conservation area. I share a</p>	<p data-bbox="1070 1002 2103 1420">The objection and background information are noted. The environmental sensitivity of the property and the broader conservation context have been acknowledged in the Draft Basic Assessment Report (DBAR) and specialist studies. The application is for a single dwelling exercising primary land use rights, and the development footprint has been significantly reduced in scale and carefully positioned based on specialist input and site constraints. The majority of the property will remain in a natural state and mitigation measures</p>

boundary with portion Uitsicht portion 75 and both the portions 74 and 75 look directly onto the dunes where the intended development is proposed. We also share an access road which runs on the Northern boundary of both my properties. Portion 74 and 75 are already committed to be included into SANparks due to their important conservation value.

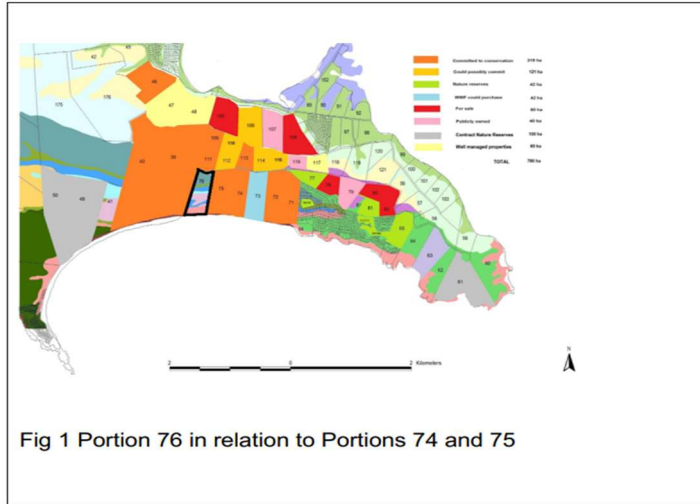


Fig 1 Portion 76 in relation to Portions 74 and 75

are included in the Environmental Management Programme (EMPr) to minimise ecological disturbance.

**1. Main house:**

The location and size of the footprint of the main dwelling which will be developed in the sensitive dune area. All of the other dwellings in the area are located near the municipal or provincial roads to prevent disturbance of new roads cutting into the landscape creating an even larger footprint of disturbance. All the dwellings in the area are on much smaller footprints and the suggested footprint for those in SANparks is a maximum of 300m<sup>2</sup>, which is what most properties will adhere to. There are no other buildings on the beachfront in the area, which means that this house would not only ruin the existing aesthetics of this important Tourist and ecological attraction, but will set a precedent for future development which will have devastating effects on the ecology of the dune. SANparks has suggested an alternative location of a residence in the Northern Boundary which minimises the footprint, does not disrupt the connectivity of the ecological corridor, and minimises the aesthetic impact of the road and dwelling in a pristine wilderness landscape. The

The comment is noted. The proposed dwelling has been reduced in size from the originally proposed 3000 m<sup>2</sup> to approximately 1000 m<sup>2</sup> (including verandas and garage), and the total disturbance footprint is limited to approximately 0.25 ha. The application is strictly for a single residential dwelling and not for commercial use. Any future change in land use would require a separate land use application and environmental process, if applicable. The location of the dwelling was determined through an alternatives assessment and specialist input, taking into account environmental, geotechnical, access and services constraints. Mitigation measures are included to minimise visual and ecological impacts.

<p>size and layout of this house is furthermore not in line with a domestic dwelling and I have concerns that this will be used or applied for commercial use in future. Commercial use would mean increased traffic and pollution for the whole area as access runs through the middle of all the portions.</p>	
<p><b>2. Internal Road:</b></p> <p>the footprint and disturbance to the fynbos is increased by locating the dwelling site on the dunes. This can be mitigated by building the dwelling closer to existing roads. This road will require excavations due to the steep descent of the land which will be an eyesore and disturb the landscape and ecology. The report does not adequately represent the impact of this road.</p>	<p>The comment is noted. The internal access road has been assessed as part of the DBAR and specialist studies. The road will be designed to follow natural contours as far as possible to minimise cut and fill, vegetation clearance and visual impact. The road width will be kept to a minimum and disturbed areas will be rehabilitated after construction. These mitigation measures are included in the EMPr.</p>
<p><b>3. Access road:</b></p> <p>the access road to portion 76 runs along the northern boundary of both portion 74 and 75. It is a road that has not been reinforced and is a dust farm road which will not tolerate large trucks or large building machinery. I anticipate damage to the integrity of my northern borders as well as those of my neighbours, with the number and type of vehicles that will be needed to access a development of this size. Nothing is mentioned of who will be responsible for the maintenance and repair of this road and how damage will be minimised. Furthermore, there are no overtaking or turning points for vehicles on this road, and this can only be achieved through encroaching on other properties such as mine at portion 74 and 75 and the neighbours.</p>	<p>The comment is noted. Construction traffic will be managed and limited as far as possible. Any damage to existing access roads caused by construction vehicles will be repaired by the applicant after construction. Construction Environmental Management measures will include traffic management, access control, and limitations on construction vehicle size where possible. No encroachment onto neighbouring properties will be permitted without landowner consent.</p>
<p><b>4. Ecology:</b></p> <p>no mention has been made of the surrounding areas, the plan already in place to create an ecological corridor along these properties or any of the context of this development. The impact on the surrounding area is massive both in noise, light, sound pollution of a natural conservation environment, and disturbance to the ecological corridor and movement of critical species and animals in the area. This property and its</p>	<p>The comment is noted. The broader ecological corridor and surrounding conservation areas were considered in the biodiversity specialist studies and the DBAR. The development footprint is small relative to the property size and mitigation measures such as limited lighting, indigenous landscaping, construction controls, and rehabilitation are included in the EMPr to minimise ecological disturbance, noise and visual impacts.</p>

<p>development does not exist in isolation of the larger landscape and development plan.</p>	
<p><b>5. Aesthetics:</b></p> <p>This is a false statement in the BAR page 100: <i>“As is evident portion 76/216 is only barely visible in the distance from the road leading to and from Brenton-on-Sea. Consequently, the proposed development will have no visual impact on the aesthetic value of the affected area. On heritage grounds, due to the entire absence of heritage resources or themes in and around 76/216, the proposed development will have negligible to no impact on the visual or aesthetic heritage value of the area.”</i></p> <p>This is an image taken from the main road viewpoint from Belvedere to Brenton (mentioned in the above statement) with the Dune of the proposed site and how it fits into the area on the left of the image. Currently there is no development along this beach from Brenton on Sea up to Buffels Bay village. The proposed development on the dune on Portion 76 is visible and aesthetically devastating to both portion 74 and 75's proposed residence sites on the northern boundaries as well as many other properties in the area, including the ones above me and public access areas such as this viewpoint and beach.</p>	<p>The comment is noted. Visual impacts were considered as part of the environmental assessment. The dwelling has been designed as a low-profile structure using natural colours and non-reflective materials to blend with the surrounding landscape. Landscaping with indigenous vegetation will further reduce visual impact over time. The visual impact is therefore expected to be localised and mitigated through design and landscaping measures.</p>



I do not dispute the owner's primary land use right to a residence, however object to the proposed site location of the main residence, the proposed residence size and the proposed internal road (due to site selection on the dune). The objections are based primarily on the level of biodiversity loss, ecosystem fragmentation and aesthetic impact that can be avoided.

The objection is noted. The concerns raised regarding biodiversity, ecosystem fragmentation and visual impact have been considered in the DBAR and specialist studies. The proposed development footprint has been reduced and mitigation measures have been included to minimise environmental impacts. The competent authority will consider all comments received, the specialist studies, and the mitigation measures in making a decision on the application.

**Buffelsbaai Inwonersvereniging (BIV)**

Comment	Response
<p>Dear Bianca</p> <p>Portion 76 of the farm Uitzicht, Knysna, Western Cape.</p> <p>We as Buffelsbaai Inwonersvereniging would like to commit and reiterate that we do not support development of Portion 76 of the farm Uitzicht. We stand by our petition against any form of development on the above-mentioned property. Attached, please find a document previously submitted.</p>	<p>The objection is noted. The continued opposition by the Buffelsbaai Inwonersvereniging and reference to their petition is acknowledged and forms part of the public participation record. The concerns raised are considered together with all other authority and I&amp;AP comments in the environmental assessment process.</p>
<p><b>Draft Basic Assessment Report - The Proposed Development on Portion 76 (A Portion of Portion 54) of Farm 216 Uitzicht, Knysna, Western Cape   Eco Route Reference: DFFE Reference number: 14/12/16/3/3/1/3114 - Portion 76 of the Farm Uitzicht, Knysna, Western Cape</b></p> <p>The WHGC does not dispute the owner's primary land use right to a residence. However, the WHGC object to the illogical selection of the proposed site location as well as the enormous building footprint. The WHGC is extremely concerned about the high environmental impact of the proposed internal road that is required to access the proposed site. The WHGC objections are based primarily due to illogical conclusions in the BAR that result in large &amp; severe biodiversity loss, ecosystem fragmentation and aesthetic/visual impact. Various Stakeholders have pointed out a very feasible and low environmental impact location on the northern boundary; however, this option was not evaluated or presented by the BAR. The WHGC request that the Regulator consider the comprehensiveness of the due process and proposals in the BAR specific to:**</p>	<p>The objection is noted in full. The WHGC's position that the owner's primary right to a residence is not disputed is acknowledged. The DBAR concludes that the preferred alternative represents the most feasible option when biodiversity, geotechnical, access, services, and practical development constraints are assessed together. The proposal has also already been materially reduced from the earlier concept to a single dwelling of approximately 1000 m<sup>2</sup>, with the farm manager's dwelling no longer forming part of the preferred alternative. The development remains subject to strict footprint limitation and environmental controls.</p>
<p>a. The selection of the proposed location of the primary residence and required internal road as it has the highest ecological and aesthetic impact of all the alternatives due to the need for an internal road. The selection of the preferred location is irrational from an environmental impact perspective. It appears that the selection was made based on the</p>	<p>The comment is noted. The preferred location was not selected simply to place the residence as close to the beach as possible. It was identified through the alternatives assessment as the most feasible option when all specialist and technical constraints were considered together. Importantly, the southern option was selected to avoid direct placement of the dwelling</p>

