REVISED BAR COMMENTS

Eco Route
ENVIRONMENTAL CONSULTANCY
REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN
PhD Univ. Pretoria
Cell:072 222 6013
e-mail: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN
Bsc. Hons. Environmental Management
Cell: 082 557 7122
e-mail: janet@ecoroute.co.za

Comments and Response Report

REVISED Basic Assessment Report (08/09/2026-09/10/2026)

A Portion of ERF 1180 Keurboomstrand, Plettenberg Bay

Public Participation Process Followed:

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

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

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO DRAFT BASIC ASSESSMENT REPORT –	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning (DEA&DP) – Dorien Werth – 13 October 2026	
ACKNOWLEDGEMNET AND COMMENT ON THE REVISED DRAFT BASIC ASSESSMENT REPORT (BAR) FOR THE PROPOSED DEVELOPMENT OF GROUP DWELLING UNITS AND ASSOCIATED INFRASTRUCTURE ON ERF 1180 KEURBOOMSTRAND, BITOU MUNICIPALITY, WESTERN CAPE 1. The abovementioned document compiled by the appointed Environmental Assessment Practitioner ("EAP"), Mr. Samantha Teeluckdhari (2023/6443), of Eco Route Environmental Consultancy (Pty) Ltd. and received by this Directorate on 8 September 2026 and additional information received on 06 October 2026, refers. 2. This letter serves to acknowledge receipt of the aforementioned information. This Directorate appreciates the extension granted by the Environmental Assessment Practitioner (EAP) to consider the Revised Draft Basic Assessment Report and the additional information submitted, and to provide comments thereon by 14 October 2026.	
3. This Directorate has reviewed the Revised Draft Basic Assessment Report ("RBAR") and additional information, received by this Directorate and provides the following comment: 3.1. All prior comments and recommendations made by this Directorate remains applicable and must be responded to and be incorporated into the Basic Assessment Report ("BAR").	**All prior comments have been recorded and responded to. See Appendix F3 of the Final BAR.**
3.2. Property History and Planning Context (a) The information submitted in the application up to date, does not provide sufficient details on the historical planning and the land use processes which resulted in the establishment of Erf 1180. There are several references made to Erf 155, Erf 1236 and in the trailing email relating to the services reference is made more specifically to Erf 155.	**The historical planning background has been provided in detail, along with municipal approvals in the Specialist Planning Report compiled by Marike Vreken Urban and Environmental Planners dated August 2025. In addition, the BAR has summarised the change from Erf 155 to Erf 1180.**

The EAP must clarify the legal history of the property and provide all the copies of all the relevant documents approvals conditions that informed the creation of Er1180. This information is essential for this Directorate to understand the historical environment, conservation, or planning obligations that remains applicable to the site.	
(b) In addition to the above the draft title deed which was provided in the specialist planning report provided by Mrs Marike Vreken, dated August 2025, indicated that the previous approval of 2011, contained the following condition; "the remainder of the consolidated site be managed by the HOA as if it is a Private Nature Reserve" This Directorate is seriously concerned that the information provided does not analyse the actual title deed conditions and the history indicated the above-mentioned restrictive condition. The EAP is required to provide clarity whether such obligation is reflected in the title remains applicable to the property. If indeed, then the conservation management plan for such "Private Nature Reserve" must be provided. Failure to provide the required information may prejudice the success of the application.	**In the Specialist Planning report, August 2025, the author provides a summary of the condition 2(h) occurring within the official Bitou Municipality approval letter 2011 and included as an annexure C to the report.** **The author further states *" one <u>has to obtain</u> permission to amend this condition of approval."* – this provides confirmation that this is a binding condition of the property in terms of municipal regulations.** **The town planner has confirmed that the condition is not currently part of the title deed.** **The wording "as if it is a Private Nature Reserve" should also be distinguished from a formal declaration of a protected area under the National Environmental Management: Protected Areas Act. No such declaration is established by this wording alone. However, this distinction does not diminish an enforceable municipal conservation condition.** **As a recommendation from the EAP: The requirement for a CMP must be made as a condition of approval. Furthermore, since CapeNature was not forthcoming with comments during this BA process, it is advised that their direct input and support of the CMP must be given and subsequently used to show compliance with the condition of approval.**
3.3. Comments from Organs of State which have jurisdiction in respect of any aspect of the relevant activity: (a) Department of Environmental Affairs and Development Planning; sub-directorate Biodiversity and Coastal Management This Directorate reviewed the updated Public Participation comments that the Department of Environmental Affairs and Development Planning; sub-	**The EAP has previously addressed this comment at length – please refer to C&R for the DBAR attached further in this document – no further comment from sub-directorate Biodiversity and Coastal Management has been received in response.** **The EAP is unsure of what further specialist input the Department requires.**

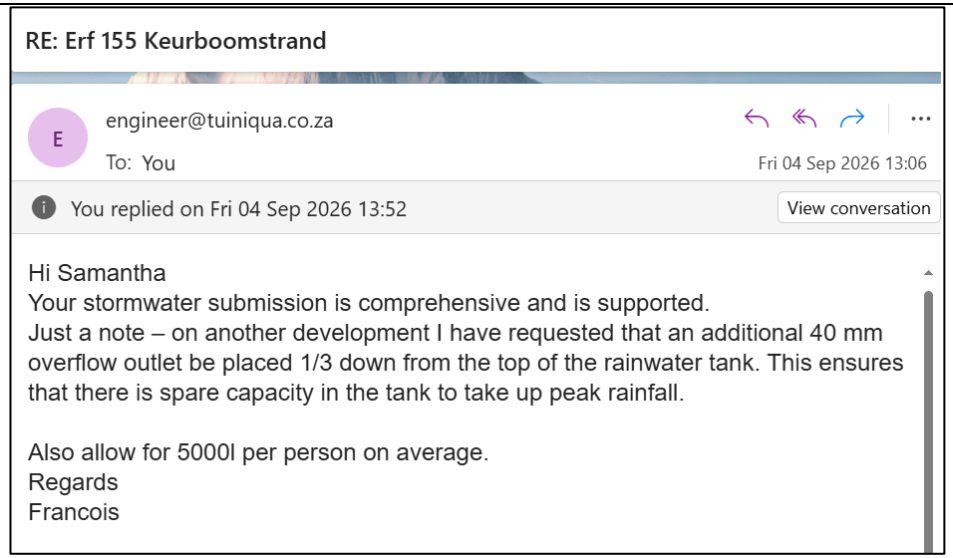
directorate Biodiversity and Coastal Management expressly stated that they do not support the proposed development due to the following reasons; Location of the proposed development within the Coastal Protection Zone ("CPZ"); Climate Change vulnerability; Sensitive coastal ecological corridor; Risk associated with the slope stability; Concern regarding the cumulative development pressure in Keurboomstrand; The applicability of the precautionary principle. This Directorate requires that this concern must be fully addressed and resolved with factional information and specialist evidence prior the submission of the final Basic Assessment Report, and the resolution must be included in the BAR.	**The DFFE Oceans and Coasts case officer had conducted a site visit and provided updated comment. Please refer to their comments below.**
(b) Department of Forestry, Fisheries and the Environment ("DFFE") From the information provided to this Directorate, it is noted that the DFFE objection has not yet been resolved. This is a significant concern as the objection was mostly based on the fact that the entire property ("Erf 1180") is covered with indigenous forest. Further to the above it is not clear how the National Foresty Act ("NFA") was taken into account in the assessment and this remains outstanding.	**The comment is noted. The National Forests Act, 1998 (NFA), has been considered in the BAR in relation to the potential impacts of the proposed development on indigenous vegetation and forest habitat, informed by the Terrestrial Biodiversity Assessment and its findings and recommendations. The assessment of environmental impacts does not, however, constitute a determination of whether the requirements for any forestry licence or authorisation have been met.** **The outstanding DFFE Forestry objection is acknowledged. The EAP's role is to assess and report on potential environmental impacts, consider the concerns raised by commenting authorities, and incorporate relevant findings and mitigation measures into the BAR. The EAP cannot withdraw an objection on behalf of DFFE Forestry. This requires consideration by the relevant authority, with the applicant responsible for pursuing any additional approvals or authorisations that may be required. The objection and the applicable NFA requirements must therefore be considered by the competent authorities in reaching a decision on the application.**
(c) Cape Nature	**The EAP had requested CapeNature's comments once again and once again received the following response:**

Comments from Cape Nature are still outstanding in the RDBAR, Cape Nature's comments are an essential part of this application as the site is located within a Critical Biodiversity Area and Cape Nature is the custodian of the Biodiversity is the Western Cape. This Directorate did require these comment, when comments were provided on the Draft Basic Assessment report. *Note; any unresolved objections remain a significant considerations under section 24O or NEMA.	CapeNature **CONSERVATION INTELLIGENCE: LANDSCAPE EAST** physical 4th Floor, York Park Building, York Street, George, 6530 website www.capenature.co.za enquiries Marienne de Villiers telephone 087 087 6085 email mdevilliers@capenature.co.za reference LE/6/1/1180(erf)-Portion_Residential_Keurboomsstrand Samantha Teeluckdhari Eco Route Environmental Consultancy 46 President Steyn Street The Island Sedgefield 6573 By email: samantha@ecoroute.co.za Dear Ms Teeluckdhari **RE: Revised DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape** *DEA&DP Reference: 16/3/3/1/D1/6/0024/26* Please be advised that CapeNature is regrettably unable to review and provide formal comments on this application. Due to capacity constraints resulting from a vacant Land Use Scientist post, we are unable to process this proposal within the stipulated timeframe. This response should not be interpreted as support or objection to the proposed development. Please continue to process the application and consult with the other required stakeholders. We apologize for any inconvenience this may cause and appreciate your understanding. Please keep CapeNature on your stakeholder list for future notifications; we will respond when our capacity allows. Kind regards  (Dr) Marienne de Villiers Senior Manager, Landscape Conservation Intelligence (East) **The result of the application cannot be held at ransom for the internal issues of CapeNature that have resulted in no comments from them.**
3.4. Conflicting Approvals The planning report, "Keurboomstrand Erf 1180 (Ptn of Erf 1236) Specialist Planning Report for NEMA Authorisation Purposes, Dated August 2025", stated that the provided zoning is a "bone fide error on the zoning map, and the correct zoning of the application area is "Open Space Zone II (Private Open Space) and this zoning was originated from the 2018 rezoning approval.	**The Bitou Municipality has confirmed the below –**

This Directorate opinion remains that the zoning remains applicable until the zoning has lawfully been amended. However, this Directorate strongly recommends that confirmation must be obtained from the Bitou Local Municipality which clarifies the zoning contradictions and a final/conclusion statement must be provided in the Final Basic Assessment report, failure to adhere to this requirement, can prejudice the success of this application.	**RE: Pr2463 Keurboomstrand Erf 1180 (Portion of Erf 155) - Confirmation of Zoning** MB Marius Buskes<mbuskes@plett.gov.za> To: Marike Vreken Cc: You; 'Bianca Lotz' Fri 16 Oct 2026 11:32 Good morning Marike, The Zoning was in fact changed with the endorsement and certification of the "*Mari Nostrum Estate*" The Zoning of the remainder Erf 155KB (now Erf 1180KB) is zoned as Open Space Zone II in terms of the Bitou Municipality Zoning Bylaw,2023 **Regards,** **Marius Buskes** Town Planner: Land Use Management | Town Planning | Planning and Development | Bitou Municipality Mobile: 081 569 9940 | Work: 044 501 3436 | Email: mbuskes@plett.gov.za | Website: www.bitou.gov.za
3.5. Need and Desirability Appendix 1 of the EIA Regulations, 2014 requires that the BAR must adequately motivate the need and desirability of the activity. This Directorate notes that the Planning Report advances a need for housing and residential accommodation as justification for the proposed development. However, the application pertains to the construction of two private residential dwellings within a sensitive coastal environment and does not demonstrably address an identified public housing need or broader residential accommodation demand. In the circumstances, this Directorate is of the opinion that the RBAR has not adequately demonstrated that the socio-economic benefits associated with the proposed development, (which appear to be limited)	**The Need and Desirability Section has been amended to include more obvious socio-economic benefits associated with the proposed development. The section in the BAR is highlighted in green to show that it has been amended.**

do outweigh the potential environmental costs and impacts arising from development in a sensitive coastal setting. It is therefore strongly recommended that the Need and Desirability assessment be revised to adequately address and substantiate the justification for the proposed development, taking into account the nature, scale, and intended beneficiaries of the proposal. Failure to adequately demonstrate the need for, and desirability of, the proposed development may prejudice the success of the application and the ability of the competent authority to conclude that the activity is environmentally justifiable. Other aspects (i.e., such as available municipal engineering services) related to the desirability of the development are mentioned elsewhere in this correspondence, and those should also be addressed under this requirement.	
3.6. Long-term conservation protection not guaranteed The Revised Draft Basic Assessment report relies on the protection and management of the remaining natural areas as a key mitigation measure. However, no Conservation Management Plan (CMP) has been submitted, nor has evidence been provided of consultation with or support from the relevant conservation authorities. Please also refer to the previous comment provided on 3 July 2026. The Competent Authority is therefore unable to assess the long-term viability, implementation and enforceability of the proposed conservation outcomes. The absence of a Conservation Management Plan constitutes a material information gap which may prejudice the assessment of impacts on biodiversity and ecological integrity and may prejudice the success of the application.	**The Department had not requested a Conservation Management Plan in previous comments.** **However, as a recommendation from the EAP: The requirement for a CMP must be made as a condition of approval. Furthermore, since CapeNature was not forthcoming with comments during this BA process, it is advised that their direct input and support of the CMP must be given and subsequently used to show compliance with the condition of approval.**
3.7. Municipal Services Confirmation This Directorate notes that there is no formal letter provided from the Bitou Municipality confirming that there is sufficient unlocated services available. The EAP provided a trailing email; however, the email correspondence remains unclear with limited confirmation of sewer service capacity and confirmation of long-term infrastructure sustainability.	**A formal letter of municipal services confirmation has been included in Appendix E16.**

In addition, the trailing email which has been presented, actually refers repetitively to Erf 155 and not the "new proposed Erf 1180" of the "Main Erf 1236 / Erf 1180". This needs to be clarified. This Directorate requires a clear letter from the Bitou Municipality confirming there is indeed sufficient unlocated engineering services capacity for all services, including stormwater infrastructure. At present the available information which will be considered is the GLS report, which explicitly states that there is not sufficient unlocated services for the proposed development. Unless this aspect can be resolved, the success of the application will be prejudiced.	
3.8. Geotechnical Stormwater Management Plan This Directorate notes that the Geotechnical Specialist reports several factors that impact on the proposed development, the factors are as follows: Steep slopes along portions of the site; Tension cracking near slope edges, and Stormwater management must take into account shallow bedrock and runoff risk. Further to the above, this Directorate reviewed the Environmental Management Programme (EMPr) submitted with the RDBAR. Although stormwater was taken into account; it was very vague and not descriptive and did not adequately address the impacts identified in the Geotechnical Specialist Report. You are required to provide a detailed storm water management plan, which must be incorporated in the Site Development Plan and can be implemented.	**As previously stated:** **The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –**

	 **The EAP is unsure what further details the Department is requesting. It is recommended that these details be clearly outlined and requested as a condition of approval.**
General 4. The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014. In accordance with Regulation 19(1)(b), the Department stipulates that the BAR must be submitted to this Department for decision within 140 days from the date of receipt of the application by the Department, to be reckoned from 29 May 2026. If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 and your file will be closed. 5. Prior to submitting the BAR, the EAP must consider all the provisions of the EIA Regulations, 2014 as they may apply to this application. Please note that in accordance with Regulation 43, all registered interested and affected parties are entitled to comment on all reports and plans submitted for consideration of the application. If further significant	**The date of reckoning provided is incorrect; it should read <u>26 May 2026</u>.** **The Final BAR has been submitted on <u>16 October 2026</u>.**

changes have been made or significant new information (i.e., reports or plans) has been added to the Revised BAR, your EAP is advised that such changes must be subject to a further public participation process. In accordance with Regulation 3(8), any public participation process must be conducted for a period of at least 30 days. Your attention is drawn to Regulation 3(7) of the EIA Regulations, 2014. Any request for an extension must be submitted in writing to, and approved by, the competent authority before the prescribed timeframe expires. However, the submission of such a request does not guarantee that an extension will be agreed to. 6. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution. 7. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.	
Department of Forestry, Fisheries & the Environment (DFFE) – OCEIA – Mr Xolani Myanga – 09/10/2026	
COMMENTS ON THE REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Revised Draft Basic Assessment Report (Revised DBAR) in the subject of this letter. This Branch provides comments based on the provisions of Section 24O (2) the National Environmental Management Act 107 of 1998 ("NEMA") and Section 5 of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").	

The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes. The Oceans and Coasts Branch has reviewed the Revised Draft DBAR and supporting documents. The Branch notes that the majority of the previously submitted Oceans and Coasts comments have been adequately addressed.	
It is noted that the revised development layout avoids sensitive coastal vegetation and ecological corridors, while no-go areas and ecological buffers have been incorporated into the design. The DBAR further confirms that public access to the coast will not be impeded by the proposed development. In addition, stormwater management measures, erosion prevention controls, rehabilitation requirements, and effluent management measures have been included in the EMPr. The specialist studies conclude that the residual impacts on the coastal environment are expected to be low following the implementation of the recommended mitigation measures. Accordingly, the Branch is satisfied that its previous comments have been substantially addressed and has no objection to the proposed development, subject to the implementation of all mitigation measures and commitments contained in the DBAR, specialist studies and EMPr. Notwithstanding the above, the applicant is reminded that the development should not create a future need for coastal protection measures or shoreline stabilisation works that may adversely affect coastal processes, public access, coastal public property, or the integrity of the coastal environment. All rehabilitation, stormwater, effluent management, and biodiversity protection measures must be implemented and maintained for the duration of the development. The Branch reserves the right to revise its comments based on new or additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted	**Thank you for your comments. The Final BAR has highlighted that all mitigation and protection measures must be implemented for the duration of the development.**

to our office via email to OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001	
Department of Forestry, Fisheries & the Environment (DFFE) – TF Gwala – 6 October 2026	
I refer to your e-mail notification of 8 September 2026 with documents. 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 revised proposed Draft BAR. <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>	
1.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".	**The anticipated impacts on the indigenous vegetation have been comprehensively assessed in the Terrestrial Biodiversity Assessment, which includes a detailed description of the vegetation communities, habitat condition, ecological functioning, impact assessment and recommended mitigation measures.** **The biodiversity assessment confirms that the site comprises a mosaic of dune thicket, forest-thicket and fynbos elements within an already developed coastal village landscape. While portions of indigenous vegetation will be affected within the approved development footprint, the proposal has been refined to minimise vegetation clearing, retain forest and dune thicket elements wherever practicable, and limit disturbance to the minimum area required for the proposed development. The specialist further notes that the development is proposed within an urbanised "forest-village" landscape, where indigenous vegetation is retained between residential erven, and concludes that the proposed development is unlikely to significantly compromise ecological processes or ecological connectivity above the existing baseline condition.** **The assessment also found that no plant Species of Conservation Concern flagged by the National Environmental Screening Tool were recorded on the**

	site and that the terrestrial biodiversity, flora and fauna sensitivities are considered to be Low, contrary to the automated screening tool classifications. The specialist concludes that only a portion of the site will be developed while forest elements will be retained, and that the proposed activity is unlikely to result in significant impacts on biodiversity within the broader landscape. **The applicant acknowledges the importance of the National Forests Act, 1998 (Act 84 of 1998), and the protection afforded to natural forests. The purpose of the biodiversity assessment was to quantify the anticipated impacts on the indigenous vegetation and to inform the application of the mitigation hierarchy. Accordingly, the proposal has incorporated avoidance and minimisation measures through refinement of the development layout, retention of indigenous vegetation outside the approved development footprint, rehabilitation of temporarily disturbed areas, and long-term management measures contained within the Environmental Management Programme (EMPr).** **All necessary approvals required in terms of the National Forests Act will be obtained from the relevant competent authority prior to the commencement of any activities regulated under that Act. The environmental authorisation process under NEMA does not replace, nor remove the requirement to comply with, the provisions of the National Forests Act where applicable.**
2. 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 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.	**The applicant acknowledges that environmental authorisation under the National Environmental Management Act, 1998 (Act 107 of 1998) does not replace or negate any obligations arising under the National Forests Act. Accordingly, the proposed development will require the destruction of indigenous forest as contemplated in Section 7 of the NFA, and/or the removal or disturbance of any protected trees in terms of Section 15 of the Act. The necessary licence(s) or authorisation(s) will be obtained from the relevant forestry authority prior to the commencement of any activities regulated under the NFA. No clearing of indigenous forest or protected trees will be undertaken until all applicable statutory approvals have been obtained.**

3. 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.	**As per point 2 above.**
4. 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.	**As per point 2 above.**
5. 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.	**This is acknowledged and has been included as a condition in the EMPr.**
<u>DFFE studied the supporting documents for the above-mentioned revised Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable</u> 6. According to the information provided: "According to the report: Erf 1236 is 56 615,4m² in extent. The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236 (previously named Erven 155 & 1234). Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool. Currently there are a town Planning proposal to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. According to the report the property is entitled to a 7m wide right of way servitude across Erf 391 (which is public space)." In the past Forestry objected to the proposal of rezoning as well as subdivision- as new primary rights will cause more destruction of indigenous forest. The whole property is covered with indigenous forest	**The applicant acknowledges Forestry's previous concerns regarding the rezoning and subdivision and the potential for increased loss of indigenous forest associated with additional development rights.** **The Terrestrial Biodiversity Assessment confirms that the property supports indigenous forest-thicket and dune vegetation and recognises its ecological importance. Consequently, the proposal has undergone a refining process to minimise the development footprint, reduce vegetation clearing, retain indigenous vegetation wherever practicable, and limit fragmentation of the remaining habitat. Proof that the design has been refined is further depicted in the image provided – this image is of Alternative 2 which is not supported.** **The specialist concluded that, while localised vegetation loss within the development footprint is unavoidable, forest elements will be retained and the proposed development is unlikely to significantly compromise the broader ecological functioning or connectivity of the landscape, provided the recommended mitigation measures are implemented.** **The applicant further acknowledges that any approvals required in terms of the National Forests Act, 1998 (Act 84 of 1998), will be obtained prior to the commencement of any activities regulated under that Act.**

	
Forestry has the following comments: i. 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 ii. Forestry request the following:	**Noted.**
1. Forestry object to the proposed rezoning as well as subdivision of above property	**The objection from Forestry is noted. The proposed rezoning and subdivision have been assessed as part of the BAR, with consideration given to the site's vegetation, biodiversity sensitivity and potential environmental impacts. The proposed development footprint and associated mitigation measures have been informed by the specialist assessments. The objection will be considered by the competent authority in its decision-making process.**
2. Forestry object to above proposal of two units on above property.	**As per point 1 above.**

3. Forestry request that a revised development proposal should be considered within the current Open Space Zone 2 zoning rights- having a more minimal footprint size and recirculated for comment	**Forestry's recommendation is noted. The proposed development has been refined through an iterative design process informed by the findings of the specialist assessments to minimise the development footprint and associated impacts on indigenous vegetation. The current application seeks approval for the proposed rezoning and associated development rights, which have been assessed as part of this Basic Assessment process. The competent authority is requested to consider the proposal, together with the specialist findings and recommended mitigation measures, in determining the appropriateness of the proposed land use.**
4. Forestry request that previous said revised development proposal be planned in the more disturbed area- at a positioning that would also minimize the access road	**This has been undertaken with the current Preferred layout where the development has been positioned as north of the site boundary as possible.**
5. Forestry request that vegetation specialist study be conducted for above property; that indigenous forest be plotted, GPS'd and included within the proposal as no-go areas	**This has been undertaken. Please refer to the Terrestrial Biodiversity Assessment which provides GIS mapping of plotted no-go areas.**
6. According to Principle 3 3(a) of the NFA, "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 economics; social or environmental benefits". This prescribes that no development affecting forests may be allowed unless "exceptional circumstances" can be proven. What constitutes "Exceptional circumstance" is defined in detail in the "a Policy Guideline - : "Policy principles and guidelines for control of development affecting natural forests" of September 2009" document, and according to that, urban development does not constitute exceptional circumstances.	**The concern regarding the exceptional circumstances requirement under Principle 3(3)(a) of the National Forests Act, 1998, and the associated September 2009 policy guidelines is acknowledged. The applicability of these provisions to the proposed development, including whether the circumstances meet the relevant criteria for development affecting natural forests, will be carefully considered by the competent authorities before any approval is granted.**
iii. Kindly note that this letter is not a NFA licence iv. 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.	**Acknowledged.** **Acknowledge as per point 2 above.**