<p>desire of the owner to have the primary residence as close to the beach as possible. This location has the highest biodiversity loss and ecological impact.</p>	<p>within the more sensitive northern Critically Endangered Knysna Sand Fynbos, while the dwelling footprint itself has been significantly reduced. The internal road does introduce a residual impact, but the applicant's position is that the total impact of the reduced southern option remains capable of mitigation and does not outweigh the environmental constraints associated with the northern alternatives.</p>
<p>b. The evaluation of all the "site alternatives" for the primary residence that ignores the proposed "northern border". Also consider that the presented site alternatives are practically identical and does not consider a low ecological impact site alternative(s).</p>	<p>The comment is noted. The alternatives assessment did consider the northern portion of the property, including development options in the north-western area. The final preferred alternative differs from the northern option because the northern portion supports more sensitive and intact Critically Endangered Knysna Sand Fynbos. The EAP's conclusion was therefore not that the northern option was ignored, but that it was not preferred once biodiversity sensitivity, geotechnical considerations, and practical site constraints were assessed together.</p>
<p>c. the large building footprint size of the "residence" that is excessive due to a "spread out design". Considering the proposed residence of &gt;3000sqm is excessive especially bearing in mind the requirement to minimise disturbance in a CBA.</p>	<p>The comment is noted. The currently preferred proposal is no longer a residence of greater than 3000 m<sup>2</sup>. The preferred alternative has been substantially reduced to approximately 1000 m<sup>2</sup>, including covered verandas and integrated garage. This downscaling materially reduces the development footprint and responds directly to the requirement to minimise disturbance within a CBA.</p>
<p>d. The absence of building designs, levels and building aesthetics that are key attributes required for a Visual Impact Assessment. This is compounded by the fact that the proposed location is very visible from various public and tourist locations.</p>	<p>The comment is noted. The DBAR includes a description of the proposed dwelling as a low-profile, single-storey structure with earth-toned, non-reflective materials intended to reduce visual contrast. The concern regarding visibility from public and tourist viewpoints is acknowledged. The applicant's position remains that the scale and design of the proposed dwelling, together with landscaping and siting controls, will reduce visual intrusion; however, the sensitivity of the visual receiving environment is recognised.</p>
<p>e. the large Visual impact that was discounted by the BAR.</p>	<p>The comment is noted. The BAR did not intend to discount visual impact entirely, but rather concluded that the visual impact of the reduced preferred alternative would be localised and capable of mitigation through scale reduction, low-profile design, muted materials, and indigenous landscaping.</p>

	The concern that the visual impact may be greater than initially assessed is acknowledged as a legitimate issue raised by I&APs.
f. the BAR's conclusion of an "ignorable visual impact" of the proposed site relying on a scoping document and without the required Visual Impact Assessment (VIA).	The comment is noted. The visual conclusions in the BAR are based on the available site context, specialist input, and the characteristics of the revised dwelling proposal. The applicant's position remains that the reduced scale and design treatment of the dwelling are intended to minimise visual intrusion. Nevertheless, WHGC's concern regarding the absence of a standalone VIA is acknowledged and the visual sensitivity of the site remains an important consideration for the competent authority.
g. the BAR's illogical conclusion that the proposed location of the primary residence and required road will not set a precedent or change the character of this untouched area. The WHGC point out that the WCSPF guidelines were not considered, and the proposal will result in the first and only primary residence on the primary dune between Brenton and Buffels Bay.	The comment is noted. The concern regarding precedent and character change is acknowledged. The applicant's position is that each application must be assessed on its own merits and based on the specific environmental assessment undertaken for that site. The proposal is for a single dwelling only, with a limited disturbance footprint, and is not an application for broader corridor development. However, the issue of precedent and landscape character is accepted as a material consideration in the decision-making process.
h. to various key specifications and terms that are ambiguous or missing in the BAR and EMPr that could result in an ambiguous EA and Environmental management E.g. building footprint, disturbance footprint, key aesthetic details of the proposed building, internal road exact path and total disturbance footprint, 110kl water storage tanks and supply pipeline disturbance footprints, Septic Tank & Soak away location and footprint, the management (use, removal and storage) of topsoil & subsoil from proposed substantial site and road excavations.	The comment is noted. The applicant accepts that clarity regarding all disturbance-related components is important to ensure enforceable authorisation conditions and practical environmental management. The development proposal is, however, defined as a single dwelling and associated infrastructure within a strictly demarcated footprint, and the EMPr includes controls for excavation, topsoil handling, road construction, services installation, and rehabilitation. These elements form part of the total development footprint and environmental management framework for the proposal.
i. the unquantified "upgrading" of Kerk Laan with high risk of severe environmental impact as it currently is a "low key" road in a CBA1 and conservation area.	The comment is noted. The use of Kerk Laan is based on the existing access servitude and no major public road upgrade forms part of the current application. Should any localised access improvement be required to accommodate construction traffic safely, such works would need to remain as limited as possible and would be subject to environmental controls. The

concern regarding unnecessary widening or environmental degradation of Kerk Laan is acknowledged.

**WWWF – 11 December 2025**

Comment	Response
<p><b>COMMENTS ON DRAFT BASIC ASSESSMENT FOR PROPOSED DEVELOPMENT OF PORTION 76 OF FARM UITZICHT NO 216, KNYSNA, WESTERN CAPE (DFFE Ref: 14/12/16/3/3/1/3114 &amp; 14/12/16/3/3/1/3185)</b></p> <ol style="list-style-type: none"> <li>WWF South Africa (WWF-SA) hereby wish to confirm its registration as an Interested and Affected Party (I&amp;AP) in accordance with the Environmental Impact Assessment (EIA) Regulations of the National Environmental Management Act No. 107 of 1998 (NEMA) for the above-mentioned prospecting application for environmental authorization.</li> <li>WWF-SA has a strong interest in protecting sensitive ecosystems and threatened ecological areas and work closely with conservation partners such as SANParks to ensure the protection of South Africa's unique biodiversity and the critical ecosystem services it provides to all South Africans.</li> <li>In recognition of the critical importance of conserving the unique and highly sensitive biodiversity occurring within the Knysna Sand Fynbos Coastal Corridor, WWF-SA owns several properties that are in the process of being declared part of the Garden Route National Park (GRNP).</li> </ol> <p><b>PROPOSED DEVELOPMENT SITE CONTEXT</b></p> <ol style="list-style-type: none"> <li>Ptn 76 of Farm Uitzicht No 216 is located in the Knysna Sand Fynbos Coastal Corridor, as well as the protected area expansion footprint of</li> </ol>	<p>WWF-SA is hereby registered as an Interested and Affected Party (I&amp;AP) and will be kept informed of the progress of the application. All relevant reports and notifications will be provided in accordance with the EIA Regulations, 2014, as amended.</p> <p>The comment is noted and supported. The environmental sensitivity of the site and surrounding area has been recognised and assessed through specialist studies and the Basic Assessment process. The proposed development footprint has been reduced and located to minimise environmental impact, and mitigation measures have been included in the EMPr to protect biodiversity and ecosystem functioning.</p> <p>The comment is noted. The broader conservation context and the Garden Route National Park expansion initiative are acknowledged in the DBAR and were taken into consideration during the site sensitivity assessment and alternatives assessment.</p> <p>The comment is noted and acknowledged. The DBAR confirms that the property is located within a Critical Biodiversity Area and within a sensitive</p>

<p>the GRNP. This corridor focusses specifically on the conservation of the critically endangered Knysna Sand Fynbos, one of South Africa's most threatened ecosystems, with 83% of its original 15,000 ha already transformed by plantations, agriculture, and urban development.</p> <p>5. For this reason, the entire property is classified as a Critical Biodiversity Area (CBA) in terms of the 2023 Western Cape Biodiversity Spatial Plan (adopted on 13 December 2024, Gazette Extraordinary No. 9017) and National Environmental Management: Protected Areas Act (Act No. 57 of 2003; NEM: PAA).</p> <p>6. The low southern section of the property is traversed by two foredunes that are highly sensitive, dynamic, and inherently unstable systems, continuously shaped by coastal processes such as wind and wave action. These dunes are prone to slumping and blowouts due to their steep slopes (greater than 30%) and highly erodible soils, meaning any disturbance significantly accelerates erosion and destabilization. Importantly, they serve a critical climate change resilience function by acting as natural buffers against storm surges and sea-level rise; disturbing them compromises this protective role and increases long-term risks to infrastructure and ecosystems. Recognizing their ecological importance, these areas are designated as part of the Coastal Protection Zone under the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008), which legally regulates land use adjacent to coastal public property to safeguard vital coastal ecosystems.</p> <p>7. Site visits conducted by SANParks confirmed the sensitivity of the property in terms of the above-mentioned aspects, as well as its excellent ecological condition.</p>	<p>coastal and ecological corridor. The development proposal has therefore been designed as a low-density development with a very limited disturbance footprint to minimise ecological and landscape impacts.</p> <p>The comment is noted and confirmed. The DBAR acknowledges the CBA status and proposes a low-density, biodiversity-sensitive land use with mitigation measures and strict development controls to minimise environmental impact. The majority of the property will remain in a natural state.</p> <p>The comment is noted. The sensitivity of the foredune system and coastal processes has been assessed in the specialist studies, including the geotechnical assessment. Development constraints and mitigation measures have been identified to ensure that development occurs outside the most sensitive and unstable areas as far as practicable, and that dune stability is maintained.</p> <p>The comment is noted and agreed. The ecological sensitivity of the site has been confirmed by specialist studies and is acknowledged in the DBAR. This is the reason why the development footprint is limited and why mitigation and environmental management measures are proposed.</p>
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**COMMENT ON PROPOSED DEVELOPMENT**

8. It is noted that the southern section of the property comprises Least Threatened Goukamma Dune Thicket and the northern section Critically Endangered Knysna Sand Fynbos. The property borders Kerk Laan and includes a previously disturbed area in the northwestern corner, which SANParks has identified as acceptable for development.
9. As noted on page 20 of 173, Section 2(4)(a) of the National Environmental Management Act No. 107 of 1998, NEMA requires that the disturbance of ecosystems and loss of biodiversity be avoided, or where unavoidable, minimized and remedied. In this case, the landowner has the opportunity to completely avoid disturbing a critically endangered vegetation type by building in the disturbed section. However, the landowner and EAP have disregarded this option and instead proposed a “preferred development alternative” that would:
- a. destroy critically endangered vegetation; and
  - b. permanently disturb a highly unstable coastal area prone to erosion.
10. This conclusion is reinforced by the fact that the recommendation of the biodiversity and plant species specialist has been ignored. According to the Specialist Plant Species and Terrestrial Biodiversity Report (dated 22 July 2024), Alternative 4 (one dwelling in the northwestern corner of the property) is the most acceptable layout, while Alternative 1 (preferred by the EAP and landowner) and Alternative 3 would likely trigger offsets due to residual impacts that cannot be mitigated.
11. Furthermore, the proposal disregards the objectives of the 2023 Western Cape Biodiversity Spatial Plan, which seeks to maintain Priority Natural Areas and Critical Biodiversity Areas in a natural or near-natural state, with no further loss of habitat.

The comment is noted and consistent with the findings of the specialist botanical and biodiversity assessments included in the DBAR.

The comment is noted. Alternative locations, including the disturbed area in the north-western portion of the property, were considered as part of the alternatives assessment. The preferred alternative was selected based on an integrated assessment of environmental, engineering, access, services, visual, and geotechnical considerations. The preferred alternative has also been significantly reduced in scale to minimise impacts. Mitigation measures are included in the EMPr to minimise biodiversity impacts and disturbance.

The comment is noted. The botanical specialist findings and recommendations were considered as part of the alternatives assessment; however, the final preferred alternative reflects an integrated environmental assessment considering all specialist inputs and site constraints. Mitigation measures recommended by the specialist have been incorporated into the EMPr and will be implemented.

The comment is noted. The proposed development represents a low-density residential development exercising primary land use rights with a very small disturbance footprint relative to the size of the property. The majority of the property will remain in a natural state and no further subdivision or additional development is proposed.

<p>12. In our view, approving the landowner's preferred alternative would set a dangerous precedent, placing critical ecosystems at risk.</p>	<p>The comment is noted. Each application is assessed on its own merits and based on site-specific environmental assessment, specialist input, and mitigation measures. The proposed development is limited in scale and includes mitigation measures to reduce environmental impact.</p>
<p>13. WWF therefore cannot support the authorisation of the preferred layout alternative proposed by the EAP and landowner and unequivocally endorses the comments submitted by SANParks on 9 December 2025 and the Western Heads Goukamma Conservancy on 10 December 2025.</p>	<p>The comment is noted. The concerns raised by WWF-SA will be considered by the competent authority in their decision-making process. The DBAR provides the environmental assessment, specialist input, and mitigation measures to inform the competent authority's decision.</p>

Western Heads Goukamma Conservancy (WHGC) – 10 December 2025	
Comment	Response
<p><b>Objection 1: Landscape context</b> – The DBAR failed to adequately address the landscape context and incorrectly states that the property does not border a protected area. The property is located within a Critical Biodiversity Area and within the GRNP expansion footprint and Coastal Protection Zone.</p>	<p>The comment is noted. The DBAR acknowledges that Portion 76 is located within a Critical Biodiversity Area, the Coastal Protection Zone, and within the Garden Route National Park expansion and conservation corridor context. The statement in the DBAR refers specifically to the property not being formally declared as a protected area, although it forms part of a broader conservation landscape. The sensitivity of the broader landscape and ecological corridor has been considered in the specialist studies and the impact assessment.</p>
<p><b>Objection 2: Main dwelling footprint</b> – The main dwelling footprint is excessive and spread out, resulting in unnecessary disturbance within a CBA and not consistent with “appropriate scale and form”.</p>	<p>The comment is noted. The originally proposed dwelling footprint of approximately 3000 m<sup>2</sup> has been significantly reduced to approximately 1000 m<sup>2</sup> (including verandas and garage). The disturbance footprint has also been reduced accordingly. The intention is to limit the development footprint as far as practicable while still allowing reasonable use of the property in line with primary rights.</p>
<p><b>Objection 3: Internal road</b> – The internal road will cause significant biodiversity loss, fragmentation of the ecological corridor, erosion risk, visual impact, and long-term ecological impacts.</p>	<p>The comment is noted. The internal road is required to provide access to the proposed dwelling site; however, mitigation measures have been included to minimise impacts, including limiting road width, following natural contours, minimising cut and fill, implementing erosion control, and rehabilitating</p>

	disturbed areas. The road footprint is included in the total disturbance footprint assessed in the DBAR.
<b>Objection 4: Environmental sensitivity</b> – Insufficient emphasis is placed on the environmental sensitivity of the southern section of the site.	The comment is noted. The DBAR and specialist studies confirm that the site has High to Very High biodiversity sensitivity and is located within a CBA. This sensitivity informed the alternatives assessment and the reduction of the development footprint. Mitigation and strict environmental management measures are included in the EMPr.
<b>Objection 5: Exercising primary rights / definition of a dwelling</b> – The proposed dwelling exceeds the definition of a dwelling and is excessive for a property within a CBA.	The comment is noted. The application is for a single residential dwelling exercising primary land use rights. The dwelling has been reduced in size from the previously proposed structure. No commercial use forms part of this application, and any future change in land use would require separate approval from the relevant authorities.
<b>Objection 6: Alternatives</b> – The DBAR should have selected Alternative 4 (northern disturbed area) as it has the lowest environmental impact and does not require an internal road.	The comment is noted. Alternative 4 was assessed as part of the alternatives assessment process. The preferred alternative was selected based on an integrated assessment of environmental sensitivity, geotechnical constraints, access, services, and practical development considerations. While Alternative 4 has certain advantages, it also has constraints, and the final preferred alternative represents the most feasible option when all factors are considered together.
<b>Objection 7: Public Participation Process</b> – The PPP is incomplete and several issues raised by I&APs were marked as “Noted” or “No response”.	The comment is noted. The Comments and Response Report has been expanded and updated to ensure that all comments received from Interested and Affected Parties are captured and responded to in detail.
<b>Objection 8: Visual Impact Assessment</b> – A Visual Impact Assessment (VIA) should have been conducted and visual impacts have been underestimated.	The comment is noted. The visual impact of the proposed development was considered in the DBAR. The dwelling is proposed as a low-profile structure with natural colours and materials to blend into the landscape. Landscaping and rehabilitation will further reduce visual impact over time. The visual impact is expected to be localised.
<b>Objection 9: Boreholes and water pipeline impacts</b> – The impacts of drilling and long water pipelines have not been adequately assessed.	The comment is noted. Water supply will primarily be from rainwater harvesting, with borehole water as a supplementary source if required and subject to approval from the relevant authority. Any pipeline installation will be limited to the minimum required footprint and disturbed areas will be rehabilitated.
<b>Objection 10: Kerk Laan upgrade</b> – Upgrading Kerk Laan may have significant environmental impacts and has not been assessed.	The comment is noted. Access to the property is via an existing servitude road (Kerk Laan). No major road upgrade forms part of this application. Any

	required maintenance or minor improvement to allow safe access would be limited and subject to environmental management measures.
<b>Objection 11: Missing information</b> – The BAR and EMPr lack detail on disturbance footprints, services, road footprint, septic tank, water tanks, and construction impacts.	The comment is noted. The development footprint includes the dwelling, internal access road, and associated services infrastructure. Environmental management measures for construction activities, excavation, topsoil management, stormwater management, and rehabilitation are included in the EMPr and will be implemented during construction.
<b>Objection 12: Lack of Duty of Care / Alien clearing</b> – The applicant has not cleared invasive alien vegetation and is not fulfilling Duty of Care obligations.	The comment is noted. The applicant acknowledges the responsibility in terms of the National Environmental Management: Biodiversity Act (NEM:BA) to control alien invasive vegetation. An Alien Invasive Vegetation Management Plan will be implemented as part of the Environmental Management Programme (EMPr).
<b>Conclusion: WHGC objects to the preferred alternative due to biodiversity loss, ecosystem fragmentation, and visual impact, and requests that the northern alternative be considered.</b>	The objection is noted. The DBAR includes an alternatives assessment and specialist input to inform the decision-making process. The proposed development footprint has been reduced and mitigation measures have been included to minimise environmental impacts. The competent authority will consider all comments received, the specialist studies, and the mitigation measures in making a decision on the application.