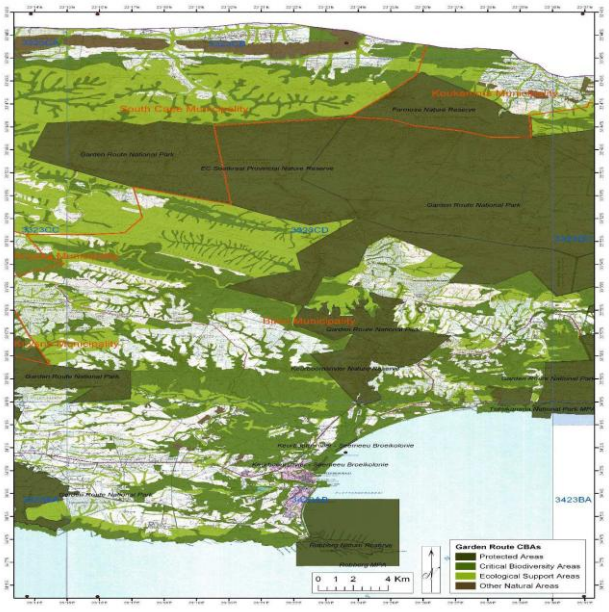
Note: The Department reserves the right to revise the initial comment based on any additional information that may be received Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0052-2026-27. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.	
ORGANS OF STATE	
Cape Nature – Marienne de Villiers – 10 October 2026	
RE: Revised DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape DEA&DP Reference: 16/3/3/1/D1/6/0024/26 Please be advised that CapeNature is regrettably unable to review and provide formal comments on this application. Due to capacity constraints resulting from a vacant Land Use Scientist post, we are unable to process this proposal within the stipulated timeframe. This response should not be interpreted as support or objection to the proposed development. Please continue to process the application and consult with the other required stakeholders. We apologize for any inconvenience this may cause and appreciate your understanding. Please keep CapeNature on your stakeholder list for future notifications; we will respond when our capacity allows.	**Acknowledged.**
PUBLIC	
A & T Millar 99 Paradise Beach Investments Pty Ltd – 9 October 2026	
RE: APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR A DEVELOPMENT ON A PORTION OF Erf 1180, KEURBOOMSTRAND, PLETTENBERG BAY DEDEA Ref 16/3/3/1/D1/6/0024/26 We hereby object in the strongest terms to the granting of Environmental authorisation of the proposed development on a portion of Erf 1180	**Thank you for your comments. Your objection is duly noted.**

(previously ERF 155) Keurboomstrand for the following reasons amongst others. NON-COMPLIANCE WITH ENVIRONMENTAL LEGISLATION, REGULATIONS, POLICIES AND FRAMEWORKS SETTING OF A PRECIDENT THAT THEATENS THE VERY NATURE OF KEURBOOMSTRAND VISUAL IMPACT CONCERNS CONCERNS FOR THE FAUNA INHABITING THE SITE TRAFFIC CONCERNS	
We note that the applicant, over the years and various applications, has used multiple consultants to obtain satisfactory reports when the entire area for the proposed development is: 1. Recognised as a CBA [Critical biodiversity area]. All of the specialists' studies, in the application documentation, acknowledge that Erf 1180 (previously ERF155) is recognised as a CBA (Critical Biodiversity Area) and is subject to the National Environment Act and Biodiversity Act (NEMA & NEMBA), Keurbooms Local Area Spatial Development Framework (KLASDF) , Bitou Spatial Development Framework (BSDF), Spatial Planning and Land Use Management Act (SPLUMA), Land Use Scheme, Western Cape SDF, Western Cape Biodiversity Spatial Plan and Spatial Handbook, Garden Route Biodiversity Sector Plan, Garden Route SDF]; Please see attachments. According to SPLUMA, spatial sustainability principles MUST include protection of the environment by showing regard to natural habitat, ecological corridors and areas of high biodiversity importance. Furthermore, the Land Use Scheme [24(2)(b)] states that "A land use scheme adopted in terms of subsection (1) must take cognizance of any environmental management instrument adopted by the relevant	**As per the EAPs email response to you on 9 October 2026; " there was a change in appointment from Bluepebble Sustainability Solutions to Eco Route Environmental Consultancy; therefore, a change in EAP came with a change in appointment of company conducting the EIA process".** **Please note that the VIA and Town Planning reports citing that the site is within a CBA have not updated their assessments to identify the latest Western Cape Biodiversity Spatial Plan (WCBSP 2023) which identifies the site as ESA1.** **The Basic Assessment Report complies with the Spatial Planning and Land Use Management Act (SPLUMA, Act 16 of 2013) by aligning its development strategy with municipal and provincial spatial planning instruments that enforce SPLUMA's core principles.** **The report demonstrates specific compliance through the following legal and planning mechanisms:** **1. Inclusion Within the Demarcated Urban Edge** • **SPLUMA Principle Addressed: Spatial Efficiency and Sustainability.** • **Compliance Framework: The report notes that according to the current Bitou Spatial Development Framework (SDF)—which is updated and maintained in accordance with SPLUMA guidelines—the subject property is located entirely inside the demarcated urban edge for Keurboomstrand.**

environmental management authority and must comply with environmental legislation".

The development, as proposed, will impact a CRITICAL BIODIVERSITY AREA, will result in irreparable damage to the sensitive habitat which forms a COASTAL CORRIDOR and which is in contravention of environmental regulations and legislation.

The need to conserve CBA's is further highlighted by SANParks in their biodiversity maps and descriptions recognising that "CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning".



By utilising an infill site inside the urban edge, the project prevents outward urban sprawl into rural or agricultural areas. This maximises existing municipal infrastructure capacity, representing a highly efficient use of land that avoids the high public costs associated with infrastructure expansion.

2. Proposed Rezoning and Land-Use Change Process

- **SPLUMA Principle Addressed: Spatial Justice and Capital Investment.**
- **Compliance Framework: The current land use rights do not permit the residential dwellings, as the land is zoned as Open Space Zone 2.**

To achieve compliance, a town planning application is being submitted concurrently to subdivide and rezone a ±5 000 m² portion of Erf 1180 to Open Space Zone 3 (Nature Conservation Area). This satisfies SPLUMA's requirements for lawful land use transformation and formalises private sector capital investment within a structured municipal framework.

3. Consistency with Approved Spatial Planning Hierarchies

The report evaluates and confirms that the development aligns with the three-tiered spatial planning guidelines mandated by SPLUMA:

Planning Framework	SPLUMA Alignment & Compliance Response
Western Cape Provincial SDF	Realises spatial objectives by staying clear of core Critical Biodiversity Areas (CBAs), enhancing economic productivity, and encouraging climate-resilient, resource-efficient design.
Bitou Municipal SDF (2022)	Adheres to the desired spatial pattern for Keurboomstrand by keeping the theme a low-density residential one, completely avoiding commercial or non-residential elements that could detract from the resort town character.

Fig 1: GRNP Map book CBA is defined	Bitou Integrated Development Plan (IDP) | Supports municipal interventions by creating short-term local construction jobs, enhancing the municipal tax/rates base, and utilising existing bulk services infrastructure. **4. Application of Environmental and Terrestrial Constraints** • **SPLUMA Principle Addressed: Spatial Resilience and Environmental Sustainability.** • **Compliance Framework: SPLUMA requires land-use planning to protect sensitive natural assets that drive local economies (such as coastal tourism).** **The design directly integrates biophysical informants:** • **Topographical Limits: No development is placed on slopes steeper than 1:4, satisfying local SDF constraints.** • **Visual Buffers: A mandatory 35 m scenic route setback line from Main Road (MR394) is enforced to preserve the coastal visual corridor.** • **Ecological Safeguards: High-sensitivity dune thicket, fynbos pockets, and forest zones are designated as strict, fenced off no-go conservation areas. Approximately 70% (±4 hectares) of the broader erf remains untouched to safeguard local biodiversity connectivity.**
Western Cape Biodiversity Spatial Plan 2023 Consideration must be given to the Western Cape Biodiversity Spatial Plan 2023 ('WCBSP'), which was adopted by the Western Cape Minster of Local Government, Environmental Affairs and Development Planning in terms of section 34(2)(c) of the Western Cape Biodiversity Act, Act 6 of 2021. According to this plan, the site on the property earmarked for development, has been assigned a category Critical Biodiversity Area.	**According to the Western Cape Biodiversity Spatial Plan (WCBSP 2023), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation. Subsequent ground-truthing by Jamie Pote (Pr.Sci.Nat.) confirmed that the footprint occurs within ESA 1—not CBA 1—because the remaining vegetation in the erf represents secondary, partially disturbed dune thicket and thicket-forest mosaic that provides connectivity rather than core biodiversity habitat.** **The ESA 1 category is defined as land not essential to achieving biodiversity targets, but that supports the ecological functioning of adjacent CBAs and**

We would query how the latest consultant concluded that the site is now an ESA and not a CBA as shown in official mapping and mentioned in previous reports?



Fig 2: Forested corridor and CBA are apparent

Furthermore SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANParks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area].

The conclusion, of a previous vegetation study for Erf 1180, states:
"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."

In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate

Protected Areas by maintaining natural corridors, hydrological processes, and ecosystem services. The management objective for ESA 1 is to maintain ecological functionality in a near-natural state, allowing for limited, well mitigated, low-impact development.
The map you are referring to was part of previous versions of the BAR and is dated 2021. The below map was redone in 2025 using the updated available data produced by CapeNature and part of the CapeFarm Mapper userface. No GIS data was created by the EAP.

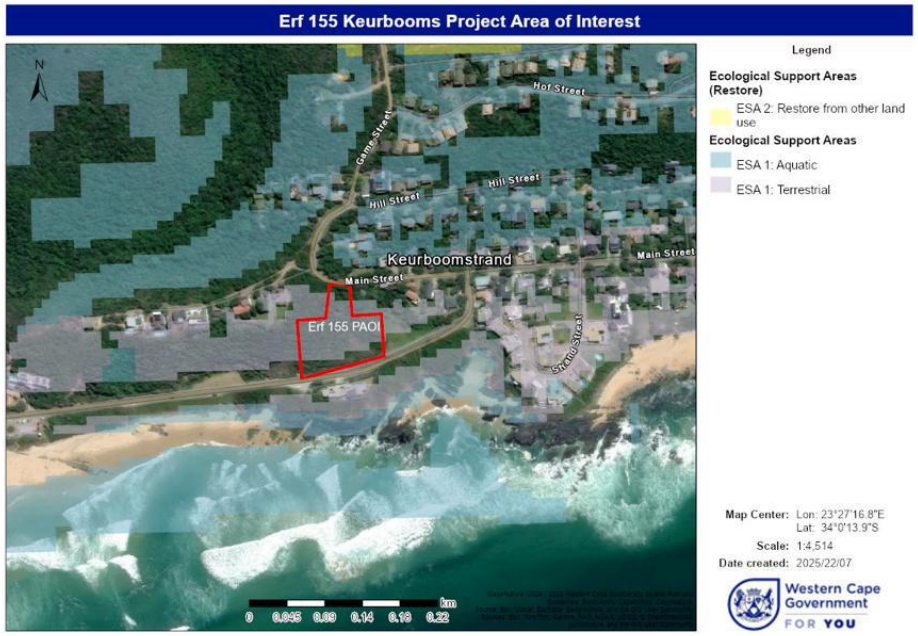


Image as per the 2023 Western Cape Biodiversity Spatial Plan (WCBSP). This product replaces all previous systematic biodiversity planning products and sector plans with updated layers and features. (Source: CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines. Biodiversity Capabilities, CapeNature. Link: https://www.capenature.co.za/westerncape-biodiversity-spatial-plan)

degraded land to natural or near natural and to manage for no further degradation. They state that land-use should not be approved. Conclusion: Environmental authorisation for the development of Erf 1180 Keurboomstrand therefore cannot be granted.	
1A. Terrestrial Biodiversity Assessment & Plant Species Compliance Statement & appendix 15 document inconsistencies Page 18 and 19 contradict each other page 18 claiming a ESA1 and page 19 clearly stating the issues with the site being a CBA this should be noted in the comments book and please provide a written explanation as to why this is to all respondents. The section heading is incomplete and what ? please advise Please note in the comment book the following inconsistency Section 2.2.7 refers to the site being downgraded to ESA 1 In the very next highlighted section under figure 10 it refers to the site as CBA and the fragmentation thereof Which is it? or is it just adding volume to an already very bloated document to confuse and deter respondents from reading the detail. Should a defendable explanation not exist then I assume this report can be ignored and removed as incomplete in which case the application as a whole is incomplete. "Impacts to intact CBA will however be minimal with majority……" this point un 2.2.7 is absolute rubbish nothing has ever been built on that site how can the report refer to "within previously disturbed areas of the site" – complete nonsense once again just adding superfluous wording	**The section heading 2.2.7 refers to the Western Cape BSP 2017, hence the reason for the CBA mention on page 19. However, it is noted that the inclusion of the explanation for downgrading to ESA1 on page 18 is confusing to the reader.** **The heading you are referring to is actually the document main heading. The inclusion of the "&" at the end is a typographical error.** **As answered above.** **As per the Terrestrial Biodiversity Assessment, 02/09/2026: "Low sensitivity areas include disturbed and transformed areas including various pipelines and other infrastructure passing through the site"**

2. Within a protected forest (see Fig 1 & 3 above): [National Forest Act]
The National Forest Act protects natural forests from destruction, "SAVE IN EXCEPTIONAL CIRCUMSTANCES" (Principle 3 3[a]) where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economics, social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance." There is no exceptional or strategic circumstance associated with this development.

It is important to note that even clearing within a forested area is prohibited under the National Forest Act.

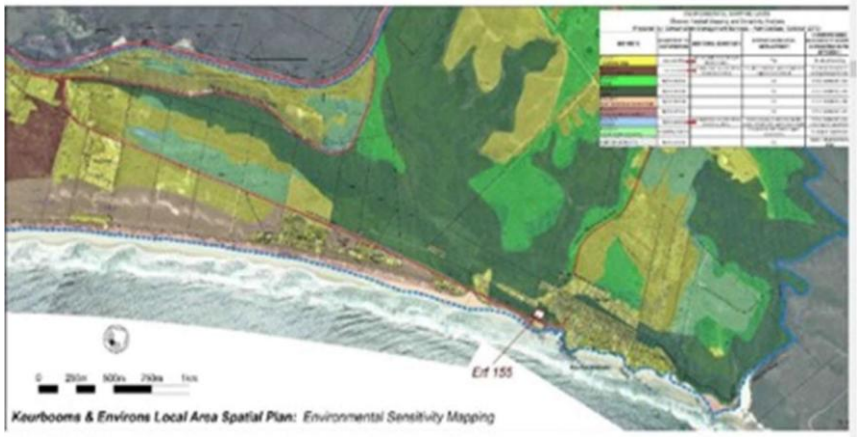


Fig 3: Keurbooms LASP Sensitive habitats

The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF.

The "Vegetation Study" for Erf 1180 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape

The proposed area for development has been labelled as pioneer scrub forest which is less sensitive to pristine scrub forest (Keurbooms River Erf 155: Vegetation Sensitivity Analysis, October 2018).

It is the intention to minimise the footprint of the proposed development, as well as locate it in the best possible location to avoid specific environmental sensitivities. This has been achieved by placing the proposed development within an area where:

A per the Terrestrial Biodiversity Assessment, 2026:

1. The vegetation is not considered to be under any imminent threat at a national level, nor at a regional level and can withstand further development without compromising conservation target significantly.
2. None of the flagged flora species were found to occur during the site assessment, thus confirming the specialist designated low plant species sensitivity for the proposed footprint. While no flagged flora (plant) species of conservation concern were found in the remnant vegetation that is flagged for exclusion in the terrestrial biodiversity assessment, in principle this would provide the most suitable habitat for flora species of conservation concern, and it thus recommended for exclusion.
3. No-go areas include the following:
O dune-thicket along the eastern slope
O the fynbos pocket on the southern portion
O forest-thicket due on the north-western side of the site
4. No cumulative impacts of significance are expected because of the development of the dwellings, providing recommendation and mitigation measures are adhered to, due to the limited disturbance of intact vegetation and concentration within an already urbanised context.
5. Within the Erf 155 (±5.6 Ha), a portion of vegetation will be removed and the remaining natural, near natural and degraded Dune Thicket and Forest Thicket will not be developed within the greater Erf.
6. It is reiterated that around 70 % of the site will not be developed and is unlikely to be developed due to slope, which far exceeds the conservation target of 19 %, within a vegetation unit where conservation targets are already exceeded in designated protected areas.

Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection. The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in forest with a strip of Shale fynbos on the southern tip of the site.	**7. All impacts are assessed to be of low significance before mitigation and can be reduced to low or very low with the implementation of the mitigation measures.** **8. Under status quo conditions it is likely that the disturbed areas will develop into Dune Thicket in time and the dune fynbos patch may develop into Dune Thicket also, if fire and other disturbance is excluded. It is likely that species diversity may decrease due to lack of disturbance.** **9. The specialist thus deems the proposed development to be within acceptable limits for development of such a site in terms of potential loss of habitat as well as risks to flora and fauna species of conservation concern.** **10. No additional alternatives have been considered as the proposed layout is deemed to be the most appropriate for the site and was developed in alignment with the preliminary sensitivity analysis. No alternative acceptable or low sensitivity footprints are deemed to be applicable.** **In addition, the findings of the Terrestrial Biodiversity Assessment, 2026 are aligned with the findings of a previous analysis undertaken for the site in 2018, 'Keurbooms River: Erf 155: Vegetation Sensitivity Analysis' (Conservation Management Services, October 2018). The proposed SDP is a result of the findings and recommendations of both specialist reports.** **All relevant licenses will be applied for prior to the disturbance of the forest and any protected tree species within it.**
3. Within a protected shale fynbos area [NEMBA, KLASDF, BSDF, SPLUMA, Western Cape Biodiversity Spatial Plan] The KLASDF, adopted by Bitou Municipality, identifies this as a sensitive area and the mapping clearly illustrates that the site is part of the green belt leading into Keurbooms and forming a green corridor. Further to this, the KLASDF identifies "no-go" areas, we find it highly doubtful that it is possible or appropriate to develop in the area stipulated, without negatively impacting the vegetation or the corridor. The site is situated in a FUNCTIONING ECOLOGICAL CORRIDOR that would be impacted by the	**The Terrestrial Biodiversity specialist states the following in his assessment report (Appendix G):** **"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction."** **"In terms of section 52 of NEMBA (Activity (a)(i)), the vegetation unit Goukamma Dune Thicket, has a Least Concern status as per National Biodiversity Assessment (2022)… The vegetation on site is representative of the vegetation unit."** **"The GRBSP is however replaced by the more recent EC BSP, and this is provided for context only."**

proposed development. The proposal also conflicts with SPLUMA's principle of Spatial Resilience.

The indigenous vegetation conserves biodiversity, habitat connectivity, stormwater attenuation, steep slope stabilization and climate resilience. Development within this corridor would permanently reduce these ecosystem services.

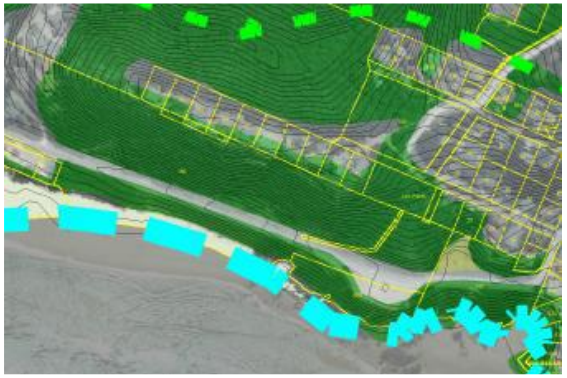


Fig 4: CBA and corridor (green)

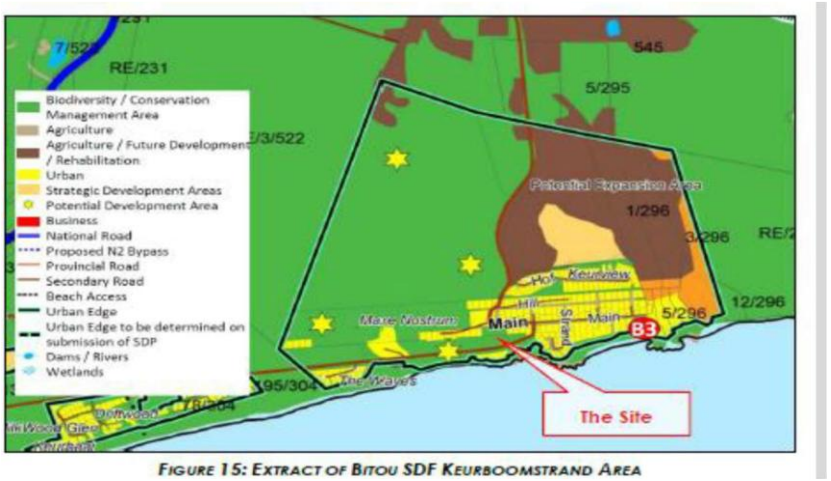


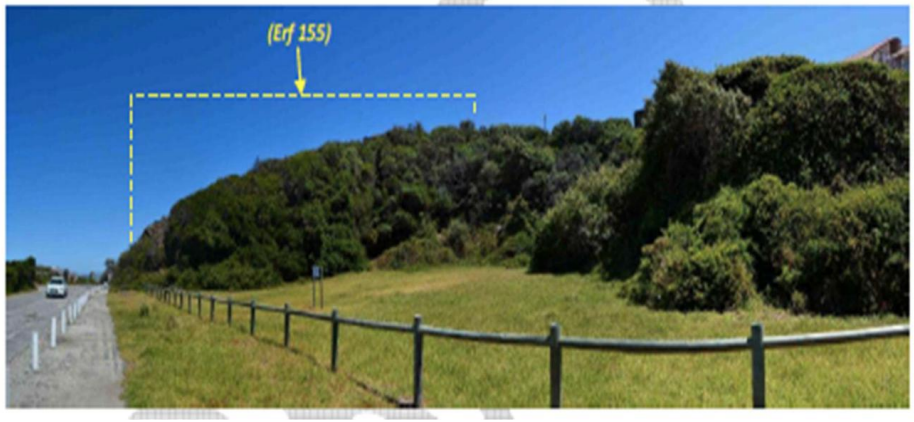
FIGURE 15: EXTRACT OF BITOU SDF KEURBOOMSTRAND AREA

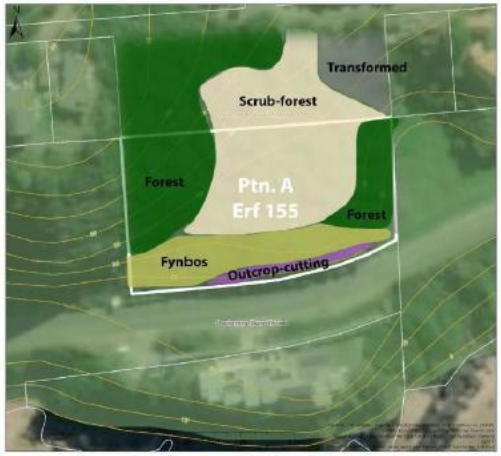
According to the Western Cape Biodiversity Spatial Plan (WCBSP 2023), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation. Subsequent ground-truthing by Jamie Pote (Pr.Sci.Nat.) confirmed that the footprint occurs within ESA 1—not CBA 1—because the remaining vegetation in the erf represents secondary, partially disturbed dune thicket and thicket-forest mosaic that provides connectivity rather than core biodiversity habitat.