**The Department of Forestry, Fisheries, and the Environment (DFFE);  
Branch Oceans & Coasts (O&C) - 15 & 17 December 2025**

Comment	Response
<p><b>COMMENTS ON THE PROPOSED DEVELOPMENT OF A RESIDENTIAL DWELLING ON PORTION 76 OF THE FARM 216 UITICHT, KNYSNA, WESTERN CAPE.</b></p> <p>The Department of Forestry, Fisheries, and the Environment (DFFE); Branch Oceans &amp; Coasts (O&amp;C) appreciates the opportunity granted to provide comments and recommendations on the Pre-application Basic Assessment Report for proposed development of a residential dwelling on portion 76 of the farm 216 Uiticht, Knysna, Western Cape.</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</p>	

<p>2008 ("ICM Act"). The Branch O&amp;C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the seascapes to realise 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 Draft BAR, the Branch O&amp;C would like to submit the following comments for your consideration:</p> <p>1. The report under the ICM Act states that the proposed development does not fall within the littoral active zone. The ICM Act application is not limited only to the littoral active zone. The ICM Act applies to the coastal zone and coastal zone includes several areas including coastal protection zone, coastal public property etc. Of the coastal protection zone, the proposed development falls within the coastal protection zone (CPZ) as defined in the ICM Act. The object of the Act is inter alia to provide for the establishment, use and management of the CPZ. Since the CPZ has been established, section 16 entails the composition of the CPZ and section 17 details the purpose in which it was established. This therefore makes the ICM to be more relevant.</p>	<p>The comment is noted. The Basic Assessment Report has been updated to clarify that although the proposed development does not fall within the active littoral zone, the property is located within the Coastal Protection Zone (CPZ) as defined in terms of the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008). The report now recognises the applicability of the Act to the broader coastal zone and specifically addresses the objectives of the CPZ, including protection of coastal ecological integrity, maintenance of coastal processes and safeguarding coastal public property. The development footprint has been deliberately positioned outside the foredune system and outside areas identified as vulnerable to coastal erosion in order to remain consistent with the objectives of the ICM Act.</p>
<p>2. During the overlay of the Coastal Climate Change Vulnerability (CoVu) Assessment dataset, no signs of flooding or coastal erosion were observed to the site therefore DFFE has no objection to the proposed development on this aspect however the issue of public servitude from property Erf 39/216 remains DFFE concerns. The documents about public servitudes are requested to be shared with Dr Tshepiso Monnagotla at <a href="mailto:tmonnagotla@dffe.gov.za">tmonnagotla@dffe.gov.za</a> and copy <a href="mailto:oceia@dffe.gov.za">oceia@dffe.gov.za</a>. Access to the coastal public property is key in ICM management.</p>	<p>The comment is acknowledged. The Coastal Climate Change Vulnerability overlay confirming that the site is not exposed to flooding or coastal erosion risk is noted and aligns with the findings of the geotechnical and coastal assessments included in the BAR. Documentation regarding the existing public servitude will be provided to DFFE as requested. The development proposal does not obstruct public access to coastal public property and will continue to recognise existing access arrangements in accordance with the provisions of the ICM Act.</p>
<p>3. DFFE is in favour of the use of the existing public servitude and objects to the creation of the new road that will have more disturbance to the coastal vegetation. The only pathway to be created is from the</p>	<p>The comment is noted and has been considered in the final design. The proposed access arrangement makes use of the existing servitude alignment to the greatest extent possible in order to minimise vegetation disturbance. Any internal access required from the servitude to the dwelling footprint will be kept</p>

servitude to the property that would have less vegetation disturbance than the alternative.	to the minimum practical width and will follow already disturbed or least sensitive areas as far as possible. Construction disturbance will be carefully managed through the Environmental Management Programme (EMPr) to limit vegetation clearing and avoid unnecessary impacts on coastal vegetation.
4. The dune system as a buffer in preventing damage to inland infrastructure, delay flooding to inland areas, absorb storm surges and high waves. The dunes also act as freshwater reservoirs and coastal aquifer recharges thus preventing saltwater intrusion. The dune system in front of the proposed development must not be disturbed. Section 15 of the ICM Act with reference to erosion and accretion must be considered in the context of the proposed development.	The importance of the dune system as ecological infrastructure is acknowledged. The development footprint has therefore been specifically located behind the primary dune system and outside the foredune ridge, ensuring that the dunes remain intact and continue to perform their ecological and coastal protection functions. No development is proposed on the primary dune system. Construction activities will be confined to the designated disturbance area identified through the geotechnical and biodiversity assessments. These measures ensure compliance with the intent of Section 15 of the ICM Act relating to erosion and accretion processes.
5. The use of rainwater harvesting strategy. The report further state that borehole water will be supplementary, DFFE recommends continuous monitoring of the groundwater including testing to prevent saltwater intrusion.	The recommendation is supported. The proposed development incorporates rainwater harvesting as the primary water supply strategy in order to reduce pressure on groundwater resources. Should borehole water be utilised as a supplementary source, groundwater monitoring will be implemented to ensure that abstraction remains sustainable and does not result in saltwater intrusion. Monitoring measures will include periodic water level and water quality testing as part of the long-term management of the property.

**Breede-Olifants Catchment Management Agency (BOCMA) – 11 December 2025**

<b>Comment</b>	<b>Response</b>
1. The Breede-Olifants Catchment Management Agency has reviewed the Draft Basic Assessment Report and Aquatic Compliance Statement and has no objections to the proposed development.	Noted with appreciation. The BOCMA's confirmation that it has no objection to the proposed development is recorded.
2. Please note that the comments issued by BOCMA on the 24 March 2025 for the Draft Basic Assessment Report are still valid and must be adhered to.	The comment is noted. The earlier BOCMA comments remain applicable and will continue to be adhered to together with the present comments.

<p>3. As required by section 22 of the National Water Act, 1998 (Act No. 36 of 1998), a Water Use Authorisation is required prior to commencement with any water use activity contemplated in section 21 of National Water Act. Moreover, commencement with any water use activity without an authorisation as required by section 22 of National Water Act constitutes an offence in terms of section 151(1) (a) of the National Water Act. In terms of section 151(2) of the National Water Act, any person who contravenes is guilty of an offence and liable, on first conviction to a fine or an imprisonment of a period not exceeding five years or both such a fine and imprisonment.</p>	<p>The comment is acknowledged. The applicant notes that compliance with the National Water Act is required and that, should any Section 21 water use be triggered by the proposed development, the necessary Water Use Authorisation will be obtained prior to commencement of such activity. No water use may commence unlawfully.</p>
<p>4. In light of the above, you are advised that the onus remains with the property owner to adhere to the National Water Act, prior to commencement with any water use contemplated in section 21 of National Water Act that is associated with the proposed development.</p>	<p>Noted. The property owner remains responsible for ensuring full compliance with the National Water Act prior to commencement of any water use associated with the proposed development.</p>
<p>5. Kindly note that this office reserves the right to amend and revise its comments as well as to request any further information.</p>	<p>Noted.</p>
<p>6. The BOCMA office can be contacted for further information related to the requirement for, or the application for a Water Use Authorisation.</p>	<p>Noted. The contact details provided by BOCMA will be used should further clarification or engagement be required regarding water use authorisation.</p>
<p>7. Should you wish to apply for a water use authorisation for unregistered water uses triggered by the proposed activities, you may apply electronically by logging onto the Department of Water and Sanitation (DWS) website at <a href="http://www.dws.gov.za/e-WULAAS">http://www.dws.gov.za/e-WULAAS</a>.</p>	<p>Noted. The applicant / EAP will make use of the prescribed application platform if a water use authorisation becomes necessary.</p>
<p>8. Should you have further enquiries, the office can be contacted or alternatively contact Mr. Si Ndlovu at the above-mentioned contact number or on <a href="mailto:sndlovu@bocma.co.za">sndlovu@bocma.co.za</a></p>	<p>Noted with thanks.</p>

**Bruce Olden – 11 November 2025**

Comment	Response
<p>In summary we note that this DBAR contains many inaccuracies, inconsistencies and obfuscations. We acknowledge the land owners right</p>	<p>The objection is noted. The applicant's primary right to one dwelling is acknowledged by the objector and likewise recognised in the DBAR. The DBAR</p>

<p>to construct a dwelling unit on portion 76/216 Uitzicht, however, we object to the "Preferred Alternative", and any of the proffered alternatives. We further suggest that this DBAR is fatally flawed and should be withdrawn to ensure accuracy and to seriously implement proposals as suggested by SANParks and others for the construction of a dwelling unit on the Northern Boundary.</p>	<p>is not considered fatally flawed; however, the concerns regarding accuracy, alternatives and clarity are acknowledged. The preferred alternative was selected following an integrated assessment of biodiversity, geotechnical, access, engineering and planning considerations. The proposal has also been materially reduced from earlier concepts, including the reduction of the dwelling footprint to approximately 1000 m<sup>2</sup> and the exclusion of the manager's dwelling from the current preferred proposal.</p>
<p>A. The DBAR doesn't explore any realistic alternative that would entail creating the dwelling unit on the northern boundary only and thus from an ecological point of view having the least impact. This DBAR reverts to using previously rejected proposals as alternatives for the development.</p>	<p>The comment is noted. The northern boundary option was considered in the alternatives assessment and in specialist input. The preferred alternative differs from that option because the final assessment considered not only biodiversity, but also geotechnical feasibility, access, services and practical development constraints. The DBAR therefore does not ignore the northern option, but reaches a different conclusion on the preferred layout when all factors are read together.</p>
<p>B. Based on the limited information provided for the proposed internal road construction and the construction of the preferred alternative for the dwelling unit it would be essential that Kerk Laan be upgraded. No details have been provided as to how the upgrade would be funded and who would be responsible for upgrading this road as well as the impact on the environment. This upgrade would additionally require a full EIA as there are many plant species that would be impacted. Knysna municipality has no funds to assist with such an upgrade.</p>	<p>The comment is noted. The proposal makes use of an existing servitude road and does not include a major municipal road upgrade as part of the application. If limited maintenance or localised improvement is required to enable construction access safely, such work would need to be undertaken by the applicant at its own cost and subject to environmental controls. The concern regarding the sensitivity of Kerk Laan and any associated environmental impacts is acknowledged.</p>
<p>C. As previously commented, the proposed building layout suggests that this development is for a boutique hotel. This has not been denied or refuted in the responses to previous DBAR's. If a boutique hotel is the intention then a broader assessment would need to be properly undertaken.</p>	<p>The comment is noted. The current application is for a single residential dwelling only and not for a boutique hotel, tourism facility or any form of commercial accommodation. Any future change in land use or application for commercial use would require separate statutory approval and, if applicable, a separate environmental assessment process.</p>
<p>D. All considered alternatives in the DBAR and the preferred alternative require the construction of a massive 830m internal road cutting across the south most dune. This will negatively impact the entire Critical Biodiversity Area (CBA) permanently on portion 76/216 Uitzicht. We object to the construction of the internal road in its entirety and the development on the foremost dune (south western region).</p>	<p>The objection is noted. The internal road remains one of the main issues in the application and its impact has been assessed in the DBAR and specialist reports. The road alignment has been limited as far as practicable, follows natural contours where possible, and is subject to mitigation measures relating to erosion control, footprint demarcation, stormwater management, construction supervision and rehabilitation. The objector's opposition to both the road and the south-western siting is fully recorded.</p>

<p>1. Access. Refer to Page 7– under Access sub paragraph, the writer refers to the preferred proposed internal road ..."with a short internal driveway linking to the house." The definition of a driveway is "a short road or paved area leading from a public road to a house or garage". Our understanding is that the preferred option is the one with an 830m internal road/driveway. This can in no way be described as a short internal driveway unless the writer is deliberately trying to create a distinction between a driveway and an internal road in order to obfuscate the extent of the impact of the "internal road". Refer to page 18. Under sub paragraph "Access to Portion 76 of the Farm Uitzicht 216" Again the writer refers to "A short internal driveway will be constructed, providing access from the existing servitude road off Kerk Laan to the dwelling footprint...." The current proposal has the dwelling located 830 m away. Clearly this is intended to obscure the extent of the significant impact of the 830m internal road/driveway will have as a result of the "preferred option". This DBAR does not fully reflect the preferred proposal and appears to still reference some of the original proposals where there was a second dwelling unit located in the north western area.</p>	<p>The comment is noted. The access route to the dwelling is approximately 830 m in length and should consistently be described as an internal access road / driveway rather than suggesting a very short access link. The concern regarding wording is acknowledged. The preferred proposal is for a single dwelling only, and the report should clearly and consistently reflect that the current proposal no longer includes the second dwelling in the north-western area.</p>
<p>2. Water Supply. Refer to page 7 under sub paragraph Water supply. The proposed water storage of a minimum of 20,000 litres was suggested specifically for the storage of water from one or more boreholes. Further under the same section the writer states "Borehole abstraction will only be used as a supplementary source,..." . However referring to page 39. "The main building will make provision for 110kl rainwater/borehole storage" Which of the two water storage statements are correct? The DBAR estimated water usage of approximately 2400 litres of water per day (72,000 litres per month) the provision of 20,000 litres of water storage is hopelessly inadequate if the statement on page 7 is correct. This implies that the borehole water abstraction will be the primary source for water. If the proposal is to create 110,000 litres of water storage then no details have been provided showing where or how provision has been made for the storage of 110,000 litres of water as this alone would impact a large area of the CBA. Knysna is a water scarce region with council recommendations to restrict water usage to 6000 litres per month per dwelling unit.</p>	<p>The comment is noted. The water supply strategy must be stated clearly and consistently. The intention is that rainwater harvesting will form the primary on-site storage strategy, with borehole abstraction used as a supplementary source only if required and if lawful. The concern regarding inconsistencies between 20 000 litres and 110 kl storage is acknowledged and must be clarified in the final reporting and layout documentation so that the full disturbance footprint associated with tanks and pipelines is transparent.</p>

<p>3. Construction impacted area. Refer to page 8 under bullet point – Construction. The writer suggests that the total construction will not exceed 2500sqm however the construction of the internal road/driveway in itself would exceed 4500sqm of the CBA.</p>	<p>The comment is noted. The concern relates to the distinction between building footprint and total construction disturbance footprint. The total disturbance area must clearly account for all components of the development, including the access road and associated works. The objector's concern regarding the scale of the road disturbance is acknowledged.</p>
<p>4. Pre-existing disturbance of the Proposed Site. Refer to page 30. "EIA is currently in the process and the mapping has to be "ground-truthed" and motivated. The Proposed Site A has been disturbed and is suitable for building a dwelling house." Also referring to page 37. "The proposed footprint in the building line area is an existing disturbed area." These statements are to our knowledge fundamentally untrue. Please provide evidence (size and nature of the pre-existing disturbance) for the statement "The Proposed Site A has been disturbed" as we are unable to establish any evidence of significant "disturbance" as suggested other than a limited area of alien vegetation that should already have been managed and removed. No evidence can be found in this DBAR to support these statements. We, from a family perspective, have inhabited the area for approx 50 years and have not seen a disturbed area on the property as stated. A review of previous Google earth images shows no man-made disturbance in that area.</p>	<p>The comment is noted. The concern regarding the meaning of "disturbed area" is acknowledged. The use of that term should be clearly supported by mapped and site-based evidence and not rely on generalised wording. The presence of alien vegetation or previous localised disturbance does not automatically equate to a broadly transformed footprint, and this distinction should be made clearly.</p>
<p>5. Bee Farming. There are many references to "bee farming" with bolding to underscore the significance thereof. However the writer also concludes "Bee farming may occur as a small-scale complementary use" Not bolded. Refer to page 37. "This proposed agricultural activity is anticipated to contribute to the global effort of bee repopulation, addressing a significant environmental concern". This statement is countered by the "'Bee farming may occur as a small-scale complementary use" and will certainly not be able to address a "significant environmental concern" Refer to page 39. "Bee farming may occur as a small-scale complementary use, but the farmhouse is the primary right being exercised." This can be read as a deliberate attempt as misrepresentation. The writer's focus aims to include activities which are not viable to attempt to justify the development in its broadest context. Please note that the bees in the token bee hive have either absconded or died on the North-western corner of the property.</p>	<p>The comment is noted. The current application is assessed on the basis of the exercise of the primary right to one dwelling. Any reference to bee farming should not be overstated or relied upon as the principal justification for the application. The objector's concern that bee farming is only a minor complementary activity is acknowledged.</p>