In addition, the Vegetation Analysis 2018 you are referring to is outdated in terms of labelling the site as a CBA as per above statement; and the writer states " It is a fact however that the vegetation on the study site can no longer be described as Garden Route Shale Fynbos because it has become forest/thicket due to the long exclusion of fires." (Keurbooms River: Erf 155: Vegetation Sensitivity Analysis, Conservation Management Services, October 2018)

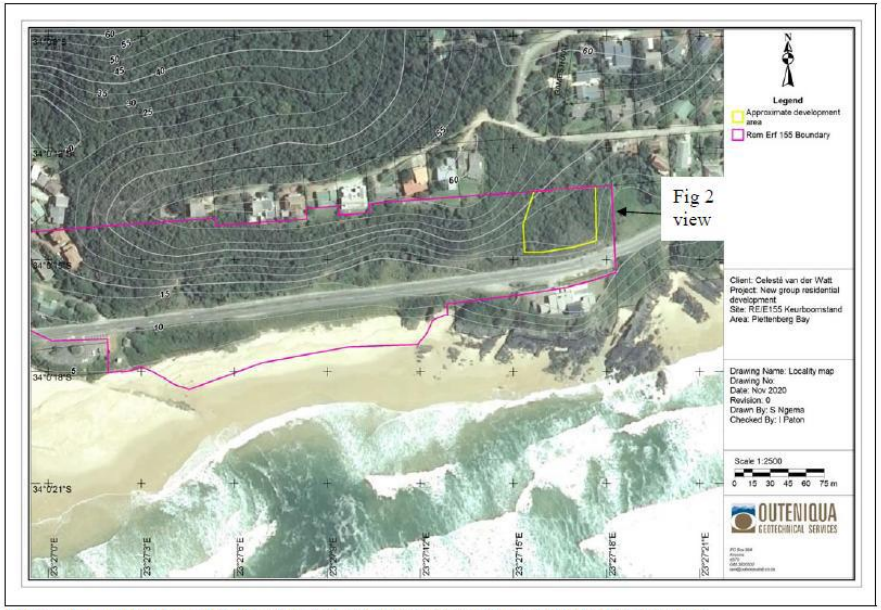
Fig 5: Bitou SDF site is shown for conservation The Garden Route Biodiversity Sector Plan for George, Knysna and Bitou (2010), with super-imposed images of the proposed development onto the maps show that this development will most definitely impact the forest and fynbos areas of the site. The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site concluded: "The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area"	
4. Within 100m of the high-water mark of the sea [Bitou SDF, the Garden Route District Coastal Management Programme (CMP), the Draft Western Cape Coastal Management Programme, Integrated Coastal Management Act (ICMA), National Climate Change documents] According to the ICMA and Garden Route Coastal Management Plan, the Coastal Management Zone is "A continuous strip of land, starting from the high-water mark and extending 100 meters inland in developed urban areas zoned as residential, commercial, or public open space, or 1000 meters inland in areas that remain undeveloped ... It further includes sensitive coastal areas declared in terms of the Environment Conservation Act (Act 73 of 1989) such as the Outeniqua Sensitive Coastal Areas Extension, coastal protected areas ..." The Garden Route District CMP further states that "ALL FUTURE INFRASTRUCTURE AND DEVELOPMENTS SHOULD BE RESTRICTED TO LAND ALREADY ZONED FOR THAT PURPOSE AND NO NEW ZONINGS SHOULD BE CONSIDERED WITHIN THE COASTAL PROTECTION ZONE. Future spatial planning strategies must consider the coastal protection zone as a no-go area for infrastructure." This development application is not suitable or appropriate for this site.	**According to modelled coastal data provided by the DEA&DP https://gis.westerncape.gov.za/portal/apps/experiencebuilder/experience/?draft=true&id=5acb2adc90c444edb56a1f01a34d1b46 the proposed development is located outside the Coastal Management Line (CML), it falls within the Coastal Protection Zone (CPZ), and careful management of the development footprint is required to protect the ecological functioning of the coastal environment.** **The Environmental Management Programme (EMPr) includes a requirement that all approved development footprints, temporary construction areas, no-go areas and ecological buffer areas be clearly surveyed, demarcated and protected prior to the commencement of construction. No vegetation clearing, stockpiling, vehicle movement or construction-related activities will be permitted outside the approved development footprint. These protection measures will remain applicable throughout both the construction and operational phases.** **The development is located landward of the Coastal Management Line and is separated from the active beach and foredune system by the existing Main Road 394 (P0394) and an existing residential dwelling. The proposal does not include, nor is it reliant upon, any seawalls, revetments, gabions, dune**

 Fig 6: High water mark and forested corridor clearly apparent	**armouring or other shoreline stabilisation structures to maintain its long-term viability.** **The assessment has considered the site's coastal context, including the applicable coastal risk information and the recommendations of the specialist studies. In addition, the development incorporates measures to maintain the stability and functioning of the inland dune system, including limiting earthworks, retaining indigenous vegetation outside the approved development footprint, implementing Sustainable Drainage Systems (SuDS) to maintain natural infiltration, and rehabilitating disturbed areas. These measures are intended to ensure that the development does not increase erosion risk or alter natural coastal processes in a manner that would necessitate future coastal protection works.**
5. On an elevated promontory with an average slope of approximately 1:4: [Keurbooms LASDF, Bitou SDF]; 6. Alongside a scenic route : [Heritage Resource Act]; 7. Within an area with a recognised special character, sense of place and importance in terms of tourism and recreation value: [Heritage Resource Act]; 8. Within an area with visually prominent ridgelines or skylines: [Heritage Resource Act] Points 5,6 7 and 8 have relevance to the Heritage Resource Act. The visual impact of this proposed development, if permitted, will impact the aesthetics of the village of Keurbooms and irrevocably change the existing "SENCE OF PLACE". The previous application states, "Given that NONE OF THE ALTERNATIVES ARE COMPLIANT WITH THE VISUAL SENSITIVITY PARAMETERS. The application documents further state that, "The sense of place is derived (especially at a local scale) from the scenic resources of the coastline which are based on natural features." Furthermore, this development will "change the character of the site", as described in the Heritage Resource Act (as well as the sense of place of the area) (See Figs 7 & 8 below)	**The VIA revision 3, October 2025 concludes the following:** **1. The central area of the site is less steeply sloped than the extremities of the site. The proposed development has been placed centrally.** **2. The presence of dense local vegetation reduces the visual exposure of the site, which is located on a steep, stepped promontory with otherwise high visual exposure.** **3. While there are views of the site and proposed buildings from between 1km and 5km away, they are mostly either from the ocean (not frequented by viewers); or screened by vegetation, sand dunes and topography; and the viewer will be less likely to see individual buildings - rather Keurboomstrand as a whole.** **4. The proposed development will not obstruct the views of any neighbours, although the proposed development is most likely to be visible from neighbouring properties.** **5. The proposed development will be most visible from up to 150m away to viewers moving eastward on the MR394 Scenic route.** **The Preferred Alternative is expected to have Low to Medium visual impact overall, with Low to Medium visual impact on the scenic route specifically.** **The effect on the visual character and sense of place: Low negative.**

  Figs 7 & 8: The potential visual impact, considering the currently vegetated site, is obvious	
9. within an area requiring an OSCAE (Outeniqua Sensitive Coastal Area Extension Regulations, 1998) permit The location of the proposed site makes it a requirement that an OSCAE permit is required for relevant activities on site.	**Agreed. An OSCAER permit would need to be applied for should the development be approved.**
10. Violation of NEMBA	**Answered as per previous points.**

Approval of this application would be in violation of a multitude of environmental legislation and regulations, including: National Environmental Management; Biodiversity Act . which needs: a] To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act b] Provide for the protection of species and ecosystems that warrant national protection.  Fig 9: Violation of NEMBA	
11. Non-compliance with SPLUMA Principles This application fails to comply with the principles set out by SPLUMA which states: Land use planning is guided by the following principles of spatial sustainability:	**The proposal has been assessed against the principles of SPLUMA through the Basic Assessment process, specialist studies and planning assessment. The development footprint has been confined, while significant areas of natural vegetation and ecological connectivity will be retained. Potential impacts on biodiversity, visual character, heritage resources and slope stability have been assessed and mitigated. Furthermore, the public participation process has provided affected parties with an opportunity to comment, ensuring that the interests of landowners, residents, authorities and the broader community are considered in the decision-making process.**

(b) the sustained protection of the environment should be ensured by having regard to the following: (i) natural habitat, ecological corridors and areas with high biodiversity importance; (ii) the provincial heritage and tourism resources; (iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and (iv) the economic potential of the relevant area or region; Further under SPLUMA i]"Consideration of the public interest; ii]Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property owners, public and private service providers and the wider community"?	
12. No Go Alternative not considered According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED", despite the acknowledged sensitivity of the land. Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". We find this stance not in the common interest of Keurboomstrand. Erf 1180 (previously ERF 155) has 26 residential units on the flatter western portion of the 56,000m2 some of which are for sale, so the necessity to develop in a sensitive, protected environment is not given. Furthermore properties are available for houses in Keurboomstrand and surrounds. The map below forms part of the documentation of the proposed development and shows the extent of Erf 1180 (previously ERF 155) Mare	**In accordance with the EIA Regulations, reasonable alternatives were considered during the Basic Assessment process, including the no-go alternative and alternative layout configurations. Property alternatives were not assessed as the application relates to the development of a specific privately owned property and the environmental suitability of that site. The availability of other properties within Keurboomstrand does not negate the applicant's right to seek development approval for the subject property. The acceptability of the proposal is therefore based on the findings of the specialist assessments and the extent to which environmental impacts can be avoided, minimised and managed.**

Nostrum and some of the residential units on the western portion. Also the forested steep slopes.  Figure 1: Locality map of site showing approximate proposed development area Fig 10: Extent of ERF 1180 and some of the existing residences on the western side	
13 The Visual impact report by Filia Visuals PTY LTD Findings "The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline. The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local	**The Visual Impact was reassessed from the previous version dated February 2022, as the proposed development plan was amended. Please see Appendix G for the updated report and findings.** **The VIA (October 2025) finds the following:** **1. The Preferred Alternative is expected to have Low to Medium visual impact overall, with Low to Medium visual impact on the scenic route specifically.** **• Impact on sensitive receptors: Low to Medium negative (21)** **• Impact on important views and view corridors: Low to Medium negative (21)**

receiving environment is unique and distinctive within the coastal belt, based on both the local townscape character and the value of the natural and scenic resources. The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand. The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable. • Inside the 100m Urban Coastal Setback Line; • On an elevated promontory with an average slope of approximately 1:4; • Within a Critical Biodiversity Area containing protected tree species; • Alongside a scenic route; • Within an area with a recognized special character, sense of place and • importance in terms of tourism and recreation value; • Within an area with visually prominent ridgelines or skylines; Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes: i. A change in land use from the prevailing use; ii. A use that is in conflict with an adopted plan or vision for the area; iii. Possible visual intrusion in the landscape.	**• Effect on protected landscapes & scenic resources (scenic route): Low to Medium negative (27)** **• Effect on the visual character and sense of place: Low negative (16)** **• Effects associated with the Construction phase: Medium negative (45)**
14. Visual impact on the residents of Keurboomstrand village. It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 11180 Private open space. This is strange as they state in paragraph5.3.4. Visual Receptors and their Potential Sensitivity	**The VIA states the following: "The proposed development will not obstruct the views of any neighbours, although it is most likely to be visible from neighbouring properties." (Visual Impact Assessment, October 2025)**

i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community; ii. Residents and residential properties with views affected by the development. iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.	
15. Traffic Impact 1. Location relative to a sharp bend and steep downhill grade The proposed access point is situated close to a sharp bend on Main Street. Immediately from the stop street at the 394 and Main street intersection this road climbs a steep hill. Vehicles travelling downhill towards the access therefore approach the intersection at speed around a horizontal curve on a significant downhill gradient. This combination of: • a sharp horizontal curve, • a steep vertical grade, and • restricted forward visibility creates a real risk of inadequate stopping sight distance and limited reaction time for drivers approaching the access, particularly those travelling downhill. The same geometry also restricts sight distance for vehicles exiting the proposed development. 2. Narrow road width around the curve The existing Main Street is already narrow, especially in the vicinity of the curve near the proposed access. This further reduces the ability of vehicles to manoeuvre safely or to pass one another if a vehicle is waiting to turn into or out of the development.	**The report prepared by Innovative Transport Solutions concluded that the transport impact of the development would be insignificant due to low traffic volumes. As a result, it explicitly states that no specific road improvements other than the basic access point will be required.** **1. Detailed Sight Distance Assessment - The report acknowledges that available shoulder sight distance to the west is limited. However, it does not provide a detailed, engineering-level calculation for stopping or decision sight distances. It merely notes an approximate visual estimate of 40 metres, stating it is sufficient because operational speeds around the topography are low (±20 km/h).** **2. Widening of Main Street - The report does not propose or evaluate widening Main Street. It describes Main Street as a Class 5 Local Street with one lane per direction, no shoulders, and no sidewalks, but maintains that no modifications are needed.** **3. Semi-Passing Lane / Widened Shoulder - The report does not feature any provision or recommendation for a passing lane, overtaking lane, or widened shoulder. It proposes only a basic 4.5-metre paved shared access driveway leading off Main Street into the units.** **The report concludes that the surrounding road network operates at acceptable levels-of-service and has sufficient capacity. It recommends full approval of the development from a transport perspective as-is. Therefore, it lacks the detailed safety calculations, geometric assessments, and mitigation features (widening/passing lanes) outlined in your criteria.**

3. Inadequate treatment in the Traffic Impact Statement The Traffic Impact Statement (Innovative Transport Solutions) merely states that "the access spacing is acceptable and the available shoulder sight distance in both directions along Main Street is sufficient." It does not appear to have assessed the combined effect of the sharp bend, the steep downhill grade, the narrow road width, or the restricted sight lines that result from this geometry. No detailed sight-distance calculations, speed surveys, or road-geometry analysis addressing these specific conditions are provided in the main report. Recommendations In the interest of road safety we request that the following measures be investigated and reported on for consideration. 1. A detailed, site-specific assessment of available stopping sight distance and decision sight distance for vehicles approaching the access from both directions, with particular attention to the downhill approach around the sharp bend. 2. Widening of Main Street in the vicinity of the curve and the proposed access point to improve operational safety and provide adequate space for turning movements. 3. Provision of a semi-passing / overtaking lane or widened shoulder at the intersection to allow vehicles to pass a stationary or turning vehicle without conflict, especially given the existing narrow carriageway and the curve. Until these geometric and safety issues are properly assessed and mitigated, we do not consider the current access arrangement to be safe. We request that this comment be recorded in the Comments and Responses Report and that the traffic specialist be required to respond specifically to the concerns raised above.	

16. Animal Species The section on fauna is very light and fails to recognise that there are resident bush buck living on the proposed sight	**Please refer to the Animal Species Compliance Statement for Proposed Residential Property on Erf 155, Keurboomstrand, Western Cape, compiled by Capensis, September 2025:** **"Evidence of several mammals was noted at the site, with scat from Tragelaphus scriptus (Bushbuck)"**
17. Personal impact Once again we must note that the applicant, over the years and various applications, has used multiple consultants to try and obtain satisfactory reports when the entire area for the proposed development is a CBA. The "Terrestrial Bio…."" section mentioned above certainly raises some questions. We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 1180 would experience a drastic change of our scenic view across the forest towards robberg photos below (Figures 11 and 12).  Fig 11: Personal Impact	**Thank you for providing comments. They have been taken into consideration.**

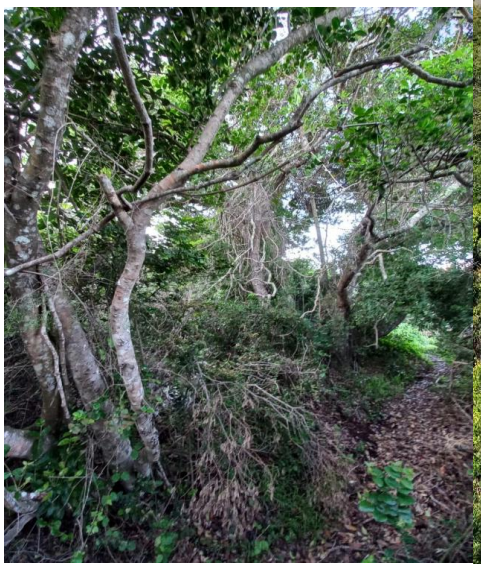
 Fig 12: Personal Impact	
We would like to note that, when we bought our house on Erf 96, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures in the face of such environmental legislation, in place to protect such pristine protected environments, would open the door to other developers doing the same which is of grave concern to us as permanent residents of Keurboomstrand. We would also like to note We reserve the right to submit further comments on the application as information becomes available.	**Your concerns regarding the protection of the existing natural environment and the potential precedent for future development are acknowledged. The current application has been assessed on its own merits through the Basic Assessment process and informed by specialist studies. The proposed development footprint has been refined to avoid and minimise impacts on sensitive environmental features, and the competent authority will determine the acceptability of the proposal based on the findings of the assessment, applicable legislation and recommended mitigation measures. Approval of this application would not automatically create a right for similar developments elsewhere, as each application must be assessed independently based on its site-specific characteristics, environmental sensitivities, legislative requirements and specialist findings.**

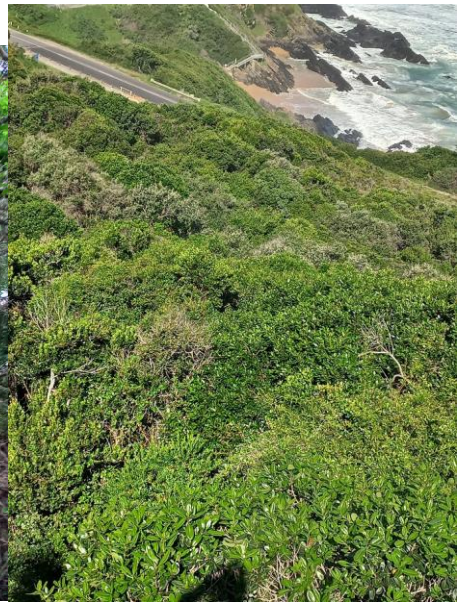
R & E Martin Erf 15 – 8 October 2026	
RE: COMMENTS ON THE REVISED DRAFT BASIC ASSESSMENT REPORT OF ERF 1180 (PREVIOUSLY ERF 155), KEURBOOMSTRAND, PLETTENBERG BAY. DEA&DP REF: 16/3/3/1/D1/6/0024/26	
Dear Ms Teeluckdhari Thank you for the opportunity to comment on the Revised Draft Basic Assessment Report. We maintain our objection to the granting of environmental authorization. Our comments on the preapplication BAR stand and should be read with this letter. Having studied the Revised BAR, the Comments and Response Report and the specialist appendices, we submit that the revisions have not resolved the fundamental problems with this application and have in some respects introduced new contradictions. Our comments follow.	**Thank you for your comments. Please see below responses.**
 Milkwood Trees at the proposed entrance  Forest on Erf 1180	

1. The National Forest Act The site is clearly a forested area with amongst others, numerous White Milkwood and Cheesewood trees present as can be seen on the photos. The Department of Forestry, Fisheries and the Environment, Forestry Branch its letter (Appendix F3, pp. 36–41 and 106–108) states: • "Forestry object to the proposed rezoning as well as subdivision of above property." • "Forestry object to above proposal of two units on above property." • "In the past Forestry objected to the proposal of rezoning as well as subdivision – as new primary rights will cause more destruction of indigenous forest. The whole property is covered with indigenous forest." On 30 May 2024 Forestry (Ms M Koen) described the site as "pristine protected Coastal Forest" on steep slopes, listing Milkwood, Candlewood, Cape Beech, Cheesewood and Cabbage Tree among others. Even though Cheesewood trees [Pittosporum viridiflorum] are not mentioned anywhere in either BAR June 2026 draft or the September 2026 revision, many protected Cheesewood trees are present on the site as well as protected Milkwood trees and others such as Cape Beech and Candlewood. 	**The Terrestrial Biodiversity specialist has stated the following:** **"The endemic and other protected species that are present are generally having widespread distributions and the activity is unlikely to pose any significant threat to any species or population. No specific populations of threatened species were identified within the footprint, and the affected footprint is largely disturbed or comprised of secondary vegetation. There are a number of red listed species in the surrounding vegetation units and area that are known to have limited distributions; however, none were recorded on the footprint."** **Table 5 of the Terrestrial Biodiversity Assessment states the following: "No distinct Forest is present within the affected footprint; forest elements can be found within thicket in protected niches."** **The location of protected trees were surveyed and their locations are included in the SDP. If, for any reason, a protected tree was missed in the survey, as it is difficult to check every square metre of the site, it's location will have to be assessed, taking all aspects into account, during the initiation of the construction phase, should the development be approved. This mitigation measure is included in the EMPr.** **The above proves that although the property as a whole contains indigenous vegetation, the site location contains secondary vegetation. The sensitive areas to avoid were mapped out by the terrestrial biodiversity specialists from the inception of the proposal.** **In addition, the Terrestrial Biodiversity Assessment (2026) does contain the percentages of footprint to be lost, and the BAR states the total footprint to be lost.**

Milkwood trees Cheesewood trees

Section 3 of the National Forests Act, 1998 provides that natural forests may not be destroyed save in exceptional circumstances, which generally refer to projects of national or provincial strategic importance. Two private dwellings do not qualify.



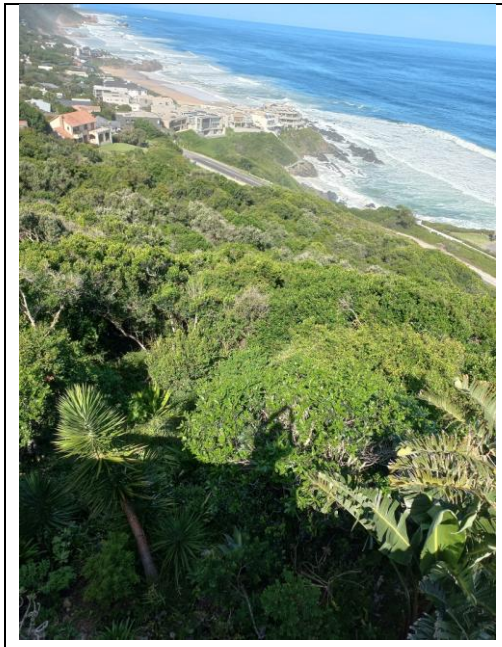


Forest Forest on total proposed development area

The Draft EMPr now acknowledges that licenses under sections 7 (natural forest) and 15 (protected trees) apply, and the Flora Compliance Statement confirms that removal of Milkwood (Sideroxylon inerme) requires a permit. Yet the Revised BAR contains no count of Milkwoods or other protected trees, no plot of them on the Site Development Plan (SDP), and no figure for the area of forest to be lost. The classification of the vegetation as natural forest under Notice 167 of 2017 has not been rebutted, and the "exceptional-circumstance" are not addressed. The response that licenses will be obtained "should any be required" is not consistent with Forestry's statement that the whole property is indigenous forest. See photos

2. The development lies within the 100 m high-water-mark setback, in conflict with the KLASP The newly added "Listed Activity 19A" states: "Majority of construction will be within a distance of 100 metres inland of the high-water mark of the sea." The Keurbooms Local Area Spatial Plan (KLASP) policy states "No development within the 100m high water mark setback". KLASP also excludes development on slopes steeper than 1:4 and within Map Unit 4 (Forest). The planning report must be corrected and the KLASP assessment redone.	**As per the National Integrated Coastal Management Act (Act 24 of 2008), there is no blanket prohibition on development within 100 metres of the high-water mark (HWM). Instead, it establishes a legal tier called the Coastal Protection Zone (CPZ), which regulates and triggers strict environmental assessment controls rather than an outright ban.** **It is acknowledged that the property is located within the Coastal Protection Zone (CPZ) as defined in the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008) (ICMA), and that the CPZ performs important ecological functions, including the protection of coastal ecosystems, maintenance of ecological processes, buffering against coastal hazards, and enhancing resilience to the impacts of climate change. The application has therefore been assessed with due regard to the objectives of the CPZ and the precautionary approach embodied in both the ICMA and the National Environmental Management Act, 1998 (Act 107 of 1998).** **The proposal has been informed by specialist investigations and an iterative design process aimed at avoiding and minimising impacts on the coastal environment. The development footprint has been confined to the minimum extent reasonably required to accommodate the proposed development, while retaining substantial areas of indigenous coastal vegetation and limiting disturbance of the surrounding dune system. The preferred layout has been refined to reduce vegetation clearing, minimise earthworks, avoid the most environmentally sensitive areas where practicable, and maintain the ecological functioning of the remaining coastal habitat.** **The proposal further incorporates a comprehensive suite of mitigation measures, including rehabilitation of disturbed areas, long-term management of indigenous vegetation, invasive alien plant control, erosion prevention measures, and the implementation of Sustainable Drainage Systems (SuDS) to maintain natural infiltration and reduce concentrated stormwater flows that could destabilise the dune system. These measures are intended to ensure that the ecological integrity and protective function of the coastal environment are maintained over the long term.** **With regard to climate change, the proposal has considered the site's coastal hazard context, including the applicable coastal risk information and specialist assessments. The development is not proposed within the active**

	beach system, and appropriate setbacks and design measures have been incorporated to reduce exposure to coastal hazards and to avoid adversely affecting the natural functioning of the dune system. Accordingly, the proposal is not anticipated to increase coastal erosion risk or compromise the resilience of the broader coastal environment. **Although, KLASP is recognised in this assessment, it's policies must align with the National Environmental Management: ICMA (Act 24 of 2008) and cannot override it.**
3. The visual impact has not been reassessed In reply to point 13 of our July letter, the C&R report states that the VIA "has been reassessed". It has not. The only new visual document is Filia Visual's letter of 5 August 2026, which states: "Please note that this commentary letter is not meant to re-assess visual impact." The VIA (Appendix G7) itself finds that the preferred layout "remains non-compliant" with the visual sensitivity parameters and "cannot meet the requirements of DEA&DP for low visual impacts overall". Its support is only "in principle" and conditional on its recommendations being strictly adhered to, including: The Filia letter records items still open: the driveway and car-court outside the buffer, an incorrect forest hatch on the SDP, protected trees not shown, no section proving the height limit, services not shown, and part of Unit 2 possibly within a no-go area. The VIA also records that from the scenic route the development "will nevertheless contribute to the erosion of the visual character of the scenic route", that from the village entrance "the ridge line will be interrupted", and that loss of forest will compromise the landscape's capacity to screen development.	**The VIA was reassessed from the previous 2021 and 2022 versions to the latest version dated October 2025. This is due to the amendments made to the SDP in response to the initial VIA.** **The commentary letter you are referring to is a response to a query for the visual specialist (post the October 2026 assessment) to identify which amendments still need to be undertaken to the SDP to comply with her recommendations/mitigation measures. Below is a summary of the findings and the EAPs response to how these were dealt with. The latest SDP available has been amended to comply with the visual specialists list and where non-compliant – a reason has been provided:** **1. Include the driveway and carcourt in the disturbance footprint, considering that the driveway and carcourt will also result in disturbance. A 1m offset should suffice for construction disturbance around these paved areas.** **EAP response: This has been undertaken. See amended SDP.** **2. Forest areas as mapped by the Botanical specialist must be shown on the SDP correctly to demonstrate adherence to Environmental development constraints. There is one part of Unit 2 that is still within a no-go area according to our measurements (Our measurements may not be accurate - this should therefore be shown on the SDP accurately).** **EAP response: This has been amended to correctly represent the vegetation habitats.**



P 394 Scenic route into Keurboomstrand village with forest

The Bitou MSDF (2022) declares Main Road 394 a scenic route. Its stated aims are to "preserve the visual and scenic qualities of the routes" and keep access to the scenic amenities along them.

The HIA it names the scenic route and landscape as the main heritage resource. The site is graded IIIC because of "the significant endemic and screening vegetation as well as its proximity to scenic routes and public spaces"! Clearing that forest therefore affects the very thing that gives the site its heritage value.

The VIA says "protecting the landscape setting and gateway qualities of this particular stretch of road is an imperative".

Its conclusion: the proposal "cannot meet the requirements of DEA&DP for low visual impacts overall". It is supported only "in principle".