<p>6. NEMBA Compliance. Page 35 refers . "The proposed development will also aim to conserve, rehabilitate and strengthen the existing biodiversity properties to achieve a higher conservation value, which would be beneficial to surrounding property owners." On page 52 amongst other pages states "The loss of such vegetation is considered irreplaceable and irreversible" however there is no evidence that the land owner is actively managing the alien vegetation to minimise such loss. Existing legislation requires that Land owners to comply with The National Environmental Management: Biodiversity Act (NEMBA) to control/eliminate alien invasive plant species. The entire northern boundary of the property adjacent to Kerk Laan is severely impacted by alien vegetation. No evidence can be seen of any activity to "conserve, rehabilitate and strengthen the existing biodiversity". The assessment by Confluent Environmental in 2023 clearly showed lack of management of the alien vegetation. The situation has simply worsened. Now in 2025 it can be seen by a simple walk along Kerk Laan.</p>	<p>The comment is noted. Compliance with NEM:BA and the duty to manage listed invasive alien species is acknowledged. The objector's concern regarding the current alien infestation and the need for active management is valid. Alien invasive control should form part of the environmental management of the property irrespective of the outcome of the application.</p>
<p>7. Precedent Setting. Page 40 refers. "Will the proposed land use/development set a precedent for similar activities in the area (local municipality)?" Approval for the construction of the main dwelling unit as proposed with the 830m internal road WILL create a precedent for other adjacent properties and other potential land owners to do the same.</p>	<p>The comment is noted. The issue of precedent is acknowledged as a material planning and environmental concern. The applicant's position remains that each application must be assessed on its own merits and site-specific facts; however, the concern that approval could influence expectations for similar development in the corridor is fully recorded.</p>
<p>8. Proposed Development Size. The preferred choice has radically reduced the development size from 3000sqm or 4000sqm to "approximately 1000sqm" however no consideration of an alternative proposal to construct an appropriately sized dwelling unit on the North-western area appears to have been considered. This would be preferable. This would minimise the impact for the entire property. The critically endangered region of the northern area has already been severely impacted by the lack of compliance with NEMBA and is overrun with alien vegetation as reported in the review by Confluent Environmental in "Appendix D5 Terrestrial Biodiversity SSV.pdf" and can easily be seen adjacent to Kerk Laan on the northern boundary of the property (portion 76/216) Please share full details of how the the size reduction from the previous stated 3000sqm, 4000sqm to approximately 1000sqm has been achieved as there is no disclosure in the DBAR to confirm this significant reduction.</p>	<p>The comment is noted. The size reduction from earlier concepts is material and should be clearly reflected in the final documentation. The objector's continued support for a north-western option is acknowledged. The preferred alternative differs from that option because the final recommendation was based on an integrated assessment of biodiversity, geotechnical, access and service considerations rather than footprint size alone.</p>

9. Inconsistency of Alternatives offered. Referring to Pages 42,43 and 45-53, 74 and 78 amongst others. The various alternatives are inconsistently referenced creating confusion of exactly which limited alternatives were considered by each specialist. The Complexities and inconsistencies are outlined in the following example:- Page 42 and 43 states Preferred alternative : Construction of the 1000 sqm dwelling on southwestern corner with the 830m internal road. Alternative 1 : Back to the construction of the 3000sqm dwelling on south western corner with the 830m internal road. Alternative 2 : Back to the construction of a 4000sqm dwelling with a distributed array of what appears to be bedrooms on south western corner with the 830m internal road as well as a 1200sqm farm managers house on the north western boundary. Alternative 3 : Construction of the 3000sqm dwelling on the northern corner(?) with access from "public access Bushy Way" Bushy Way is not referenced on ANY of the drawings, or maps. (is this a cut and paste error again). Please share full details of exactly where is "Bushy Way" as we are unable to locate it. However Page 74 shows : Alternative 1 presumably been referenced as Preferred alternative on page 42/43 Alternative 2: Not described as one of the options on page 42/43 but appears have access via the neighbouring property Portion 39/216. Alternative 3: appears to be the alternative 2 on page 42/43 Page 78 refers to an alternative 4, "Alternative 4 as the best layout," which was recommended by Confluent Environmental however this has not been described in the DBAR. Where is this described or layout provided in an unambiguous manner? Is this perhaps the "no-go option" or perhaps the development in the north western area only? Please provide full details of this alternative and why it has not been properly considered. Additionally : On Pages 45-53 All references to the Alternatives and text are confused. e.g. Alternative 3 sub heading concludes with a statement Alternative 2 not viable etc. Page 52 : Under Alternative 2 sub heading the writer concludes "Alternative 1 is not viable and cannot be supported in terms of national legislation or provincial biodiversity planning frameworks" Similarly under Alternative 3 sub heading the writer concludes "Alternative 2 is not viable and cannot be supported in terms of national legislation or provincial biodiversity planning frameworks (WCBSF)." On page 53, the writer references Alternative 3 as the no-go option. There are similar discrepancies in other sections of this DBAR which makes it exceedingly

The comment is noted. The objector's concern regarding inconsistent naming and cross-referencing of alternatives is valid. The alternatives assessment must be presented clearly, consistently and transparently so that each option can be understood and commented on. The concern regarding incomplete or repetitive appendices is also acknowledged.

<p>difficult to realistically respond to all the views proffered by the various specialists. Please note the appendix files for the alternatives are incomplete and "Appendix Alternative Layout 1.pdf" and "Appendix B1 Preferred Layout.pdf" are exactly the same file. Another error. No Appendix "B" layouts have been provided for ALL alternatives considered especially no layout has been provided for alternative 4 as recommended by Confluent Environmental. Was this a deliberate omission? All of the above and other discrepancies show a fundamental lack of attention to accuracy and detail, as a result the DBAR should be withdrawn and fully reworked.</p>	
<p>10. Capital Expenditure. Please note that on page 91, as previously reported, the following has not corrected, "What is the expected capital value of the activity on completion?" it is stated as R800,000.00 in the DBAR. We suspect that it is the writers intention to declare the capital value for this project as R8,000,000.00 i.e. R8Mil. The value in the DBAR is missing one "0".</p>	<p>The comment is noted. The concern relates to an apparent typographical or numerical discrepancy in the reported capital value. This should be corrected for consistency and accuracy in the final reporting.</p>
<p>11. Construction footprint. Additionally it is unclear if the preferred construction of approx 1000sqm specifies the actual disturbance area or the size of the actual dwelling unit. Please share full details of how the size of the dwelling unit has been reduced from 3000-4000sqm to approximately 1000sqm.</p>	<p>The comment is noted. The distinction between actual building footprint and total disturbance footprint must be clearly stated. The objector's request for clarity on how the dwelling size was reduced from earlier concepts is acknowledged and supports the need for clear final reporting.</p>
<p>12. Swimming Pool. A 160,000 litre swimming pool in a water scarce area needs reconsideration together with sharing of full details on the swimming pool waste water management as chlorinated pool water is neither good for the environment nor good for disposal in Septic tanks.</p>	<p>The comment is noted. The concern regarding water use and pool backwash / wastewater management is acknowledged. Pool-related water demand and disposal must be properly specified and managed to avoid adverse environmental effects.</p>
<p>13. North Western corner consideration. No alternatives proposals were submitted where there is no construction on the foremost south dune. All considerations for the construction in the North-western corner were summarily rejected predominately due the desktop biodiversity review. The insistence on a combination of larger front dune foot print together with an additional managers "cottage" when alternatives were considered created an intentional obfuscation. However the impact of the construction of the 830m road which traverses a large portion of this critically endangered vegetation area as well as the proposed locations for the drilling of the borehole/s which are also in the northern area</p>	<p>The objection is noted in full. The objector's support for a north-western option, opposition to the 830 m internal road, and concerns regarding visual scarring, dune recovery and CBA impacts are fully acknowledged. The applicant's position remains that the preferred alternative was selected through an integrated assessment of specialist findings and site constraints; however, the concern that the north-western option should have been more clearly presented and comparatively assessed is acknowledged.</p>

<p>together have a substantially larger impact on the overall CBA. These impacts have largely not been considered or discussed except in the report from Confluent Environmental. The proposed internal road traverses the north facing side of the foremost south dune. As per Google Earth views this area took more than 5 years to recover after the 2017 fires. The cutbacks into the dune to support the internal road will create an eyesore for many years to come and will be visible from the lookout point on CR Swart Road and elsewhere. We cannot support the DBAR as presented with the construction of the 830m internal road and the associated dwelling unit construction on the foremost south dune or any of the alternatives provided in the DBAR. Due to the number of discrepancies and errors and the lack of viable alternatives we suggest that this DBAR be withdrawn and corrected to ensure that proper public participation/review can be undertaken. An alternative that should be properly considered is for the construction of an appropriately sized dwelling unit on the North-western corner of portion 76/216 Uitzicht which will minimise the impact on the CBA for this development. This would surely be preferable to a "no-go option" and would still support the land owners right to construct an appropriately sized dwelling unit on the property.</p>	
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**DEA&DP: Coastal Management – 19 December 2025**

Comment	Response
<p><b>RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PRE-APPLICATION BASIC ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF A RESIDENTIAL DWELLING ON PORTION 76 OF THE FARM 216 UITZICHT, KNYSNA, WESTERN CAPE</b></p> <p>Your request for comment from the Sub-directorate: Coastal Management (SD: CM) pertaining to the notice of the pre-application Basic Assessment Report (BAR) for the above-mentioned application received on 17 November 2025 and the previous comment by the SD: CM, dated 11 April 2025, refer.</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."

Noted.

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.

Noted.

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

Noted.