3. We suggest that areas within the disturbance footprint be hatched in a different colour or pattern to indicate that these areas will be rehabilitated as per the recommendations of the 2025 VIA or incorporated into the future landscape design.

EAP response: This has been amended.

4. All protected tree species within the development footprint and the disturbance footprint must be indicated on plan.

EAP response: This has now been included in the SDP.

5. The architects appointed to undertake the architectural guidelines must be given a copy of the 2025 VIA and all following reports/studies, including this letter.

EAP response: This has been undertaken.

6. We recommend that at least one appropriate site-long section is included to indicate compliance with the height restriction on the SDP, and to demonstrate adherence to the height restriction as it slopes parallel to the existing ground level.

EAP response: The applicant will undertake this item should the development be approved. The site-long section will be sent to the visual impact specialist for approval.

7. The proposed linear infrastructure (i.e., the sewer line and the water connection line including footprint and area that will be disturbed for their construction) must be shown on the SDP.

EAP response: This has now been included in the SDP.

The VIA (October 2026) states the following:

Finally, the VIA's own section 5.3.4 identifies residents with affected views as sensitive receptors, yet no assessment was made from the homes overlooking the site, including ours. We request a proper VIA reassessment of SDP Rev G, including views from residences above the site, and that the C&R wording be corrected.



Milkwood trees



Cheesewood trees

"Considering that the seaward views <u>have already been negatively impacted by development on nearby erven</u>, protecting the landscape setting and gateway qualities of this particular stretch of road is an imperative.
• A setback line has been determined based on and in response to the findings of this VIA with regard to the sensitivities of this subject site (through visibility and viewshed analysis, 3D modelling and simulation).
• A setback line would enable visual intrusion to be managed to an acceptable extent. Even though the buildings would be higher up the slope, the denser and taller existing vegetation would surround and absorb the buildings more effectively to reduce visibility.
• A setback line would ensure that the gateway character of the scenic route at this NB entrance point would be subject to less visual intrusion.
• The centre line of the road reserve of Main Road 394 should serve as the origin line for the setback.
• The Scenic Route setback enables the topography and vegetation to screen the proposed buildings for the sensitive scenic route views."

The SDP includes the above mentioned setback line.

In addition, the VIA (October 2026) states the following:

"DEA&DP recommended that all future development in Keurboomstrand have low Visual impacts. The VIA has determined that visual impacts of <u>Low to Moderate</u> Significance will result from the development of the proposed Erf 155 Keurboomstrand project, without mitigation.

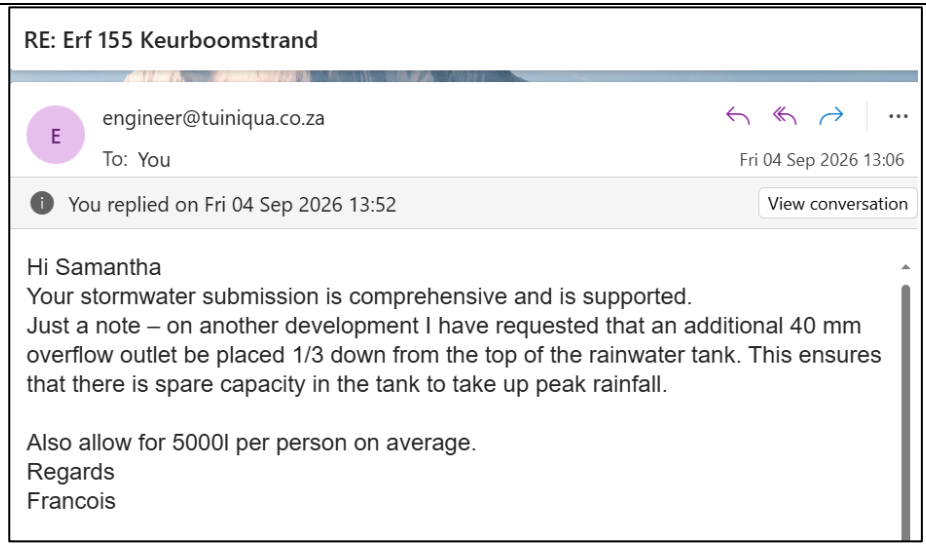
The assessment of various iterations of the proposed development has indicated that the proposal cannot meet the requirements of DEA&DP for low visual impacts overall. However, the description for the "Low to Medium" impact Significance classification is *"The impact has an influence, but the impact can be mitigated".*

Therefore, the VIA finds that the proposed development may be supported in principle at this level of development approval (EIA and Land Use planning), if additional information is provided for this application, and if the recommendations and mitigation measures of the VIA (and the visual sensitivity setbacks provided) are strictly adhered to."

	The recommendations and mitigation measures as listed and responded to above in point 3 have been implemented, bar one of the recommendations, *which is recommended to be included as a condition of approval*. **In the VIAs Visual Analysis the specialist states the following repeatedly:** **"The proposed development will not obstruct the views of any neighbours, although the proposed development is most likely to be visible from neighbouring properties."**
4. The development footprint is stated inconsistently The documents give 1,448 m² (VIA developable area), approximately 2,000 m² (BAR coastal management section), 2,500 m², 2,979 m² (including buffer) and 4,229 m² (Alternative 2). The cleared area determines which listed activities apply, the volumes and the extent of forest loss.	**The footprint area has been amended in the BAR to all be consistent in order to avoid confusion.** **Please note that this does not affect the triggered Listed Activities.**
5. The site's biodiversity status is contested and described inconsistently The EAP relies on the 2023 Western Cape Biodiversity Spatial Plan reclassifying the site from CBA 1 to ESA 1. DEA&DP's own GIS check places the site in CBA 1, CBA 2 and ESA; the Revised BAR itself refers to "CBA 2 and ESA 1"; and the terrestrial report records the site as previously CBA 1, where development is "generally not acceptable". The Bitou MSDF (2022), quoted in the VIA, places the site in a Core 1 area which "must be regarded as no-go for development and must be kept in a natural state". Secondary or regrowing vegetation is not a reason to develop; left undisturbed it recovers.	**A previously mentioned the 2023 Western Cape Biodiversity Spatial Plan (WC BSP) was formally adopted into law on the 13th of December 2024 (Gazette Extraordinary 9017) in alignment with the Western Cape Biodiversity Act (No. 6 of 2021). This marks the replacement of the 2017 WC BSP with the 2023 WC BSP.** **The site was previously CBA 1 in terms of the 2017 WC BSP. It is now ESA in terms of the 2023 WC BSP. We cannot classify the site according to replaced laws.** **The use of CBA 2 in the BAR is not for classifying the site. It is quoting policy of the WC BSP. However, this statement has now been amended in the Final BAR to avoid further confusion.**

  Cape Beech Candlewood	
6. The Terrestrial specialist assessment The Terrestrial Biodiversity Assessment was re-issued on 2 September 2026, replacing the original author, Bluepebble Consulting. The report simply states that site conditions "have not materially changed". Meanwhile the 2018 Vegetation Sensitivity Analysis, which found pristine scrub forest with Milkwoods, threatened vegetation and CBA status, has been "removed from the BAR" as outdated.	**The Terrestrial Biodiversity Assessment was not reassessed; it was amended to include a separate Plant Species Compliance Statement in compliance with the relevant legislated protocols.** **Bluepebble were the original/previous EAPs appointed on the project, not the authors of the assessment. The specialist corrected this to state that the EAPs are now Eco Route.** ***"The site conditions have also not materially changed and the earlier survey that was conducted remains valid for the current layout and current Screening Tool SCC."*** **(Terrestrial Biodiversity Assessment and Plant Species Compliance Statement, page 6, 02/09/2026)** **In addition, the specialist states the following: *"The findings of this report are aligned with the findings of a previous assessment undertaken for the site in 1018, 'Keurbooms River: Erf 155: Vegetation Sensitivity Analysis' (Conservation Management Services, October 2018)."*** **There is no conflict in the findings of the vegetation analysis and the full Terrestrial Biodiversity Assessment.** **As previously stated by the EAP: The report "KEURBOOMS RIVER ERF 155: VEGETATION SENSITIVITY ANALYSIS" has been removed from the BAR. It is**

	evident that this report has caused some confusion amongst various departments. This report was commissioned as a mere vegetation analysis to assist in the original screening of the site in 2018. It was never meant to replace the Terrestrial Biodiversity Assessment originally compiled by Jamie Pote in 2020. The analysis report is also now outdated and should not be considered. **The analysis was a screening report conducted in 2018 that cannot be included in the BAR as it is beyond 5 years old and does not meet the criteria for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes in Terms of Sections 24(5)(A) and (H) and 44 of The National Environmental Management Act, 1998, when applying for Environmental Authorisation.**
7. Coastal Protection Zone, slope stability and stormwater DEA&DP Coastal Management finds the development inconsistent with the purpose of the Coastal Protection Zone (s17 ICMA), calls for a precautionary approach. Listed Activity 19A was only added now, having been "accidentally omitted", and the section 63 ICMA assessment remains general narrative. We ask how each section 63 factor has been addressed. The June 2026 draft required a specialist to compile a stormwater management plan; the Revised BAR now relies on a conceptual plan attached to the EMPr. On slopes of 1:4 above a cliff, a detailed stormwater and slope-stability plan should be prepared and assessed.	**The section relating to the CPZ has been responded to previously and above in point 2. Please refer to DFFE Oceans and Coast comment dated 09/10/2026.** **Activity 19A was still assessed by all specialists and the EAP. It was only omitted from the list provided in Section D of the BAR.** **Section 63 of ICMA was sufficiently responded to in the BAR Section G no.3.3** **In terms of the SWMP, as previously stated:** **The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –**

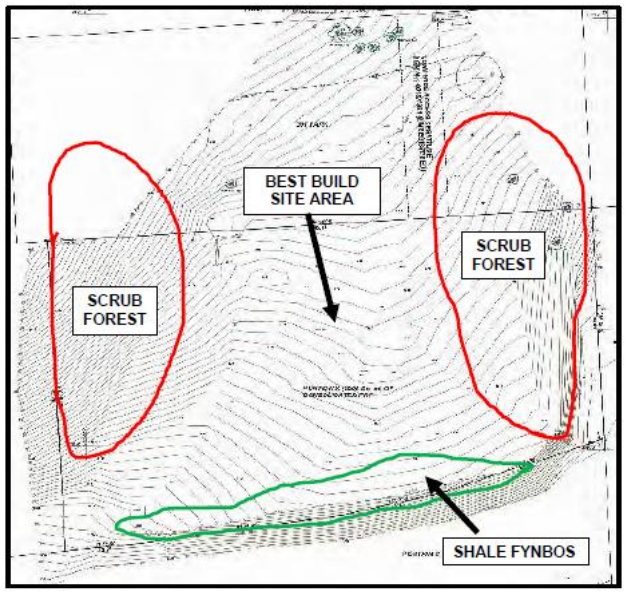
	 **Please note that the proposed development is not within an area containing a slope of 1:4. These steeper slopes have been identified as no-go areas and were afforded a 5m buffer area. Please refer to the SDP.**
8. Non-compliance with the 2011 municipal approval Municipal approval 18/151 & 155/KB of 21 September 2011, for 26 existing residential erven on Erf 151/155, included condition (h): the remainder of the property is to be managed as a Private Nature Reserve by the Mare Nostrum Homeowners Association. This condition was requested by the KPOA [Keurboomstrand property owners association] and adopted by the municipality. The response to point 11 of our July letter refers only to the planning report. We ask how this condition is to be complied with or lawfully removed.	**In the Specialist Planning report, August 2025, the author provides a summary of the condition 2(h) occurring within the official Bitou Municipality approval letter 2011 and included as an annexure C to the report.** **The author further states "*one <u>has to obtain</u> permission to amend this condition of approval.*" – this provides confirmation that this is a binding condition of the property in terms of municipal regulations.**
9. Alternatives and need and desirability Site alternatives were not assessed because the applicant wishes to develop on this site only. Need and desirability must be consistent with the principles in section 2 of NEMA; the desire of one owner to build on this	**The assessment focused on alternatives within the identified site, as the application relates to a specific, privately owned portion of Erf 1180 and the proposed development is site-specific. Alternative properties were therefore not assessed. It is acknowledged that the applicant's preference for this property does not, in itself, demonstrate need and desirability. These considerations were evaluated against the principles of Section 2 of NEMA, the**

particular site does not demonstrate it. The no-go alternative remains the environmentally preferred option.  Forest on proposed site  Gwarrie	**environmental sensitivity of the site and the potential impacts of the proposal. The no-go alternative has been considered, and the merits of the proposed development relative to this alternative remain for consideration by the competent authority.**
10. Dwelling size and depiction No floor area, roof area, heights or sections are given for the preferred layout and the VIA describes coverage as "undetermined". Our objection was that the site plan depicted the proposed dwellings at a misleadingly small scale, looking more like "Dog kennels", when on the edited SDP our roof is approximately 130 m² and the proposed houses exceed 400 m². This was dismissed as relating to an "old 3D image". Any SDP must show the correct architectural layout plans.	**The overall development footprint was provided in the BAR. Detailed architectural plans are not necessary for environmental assessment.** **The VIA did not have the latest SDP at the time of compilation, hence, the "undetermined" coverage statement. This has since been dealt with by having the visual specialist review the SDP.** **The EAPs previous response is still valid:** **"The image you are referring to is found in the Specialist Planning Report and it is assumed that this image was used to show an estimate site location. However, please refer to the plans provided in the BAR and the appendices for a more accurate representation."**
11. Responses to our July 2026 letter remain unanswered.	**All points listed have been responded to previously and in this C&R report.**

• Point 7 (green corridor): the loss of the green entrance to the village and its sense of place is not addressed; the reply cites only "minor displacement during construction". • Points 9 and 10 (legislation, SPLUMA): generic replies; the SPLUMA principles and residents' interests are not assessed. • Point 11 (2011 approval): not answered on substance (see 9). • Point 14 (precautionary approach): acknowledged only, although DEA&DP Coastal Management makes the same comment.	
12. Conclusion **The site forms part of a continuous indigenous forest corridor and the green entrance to Keurboomstrand, which we and many residents understood to be protected.**   Forest Orchid [Satyrium] on the cliff face shale fynbos area Applying the precautionary approach required by NEMA, we respectfully request that environmental authorisation be refused. We ask that this letter be included in full in the Final BAR and forwarded to the competent	**Thank you, your comments have been captured and responded to in full. The merits of the proposed development relative to the environmental impacts remain for consideration by the competent authority.**

authority. We reserve the right to submit further comments as information becomes available.	
Plettenberg Bay Environment Forum – Chanel Visser (OBO) – 8 October 2026	
RE: REVISED DRAFT BASIC ASSESSMENT REPORT PROPOSED RESIDENTIAL DEVELOPMENT ON A PORTION OF ERF 1180, KEURBOOMSTRAND – DEA&DP REF: 16/3/3/1/D1/6/0024/26 The Plettenberg Bay Community Environment Forum ("the Forum") submitted a detailed objection to the Draft BAR dated July 2026 and found no major changes or additions in the Revised BAR dated September 2026. The Forum maintains its objection to the application and makes no changes to our previous comments but would like to add the following comments. "On the Amendments" of the Revised BAR.	**Thank you for your comments. The Revised BAR was circulated for the amendments made listed in the summary on page 2 of the BAR.**
A] Listed Activity 19A; the new wording states that the "majority of construction will be within a distance of 100 metres inland of the high-water mark of the sea." This contradicts the Town Planning Report, which says the houses are "not within 100m of the HWM" and relies on that to claim the proposal is consistent with KLASP. The planning report was not updated.	**Thank you, the EAP has made the town planner aware of the incorrect information and the town planning report will be updated by the specialist. However, please note that the incorrect information of the Town Planning report has had no bearing on the environmental assessment.**
B] Amended Site Development Plan; Positions of protected trees such as Milkwoods are still not shown	**Appendix B1 (SDP) does show where the protected trees are.**
C] Section 63 of the ICMA; The new "Coastal Management" section in the project description concludes that the development is "consistent with the intention and purpose of the Coastal Protection Zone." which directly contradicts DEA&DP's own Coastal Management unit, which said the development is inconsistent with the purpose of the CPZ.	**The EAP holds a differing view from that expressed in the comments by the DEA&DP Coastal Management case officer, with the rationale for this position provided in the preceding responses. No further comments have been received from the Coastal Management division. However, DFFE Oceans and Coasts conducted a site visit and provided comments on the proposed development. These comments, dated 9 October 2026, are referenced earlier in this report and should be acknowledged.**
D] The Forestry and DEA&DP Coastal Management comment letters were dropped as separate appendices ("See C&R report").	**The EAP requires further clarification regarding your comment.**

We have reviewed the responses recorded in the Comments and Response report and request that each matter be responded to more substantively and the Revised BAR amended where necessary, before a Final BAR is submitted to the competent authority **1] Critical Biodiversity Area status**; the site is mapped as CBA in the WCBSP 2023 and earlier planning documentation, how did the latest consultant conclude that the site is now an ESA and not a CBA when DEA&DP's own GIS check (comment of 3 July 2026) records the site as CBA1, CBA2 and ESA, and the BAR itself refers to "CBA 2 and ESA 1".The description "partially disturbed" is also contradicted by DFFE Forestry ("the whole property is covered with indigenous forest", 6 July 2026; "pristine protected Coastal Forest", 30 May 2024) and by the 2018 Vegetation Sensitivity Analysis ("pristine scrub forest"), which has since been removed from the BAR. SPLUMA's spatial sustainability principle; section 24(2)(b) of SPLUMA require land use schemes to comply with environmental management instruments	**A previously mentioned the 2023 Western Cape Biodiversity Spatial Plan (WC BSP) was formally adopted into law on the 13th of December 2024 (Gazette Extraordinary 9017) in alignment with the Western Cape Biodiversity Act (No. 6 of 2021). This marks the replacement of the 2017 WC BSP with the 2023 WC BSP.** **The site was previously CBA 1 in terms of the 2017 WC BSP. It is now ESA in terms of the 2023 WC BSP. We cannot classify the site according to replaced laws.** **The use of CBA 2 in the BAR is not for classifying the site. It is quoting policy of the WC BSP. However, this statement has now been omitted from the Final BAR to avoid further confusion.** **As previously stated by the EAP: The report "KEURBOOMS RIVER ERF 155: VEGETATION SENSITIVITY ANALYSIS" has been removed from the BAR. It is evident that this report has caused some confusion amongst various departments. This report was commissioned as a mere vegetation analysis to assist in the original screening of the site in 2018. It was never meant to replace the Terrestrial Biodiversity Assessment originally compiled by Jamie Pote in 2020. The analysis report is also now outdated and should not be considered.** **The analysis was a screening report conducted in 2018 that cannot be included in the BAR as it is beyond 5 years old and does not meet the criteria for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes in Terms of Sections 24(5)(A) and (H) and 44 of The National Environmental Management Act, 1998, when applying for Environmental Authorisation.** **There is no conflict in the findings of the Vegetation Sensitivity Analysis (2018) and the full Terrestrial Biodiversity Assessment (2026).**

	 FIGURE 4: Locality of the scrub forest patches and the best locality for development being the flattest area. **Figure 4 of the KEURBOOMS RIVER ERF 155: VEGETATION SENSITIVITY ANALYSIS which was used as the baseline for the SDP.**
2. The National Forests Act: states that a natural forest may not be destroyed save in exceptional circumstances of national or provincial strategic importance, this was not addressed at all. A private residential development is not such a circumstance and even clearing within forest is prohibited. We note that DFFE Forestry formally objected to the rezoning, the subdivision and the two units on 6 July 2026; those objections were recorded only as "Noted".	**The Terrestrial Biodiversity specialist has stated the following:** **"The endemic and other protected species that are present are generally having widespread distributions and the activity is unlikely to pose any significant threat to any species or population. No specific populations of threatened species were identified within the footprint, and the affected footprint is largely disturbed or comprised of secondary vegetation. There are a number of red listed species in the surrounding vegetation units and area that are known to have limited distributions; however, none were recorded on the footprint."** **Table 5 of the Terrestrial Biodiversity Assessment states the following: "No distinct Forest is present within the affected footprint; forest elements can be found within thicket in protected niches."**

	The location of protected trees were surveyed and their locations are included in the SDP. If, for any reason, a protected tree was missed in the survey, as it is difficult to check every square metre of the site, it's location will have to be assessed, taking all aspects into account, during the initiation of the construction phase, should the development be approved. This mitigation measure is now included in the EMPr. **The above proves that although the property as a whole contains indigenous vegetation, the site location contains secondary vegetation. The sensitive areas to avoid were mapped out by the terrestrial biodiversity specialists from the inception of the proposal.** **This application does not deal with the planning/rezoning application of the proposal. A separate Town Planning application will be lodged.**
3. Shale fynbos, ecological corridor and KLASDF no-go areas; the Forum's concerns were not responded to when mentioning that the site contains protected shale fynbos, forms part of a functioning ecological corridor and green belt, as identified in the KLASDF and BSDF, and lies in KLASDF no-go areas. The proposal conflicts with SPLUMA's Spatial Resilience principle and would permanently impact on vitally important ecological corridors.	**The below map identifies a strip at the bottom of the hill slope as fynbos/ shale fynbos. The identified area for proposed development is not classified as shale fynbos-**

	 *Figure 24: Aerial Photo of the site with mapped vegetation (habitat).* **In addition, the Terrestrial Biodiversity specialist has addressed the issue of an ecological corridor:** **"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction." (p.28 of The Terrestrial Biodiversity Assessment)**
4. Coastal Protection Zone and 100 m from the high-water mark; The Forum emphasised that the Garden Route District Coastal Management Programme states that "all future infrastructure and developments should be restricted to land already zoned for that purpose and no new zonings should be considered within the Coastal Protection Zone."The application is a **new rezoning** within the CPZ, the Revised BAR now adds Listed Activity 19A and states that the "majority of construction will be within a distance of 100 metres inland of the high-water mark of the sea".	**As per the National Integrated Coastal Management Act (Act 24 of 2008), there is no blanket prohibition on development within 100 metres of the high-water mark (HWM). Instead, it establishes a legal tier called the Coastal Protection Zone (CPZ), which regulates and triggers strict environmental assessment controls rather than an outright ban.** **It is acknowledged that the property is located within the Coastal Protection Zone (CPZ) as defined in the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008) (ICMA), and that the CPZ performs**

DEA&DP Coastal Management (6 July 2026) has stated that the development is inconsistent with the purpose of the CPZ.	**important ecological functions, including the protection of coastal ecosystems, maintenance of ecological processes, buffering against coastal hazards, and enhancing resilience to the impacts of climate change. The application has therefore been assessed with due regard to the objectives of the CPZ and the precautionary approach embodied in both the ICMA and the National Environmental Management Act, 1998 (Act 107 of 1998).** **Consistency with the Garden Route District Coastal Management Programme (CMP):** **The proposal is aligned with the strategic directives of the Garden Route District Coastal Management Programme (CMP). First and foremost, the proposed development footprint is located entirely inland of the established Coastal Management Line (CML) and the coastal erosion risk lines delineated by the Department. By avoiding the littoral active zone and sensitive primary dune systems, the project ensures long-term resilience against climate-induced coastal risks, such as storm surges and sea-level rise, thereby fulfilling NEMA's mandate for the Best Practicable Environmental Option.** **Furthermore, the design directly champions the CMP's core objectives regarding biodiversity preservation and coastal landscape protection. By opting for a compact, double-storey infill typology within the existing Keurboomstrand settlement context, the development prevents outward ribbon urbanization along the coast. It confines its layout to the least ecologically sensitive 2,000 m² portion of the site, permanently safeguarding 60% of the property as a natural conservation open space network that protects sensitive coastal vegetation.** **Finally, because the development is entirely contained within the historical boundaries of Erf 1236, it does not encroach upon coastal public property or affect free and equitable public access to the seashore, satisfying a major priority of the Garden Route District Coastal Access Task Team. The proposal successfully balances localized economic growth with the rigorous preservation of the coastal assets that underpin the region's broader environmental integrity.**
5. Slope, scenic route, sense of place and ridgelines (heritage) The Forum quoted the earlier application's statement that "none of the alternatives are compliant with the visual sensitivity parameters". The VIA has not been	**The VIA was reassessed from the previous 2021 and 2022 versions to the latest version dated October 2025. This is due to the amendments made to the SDP in response to the initial VIA.**

reassessed for the current layout. The only new visual document, Filia Visual's letter of 5 August 2026, states that it "is not meant to re-assess visual impact" and lists unresolved items. The statement that the development "will not obstruct the views of any neighbours" is disputed by neighbouring residents who have submitted comments and photographs.	**The commentary letter you are referring to is a response to a query for the visual specialist (post the October 2026 assessment) to identify which amendments still need to be undertaken to the SDP to comply with her recommendations/mitigation measures. Below is a summary of the findings and the EAPs response to how these were dealt with. The latest SDP available has been amended to comply with the visual specialists list and where non-compliant – a reason has been provided:** **1. Include the driveway and carcourt in the disturbance footprint, considering that the driveway and carcourt will also result in disturbance. A 1m offset should suffice for construction disturbance around these paved areas.** **EAP response: This has been undertaken. See amended SDP.** **2. Forest areas as mapped by the Botanical specialist must be shown on the SDP correctly to demonstrate adherence to Environmental development constraints. There is one part of Unit 2 that is still within a no-go area according to our measurements (Our measurements may not be accurate - this should therefore be shown on the SDP accurately).** **EAP response: This has been amended to correctly represent the vegetation habitats.** **3. We suggest that areas within the disturbance footprint be hatched in a different colour or pattern to indicate that these areas will be rehabilitated as per the recommendations of the 2025 VIA or incorporated into the future landscape design.** **EAP response: This has been amended.** **4. All protected tree species within the development footprint and the disturbance footprint must be indicated on plan.** **EAP response: This has now been included in the SDP.**

	5. The architects appointed to undertake the architectural guidelines must be given a copy of the 2025 VIA and all following reports/studies, including this letter. **EAP response: This has been undertaken.** **6. We recommend that at least one appropriate site-long section is included to indicate compliance with the height restriction on the SDP, and to demonstrate adherence to the height restriction as it slopes parallel to the existing ground level.** **EAP response: The applicant will undertake this item should the development be approved. The site-long section will be sent to the visual impact specialist for approval.** **7. The proposed linear infrastructure (i.e., the sewer line and the water connection line including footprint and area that will be disturbed for their construction) must be shown on the SDP.** **EAP response: This has now been included in the SDP.** **In the VIAs Visual Analysis the specialist states the following repeatedly:** **"The proposed development will not obstruct the views of any neighbours, although the proposed development is most likely to be visible from neighbouring properties."**
6. Site alternatives, need and desirability The response repeats that property and design alternatives were not assessed because the applicant is only interested in this specific site and property. The wishes of one person cannot justify the impact on this pristine environment and would be in complete conflict with the "need and desirability" under section 2 of NEMA.	**The assessment focused on alternatives within the identified site, as the application relates to a specific, privately owned portion of Erf 1180 and the proposed development is site-specific. Alternative properties were therefore not assessed. It is acknowledged that the applicant's preference for this property does not, in itself, demonstrate need and desirability. These considerations were evaluated against the principles of Section 2 of NEMA, the environmental sensitivity of the site and the potential impacts of the proposal. The no-go alternative has been considered, and the merits of the proposed development relative to this alternative remain for consideration by the competent authority.**

7. Precautionary approach and SPLUMA development principles The Forum's submissions on the precautionary approach, and the development principles in section 7 of SPLUMA (Spatial Sustainability, Spatial Resilience, Efficiency and Good Administration) received no response; the response column is blank, we request a substantive response.	**The Basic Assessment Report complies with the Spatial Planning and Land Use Management Act (SPLUMA, Act 16 of 2013) by aligning its development strategy with municipal and provincial spatial planning instruments that enforce SPLUMA's core principles.** **The report demonstrates specific compliance through the following legal and planning mechanisms:** **1. Inclusion Within the Demarcated Urban Edge** • **SPLUMA Principle Addressed: Spatial Efficiency and Sustainability.** • **Compliance Framework: The report notes that according to the current Bitou Spatial Development Framework (SDF)—which is updated and maintained in accordance with SPLUMA guidelines—the subject property is located entirely inside the demarcated urban edge for Keurboomstrand.** **By utilising an infill site inside the urban edge, the project prevents outward urban sprawl into rural or agricultural areas. This maximises existing municipal infrastructure capacity, representing a highly efficient use of land that avoids the high public costs associated with infrastructure expansion.** **2. Proposed Rezoning and Land-Use Change Process** • **SPLUMA Principle Addressed: Spatial Justice and Capital Investment.** • **Compliance Framework: The current land use rights do not permit the residential dwellings, as the land is zoned as Open Space Zone 2.** **To achieve compliance, a town planning application is being submitted concurrently to subdivide and rezone a ±5 000 m² portion of Erf 1180 to Open Space Zone 3 (Nature Conservation Area). This satisfies SPLUMA's requirements for lawful land use transformation and formalises private sector capital investment within a structured municipal framework.** **3. Consistency with Approved Spatial Planning Hierarchies** **The report evaluates and confirms that the development aligns with the three-tiered spatial planning guidelines mandated by SPLUMA:**

Planning Framework	SPLUMA Alignment & Compliance Response
Western Cape Provincial SDF	Realises spatial objectives by staying clear of core Critical Biodiversity Areas (CBAs), enhancing economic productivity, and encouraging climate-resilient, resource-efficient design.
Bitou Municipal SDF (2022)	Adheres to the desired spatial pattern for Keurboomstrand by keeping the theme a low-density residential one, completely avoiding commercial or non-residential elements that could detract from the resort town character.
Bitou Integrated Development Plan (IDP)	Supports municipal interventions by creating short-term local construction jobs, enhancing the municipal tax/rates base, and utilising existing bulk services infrastructure.

4. Application of Environmental and Terrestrial Constraints

- **SPLUMA Principle Addressed: Spatial Resilience and Environmental Sustainability.**
- **Compliance Framework: SPLUMA requires land-use planning to protect sensitive natural assets that drive local economies (such as coastal tourism).**

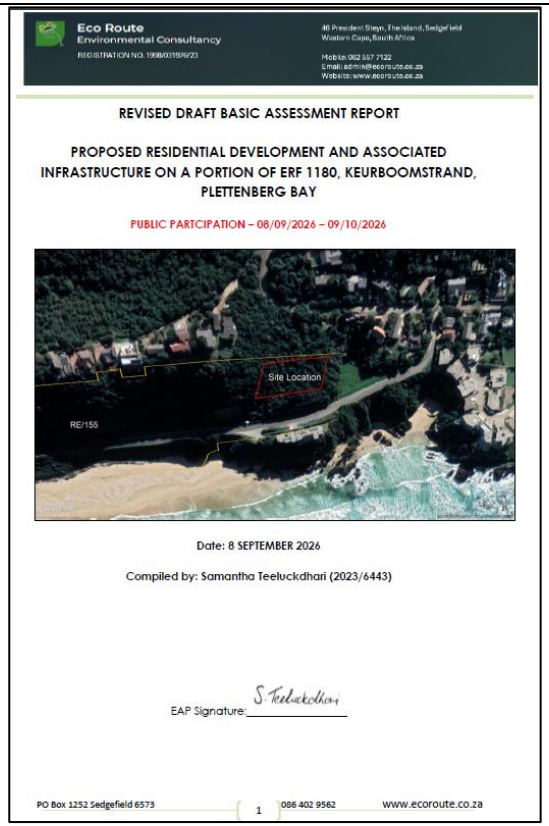
The design directly integrates biophysical informants:

- **Topographical Limits: No development is placed on slopes steeper than 1:4, satisfying local SDF constraints.**

	• **Visual Buffers: A mandatory 35 m scenic route setback line from Main Road (MR394) is enforced to preserve the coastal visual corridor.** • **Ecological Safeguards: High-sensitivity dune thicket, fynbos pockets, and forest zones are designated as strict, fenced off no-go conservation areas. Approximately 70% (±4 hectares) of the broader erf remains untouched to safeguard local biodiversity connectivity.**
8. OSCAE permit The Forum notes the EAP's agreement that an OSCAE permit is required.	**Acknowledged.**
The Forum reserves the right to comment further on this application and on any documents pertaining to this development. We look forward to your substantive response.	**Acknowledged.**
It must be noted that an application to develop a property in the vicinity was not approved by DEADP for the following reasons amongst others. The Department relied on the section 2 NEMA principles, including: • a risk-averse and cautious approach • avoiding the disturbance of ecosystems and loss of biodiversity before minimising it • sensitive coastal ecosystems require "specific attention in management and planning procedures" • decisions must take into account the interests of all interested and affected parties • selection of the best practicable environmental option It concluded that the proposal "will conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA".	**Acknowledged.**
Keurbooms Property Owners Association – Chris Weir (chairperson) – 8 October 2026	
The Keurboomstrand Property Owners Association (KPOA) formally objects to the proposed residential development, associated infrastructure, subdivision and rezoning described in the supplied Basic Assessment Report (BAR). We request refusal of the proposal in its present form. At a minimum, no decision should be taken until the notification concern has been	**KPOA was notified of the Revised BAR. Please see below proof of email notification:**

investigated, meaningful participation has been afforded to KPOA, and the substantive deficiencies below have been addressed. KPOA previously lodged an objection to the earlier application concerning this land. KPOA has not been formally notified of the current proposal, notification was sent to the previous Chairperson Pieter Luttig and a committee member Frik Venter. We submit this objection to protect the interests of the community and request that it be recorded in both the environmental process and the relevant municipal land use process. Please confirm the separate requirements and reference numbers for each process.	**NOTIFICATION OF PUBLIC PARTICIPATION – DEA&DP Ref: 16/3/3/1/D1/6/0024/26 – Revised DRAFT Basic Assessment Report – Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape** **From** admin@ecoroute.co.za <admin@ecoroute.co.za> **Date** Wed 09 Sep 2026 15:10 **To** Admin <admin@kpoa.org.za> **Cc** 'Samantha Teeluckdhari' <samantha@ecoroute.co.za> Good day, A 30-day public participation will be held from **08/09/2026 - 09/10/2026.** Kindly find below the link to the Revised DRAFT Basic Assessment Report and relevant appendices. Revised DRAFT Basic Assessment Report - The Proposed Residential Development and Associated Infrastructure on a Portion of Erf 1180, Keurboomstrand, Plettenberg Bay - DEA&DP Ref: 16/3/3/1/D1/6/0024/26	Eco Route Please submit your comments to the EAP undersigned in this email within 30 days of this notice (i.e., on or before 09 October 2026). Thank you for your participation in this process. Kind regards, **Samantha Teeluckdhari** BSS Geography and Environmental Management EAPASA 2023/6443 072 773 5397 www.ecoroute.co.za Eco Route Environmental Consultancy

1 Notification and opportunity to comment Appendix F1 lists "Keurbooms POA" (KPOA) , with Pieter Luttig and Frik Venter as contacts [2]. Inclusion in a register does not establish receipt of notice. Please provide the notice relied upon, its date, the recipient addresses, dispatch records and any delivery or returned-message records. Please confirm which contacts were used for KPOA and update the register to the committee's nominated contact below. The KPOA address and its interest as an I&AP were furnished in the filing of the previous objection. Regulation 41(2)(b)(iii) of the NEMA EIA Regulations provides for written notice to community ratepayer organisations. Regulations 40 and 41 address access to information and a reasonable opportunity to comment; regulations 42 to 44 address the register, comments and their recording [5]. Our prior objection reinforces the need to investigate how KPOA was consulted. We do not assume that registration in a separate earlier application automatically carried over.	**The I&AP register has been updated with the correct contact; however, as per above, the correct contact was sent the notification. No notifications of the email notification bouncing back were received.**
The fuller supplied text identifies a terrestrial biodiversity assessment dated 02/09/2026 in Section I, while the EAP declaration carries 10/11/2025. Please confirm whether these dates are correct, identify the current BAR version and provide a revision history. If the September 2026 assessment postdates the June 2026 draft consultation, explain how affected parties were given access to it and its implications. The April 2024 page footers appear to identify the report template; they should not be relied upon as the date of the current assessment.	**The Terrestrial Biodiversity Assessment (dated when last amended) and the EAP declaration (dated when signed for the Pre-Application BAR) dates are correct.** **The latest version of the BAR circulated for public comment via email was the Revised Draft BAR dated 8 September 2026 as per the cover page –**

	 Eco Route Environmental Consultancy REGISTRATION NO. 1998/031976/23 40 President Steyn, The Island, Sedgefield Western Cape, South Africa Mobile: 082 557 7122 Email: admin@ecoroute.co.za Website: www.ecoroute.co.za REVISED DRAFT BASIC ASSESSMENT REPORT PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY PUBLIC PARTCIPATION – 08/09/2026 – 09/10/2026 Site Location RE/155 Date: 8 SEPTEMBER 2026 Compiled by: Samantha Teeluckdhari (2023/6443) EAP Signature: PO Box 1252 Sedgefield 6573 1 086 402 9562 www.ecoroute.co.za **The previous version was the Draft BAR dated 5 June 2026. These two versions were circulated for comment after an official EIA application was submitted to DEA&DP.** **Previous to this there was a Pre-Application BAR dated November 2025 and another Pre-Application BAR dated August 2022. Both were circulated via email.** **April 2024 is the template footer of the official DEA&DP BAR template form.**
2 Existing conservation conditions and proposed zoning	**Please refer to the Specialist Planning Report attached as Appendix G9 of the BAR which provides in-depth explanations of the property history, copies of**

The supplied BAR expressly acknowledges that the proposed development does not comply with the existing land use rights. It proposes changing Open Space Zone 2 to Open Space Zone 3 for a nature conservation area, while accommodating two double-storey dwellings, garages and a swimming pool. The alternative proposes three group housing units under General Residential Zone I. These are materially different land use proposals. Please identify the exact provisions of the currently applicable Bitou zoning scheme authorising the preferred residential use in the proposed conservation zone, including any consent use, departure, amendment or restriction-removal applications. A conservation designation alone does not demonstrate that the proposed housing is lawful or consistent with the zone's purpose. Any proposed amendment to the zoning regulations must be supplied in full, with its scope and consequences for other land explained. Appendix F3 records an earlier objector's account of municipal approval 18/151 & 155/KB dated 21 September 2011 and a condition requiring the remainder to be managed as a private nature reserve by the Mare Nostrum HOA. It also records KPOA's involvement in requesting that condition [3]. We request the original approval, approved plans and any subsequent amendments. The account requires verification against those records. Please explain whether that condition applies to the application land and, if so, whether it remains operative and how any alteration is being sought. A new environmental approval should not be treated as removing municipal or title restrictions. KPOA objects to weakening an existing conservation obligation without a clearly identified lawful process and full public consideration.	**past municipal approvals, and an explanation of the necessary applications required to amend the current zoning.** **Please note that a town planning application process is still required to be conducted by a qualified town planner which is managed separately to the Environmental Impact Assessment.**
3 Property identity and the true disturbance footprint The report variously describes Erf 1180 as a portion of Erf 1236, previously Erf 155, and as the property from which a further portion is to be subdivided. Please provide current title deeds, Surveyor- General diagrams, an ownership schedule and a single plan reconciling these descriptions. The	**As per above, please refer to the Specialist Planning Report attached as Appendix G9 of the BAR which provides in-depth explanations of the property history, copies of past municipal approvals, and an explanation of the necessary applications required to amend the current zoning.**

land affected by each approval, including access across Erf 391, must be unambiguous.	
The preferred proposal is introduced as approximately 2,000 m² of development on a 5,000 m² site. Section B records approximately 2,979 m² including a two-metre construction buffer. Those figures represent approximately 40% and 60% of the application area respectively. For the alternative, the corresponding figures are 3,250 m² and 4,229 m², approximately 65% and 85%. These are disturbance ratios, not verified building coverage ratios.	**Disturbance includes the construction working area. However, please see the proposed SDP (Appendix B) for the building coverage.**
The fuller text introduces a further approximately 2,500 m² footprint in Sections G and I. The visual and heritage summaries in Section I identify approximately 1,448 m² as the developable area and limit disturbance beyond it to absolutely necessary linear infrastructure. Please reconcile the purpose and boundaries of these different areas on one surveyed plan. If they describe different measures, distinguish them and demonstrate that the dwellings, pool, earthworks and construction buffer satisfy every applicable specialist limit. We do not assume that all figures measure the same thing.	**The footprint area has been amended in the BAR to all be consistent and to coincide with the area provided in the SDP by the architect, in order to avoid confusion.**
Please reconcile every area figure and provide an auditable schedule covering buildings, garages, the pool, paving, access, service trenches, the conservancy tank, retaining structures and temporary construction areas. The assessment must account for the full affected area and demonstrate whether access or services are included in, or additional to, the stated totals. Comparisons with the larger parent property must not obscure the impact within the application area.	**The assessment has accounted for the full affected area, including access and services.**
Repeated claims that approximately 70% of the erf will be conserved appear to refer to the larger approximately 5.6-hectare Erf 155 and approximately four hectares of retained land. They cannot be used interchangeably with the 5,000 m² application area. Please state the denominator for each percentage, identify the land legally secured for conservation, and separate existing un-developable land from any additional conservation benefit created by this proposal.	**The EAP disagrees. Although, Erf 1180 is a portion of Erf 1236, the larger Erf is still a factor in the overall environmental sensitivity.**

4 Vegetation sensitivity and forest protection The report describes the site as vacant and untransformed, and Section J describes no significant disturbance, but other passages place the development on historically disturbed land. Section I summarises the animal specialist's finding that much of the site is intact, with small semi-intact areas, high Site Ecological Importance and suitable habitat for three potentially occurring species of conservation concern. That specialist nevertheless supports a low-impact development. Please demonstrate that the exact proposal assessed meets that qualification, with dated evidence and a surveyed overlay of vegetation, development and all infrastructure. KPOA requests the underlying specialist reports, survey dates and maps, and comparison with earlier findings for the same land. Section G states that the footprint lies within ESA 1 rather than CBA 1 following ground-truthing; Section I later describes development within a CBA area. Please reconcile these statements and the cited biodiversity mapping versions. Explain how site verification affects the mapped designation and obtain the relevant conservation authority's response. Non-detection of species must be considered alongside the report's acknowledged seasonal survey limitations and suitable habitat	**Please refer to the specialist reports and SDP appended to the BAR.** **The EAP has amended the section to erase the mention of CBA. The Terrestrial Biodiversity specialist has erroneously kept this in the specialist assessment report under his recommendations.**
Section G refers to a 10–20 metre ecological buffer, whereas other passages refer to a five-metre botanical or slope buffer. These may serve different functions; provide their mapped extent and scientific basis and demonstrate compliance with each. The regional percentage of vegetation affected does not, by itself, establish that local corridor connectivity or ecosystem functions will be maintained. The cumulative assessment provided must substantiate that conclusion for this site and the wider network, rather than relying principally on habitat abundance elsewhere.	**The 10-20 metre buffer statement is an error. Th EAP apologises for the confusion and has now amended the statement –** **A 5m buffer has been placed between the proposed development and sensitive forest vegetation, as well as, steep slopes of 1:4 in accordance with the geotechnical assessment.** **In addition, there is a 35m visual sensitivity setback line measured from the centre line of the MR394 road reserve.**

DFFE's Forestry comment dated 10 December 2025 requests a joint site inspection to determine whether its mandate is affected and expressly states that its letter is not a National Forests Act licence [4]. Please supply the inspection outcome, any updated Forestry determination, and the status of any required forest or protected-tree licences. KPOA requests assessment of the complete disturbance footprint against those requirements before a favourable decision. We do not infer from the letter alone that every part of the site is legally classified as natural forest. Section C of the fuller supplied BAR states that a Forestry licence will be required. Please confirm the activities requiring that licence, the application status and whether the assessed layout accommodates forest and protected-tree requirements. The specialist support and proposed environmental conditions should not be represented as dispensing with a separately required licence.	**DFFE Forestry had conducted their own site visits.** **The Terrestrial Biodiversity Assessment and Plant Compliance Statement (2026) provides a detailed description of on-site vegetation.**
5 Coastal setting and scenic entrance to the village The BAR places the site within the Coastal Protection Zone and records a 35-metre scenic route setback, a five-metre botanical or slope setback, and a recommended eight-metre height limit measured from existing natural ground level, including chimneys. KPOA acknowledges these proposed controls. Please provide surveyed setbacks and levels, sections and visual simulations demonstrating compliance for the buildings, garages, pool, retaining works and vegetation removal. The visual specialist's summary anticipates that screening will soften the buildings rather than hide them. Section H also refers to the preferred alternative without a pool, while Sections B and J include a shared pool. Please confirm the actual preferred layout and secure visual specialist confirmation for that layout. Inclusion of a pool must be assessed against the developable area and all buffers, rather than assumed acceptable from support for a different design. Section J first describes buildings as being within the 35-metre scenic setback, while the specialist conditions and later recommendations require them to be outside it. Please clarify this apparent reversal. The summary statement that no material conflicts exist between specialists	**Please refer to Appendix B1 which contains the SDP inclusive of contour lines, buffers and setback lines.** **3D visual simulations of the preferred alternative did not form part of the VIA.**

must be supported by a reconciliation of the differing footprints, buffers and design assumptions, and updated specialist confirmation where needed.	
6 Access and municipal services The report describes a seven-metre-wide right of way across Erf 391 and a four-metre driveway, but Section B also describes a seven-metre-long route with a 28 m² footprint. Elsewhere, the site is separated from Main Street by the 27-metre width of Erf 391. Please reconcile route length, width and clearing area and supply the registered servitude and approved access alignment. Establish that the proposed works and service uses fall within the rights granted and protect the public place and public movement. The traffic specialist predicts fewer than ten weekday peak-hour trips and supports the development on transport grounds, with low negative significance. KPOA does not assert that these figures establish major congestion. However, the BAR's subsequent statement that there will be no traffic impacts overstates that finding. Please distinguish operational trips from construction deliveries and tank-emptying movements and demonstrate safe vehicle manoeuvring and continued public access. The BAR proposes a conservancy tank and private removal of sewage to the Gansevallei wastewater treatment works, pending future reticulation or bulk upgrades. Please substantiate tank capacity, watertightness, overflow prevention, pump-out access, monitoring, emergency arrangements and confirmation that the receiving works can accept the sewage. The assessment must address leakage and delayed removal without assuming future upgrades will occur by an unspecified date. Please provide current, quantified confirmation of spare service capacity for the actual proposal, including water demand, pool filling, electricity, sewage disposal, stormwater and refuse. One water or electricity connection does not alone demonstrate sufficient capacity. Connection and infrastructure costs, operational responsibilities and any developer contributions must be clear.	**The EAP apologises for the typographical errors –** **The property is entitled to a 7m wide right of way servitude across Erf 391. The proposed driveway width into the development is 4m, curved around mature trees of conservation value.** **The report prepared by Innovative Transport Solutions concluded that the transport impact of the development would be insignificant due to low traffic volumes. As a result, it explicitly states that no specific road improvements other than the basic access point will be required.** **1. Detailed Sight Distance Assessment - The report acknowledges that available shoulder sight distance to the west is limited. However, it does not provide a detailed, engineering-level calculation for stopping or decision sight distances. It merely notes an approximate visual estimate of 40 metres, stating it is sufficient because operational speeds around the topography are low (±20 km/h).** **2. Widening of Main Street - The report does not propose or evaluate widening Main Street. It describes Main Street as a Class 5 Local Street with one lane per direction, no shoulders, and no sidewalks, but maintains that no modifications are needed.** **3. Semi-Passing Lane / Widened Shoulder - The report does not feature any provision or recommendation for a passing lane, overtaking lane, or widened shoulder. It proposes only a basic 4.5-metre paved shared access driveway leading off Main Street into the units.** **The report concludes that the surrounding road network operates at acceptable levels-of-service and has sufficient capacity. It recommends full approval of the development from a transport perspective as-is. Therefore, it lacks the detailed safety calculations, geometric assessments, and mitigation features (widening/passing lanes) outlined in your criteria.**

The geotechnical summary in Section I states that shallow rock restricts vertical infiltration and will produce a significant proportion of runoff. This needs reconciliation with the reliance on permeable paving and on-site infiltration elsewhere. Please provide calculations, attenuation and discharge designs, lawful outfall arrangements and assessment of effects on adjoining land, the road and lower slopes. Section J acknowledges that downstream drainage capacity under future cumulative development has not been verified in detail. That gap must be addressed where the proposed drainage depends on downstream capacity. The geotechnical support is conditional on design constraints, including slope limits, restricted excavation and measures to minimise terracing. Section H acknowledges erosion risk and extensive cut and fill. Please supply an earthworks and retaining-wall schedule demonstrating compliance, and account for mechanical excavation noise and disturbance. Section I describes a three-to-five-year construction phase, whereas other passages describe a relatively short period. Assess cumulative nuisance over the actual programme and establish phased clearing, rehabilitation deadlines and a documented complaints procedure.	**The EMPr contains contingency measures for the conservancy tank use.** **Appendix E16 provides municipal services confirmation.** **A SWMP has been prepared and approved by the engineer. It has been incorporated into the EMPr.** **Construction phase schedules are not necessary at this point of the EIA. They will only become essential should the proposed development be approved and must be undertaken prior to any clearing activities.**
7 Need and alternatives The report invokes a need for affordable long-term accommodation near community facilities, but does not demonstrate how the proposed double-storey dwellings with garages and a shared pool address that need. Please provide evidence linking the claimed community benefit to this proposal. General construction employment, investment and rates income do not resolve site-specific environmental and planning concerns. KPOA acknowledges that the no-development alternative is discussed in Section H. We object to the assumption that no development entails no active management or restoration. The same passage acknowledges a legal obligation to control invasive alien plants, and earlier conservation conditions may impose further management duties. Assess retention of the land with applicable management and rehabilitation obligations, and explain why those measures require residential development to occur.	**We wish to clarify that the proposal is a private residential investment and is not put forward as a subsidized public or community development project.** **The reference to "affordable long-term accommodation" within the report denotes market-related affordability and residential stock diversification within the highly restrictive Keurboomstrand and greater Plettenberg Bay property markets.** **Socio-Economic Contribution: While general construction employment, capital investment, and municipal rates do not replace site-specific environmental compliance, they remain legally relevant factors under NEMA's "Need and Desirability" framework and the Bitou IDP. The specialist assessments demonstrate that the project satisfies site-specific environmental thresholds.**

Compare this with reasonable options that reduce harm, including a smaller footprint, fewer units, single-storey buildings or omission of the pool. Section H records design changes following earlier comments and explains why other portions of the land were not selected. KPOA does not claim that no alternatives were considered. We request the comparative evidence supporting rejection of feasible lower-impact options and the specialist basis for the precise preferred proposal. A more intensive alternative cannot alone establish that the preferred layout is the best practicable option.	**Development alternatives are discussed in the BAR with two alternatives proposed, one being the preferred alternative and the other a larger original alternative that was put forward.** **The no-go alternative has been assessed in the BAR.** **The BAR and specialist assessments confirm that other parts of the property could not be considered as they contained sensitive forest vegetation and slopes greater than 1:4.**
8 Conditions and duration of any approval Section J recommends incorporating all specialist measures into the authorisation and proposes monitoring and rehabilitation targets. Please translate those recommendations into consistent, measurable conditions, with a responsible party, funding, reporting, corrective action and controls binding future owners. Resolve differing garden and landscaping provisions and ensure conservation management continues beyond the one-year post-construction monitoring period. The requested tenyear authorisation period and anticipated final monitoring by 2032 also require a coherent programme; approval must not leave an indefinite interval of cleared or unrehabilitated land.	**The EMPr is the document that deliberately deals with these aspects. Please refer to the EMPr as Appendix H.**
9 Relief requested and further participation KPOA requests that the authorities refuse the application as presently substantiated. If it remains under consideration, we request the following before any decision: • Accept and acknowledge this objection in both relevant processes, provide their current status, and investigate the reported lack of formal notification. • Provide the complete current BAR and appendices, the municipal application and proposed zoning changes, prior approvals and conservation conditions, notification evidence, and all subsequent revisions.	**Thank you for your comments.** **Please refer to the above responses and consider reviewing the Comments and Response Report in its entirety for additional comments and responses from I&APs.**

• Afford the fresh environmental comment period requested above and confirm the separate municipal participation arrangements. • Require a reasoned response to each objection, supporting evidence for the disputed conclusions, and enforceable conservation and service arrangements that bind successors where appropriate. • Provide KPOA with the final comments and responses report, written decisions, reasons and applicable appeal procedures. If a decision has already been issued, provide its date and notification record immediately. This revised submission is based on both supplied BAR text extracts, including Sections G to J added subsequently, and the published records below. The extracts contain specialist summaries but not the complete mapped appendices, title records or municipal application. We acknowledge that the BAR reports conditional specialist support and proposes mitigation; our objection concerns whether the exact proposal is consistently defined, adequately substantiated and compatible with binding requirements. KPOA reserves the right to supplement its objection when the full records and responses are available. Participation is not acceptance of the proposal or waiver of the notification concern. This letter is an objection and information request, not an appeal against an identified decision. KPOA's interest is its representation of property owners and residents and the protection of the village's environmental quality, amenities and infrastructure. Any additional direct interest requiring disclosure will be supplied by the authorised signatory.	