<p>which over 20 Estuarine Management Plans have already been approved.</p> <p>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>	<p>Noted.</p>
<p><b>2. COMMENT</b></p> <p>2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information for the proposed construction of a single main dwelling in the south-western portion of Portion 76 of Farm Uitzicht No. 216, and have the following commentary:</p> <p>2.1.1 The entire development site is a Critical Biodiversity Area, is located within the buffer zone of the Garden Route National Park (GRNP) and is located within the Knysna Protected Environment (KPE) with the KPE Development Control Area (DCA) extending some 50m into the lower southern section of Portion 76. Furthermore, the development area is located within the Coastal Protection Zone (CPZ) and the Littoral Active Zone (LAZ). Two foredunes traverse the lower southern section of the property, which run east-west. Slopes are steep on either side of these foredunes.</p>	<p>The comment is noted and the environmental sensitivity of the site is acknowledged. The DBAR and specialist studies recognise that the property is located within a highly constrained coastal and biodiversity-sensitive environment, including the CBA, CPZ, KPE and associated GRNP buffer context. These sensitivities informed the site assessment and the consideration of alternatives. The proposal has been reduced to a single dwelling only, with a substantially reduced footprint relative to earlier concepts, in order to limit the extent of disturbance as far as practicable.</p>
<p>2.2 It is noted that the proposed site for the dwelling is unchanged from what was previously proposed and that this site is considered as the most feasible location in terms of the Geotechnical Soil Test Report.</p>	<p>The comment is noted. Dune stability, coastal erosion and climate resilience are acknowledged as critical considerations for this application. The preferred location was retained because it was identified through the integrated</p>

<p>Dune stability and coastal erosion are of serious concern, especially in the context of climate change (adaptation and mitigation strategies are imperative). As far as possible, primary and secondary dunes should remain intact and not be developed. Their value as ecological infrastructure to mitigate the impacts of dynamic coastal processes and climate change is essential to ensure the resilience of coastal communities.</p>	<p>assessment as the most feasible option when geotechnical, environmental, access and service constraints were considered together. The applicant's position remains that the development footprint has been limited and reduced in scale, and that mitigation and design controls are intended to minimise disturbance to the dune system as far as practicable. The importance of dunes as ecological infrastructure is acknowledged.</p>
<p>2.3 The Specialist Terrestrial Biodiversity &amp; Plant Species themes Site Sensitivity Verification (prepared by Confluent Environmental, dated November 2023) confirmed that the site is of Very High sensitivity consisting of Knysna Sand Fynbos, which is critically endangered, and Strandveld-Fynbos mosaic.</p>	<p>The comment is noted and consistent with the specialist findings. The very high biodiversity sensitivity of the site is acknowledged. This is precisely why the proposal has been reduced in extent, why specialist input has informed the layout, and why strict mitigation and environmental management measures are proposed.</p>
<p>2.4 Based on the above and on previous comments, the SD:CM does not support the proposed development of a residential dwelling on Portion 76 of the Farm 216 Uitzicht in Knysna within the LAZ, as it is deemed to be unwarranted.</p>	<p>The objection is noted. The SD:CM's position is fully acknowledged and will be reflected in the final Comments and Response Report and BAR. The applicant nevertheless maintains that the application is for a single dwelling exercising primary land use rights, that the proposal has been materially reduced from earlier concepts, and that the preferred alternative was selected following an integrated assessment of all available specialist and technical information. The competent authority is respectfully requested to consider the full specialist record, the revised footprint, and the proposed mitigation measures in reaching its decision.</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 comment is noted and accepted. The applicant acknowledges the statutory duty of care in terms of NEMA and NEM: ICMA. The EMPr and specialist recommendations are intended to ensure that impacts are avoided where possible and otherwise minimised, managed and rehabilitated in accordance with legal 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.	Noted. The applicant and EAP acknowledge the Department's right to revise its comments and to request additional information if required.
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<b>DFFE – Directorate: Protected Areas Planning and Management Effectiveness</b> <b>Date: 11 December 2025</b>	
<b>Comment</b>	<b>Response</b>
<p><b>COMMENTS ON THE AMENDED DRAFT BASIC ASSESSMENT REPORT FOR PROPOSED DEVELOPMENT OF A RESIDENTIAL DWELLING ON PORTION 76 OF THE FARM 216 UITZICHT, KNYSNA, WESTERN CAPE</b></p> <p><b><u>Background and Discussion</u></b></p> <p>The Directorate: Protected Areas Planning and Management Effectiveness would like to thank you for the opportunity to review the amended Draft Basic Assessment Report (DBAR) for the aforementioned project. The proposed project will entail the construction of one (1) main dwelling house to be situated in the southwestern corner of the property (1000m<sup>2</sup>) and a new internal road to provide access to the southern portion of the property.</p>	
<p><b><u>Comments on the Amended Draft Basic Assessment Report for Proposed Development of a Residential Dwelling on Portion 76 of the Farm 216 Uitzicht, Knysna, Western Cape</u></b></p> <p>After thorough review of the report submitted, the directorate has the following comments:</p> <p>The Project description of the proposed activity on page 18 of the DBAR states that “The applicant proposes to exercise the primary land use rights of Portion 76 of the Farm Uitzicht No. 216, Knysna Municipality, through the construction of a single primary dwelling (main farmhouse) within the south-western portion of the site. The development proposal has been refined to significantly reduce its environmental footprint”. The statement is further supported by the statement describing the size of the proposed dwelling indicating that “A low-profile, single-storey structure, limited to a</p>	<p>The comment is noted. The current proposal is for a single dwelling only and the footprint has been reduced from the earlier larger concept to approximately 1 000 m<sup>2</sup>. The intent of the revised proposal is to materially reduce the extent of direct development relative to previous iterations while limiting associated infrastructure to the minimum required for the use of the property.</p>

<p>total built footprint of ±1 000 m<sup>2</sup>, including covered verandas and an integrated garage" within the same page.</p>	
<p>Upon reviewing the layout maps provided in both the draft BAR and the amended BAR, there appears to be no clear indication of a reduced dwelling footprint. The layout remains unchanged, and the dwelling size seems consistent across both versions. Based on the aerial view presented on page 16, the starting and ending points of the dwelling are identical. This raise concerns as to whether the dwelling size was genuinely reduced from 3 000 m<sup>2</sup> to 1 000 m<sup>2</sup>.</p>	<p>The comment is noted. The concern relates to the clarity of the layout representation rather than the intention of the revised proposal. The current application is for a reduced single dwelling and not for the previously larger built form. The need for the final layout documentation to clearly and unambiguously reflect the reduced building footprint is acknowledged.</p>
<p>The Comments and Response Report on page 144 indicates that the exact building footprint and the overall disturbance footprint (including all construction-related activities such as working areas, laydown areas, and defensible firebreak space) will be mapped accurately, with clear square meterage calculations. The Directorate could not locate this information in any of the documents submitted. The absence of this information prevents an effective assessment of the scale, footprint, and potential environmental impacts of the proposed structure.</p>	<p>The comment is noted. The importance of clearly distinguishing between the built footprint and the total disturbance footprint is acknowledged. The total footprint associated with the dwelling, road and supporting infrastructure must be clearly identified so that the competent authority can assess the full extent of impact.</p>
<p>The project description on page 18 of the BAR indicates that "Access to the site will be via the existing servitude from Kerk Laan, with a short internal driveway linking to the house". It is, however, unclear how this route can be characterized as short when its length exceeds 800 m and traverses areas identified as very highly sensitive.</p>	<p>The comment is noted. The access route should be described consistently and accurately as an internal access road / driveway of substantial length. The concern regarding the sensitivity of the route and the wording used in the BAR is acknowledged.</p>
<p>The C&amp;R report (page 175) notes that habitat loss will be confined to a "narrow linear feature in an already disturbed corridor." Based on the Directorate's review, disturbance is evident only along the north-western section of the property, and the referenced "disturbed corridor" is neither described nor spatially represented in the documentation. It is therefore recommended that a sensitivity map be provided, clearly indicating all disturbed areas and all remaining natural areas.</p>	<p>The comment is noted. The distinction between disturbed and natural areas must be clearly and spatially shown. The concern that the referenced disturbed corridor is not adequately mapped is acknowledged.</p>

<p>Furthermore, the C&amp;R report indicates that Appendix D3 and Appendix D were developed to accommodate the turning areas or passing bays at designated intervals and bends, particularly on hairpin curves or steeper slopes, and appropriate subgrade preparation, compaction, and, where necessary, reinforced surfacing on steep or unstable sections. It is of concern that neither of these reports has indicated the location of the areas mentioned above, nor does the BAR provide this information.</p>	<p>The comment is noted. The location of turning areas, passing bays and any reinforced sections is material to the assessment of the total disturbance footprint and should be identified clearly where these are required.</p>
<p>The applicant was questioned if there is an intention to access the beach, the EAP responded that the applicant is considering accessing the beach. Although beach access is described as "desirable," no proposal or impact assessment was included in the BAR. Given that any footpath or boardwalk would affect sensitive dune vegetation, this omission is significant.</p>	<p>The comment is noted. No beach access infrastructure forms part of the current application. Any future proposal for a footpath, boardwalk or other access infrastructure would need to be separately assessed and authorised, if applicable, given the sensitivity of the dune vegetation.</p>
<p>On page 7 of the DBAR it is indicated that for Stormwater Management, runoff water will be managed through infiltration-based measures such as the rainwater tanks, permeable driveway surfaces, swales and soak aways. It remains unclear how run-off water will be collected via rainwater tanks. In addition, the BAR does not indicate where the proposed swales and soak aways will be constructed. It must also be clarified whether the installation of these features will result in additional vegetation clearance and, if so, whether such clearance has been accounted for, the BAR is silent on these aspects.</p>	<p>The comment is noted. The concern regarding the location and potential footprint implications of stormwater infrastructure is acknowledged. Any swales, soakaways or related stormwater features must form part of the total disturbance footprint and be considered in the environmental management of the site.</p>
<p>No subsoil drains are required along roads but are recommended behind retaining walls if used. The Directorate is concerned that the retaining walls have the potential to fragment wildlife movement corridors on the property.</p>	<p>The comment is noted. The potential for retaining walls and associated road infrastructure to interfere with faunal movement is acknowledged and remains a relevant consideration in the detailed road design and environmental management of the site.</p>
<p>Septic Tank and Soakaway System: Page 145 of the C&amp;R report states that "The precise location, size, and design of the septic tank and soak away field will be identified, and any associated vegetation clearing or land disturbance will be included in the footprint calculations." It is noted that the footprint calculations of the above have been accounted for, however the precise location, size and design of the septic tank soakaway have not been indicated in the report.</p>	<p>The comment is noted. The precise siting and footprint of the sanitation system are material and should be clearly identified so that the full environmental implications of the proposal can be properly assessed.</p>