Western Cape Government

Department of Environmental Affairs and Development Planning
Dorien Werth
Directorate: Development Management, Region 3
Dorien.werth@westerncape.gov.za | Tel: 044 814 2005

REFERENCE: 16/3/3/1/D1/6/0024/26
DATE: **13 October 2026**

The Director
Ferpa (Pty) Ltd.
PO Box 35097,
Constantia
MENLO PARK
0102

Attention: Louis van der Watt

Cell: 083 263 9901
E-mail: louis@atterbury.co.za

Dear Sir,

ACKNOWLEDGEMNET AND COMMENT ON THE REVISED DRAFT BASIC ASSESSMENT REPORT (BAR) FOR THE PROPOSED DEVELOPMENT OF GROUP DWELLING UNITS AND ASSOCIATED INFRASTRUCTURE ON ERF 1180 KEURBOOMSTRAND, BITOU MUNICIPALITY, WESTERN CAPE

1. The abovementioned document compiled by the appointed Environmental Assessment Practitioner ("EAP"), Mr. Samantha Teeluckdhari (2023/6443), of Eco Route Environmental Consultancy (Pty) Ltd. and received by this Directorate on 8 September 2026 and additional information received on 06 October 2026, refers.

2. This letter serves to acknowledge receipt of the aforementioned information. This Directorate appreciates the extension granted by the Environmental Assessment Practitioner (EAP) to consider the Revised Draft Basic Assessment Report and the additional information submitted, and to provide comments thereon by 14 October 2026.

3. This Directorate has reviewed the Revised Draft Basic Assessment Report ("RBAR") and additional information, received by this Directorate and provides the following comment:

   3.1. All prior comments and recommendations made by this Directorate remains applicable and must be responded to and be incorporated into the Basic Assessment Report ("BAR").

   3.2. Property History and Planning Context

   (a) The information submitted in the application up to date, does not provide sufficient details on the historical planning and the land use processes which resulted in the establishment of Erf 1180. There are several references made to Erf 155, Erf 1236 and in the trailing email relating to the services reference is made more specifically to Erf 155.

   The EAP must clarify the legal history of the property and provide all the copies of all the relevant documents approvals conditions that informed the creation of Er1180. This

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information is essential for this Directorate to understand the historical environment, conservation, or planning obligations that remains applicable to the site.

(b) In addition to the above the draft title deed which was provided in the specialist planning report provided by Mrs Marike Vreken, dated August 2025, indicated that the previous approval of 2011, contained the following condition;

"the remainder of the consolidated site be managed by the HOA as if it is a Private Nature Reserve"

This Directorate is seriously concerned that the information provided does not analyse the actual title deed conditions and the history indicated the above-mentioned restrictive condition.

The EAP is required to provide clarity whether such obligation is reflected in the title remains applicable to the property. If indeed, then the conservation management plan for such "Private Nature Reserve" must be provided.

Failure to provide the required information may prejudice the success of the application.

3.3. Comments from Organs of State which have jurisdiction in respect of any aspect of the relevant activity:

(a) Department of Environmental Affairs and Development Planning; sub-directorate Biodiversity and Coastal Management

This Directorate reviewed the updated Public Participation comments that the Department of Environmental Affairs and Development Planning; sub-directorate Biodiversity and Coastal Management expressly stated that they do not support the proposed development due to the following reasons;

- Location of the proposed development within the Coastal Protection Zone ("CPZ");
- Climate Change vulnerability;
- Sensitive coastal ecological corridor;
- Risk associated with the slope stability;
- Concern regarding the cumulative development pressure in Keurboomstrand;
- The applicability of the precautionary principle.

This Directorate requires that this concern must be fully addressed and resolved with factional information and specialist evidence prior the submission of the final Basic Assessment Report, and the resolution must be included in the BAR.

(b) Department of Forestry, Fisheries and the Environment ("DFFE")

From the information provided to this Directorate, it is noted that the DFFE objection has not yet been resolved. This is a significant concern as the objection was mostly based on the fact that the entire property ("Erf 1180") is covered with indigenous forest.

Further to the above it is not clear how the National Foresty Act ("NFA") was taken into account in the assessment and this remains outstanding.

(c) Cape Nature

Comments from Cape Nature are still outstanding in the RDBAR, Cape Nature's comments are an essential part of this application as the site is located within a Critical Biodiversity Area

and Cape Nature is the custodian of the Biodiversity is the Western Cape. This Directorate did require these comment, when comments were provided on the Draft Basic Assessment report.

Note; any unresolved objections remain a significant considerations under section 24O or NEMA.

3.4. Conflicting Approvals

The planning report, "Keurboomstrand Erf 1180 (Ptn of Erf 1236) *Specialist Planning Report for NEMA Authorisation Purposes*, Dated August 2025", stated that the provided zoning is a "bone fide error on the zoning map, and the correct zoning of the application area is "Open Space Zone II (Private Open Space) and this zoning was originated from the 2018 rezoning approval.

This Directorate opinion remains that the zoning remains applicable until the zoning has lawfully been amended.

However, this Directorate strongly recommends that confirmation must be obtained from the Bitou Local Municipality which clarifies the zoning contradictions and a final/conclusion statement must be provided in the Final Basic Assessment report, failure to adhere to this requirement, can prejudice the success of this application.

3.5. Need and Desirability

Appendix 1 of the EIA Regulations, 2014 requires that the BAR must adequately motivate the need and desirability of the activity.

This Directorate notes that the Planning Report advances a need for housing and residential accommodation as justification for the proposed development. However, the application pertains to the construction of two private residential dwellings within a sensitive coastal environment and does not demonstrably address an identified public housing need or broader residential accommodation demand.

In the circumstances, this Directorate is of the opinion that the RBAR has not adequately demonstrated that the socio-economic benefits associated with the proposed development, (which appear to be limited) do outweigh the potential environmental costs and impacts arising from development in a sensitive coastal setting.

It is therefore strongly recommended that the Need and Desirability assessment be revised to adequately address and substantiate the justification for the proposed development, taking into account the nature, scale, and intended beneficiaries of the proposal. Failure to adequately demonstrate the need for, and desirability of, the proposed development may prejudice the success of the application and the ability of the competent authority to conclude that the activity is environmentally justifiable.

Other aspects (i.e., such as available municipal engineering services) related to the desirability of the development are mentioned elsewhere in this correspondence, and those should also be addressed under this requirement.

3.6. Long-term conservation protection not guaranteed

The Revised Draft Basic Assessment report relies on the protection and management of the remaining natural areas as a key mitigation measure. However, no Conservation Management Plan (CMP) has been submitted, nor has evidence been provided of consultation with or support from the relevant conservation authorities. Please also refer to the previous comment provided on 3 July 2026.

The Competent Authority is therefore unable to assess the long-term viability, implementation and enforceability of the proposed conservation outcomes. The absence of a Conservation Management Plan constitutes a material information gap which may prejudice the assessment of impacts on biodiversity and ecological integrity and may prejudice the success of the application.

3.7. Municipal Services Confirmation

This Directorate notes that there is no formal letter provided from the Bitou Municipality confirming that there is sufficient unlocated services available. The EAP provided a trailing email; however, the email correspondence remains unclear with limited confirmation of sewer service capacity and confirmation of long-term infrastructure sustainability.

In addition, the trailing email which has been presented, actually refers repetitively to Erf 155 and not the "new proposed Erf 1180" of the "Main Erf 1236 / Erf 1180". This needs to be clarified.

This Directorate requires a clear letter from the Bitou Municipality confirming there is indeed sufficient unlocated engineering services capacity for all services, including stormwater infrastructure. At present the available information which will be considered is the GLS report, which explicitly states that there is not sufficient unlocated services for the proposed development.

Unless this aspect can be resolved, the success of the application will be prejudiced.

3.8. Geotechnical Stormwater Management Plan

This Directorate notes that the Geotechnical Specialist reports several factors that impact on the proposed development, the factors are as follows:

- Steep slopes along portions of the site;
- Tension cracking near slope edges, and
- Stormwater management must take into account shallow bedrock and runoff risk.

Further to the above, this Directorate reviewed the Environmental Management Programme (EMPr) submitted with the RDBAR. Although stormwater was taken into account; it was very vague and not descriptive and did not adequately address the impacts identified in the Geotechnical Specialist Report.

You are required to provide a detailed storm water management plan, which must be incorporated in the Site Development Plan and can be implemented.

General

4. The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014. In accordance with Regulation 19(1)(b), the Department stipulates that the BAR must be submitted to this Department for decision within **140 days** from the date of receipt of the application by the Department, to be reckoned from 29 May 2026.

   If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 and your file will be closed.

5. Prior to submitting the BAR, the EAP must consider all the provisions of the EIA Regulations, 2014 as they may apply to this application. Please note that in accordance with Regulation 43, all registered interested and affected parties are entitled to comment on all reports and plans submitted for consideration of the application. If further significant changes have been made or significant new information (i.e., reports or plans) has been added to the Revised BAR, your EAP is advised that such

changes must be subject to a further public participation process. In accordance with Regulation 3(8), any public participation process must be conducted for a period of at least 30 days.

Your attention is drawn to Regulation 3(7) of the EIA Regulations, 2014. Any request for an extension must be submitted in writing to, and approved by, the competent authority before the prescribed timeframe expires. However, the submission of such a request does not guarantee that an extension will be agreed to.

6. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

7. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

Yours faithfully

pp F Naudé Digitally signed by Francois Naudé
Date: 2026.10.13 16:47:47 +02'00'

HEAD OF DEPARTMENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
(reference: 16/3/3/1/D1/6/0024/26)

Copied to:

Eco Route Environmental Consultancy
EAP: Samantha Teeluckdhari E-mail: samantha@ecoroute.co.za
Director E-mail: janet@ecoroute.co.za
Admin: E-mail: admin@ecoroute.co.za

Bitou Municipality
Ms Anje Minne E-mail: anje@plett.gov.za

Landowner: Mare Nostrum (Pty) Ltd.
Mr Eugene Schoeman E-mail: csms@mweb.co.za

forestry, fisheries
& the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

Reference: EDMS 277880
Inquiries: Mr. Xolani Myanga
E-mail: OCEIA@dffe.gov.za
Telephone: (+27) 76 819 2935

Ms Samantha Teeluckdhari
Eco Route Environmental Consultancy
P.O Box 1252,
Sedgefield,
6573
Email: Samantha@ecoroute.co.za
Cell: 082 557 7122

Dear Ms Teeluckdhari

COMMENTS ON THE REVISED DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Revised Draft Basic Assessment Report (Revised DBAR) in the subject of this letter. This Branch provides comments based on the provisions of Section 24O (2) the National Environmental Management Act 107 of 1998 ("NEMA") and Section 5 of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

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

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

The Oceans and Coasts Branch has reviewed the Revised Draft DBAR and supporting documents. The Branch notes that the majority of the previously submitted Oceans and Coasts comments have been adequately addressed.

It is noted that the revised development layout avoids sensitive coastal vegetation and ecological corridors, while no-go areas and ecological buffers have been incorporated into the design. The DBAR further confirms that public access to the coast will not be impeded by the proposed development. In addition, stormwater management measures, erosion prevention controls, rehabilitation requirements, and effluent management measures have been included in the EMPr. The specialist studies conclude that the residual impacts on the coastal environment are expected to be low following the implementation of the recommended mitigation measures.

Accordingly, the Branch is satisfied that its previous comments have been substantially addressed and has no objection to the proposed development, subject to the implementation of all mitigation measures and commitments contained in the DBAR, specialist studies and EMPr. Notwithstanding the above, the applicant is reminded that the development should not create a future need for coastal protection measures or shoreline stabilisation works that may adversely affect coastal processes, public access, coastal public property, or the integrity of the coastal environment. All rehabilitation, stormwater, effluent management, and biodiversity protection measures must be implemented and maintained for the duration of the development.

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

Yours sincerely,



Mr. Ryan Peter

Director: Coastal Development & Coordination

Department of Forestry, Fisheries, and the Environment

Date: 09/10/2026

forestry, fisheries & the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Demar Centre, Main Road, Knysna, WC, Contact Number: 066 374 7795
Enquiries: TF Gwala, E-mail: TGwala@dffe.gov.za

EIA-WC-GR-0052-2026-27

RE: COMMENT ON DRAFT BASIC ASSESSMENT REPORT (BAR) FOR A PORTION OF ERF 1180 (CURRENTLY ERF 1236 (PREVIOUSLY NAMED ERVEN 155 & 1234)), KEURBOOMSTRAND

DATE: 6 October 2026

Eco Route
Attention: Ms. Samantha Teeluchdari
Email: samantha@ecoroute.co.za
Cell/ Tel: -

Dear Sir/ Madam

I refer to your e-mail notification of 8 September 2026 with documents.

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 revised proposed Draft BAR.

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.

1.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".

2. 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 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.

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Departement van Bosbou, Visserye en die Omgewing • Department of Forestry, Fisheries and the Environment • UmNyango wezamaHlathi, zokuThiya neBhoduluko • iSebe lezamaHlathi, ezokuLoba noKusingqongileyo • Umnyango Wezamahlathi, Ezokudoba Nezemvelo • Kgoro ya Dithokgwa, Boreahlapi le Tikologo • Lefapha la Meru, Botshwasi ba ditlhapi le Tikoloho • Lefapha la Dikgwa, Ditlhapi le Tikologo • Litiko Letemahlatsi, Tinhlanti Netendzawo • Muhasho wa zwa Vhusima-maḓaka, Vhureakhovhe na Mupo • Ndzawulo ya Swihlahla, Vunjoveri na Mbango. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessively for the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act, and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

3. 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.

4. 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.

5. 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.

DFFE studied the supporting documents for the above-mentioned revised Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable

6. According to the information provided: "According to the report: Erf 1236 is 56 615,4m² in extent. The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236 (previously named Erven 155 & 1234). Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool. Currently there are a town Planning proposal to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. According to the report the property is entitled to a 7m wide right of way servitude across Erf 391 (which is public space)." In the past Forestry objected to the proposal of rezoning as well as subdivision- as new primary rights will cause more destruction of indigenous forest. The whole property is covered with indigenous forest



Forestry has the following comments:

i. 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
ii. Forestry request the following:
    1. Forestry object to the proposed rezoning as well as subdivision of above property
    2. Forestry object to above proposal of two units on above property.
    3. Forestry request that a revised development proposal should be considered within the current Open Space Zone 2 zoning rights- having a more minimal footprint size and recirculated for comment
    4. Forestry request that previous said revised development proposal be planned in the more disturbed area- at a positioning that would also minimize the access road

5. Forestry request that vegetation specialist study be conducted for above property; that indigenous forest be plotted, GPS'd and included within the proposal as no-go areas
6. According to Principle 3 3(a) of the NFA, "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 economics; social or environmental benefits". This prescribes that no development affecting forests may be allowed unless "exceptional circumstances" can be proven. What constitutes "Exceptional circumstance" is defined in detail in the "a Policy Guideline - : "Policy principles and guidelines for control of development affecting natural forests" of September 2009" document, and according to that, urban development does not constitute exceptional circumstances.

iii. Kindly note that this letter is not a NFA licence
iv. 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.

Note: The Department reserves the right to revise the initial comment based on any additional information that may be received

Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0052-2026-27. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.

Yours Faithfully,

DEPARTMENT OF FORESTRY, FISHERIES
WESTERN CAPE REGION
09/10/2026
PRIVATE BAG X12, KNYSNA, 6570
TEL: 044 302 6900/07FAX: 044 382 5461
AND THE ENVIRONMENT

SIGNATURE OF DELEGATED AUTHORITY
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms. TF Gwala
Designation: Deputy Director Forest Resource Protection
Branch: Forestry Management

CONSERVATION INTELLIGENCE: LANDSCAPE EAST

physical 4th Floor, York Park Building, York Street, George, 6530
website www.capenature.co.za
enquiries Marienne de Villiers
telephone 087 087 6085
email mdevilliers@capenature.co.za
reference LE/6/1/1180(erf)-Portion_Residential_Keurboomsstrand

Samantha Teeluckdhari
Eco Route Environmental Consultancy
46 President Steyn Street
The Island
Sedgefield
6573

By email: samantha@ecoroute.co.za

Dear Ms Teeluckdhari

RE: Revised DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape
DEA&DP Reference: 16/3/3/1/D1/6/0024/26

Please be advised that CapeNature is regrettably unable to review and provide formal comments on this application. Due to capacity constraints resulting from a vacant Land Use Scientist post, we are unable to process this proposal within the stipulated timeframe. This response should not be interpreted as support or objection to the proposed development. Please continue to process the application and consult with the other required stakeholders.

We apologize for any inconvenience this may cause and appreciate your understanding. Please keep CapeNature on your stakeholder list for future notifications; we will respond when our capacity allows.

Kind regards



(Dr) Marienne de Villiers
Senior Manager, Landscape Conservation Intelligence (East)

The Western Cape Nature Conservation Board trading as **CapeNature**
Board Members: Ms Reyhana Gani (Chairperson), Prof Nicolaas Olivier (Vice-Chairperson), Dr Wendy Annecke, Mr Tom Blok, Ms Ayanda Mvandaba, Ms Vuyiswa Ndzakana, Dr Razeena Omar, Ms Chwayita Shude-Mareka

99 Paradise Beach Investments Pty Ltd
A & T Millar
Erf 96
5 Hill Street
Keurboomstrand
Plettenberg Bay
6600
9 October 2026

Samantha Teeluckdhari

EcoRoute Consultancy

Via e-mail: samantha@ecoroute.co.za

RE: APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR A DEVELOPMENT ON A PORTION OF Erf 1180, KEURBOOMSTRAND, PLETTENBERG BAY

DEDEA Ref 16/3/3/1/D1/6/0024/26

We hereby object in the strongest terms to the granting of Environmental authorisation of the proposed development on a portion of Erf 1180 (previously ERF 155) Keurboomstrand for the following reasons amongst others.

NON-COMPLIANCE WITH ENVIRONMENTAL LEGISLATION, REGULATIONS, POLICIES AND FRAMEWORKS
SETTING OF A PRECIDENT THAT THEATENS THE VERY NATURE OF KEURBOOMSTRAND
VISUAL IMPACT CONCERNS
CONCERNS FOR THE FAUNA INHABITING THE SITE
TRAFFIC CONCERNS

We note that the applicant, over the years and various applications, has used multiple consultants to obtain satisfactory reports when the entire area for the proposed development is:

1. *Recognised as a CBA* [Critical biodiversity area].

All of the specialists' studies, in the application documentation, acknowledge that Erf 1180 (previously ERF155) is recognised as a CBA (Critical Biodiversity Area) and is subject to the National Environment Act and Biodiversity Act (NEMA & NEMBA), Keurbooms Local Area Spatial Development Framework (KLASDF) , Bitou Spatial Development Framework (BSDF), Spatial Planning and Land Use Management Act (SPLUMA), Land Use Scheme, Western Cape SDF, Western Cape Biodiversity Spatial Plan and Spatial Handbook, Garden Route Biodiversity Sector Plan, Garden Route SDF]; Please see attachments.
According to SPLUMA, spatial sustainability principles MUST include protection of the environment by showing regard to natural habitat, ecological corridors and areas of high biodiversity importance. Furthermore, the Land Use Scheme [24(2)(b)] states that "A land use scheme adopted in terms of

subsection (1) must take cognizance of any environmental management instrument adopted by the relevant environmental management authority and must comply with environmental legislation".
The development, as proposed, will impact a CRITICAL BIODIVERSITY AREA, will result in irreparable damage to the sensitive habitat which forms a COASTAL CORRIDOR and which is in contravention of environmental regulations and legislation.
The need to conserve CBA's is further highlighted by SANParks in their biodiversity maps and descriptions recognising that "CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning".

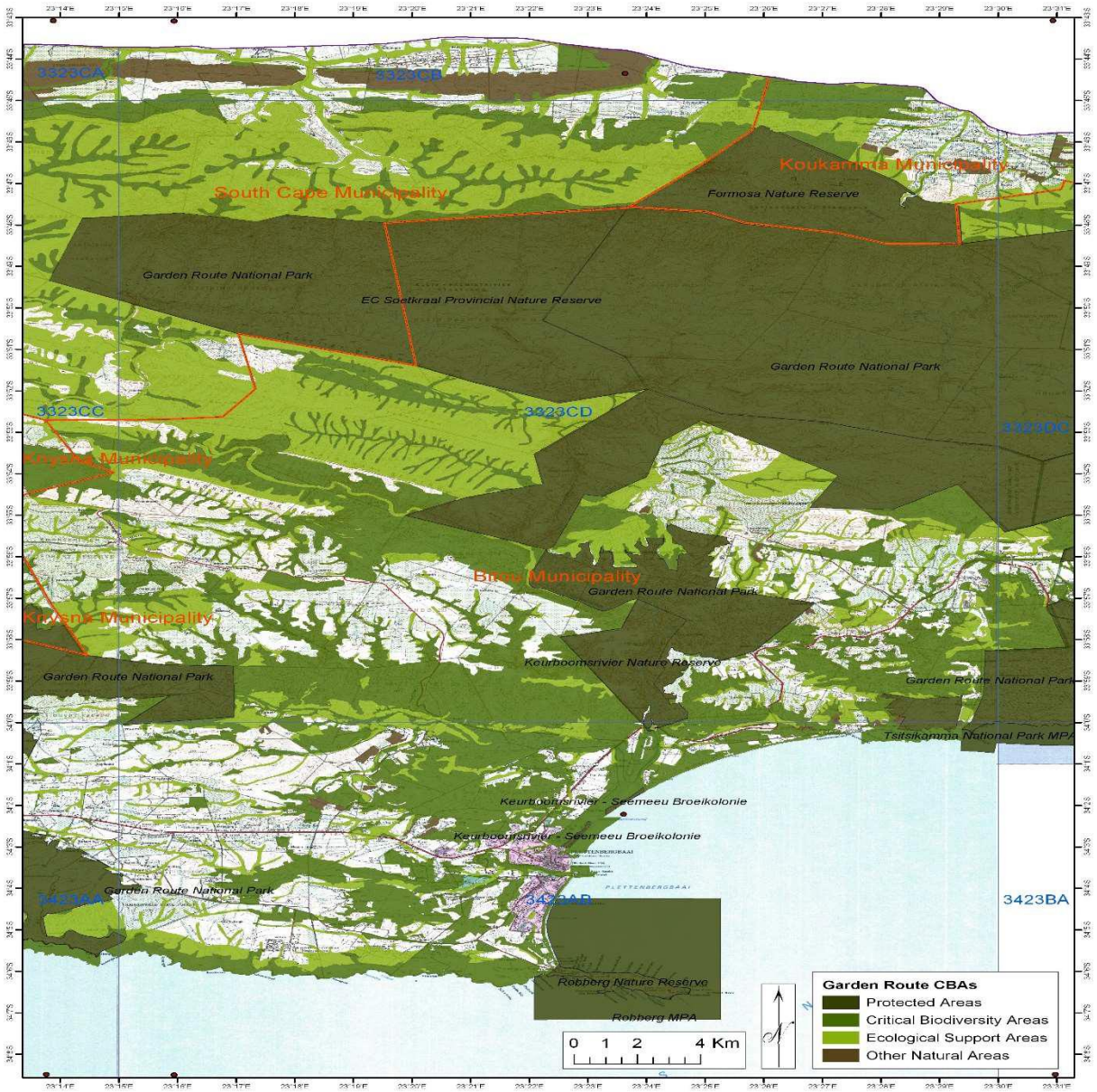


Fig 1: GRNP Map book CBA is defined

Western Cape Biodiversity Spatial Plan 2023
Consideration must be given to the Western Cape Biodiversity Spatial Plan 2023 ('WCBSP'), which was adopted by the Western Cape Minster of Local Government, Environmental Affairs and Development Planning in terms of section 34(2)(c) of the Western Cape Biodiversity Act, Act 6 of 2021. According to this plan, the site on the property earmarked for development, has been assigned a category Critical Biodiversity Area.

We would query how the latest consultant concluded that the site is now an ESA and not a CBA as shown in official mapping and mentioned in previous reports?



Fig 2: Forested corridor and CBA are apparent

Furthermore SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANParks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area].

The conclusion, of a previous vegetation study for Erf 1180, states:
"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."

In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate degraded land to natural or near natural and to manage for no further degradation. ***They state that land-use should not be approved***.

Conclusion: ***Environmental authorisation for the development of Erf 1180 Keurboomstrand therefore cannot be granted***

1A. Terrestrial Biodiversity Assessment & Plant Species Compliance Statement & appendix 15 document inconsistencies

Page 18 and 19 contradict each other page 18 claiming a ESA1 and page 19 clearly stating the issues with the site being a CBA this should be noted in the comments book and please provide a written explanation as to why this is to all respondents.

The section heading is incomplete and what ? please advise

Please note in the comment book the following inconsistency

Section 2.2.7 refers to the site being downgraded to ESA 1

In the very next highlighted section under figure 10 it refers to the site as CBA and the fragmentation thereof

Which is it? or is it just adding volume to an already very bloated document to confuse and deter respondents from reading the detail.

Should a defendable explanation not exist then I assume this report can be ignored and removed as incomplete in which case the application as a whole is incomplete.

"Impacts to intact CBA will however be minimal with majority……" this point un 2.2.7 is absolute rubbish nothing has ever been built on that site how can the report refer to "within previously disturbed areas of the site" – complete nonsense once again just adding superfluous wording

2. *Within a protected forest (see Fig 1 & 3 above):* [National Forest Act]

The National Forest Act protects natural forests from destruction, "SAVE IN EXCEPTIONAL

CIRCUMSTANCES" (Principle 3 3[a]) where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economics, social or environmental benefits. The term "exceptional circumstance" refers to
capital projects of national and provincial strategic importance." There is no exceptional or strategic circumstance associated with this development.
It is important to note that even clearing within a forested area is prohibited under the National Forest Act.

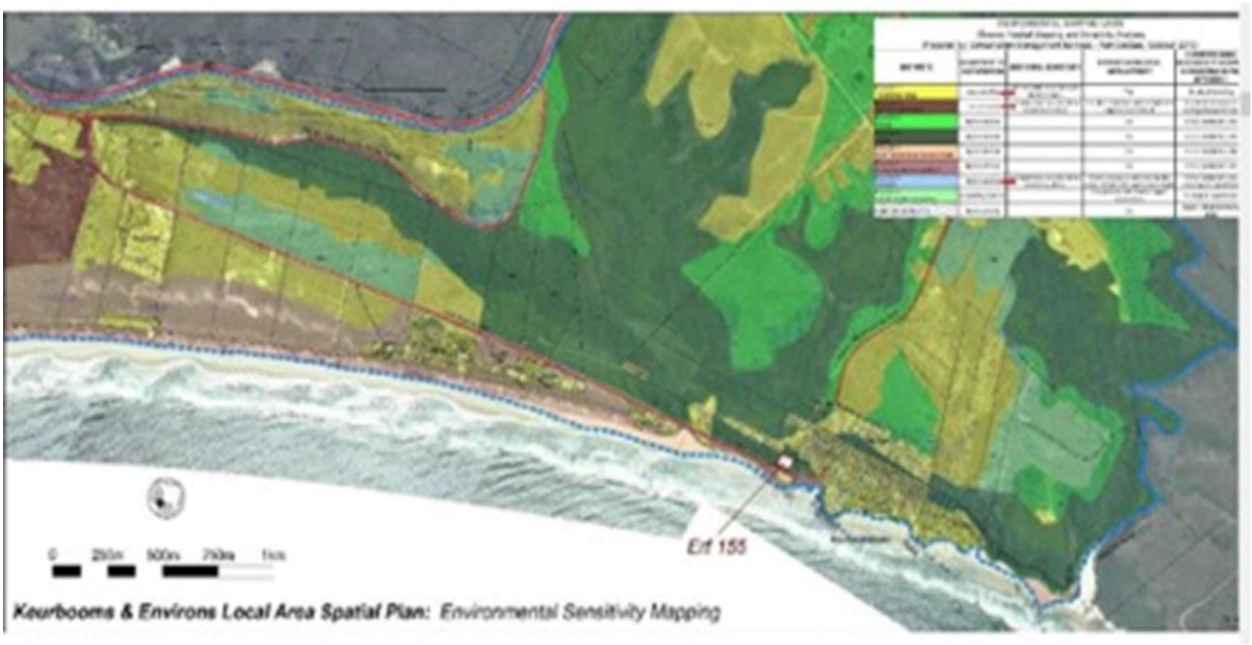


Fig 3: Keurbooms LASP Sensitive habitats

The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF.
The "Vegetation Study" for Erf 1180 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection. The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in forest with a strip of Shale fynbos on the southern tip of the site.

3. *Within a protected shale fynbos area* [NEMBA, KLASDF, BSDF, SPLUMA, Western Cape Biodiversity Spatial Plan]

The KLASDF, adopted by Bitou Municipality, identifies this as a sensitive area and the mapping clearly illustrates that the site is part of the green belt leading into Keurbooms and forming a green corridor. Further to this, the KLASDF identifies "no-go" areas, we find it highly doubtful that it is possible or appropriate to develop in the area stipulated, without negatively impacting the vegetation or the corridor. The site is situated in a FUNCTIONING ECOLOGICAL CORRIDOR that would be impacted by the proposed development. The proposal also conflicts with SPLUMA's principle of Spatial Resilience. The indigenous vegetation conserves biodiversity, habitat connectivity, stormwater attenuation, steep slope stabilization and climate resilience. Development within this corridor would permanently reduce these ecosystem services.

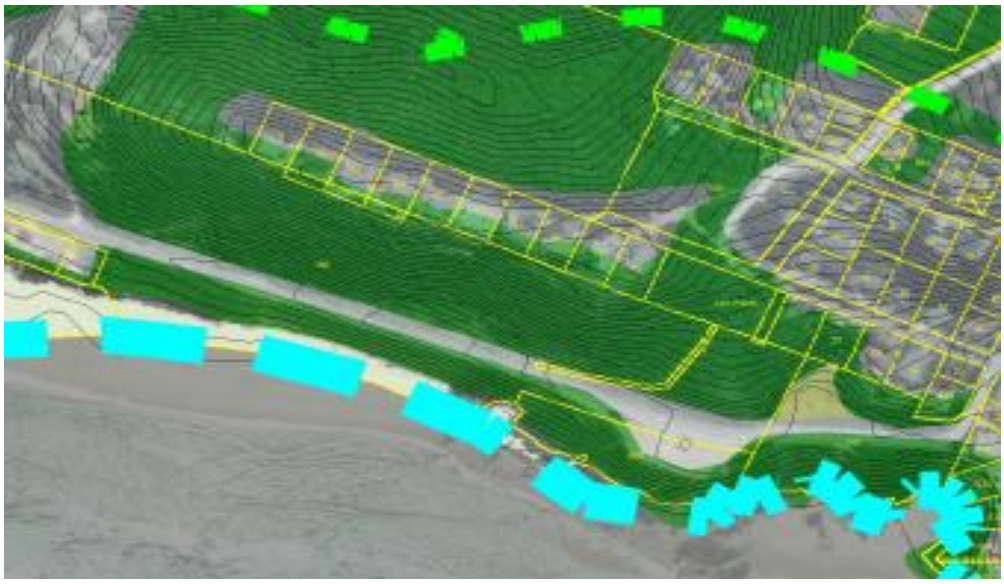


Fig 4: CBA and corridor (green)



FIGURE 15: EXTRACT OF BITOU SDF KEURBOOMSTRAND AREA

Fig 5: Bitou SDF site is shown for conservation

The Garden Route Biodiversity Sector Plan for George, Knysna and Bitou (2010), with super-imposed images of the proposed development onto the maps show that this development will most definitely impact the forest and fynbos areas of the site.

The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site concluded:

"The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area"

4. *Within 100m of the high-water mark of the sea* [Bitou SDF, the Garden Route District Coastal Management Programme (CMP), the Draft Western Cape Coastal Management Programme, Integrated Coastal Management Act (ICMA), National Climate Change documents]

According to the ICMA and Garden Route Coastal Management Plan, the Coastal Management Zone is "A continuous strip of land, starting from the high-water mark and extending 100 meters inland in developed urban areas zoned as residential, commercial, or public open space, or 1000 meters inland in areas that remain undeveloped … It further includes sensitive coastal areas declared in terms of the Environment Conservation Act (Act 73 of 1989) such as the Outeniqua Sensitive Coastal Areas Extension, coastal protected areas …" The Garden Route District CMP further states that "ALL FUTURE INFRASTRUCTURE AND DEVELOPMENTS SHOULD BE RESTRICTED TO LAND ALREADY ZONED FOR THAT PURPOSE AND NO NEW ZONINGS SHOULD BE CONSIDERED WITHIN THE COASTAL

PROTECTION ZONE. Future spatial planning strategies must consider the coastal protection zone as a no-go area for infrastructure." This development application is not suitable or appropriate for this site.



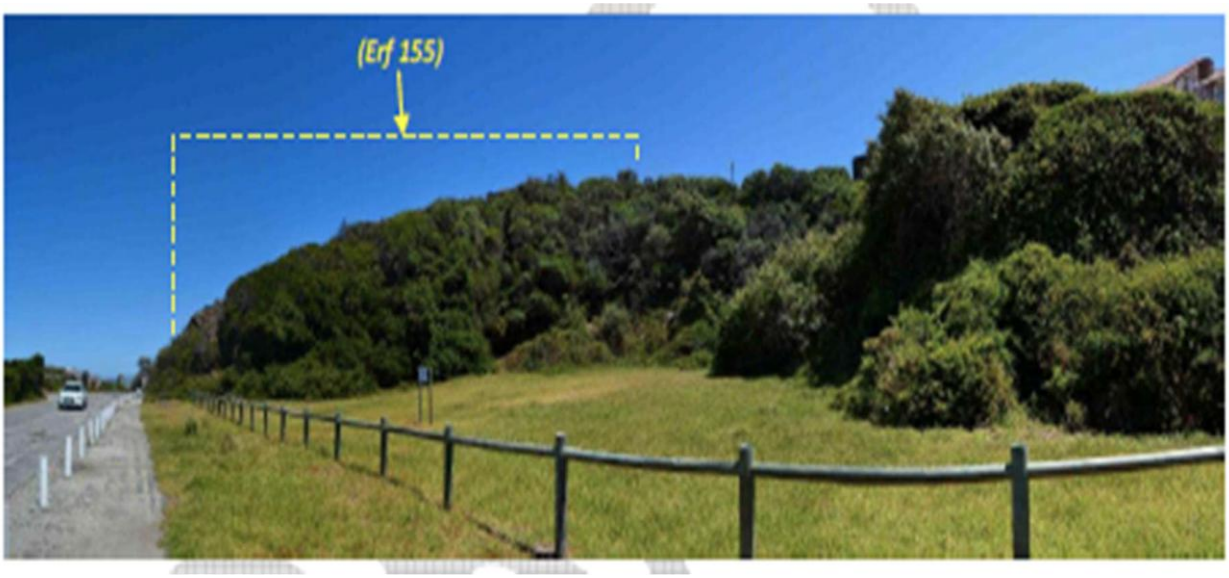
Fig 6: High water mark and forested corridor clearly apparent

5. *On an elevated promontory with an average slope of approximately 1:4: [Keurbooms LASDF, Bitou SDF];*
6. *Alongside a scenic route : [Heritage Resource Act];*
7. *Within an area with a recognised special character, sense of place and importance in terms of tourism and recreation value: [Heritage Resource Act];*
8. *Within an area with visually prominent ridgelines or skylines: [Heritage Resource Act]*

Points 5,6 7 and 8 have relevance to the Heritage Resource Act. The visual impact of this proposed development, if permitted, will impact the aesthetics of the village of Keurbooms and irrevocably change the existing "SENCE OF PLACE". The previous application states, "Given that NONE OF THE ALTERNATIVES ARE COMPLIANT WITH THE VISUAL SENSITIVITY PARAMETERS. The application documents further state that, "The sense of place is derived (especially at a local scale) from the scenic resources of the coastline which are based on natural features." Furthermore, this development will "change the character of the site", as described in the Heritage Resource Act (as well as the sense of

place of the area) (See Figs 7 & 8 below)





Figs 7 & 8: The potential visual impact, considering the currently vegetated site, is obvious

9. within an area requiring an OSCAE (Outeniqua Sensitive Coastal Area Extension Regulations, 1998) permit

The location of the proposed site makes it a requirement that an OSCAE permit is required for relevant activities on site.

10. Violation of NEMBA

Approval of this application would be in violation of a multitude of environmental legislation and regulations, including: National Environmental Management; Biodiversity Act . which needs:

a] To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act

b] Provide for the protection of species and ecosystems that warrant national protection.



Fig 9: Violation of NEMBA

11. Non-compliance with SPLUMA Principles

This application fails to comply with the principles set out by SPLUMA which states:

Land use planning is guided by the following principles of spatial sustainability:

(b) the sustained protection of the environment should be ensured by having regard to the following:

(i) natural habitat, ecological corridors and areas with high biodiversity importance;
(ii) the provincial heritage and tourism resources;
(iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and
(iv) the economic potential of the relevant area or region;

Further under SPLUMA

i]"Consideration of the public interest;
ii]Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property owners, public and private service providers and the wider community"?

12. No Go Alternative not considered

According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED ", despite the acknowledged sensitivity of the land. Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". We find this stance not in the common interest of Keurboomstrand. Erf 1180 (previously ERF 155) has 26 residential units on the flatter western portion of the 56,000m2 some of which are for sale, so the necessity to develop in a sensitive, protected environment is not given. Furthermore properties are available for houses in Keurboomstrand and surrounds.

The map below forms part of the documentation of the proposed development and shows the extent of Erf 1180 (previously ERF 155) Mare Nostrum and some of the residential units on the western portion. Also the forested steep slopes.

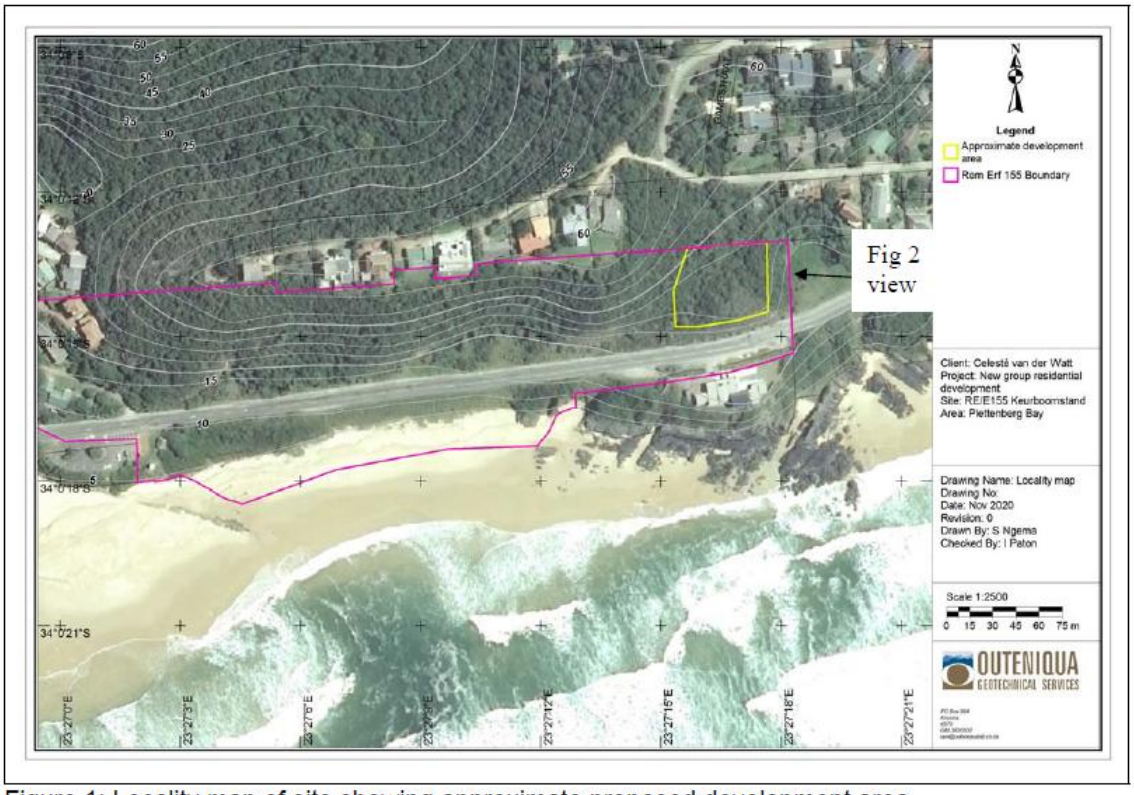


Figure 1: Locality map of site showing approximate proposed development area

Fig 10: Extent of ERF 1180 and some of the existing residences on the western side

13 The Visual impact report by Filia Visuals PTY LTD Findings

"The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline.
The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local receiving environment is unique and distinctive within the coastal belt, based on both the local townscape character and the value of the natural and scenic resources.
The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand.
The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable.

- Inside the 100m Urban Coastal Setback Line;
- On an elevated promontory with an average slope of approximately 1:4;
- Within a Critical Biodiversity Area containing protected tree species;
- Alongside a scenic route;
- Within an area with a recognized special character, sense of place and
- importance in terms of tourism and recreation value;
- Within an area with visually prominent ridgelines or skylines;

Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes:

i. A change in land use from the prevailing use;
ii. A use that is in conflict with an adopted plan or vision for the area;
iii. Possible visual intrusion in the landscape.

14. Visual impact on the residents of Keurboomstrand village.

It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 11180 Private open space. This is strange as they state in paragraph5.3.4.

Visual Receptors and their Potential Sensitivity

i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community;
ii. Residents and residential properties with views affected by the development.
iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.

15. Traffic Impact

1. Location relative to a sharp bend and steep downhill grade

The proposed access point is situated close to a sharp bend on Main Street. Immediately from the stop street at the 394 and Main street intersection this road climbs a steep hill. Vehicles travelling downhill towards the access therefore approach the intersection at speed around a horizontal curve on a significant downhill gradient.

This combination of:

- a sharp horizontal curve,
- a steep vertical grade, and
- restricted forward visibility

creates a real risk of inadequate stopping sight distance and limited reaction time for drivers approaching the access, particularly those travelling downhill. The same geometry also restricts sight distance for vehicles exiting the proposed development.

2. Narrow road width around the curve

The existing Main Street is already narrow, especially in the vicinity of the curve near the proposed access. This further reduces the ability of vehicles to manoeuvre safely or to pass one another if a vehicle is waiting to turn into or out of the development.

3. Inadequate treatment in the Traffic Impact Statement

The Traffic Impact Statement (Innovative Transport Solutions) merely states that "the access spacing is acceptable and the available shoulder sight distance in both directions along Main Street is sufficient." It does not appear to have assessed the combined effect of the sharp bend, the steep downhill grade, the narrow road width, or the restricted sight lines that result from this geometry. No detailed sight-distance calculations, speed surveys, or road-geometry analysis addressing these specific conditions are provided in the main report.

Recommendations

In the interest of road safety we request that the following measures be investigated and reported on for consideration.

1. A detailed, site-specific assessment of available stopping sight distance and decision sight distance for vehicles approaching the access from both directions, with particular attention to the downhill approach around the sharp bend.

2. Widening of Main Street in the vicinity of the curve and the proposed access point to improve operational safety and provide adequate space for turning movements.

3. Provision of a semi-passing / overtaking lane or widened shoulder at the intersection to allow vehicles to pass a stationary or turning vehicle without conflict, especially given the existing narrow carriageway and the curve.

Until these geometric and safety issues are properly assessed and mitigated, we do not consider the current access arrangement to be safe.

We request that this comment be recorded in the Comments and Responses Report and that the traffic specialist be required to respond specifically to the concerns raised above.

16. Animal Species

The section on fauna is very light and fails to recognise that there are resident bush buck living on the proposed sight

17. Personal impact

Once again we must note that the applicant, over the years and various applications, has used multiple consultants to try and obtain satisfactory reports when the entire area for the proposed development is a CBA. The "Terrestrial Bio…."" section mentioned above certainly raises some questions.

We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 1180 would experience a drastic change of our scenic view across the forest towards robberg photos below (Figures 11 and 12).

Figure 5: Visual Impact from ERF 96 above



Figure 6:View Forest from below

Fig 11: Personal Impact



Figure 7: from Blaubankies beach

Fig 12: Personal Impact

We would like to note that, when we bought our house on Erf 96, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures in the face of such environmental legislation, in place to protect such pristine protected environments, would open the door to other developers doing the same which is of grave concern to us as permanent residents of Keurboomstrand. We would also like to note

We reserve the right to submit further comments on the application as information becomes available.

99 Paradise Beach Investments Pty Ltd
A & T Millar

R & E Martin
Erf 15
19 Main Street
Keurboomstrand
Plettenberg Bay
6600

8 October 2026

Ms Samantha Teeluckdhari
EcoRoute Environmental Consultancy
Via e-mail: samantha@ecoroute.co.za

RE: COMMENTS ON THE REVISED DRAFT BASIC ASSESSMENT REPORT OF ERF 1180 (PREVIOUSLY ERF 155), KEURBOOMSTRAND, PLETTENBERG BAY. DEA&DP REF: 16/3/3/1/D1/6/0024/26

Dear Ms Teeluckdhari

Thank you for the opportunity to comment on the Revised Draft Basic Assessment Report.

We maintain our objection to the granting of environmental authorization. Our comments on the pre-application BAR stand and should be read with this letter. Having studied the Revised BAR, the Comments and Response Report and the specialist appendices, we submit that the revisions have not resolved the fundamental problems with this application and have in some respects introduced new contradictions. Our comments follow.



Milkwood Trees at the proposed entrance



Forest on Erf 1180

1. The National Forest Act

The site is clearly a forested area with amongst others, numerous White Milkwood and Cheesewood trees present as can be seen on the photos.

The Department of Forestry, Fisheries and the Environment, Forestry Branch its letter (Appendix F3, pp. 36–41 and 106–108) states:

- *"Forestry object to the proposed rezoning as well as subdivision of above property."*
- *"Forestry object to above proposal of two units on above property."*
- *"In the past Forestry objected to the proposal of rezoning as well as subdivision – as new primary rights will cause more destruction of indigenous forest. The whole property is covered with indigenous forest."*

On 30 May 2024 Forestry (Ms M Koen) described the site as *"pristine protected Coastal Forest"* on steep slopes, listing Milkwood, Candlewood, Cape Beech, Cheesewood and Cabbage Tree among others.

Even though Cheesewood trees [*Pittosporum viridiflorum*] are not mentioned anywhere in either BAR June 2026 draft or the September 2026 revision, many protected Cheesewood trees are present on the site as well as protected Milkwood trees and others such as Cape Beech and Candlewood.

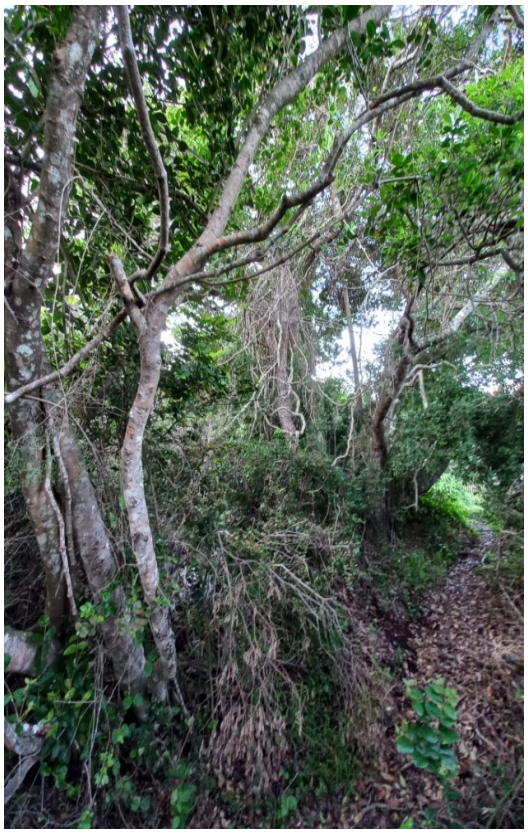


Milkwood trees



Cheesewood trees

Section 3 of the National Forests Act, 1998 provides that natural forests may not be destroyed save in exceptional circumstances, which generally refer to projects of national or provincial strategic importance. Two private dwellings do not qualify.