<p>It was recommended that a conservancy tank be used instead of the septic tank and soakaway, the Environmental Assessment Practitioner (EAP) responded that the use of conservancy will be considered, however, the BAR seems to have not been considered and the reasons for not considering.</p>	<p>The comment is noted. The concern regarding the omission of a clear motivation for the preferred sanitation option is acknowledged. Alternative sewage treatment options should be transparently compared and motivated.</p>
<p>Furthermore, the septic tank will need to be emptied, the access road/path for the sucker has not been accounted for in the reports. Maintenance and access requirements, including vehicle access routes for suction, should be explicitly addressed.</p>	<p>The comment is noted. Long-term operational access requirements, including maintenance vehicle access for sanitation servicing, are relevant to the full disturbance and management implications of the development and should be clearly addressed.</p>
<p>The EAP has responded that the pool backwash will be disposed through the septic tank and soak away, this is concerning as it has been indicated severally that the vegetation type within the property is not conducive for the backwash.</p>	<p>The comment is noted. The concern regarding disposal of pool backwash is acknowledged. The method of backwash disposal must avoid adverse effects on soils, vegetation and groundwater.</p>
<p>Therefore, the BAR should include detailed mapping of the septic tank and soakaway positions and assess potential environmental impacts of the soakaways.</p>	<p>The comment is noted and supported. Clear mapping and impact consideration of the sanitation infrastructure are necessary.</p>
<p>The Draft Basic Assessment Report (DBAR), on page 7, states that on-site sanitation will be provided via a septic tank and soak away system, designed and located in accordance with the geotechnical report to avoid groundwater contamination. However, the geotechnical report primarily addresses recommendations for borehole drilling and does not guide the positioning of all development infrastructure, including the septic tank and soak away, in relation to geotechnical constraints. There is a discrepancy between the DBAR's reliance on the geotechnical report for sanitation infrastructure siting and the actual scope of the geotechnical report, which does not address septic tank and soakaway placement.</p>	<p>The comment is noted. The discrepancy between the stated reliance on the geotechnical report and the actual scope of that report is acknowledged. The siting of sanitation infrastructure must be supported by appropriate technical justification relevant to that infrastructure.</p>
<p>Alternative sewage treatment options should be considered and documented, demonstrating how the selected system balances environmental integrity vs the alternatives.</p>	<p>The comment is noted. The need to motivate the selected sanitation system against reasonable alternatives is acknowledged.</p>
<p>The EAP must demonstrate that the placement of the septic tank and soak away has adequately considered geotechnical limitations and</p>	<p>The comment is noted. The siting of sanitation infrastructure must clearly demonstrate that geotechnical and environmental sensitivities have been</p>

<p>environmental sensitivities. This should include Clear mapping of the proposed locations relative to geotechnical constraints. An assessment of potential risks to groundwater and surrounding ecosystems. Evidence that environmental sensitivities, particularly in relation to soil permeability and vegetation, have been factored into the siting decision. Mitigation measures to address any identified risks.</p>	<p>considered and that risks to groundwater, vegetation and surrounding ecosystems are appropriately managed.</p>
<p>The borehole positions illustrated in Figure 13 of the Geotechnical Report are situated to the north of the proposed development and appear to be located at a considerable distance from the development footprint.</p>	<p>The comment is noted. The separation between borehole locations and the proposed dwelling footprint is acknowledged as a matter relevant to the assessment of associated pipeline disturbance.</p>
<p>The EAP has indicated that the siting of the boreholes was intended to minimize the length of water pipelines required to service the residential dwellings, while ensuring that the alignment of such pipelines either avoids or appropriately traverses areas of Critically Endangered Fynbos. Notwithstanding this, the BAR does not provide any detail regarding the proposed pipeline route, nor does it clarify how the routing will achieve the stated objectives.</p>	<p>The comment is noted. The absence of a clearly described and mapped pipeline route is acknowledged. The route and its relationship to sensitive vegetation and terrain should be clearly indicated so that the potential impact can be properly evaluated.</p>
<p>Therefore, the BAR should explicitly map and describe the proposed pipeline route, including its alignment relative to the borehole positions and the residential dwellings, and assess potential impacts of the pipeline on Critically Endangered Fynbos, with clear mitigation measures. This information is important as these pipelines will traverse on the steep dunes.</p>	<p>The comment is noted. The need for explicit mapping and assessment of the pipeline route, particularly in relation to steep dune terrain and sensitive vegetation, is acknowledged.</p>
<p>The directorate has noted that the comments provided previously were not responded to in the C&amp;R report and the recommendations have not been considered, therefore, the comments that were expressed previously are still applicable.</p>	<p>The comment is noted. The Directorate's position that earlier comments remain applicable is acknowledged and recorded.</p>
<p>It is recommended for the EAP to fully address the above-mentioned concerns or comments and where applicable provide clarity on certain matters to the Directorate: Protected Areas Planning and Management Effectiveness. The EAP must also consider comments submitted by all other Stakeholders, Interested and Affected Parties.</p>	<p>The comment is noted. All stakeholder comments form part of the public participation record and are being considered as part of the final reporting.</p>

DFFE – Branch: Forestry Management, Directorate: Forest Resource Protection

Date: 9 / 11 December 2025

(Reference in letter: EIA-WC-GR-0035-2025-26; signed 11/12/2025)

Comment	Response
<p>I refer to your e-mail notification of 17 November 2025 with documents.</p> <p>Please receive comments from the Branch: Forestry Management, Directorate: Forest Resource Protection in the Department of Forestry, Fisheries and the Environment (DFFE) on the above-mentioned proposed Draft BAR. Site inspection still to be conducted.</p> <p><b><u>The mandate of the Forestry Branch in the Department of Forestry, Fisheries and the Environment (DFFE), as a commenting authority, is to ensure control over developments that affect State forests, natural forests, forest nature reserves and protected trees.</u></b></p> <p>The applicant must assess and quantify the anticipated impacts on the indigenous forests. The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that "...natural forests may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits".</p>	<p>The comment is noted. The need to identify and assess any impact on indigenous forest and forest-associated resources in terms of the National Forests Act is acknowledged.</p>
<p>Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license. Under section 62 (1) of the NFA any person who contravenes the prohibition of certain acts in relation to trees in natural forests referred to in Section 7 (1) is guilty of a second category offence. A person who is guilty of a second category offence may be sentenced on a first conviction for that offence to a fine or imprisonment for a period of up to two years, or to both a fine and such imprisonment. Section 15 of the NFA, prohibits the destruction of protected trees without a license- "No person may cut, damage, destroy or remove any protected</p>	<p>The comment is noted and accepted. Compliance with Sections 7 and 15 of the National Forests Act is required, and no indigenous forest species or protected trees may be cut, damaged, disturbed or removed without the required licence.</p>

tree; or collect, remove, transport, export, purchase, sell donate or in any other manner acquire or dispose of any protected tree....."Anyone contravening this prohibition, is guilty of a first category offence, and can be sentenced to up to 3 years imprisonment, or a fine, or both.	
Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act, some of which are also forest species.	The comment is noted. The statutory protection of indigenous forest trees and protected tree species is acknowledged.
Cutting or disturbing an indigenous tree in a natural forest without a valid Forest Act Licence is a criminal offence and a transgression of the National Forests Act, 1998 (Act No. 84 of 1998) and carries a fine or imprisonment or both.	The comment is noted and accepted.
Indigenous trees with active bird nests or other significant biodiversity features may not be destroyed without a valid Fauna Permit from the provincial conservation authority, the Western Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform ("DAERL"), if these would be affected.	The comment is noted. If any such biodiversity features are identified as affected, the necessary permits and approvals would be required prior to disturbance.
Forestry has a co-operative governance relationship with various Authorities as well as stakeholders, and thus will take their concerns into consideration if such should arise.	Noted.
Forestry request the following: 1. That a site inspection be conducted together with Consultant in order to determine whether Forestry's mandate is affected or not	The comment is noted. A site inspection with the consultant is acknowledged as the appropriate means of confirming whether Forestry's mandate is triggered on the site.
2. Section 15 of the National Forest Act (NFA) (Act No. 84 of 1998) as amended prohibits the cutting, disturbing, damaging or destroying of protected tree species without a licence. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license.	The comment is noted and accepted. No protected trees or indigenous forest trees may be disturbed without the required licences in terms of the NFA.
Kindly note that this letter is not a NFA licence	Noted.

<p>Section 15 of the National Forest Act (NFA) (Act No. 84 of 1998) as amended prohibits the cutting, disturbing, damaging or destroying of protected tree species without a licence. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license.</p>	<p>Noted. The applicant acknowledges that separate authorisation under the National Forests Act would be required if protected trees or indigenous forest are affected.</p>
<p>Note: The Department reserves the right to revise the initial comment based on any additional information that may be received.</p>	<p>Noted.</p>