Forest



Forest on total proposed development area

The Draft EMPr now acknowledges that licenses under sections 7 (natural forest) and 15 (protected trees) apply, and the Flora Compliance Statement confirms that removal of Milkwood (*Sideroxylon inerme*) requires a permit. Yet the Revised BAR contains no count of Milkwoods or other protected trees, no plot of them on the Site Development Plan (SDP), and no figure for the area of forest to be lost. The classification of the vegetation as natural forest under Notice 167 of 2017 has not been rebutted, and the “exceptional-circumstance” are not addressed. The response that licenses will be obtained "should any be required" is not consistent with Forestry's statement that the whole property is indigenous forest. See photos

2. The development lies within the 100 m high-water-mark setback, in conflict with the KLASP

The newly added “Listed Activity 19A” states: *"Majority of construction will be within a distance of 100 metres inland of the high-water mark of the sea."* The Keurbooms Local Area Spatial Plan (KLASP) policy states *"No development within the 100m high water mark setback"*. KLASP also excludes development on slopes steeper than 1:4 and within Map Unit 4 (Forest). The planning report must be corrected and the KLASP assessment redone.

3. The visual impact has not been reassessed

In reply to point 13 of our July letter, the C&R report states that the VIA "has been reassessed". It has not. The only new visual document is Filia Visual's letter of 5 August 2026, which states: *"Please note that this commentary letter is not meant to re-assess visual impact."*

The VIA (Appendix G7) itself finds that the preferred layout "remains non-compliant" with the visual sensitivity parameters and "cannot meet the requirements of DEA&DP for low visual impacts overall". Its support is only "in principle" and conditional on its recommendations being strictly adhered to, including:

The Filia letter records items still open: the driveway and car-court outside the buffer, an incorrect forest hatch on the SDP, protected trees not shown, no section proving the height limit, services not shown, and part of Unit 2 possibly within a no-go area. The VIA also records that from the scenic route the development **"will nevertheless contribute to the erosion of the visual character of the scenic route",** that from the village entrance "the ridge line will be interrupted", and that loss of forest will compromise the landscape's capacity to screen development.



P 394 Scenic route into Keurboomstrand village with forest

The Bitou MSDF (2022) declares Main Road 394 a scenic route. Its stated aims are to *"preserve the visual and scenic qualities of the routes"* and keep access to the scenic amenities along them.

The HIA it names the scenic route and landscape as the main heritage resource. The site is graded **IIIC** because of *"the significant endemic and screening vegetation as well as its proximity to scenic routes and public spaces"!* Clearing that forest therefore affects the very thing that gives the site its heritage value.

The VIA says *"protecting the landscape setting and gateway qualities of this particular stretch of road is an imperative"*.

Its conclusion: the proposal *"cannot meet the requirements of DEA&DP for low visual impacts overall"*. It is supported only "in principle",

Finally, the VIA's own section 5.3.4 identifies residents with affected views as sensitive receptors, yet no assessment was made from the homes overlooking the site, including ours. We request a proper VIA re-assessment of SDP Rev G, including views from residences above the site, and that the C&R wording be corrected.



Milkwood trees



Cheesewood trees

4. The development footprint is stated inconsistently

The documents give 1,448 m² (VIA developable area), approximately 2,000 m² (BAR coastal management section), 2,500 m², 2,979 m² (including buffer) and 4,229 m² (Alternative 2). The cleared area determines which listed activities apply, the volumes and the extent of forest loss.

5. The site's biodiversity status is contested and described inconsistently

The EAP relies on the 2023 Western Cape Biodiversity Spatial Plan reclassifying the site from CBA 1 to ESA 1. DEA&DP's own GIS check places the site in CBA 1, CBA 2 and ESA; the Revised BAR itself refers to "CBA 2 and ESA 1"; and the terrestrial report records the site as previously CBA 1, where development is "generally not acceptable". **The Bitou MSDF (2022),** quoted in the VIA, places the site in a **Core 1** area which *"must be regarded as no-go for development and must be kept in a natural state"*. Secondary or regrowing vegetation is not a reason to develop; left undisturbed it recovers.



Cape Beech



Candlewood

6. The Terrestrial specialist assessment

The Terrestrial Biodiversity Assessment was re-issued on 2 September 2026, replacing the original author, Bluepebble Consulting. The report simply states that site conditions "have not materially changed". Meanwhile the 2018 Vegetation Sensitivity Analysis, which found pristine scrub forest with Milkwoods, threatened vegetation and CBA status, has been "removed from the BAR" as outdated.

7. Coastal Protection Zone, slope stability and stormwater

DEA&DP Coastal Management finds the development inconsistent with the purpose of the Coastal Protection Zone (s17 ICMA), calls for a precautionary approach. Listed Activity 19A was only added now, having been "accidentally omitted", and the section 63 ICMA assessment remains general narrative. We ask how each section 63 factor has been addressed.

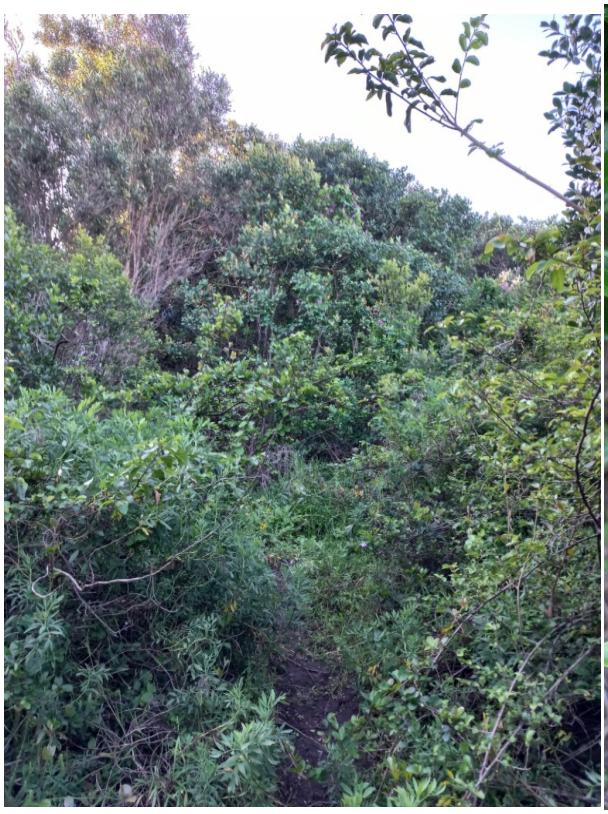
The June 2026 draft required a specialist to compile a stormwater management plan; the Revised BAR now relies on a conceptual plan attached to the EMPr. On slopes of 1:4 above a cliff, a detailed stormwater and slope-stability plan should be prepared and assessed.

8. Non-compliance with the 2011 municipal approval

Municipal approval 18/151 & 155/KB of 21 September 2011, for 26 existing residential erven on Erf 151/155, included condition (h): the remainder of the property is to be managed as a Private Nature Reserve by the Mare Nostrum Homeowners Association. This condition was requested by the KPOA [Keurboomstrand property owners association] and adopted by the municipality. The response to point 11 of our July letter refers only to the planning report. We ask how this condition is to be complied with or lawfully removed.

9. Alternatives and need and desirability

Site alternatives were not assessed because the applicant wishes to develop on this site only. Need and desirability must be consistent with the principles in section 2 of NEMA; the desire of one owner to build on this particular site does not demonstrate it. The no-go alternative remains the environmentally preferred option.



Forest on proposed site



Gwarrie

10. Dwelling size and depiction

No floor area, roof area, heights or sections are given for the preferred layout and the VIA describes coverage as "undetermined". Our objection was that the site plan depicted the proposed dwellings at a misleadingly small scale, looking more like “Dog kennels”, when on the edited SDP our roof is approximately 130 m² and the proposed houses exceed 400 m². This was dismissed as relating to an "old 3D image". Any SDP must show the correct architectural layout plans.

11. Responses to our July 2026 letter remain unanswered.

- Point 7 (green corridor): the loss of the green entrance to the village and its sense of place is not addressed; the reply cites only "minor displacement during construction".
- Points 9 and 10 (legislation, SPLUMA): generic replies; the SPLUMA principles and residents' interests are not assessed.
- Point 11 (2011 approval): not answered on substance (see 9).
- Point 14 (precautionary approach): acknowledged only, although DEA&DP Coastal Management makes the same comment.

12. Conclusion

The site forms part of a continuous indigenous forest corridor and the green entrance to Keurboomstrand, which we and many residents understood to be protected.



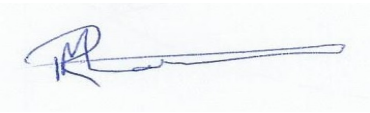
Forest



Orchid [Satyrium] on the cliff face shale fynbos area

Applying the precautionary approach required by NEMA, we respectfully request that environmental authorisation be refused. We ask that this letter be included in full in the Final BAR and forwarded to the competent authority. We reserve the right to submit further comments as information becomes available.

Yours faithfully



Rudi & Eva Martin
Erf 15, 19 Main Street, Keurboomstrand
rudimartinarchitects@gmail.com

PLETTENBERG BAY
COMMUNITY ENVIRONMENT FORUM

Ms Samantha Teeluckdhari Date 8 October 2026

EcoRoute Environmental Consultancy
PO Box 1252, Sedgefield, 6573
By e-mail: samantha@ecoroute.co.za

Copy: Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)

RE: REVISED DRAFT BASIC ASSESSMENT REPORT PROPOSED RESIDENTIAL DEVELOPMENT ON A PORTION OF ERF 1180, KEURBOOMSTRAND – DEA&DP REF: 16/3/3/1/D1/6/0024/26

Dear Ms Teeluckdhari

The Plettenberg Bay Community Environment Forum ("the Forum") submitted a detailed objection to the Draft BAR dated July 2026 and found no major changes or additions in the Revised BAR dated September 2026. The Forum maintains its objection to the application and makes no changes to our previous comments but would like to add the following comments.

“On the Amendments" of the Revised BAR.

A] Listed Activity 19A; the new wording states that the *"majority of construction will be within a distance of 100 metres inland of the high-water mark of the sea."* This contradicts the Town Planning Report, which says the houses are *"not within 100m of the HWM"* and relies on that to claim the proposal is consistent with KLASP. The planning report was not updated.

B] Amended Site Development Plan; Positions of protected trees such as Milkwoods are still not shown

C] Section 63 of the ICMA; The new "Coastal Management" section in the project description concludes that the development is *"consistent with the intention and purpose of the Coastal Protection Zone."* which directly **contradicts** DEA&DP's own Coastal Management unit, which said the development is **inconsistent** with the purpose of the CPZ.

D] **The Forestry and DEA&DP Coastal** Management comment letters were dropped as separate appendices ("See C&R report").

We have reviewed the responses recorded in the Comments and Response report and request that each matter be responded to more substantively and the Revised BAR amended where necessary, before a Final BAR is submitted to the competent authority

1] Critical Biodiversity Area status; the site is mapped as CBA in the WCBSP 2023 and earlier planning documentation, how did the latest consultant conclude that the site is now an ESA and not a CBA when DEA&DP's own GIS check (comment of 3 July 2026) records the site as CBA1, CBA2 and ESA, and the BAR itself refers to "CBA 2 and ESA 1".The description "partially disturbed" is also contradicted by DFFE Forestry ("the whole property is covered with indigenous forest", 6 July 2026; "pristine protected Coastal Forest", 30 May 2024) and by the 2018 Vegetation Sensitivity Analysis ("pristine scrub forest"), which has since been removed from the BAR.

SPLUMA's spatial sustainability principle; section 24(2)(b) of SPLUMA require land use schemes to comply with environmental management instruments

2. The National Forests Act: states that a natural forest may not be destroyed save in **exceptional** circumstances of national or provincial strategic importance, this was not addressed at all. A private residential development is not such a circumstance and even clearing within forest is prohibited.

We note that DFFE Forestry **formally objected** to the rezoning, the subdivision and the two units on 6 July 2026; those objections were recorded only as **"Noted".**

3. Shale fynbos, ecological corridor and KLASDF no-go areas; the Forum's concerns were not responded to when mentioning that the site contains protected shale fynbos, forms part of a functioning ecological corridor and green belt, as identified in the KLASDF and BSDF, and lies in KLASDF no-go areas. The proposal conflicts with SPLUMA's Spatial Resilience principle and would permanently impact on vitally important ecological corridors.

4. Coastal Protection Zone and 100 m from the high-water mark; The Forum emphasised that the Garden Route District Coastal Management Programme states that *"all future infrastructure and developments should be restricted to land already zoned for that purpose and no new zonings should be considered within the Coastal Protection Zone."*The application is a **new rezoning** within the CPZ, the Revised BAR now adds Listed Activity 19A and states that the *"majority of construction will be within a distance of 100 metres inland of the high-water mark of the sea".*

DEA&DP Coastal Management (6 July 2026) has stated that the development is inconsistent with the purpose of the CPZ.

5. Slope, scenic route, sense of place and ridgelines (heritage) The Forum quoted the earlier application's statement that *"none of the alternatives are compliant with the visual sensitivity parameters"*. The VIA has not been reassessed for the current layout. The only new visual document, Filia Visual's letter of 5 August 2026, states that it *"is not meant to re-assess visual impact"* and lists unresolved items.

The statement that the development *"will not obstruct the views of any neighbours"* is disputed by neighbouring residents who have submitted comments and photographs.

6. Site alternatives, need and desirability The response repeats that property and design alternatives were not assessed because the applicant is only interested in this specific site and property. The wishes of one person cannot justify the impact on this pristine environment and would be in complete conflict with the "need and desirability" under section 2 of NEMA,

7. Precautionary approach and SPLUMA development principles

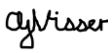
The Forum's submissions on the precautionary approach, and the development principles in section 7 of SPLUMA (Spatial Sustainability, Spatial Resilience, Efficiency and Good Administration) received **no response**; the response column is blank, we request a substantive response.

8. OSCAE permit

The Forum notes the EAP's agreement that an OSCAE permit is required.

The Forum reserves the right to comment further on this application and on any documents pertaining to this development. We look forward to your substantive response.

Yours sincerely,



Chanel Visser
On behalf of the Plettenberg Bay Community Environment Forum

It must be noted that an application to develop a property in the vicinity was not approved by DEADP for the following reasons amongst others.

The Department relied on the section 2 NEMA principles, including:

- a risk-averse and cautious approach
- avoiding the disturbance of ecosystems and loss of biodiversity before minimising it
- sensitive coastal ecosystems require *"specific attention in management and planning procedures"*
- decisions must take into account the interests of all interested and affected parties
- selection of the best practicable environmental option

It concluded that the proposal *"will conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA"*

KPOA objection to the Erf 1180 development application

Revised draft for committee approval and signature

Date: 8 October 2026
To: Samantha Teeluckdhari, Eco Route Environmental Consultancy
Email: samantha@ecoroute.co.za
Copy: DEA&DP Directorate Development Management Region 3
Email: DEADPEIAAdmin.George@westerncape.gov.za
Copy: Municipal Manager and Land Use Planning Department, Bitou Municipality

Environmental application reference: 16/3/3/1/D1/6/0024/26

Property: Erf 1180, described as a portion of Erf 1236 and previously Erf 155, Keurboomstrand

Dear Ms Teeluckdhari and relevant decision makers,

The Keurboomstrand Property Owners Association (KPOA) formally objects to the proposed residential development, associated infrastructure, subdivision and rezoning described in the supplied Basic Assessment Report (BAR). We request refusal of the proposal in its present form. At a minimum, no decision should be taken until the notification concern has been investigated, meaningful participation has been afforded to KPOA, and the substantive deficiencies below have been addressed.

KPOA previously lodged an objection to the earlier application concerning this land. KPOA has not been formally notified of the current proposal, notification was sent to the previous Chairperson Pieter Luttig and a committee member Frik Venter.

We submit this objection to protect the interests of the community and request that it be recorded in both the environmental process and the relevant municipal land use process. Please confirm the separate requirements and reference numbers for each process.

1 Notification and opportunity to comment

Appendix F1 lists “Keurbooms POA” (KPOA) , with Pieter Luttig and Frik Venter as contacts [2]. Inclusion in a register does not establish receipt of notice. Please provide the notice relied upon, its date, the recipient addresses, dispatch records and any delivery or returned-message records. Please confirm which contacts were used for KPOA and update the register to the committee’s nominated contact below. The KPOA address and its interest as an I&Ap were furnished in the filing of the previous objection.

Regulation 41(2)(b)(iii) of the NEMA EIA Regulations provides for written notice to community ratepayer organisations. Regulations 40 and 41 address access to information and a reasonable opportunity to comment; regulations 42 to 44 address the register, comments and their recording [5]. Our prior objection reinforces the need to investigate how KPOA was consulted. We do not assume that registration in a separate earlier application automatically carried over.

The fuller supplied text identifies a terrestrial biodiversity assessment dated 02/09/2026 in Section I, while the EAP declaration carries 10/11/2025. Please confirm whether these dates are correct, identify the current BAR version and provide a revision history. If the September 2026 assessment postdates the June 2026 draft consultation, explain how affected parties were given access to it and its implications. The April 2024 page footers appear to identify the report template; they should not be relied upon as the date of the current assessment.

2 Existing conservation conditions and proposed zoning

The supplied BAR expressly acknowledges that the proposed development does not comply with the existing land use rights. It proposes changing Open Space Zone 2 to Open Space Zone 3 for a nature conservation area, while accommodating two double-storey dwellings, garages and a swimming pool. The alternative proposes three group housing units under General Residential Zone I. These are materially different land use proposals.

Please identify the exact provisions of the currently applicable Bitou zoning scheme authorising the preferred residential use in the proposed conservation zone, including any consent use, departure, amendment or restriction-removal applications. A conservation designation alone does not demonstrate that the proposed housing is lawful or consistent with the zone's purpose. Any proposed amendment to the zoning regulations must be supplied in full, with its scope and consequences for other land explained.

Appendix F3 records an earlier objector's account of municipal approval 18/151 & 155/KB dated 21 September 2011 and a condition requiring the remainder to be managed as a private nature reserve by the Mare Nostrum HOA. It also records KPOA's involvement in requesting that condition [3]. We request the original approval, approved plans and any subsequent amendments. The account requires verification against those records.

Please explain whether that condition applies to the application land and, if so, whether it remains operative and how any alteration is being sought. A new environmental approval should not be treated as removing municipal or title restrictions. KPOA objects to weakening an existing conservation obligation without a clearly identified lawful process and full public consideration.

3 Property identity and the true disturbance footprint

The report variously describes Erf 1180 as a portion of Erf 1236, previously Erf 155, and as the property from which a further portion is to be subdivided. Please provide current title deeds, Surveyor-General diagrams, an ownership schedule and a single plan reconciling these descriptions. The land affected by each approval, including access across Erf 391, must be unambiguous.

The preferred proposal is introduced as approximately 2,000 m² of development on a 5,000 m² site. Section B records approximately 2,979 m² including a two-metre construction buffer. Those figures represent approximately 40% and 60% of the application area respectively. For the alternative, the corresponding figures are 3,250 m² and 4,229 m², approximately 65% and 85%. These are disturbance ratios, not verified building coverage ratios.

The fuller text introduces a further approximately 2,500 m² footprint in Sections G and I. The visual and heritage summaries in Section I identify approximately 1,448 m² as the developable area and limit disturbance beyond it to absolutely necessary linear infrastructure. Please reconcile the purpose and boundaries of these different areas on one surveyed plan. If they describe different measures, distinguish them and demonstrate that the dwellings, pool, earthworks and construction buffer satisfy every applicable specialist limit. We do not assume that all figures measure the same thing.

Please reconcile every area figure and provide an auditable schedule covering buildings, garages, the pool, paving, access, service trenches, the conservancy tank, retaining structures and temporary construction areas. The assessment must account for the full affected area and demonstrate whether access or services are included in, or additional to, the stated totals. Comparisons with the larger parent property must not obscure the impact within the application area.

Repeated claims that approximately 70% of the erf will be conserved appear to refer to the larger approximately 5.6-hectare Erf 155 and approximately four hectares of retained land. They cannot be used interchangeably with the 5,000 m² application area. Please state the denominator for each percentage, identify the land legally secured for conservation, and separate existing un-developable land from any additional conservation benefit created by this proposal.

4 Vegetation sensitivity and forest protection

The report describes the site as vacant and untransformed, and Section J describes no significant disturbance, but other passages place the development on historically disturbed land. Section I summarises the animal specialist's finding that much of the site is intact, with small semi-intact areas, high Site Ecological Importance and suitable habitat for three potentially occurring species of conservation concern. That specialist nevertheless supports a low-impact development. Please demonstrate that the exact proposal assessed meets that qualification, with dated evidence and a surveyed overlay of vegetation, development and all infrastructure.

KPOA requests the underlying specialist reports, survey dates and maps, and comparison with earlier findings for the same land. Section G states that the footprint lies within ESA 1 rather than CBA 1 following ground-truthing; Section I later describes development within a CBA area. Please reconcile these statements and the cited biodiversity mapping versions. Explain how site verification affects the mapped designation and obtain the relevant conservation authority's response. Non-detection of species must be considered alongside the report's acknowledged seasonal survey limitations and suitable habitat.

Section G refers to a 10–20 metre ecological buffer, whereas other passages refer to a five-metre botanical or slope buffer. These may serve different functions; provide their mapped extent and scientific basis and demonstrate compliance with each. The regional percentage of vegetation affected does not, by itself, establish that local corridor connectivity or ecosystem functions will be maintained. The cumulative assessment provided must substantiate that conclusion for this site and the wider network, rather than relying principally on habitat abundance elsewhere.

DFFE's Forestry comment dated 10 December 2025 requests a joint site inspection to determine whether its mandate is affected and expressly states that its letter is not a National Forests Act licence [4]. Please supply the inspection outcome, any updated Forestry determination, and the status of any required forest or protected-tree licences. KPOA requests assessment of the complete disturbance footprint against those requirements before a favourable decision. We do not infer from the letter alone that every part of the site is legally classified as natural forest.

Section C of the fuller supplied BAR states that a Forestry licence will be required. Please confirm the activities requiring that licence, the application status and whether the assessed layout accommodates forest and protected-tree requirements. The specialist support and proposed environmental conditions should not be represented as dispensing with a separately required licence.

5 Coastal setting and scenic entrance to the village

The BAR places the site within the Coastal Protection Zone and records a 35-metre scenic route setback, a five-metre botanical or slope setback, and a recommended eight-metre height limit measured from existing natural ground level, including chimneys. KPOA acknowledges these proposed controls. Please provide surveyed setbacks and levels, sections and visual simulations demonstrating compliance for the buildings, garages, pool, retaining works and vegetation removal.

The visual specialist's summary anticipates that screening will soften the buildings rather than hide them. Section H also refers to the preferred alternative without a pool, while Sections B and J include a shared pool. Please confirm the actual preferred layout and secure visual specialist confirmation for that layout. Inclusion of a pool must be assessed against the developable area and all buffers, rather than assumed acceptable from support for a different design.

Section J first describes buildings as being within the 35-metre scenic setback, while the specialist conditions and later recommendations require them to be outside it. Please clarify this apparent reversal. The summary statement that no material conflicts exist between specialists must be supported by a reconciliation of the differing footprints, buffers and design assumptions, and updated specialist confirmation where needed.

6 Access and municipal services

The report describes a seven-metre-wide right of way across Erf 391 and a four-metre driveway, but Section B also describes a seven-metre-long route with a 28 m² footprint. Elsewhere, the site is separated from Main Street by the 27-metre width of Erf 391. Please reconcile route length, width and clearing area and supply the registered servitude and approved access alignment. Establish that the proposed works and service uses fall within the rights granted and protect the public place and public movement.

The traffic specialist predicts fewer than ten weekday peak-hour trips and supports the development on transport grounds, with low negative significance. KPOA does not assert that these figures establish major congestion. However, the BAR's subsequent statement that there will be no traffic impacts overstates that finding. Please distinguish operational trips from construction deliveries and tank-emptying movements and demonstrate safe vehicle manoeuvring and continued public access.

The BAR proposes a conservancy tank and private removal of sewage to the Gansevallei wastewater treatment works, pending future reticulation or bulk upgrades. Please substantiate tank capacity, watertightness, overflow prevention, pump-out access, monitoring, emergency arrangements and confirmation that the receiving works can accept the sewage. The assessment must address leakage and delayed removal without assuming future upgrades will occur by an unspecified date.

Please provide current, quantified confirmation of spare service capacity for the actual proposal, including water demand, pool filling, electricity, sewage disposal, stormwater and refuse. One water or electricity connection does not alone demonstrate sufficient capacity. Connection and infrastructure costs, operational responsibilities and any developer contributions must be clear.

The geotechnical summary in Section I states that shallow rock restricts vertical infiltration and will produce a significant proportion of runoff. This needs reconciliation with the reliance on permeable paving and on-site infiltration elsewhere. Please provide calculations, attenuation and discharge designs, lawful outfall arrangements and assessment of effects on adjoining land, the road and lower slopes. Section J acknowledges that downstream drainage capacity under future cumulative development has not been verified in detail. That gap must be addressed where the proposed drainage depends on downstream capacity.

The geotechnical support is conditional on design constraints, including slope limits, restricted excavation and measures to minimise terracing. Section H acknowledges erosion risk and extensive cut and fill. Please supply an earthworks and retaining-wall schedule demonstrating compliance, and account for mechanical excavation noise and disturbance. Section I describes a three-to-five-year construction phase, whereas other passages describe a relatively short period. Assess cumulative nuisance over the actual programme and establish phased clearing, rehabilitation deadlines and a documented complaints procedure.

7 Need and alternatives

The report invokes a need for affordable long-term accommodation near community facilities, but does not demonstrate how the proposed double-storey dwellings with garages and a shared pool address that need. Please provide evidence linking the claimed community benefit to this proposal. General construction employment, investment and rates income do not resolve site-specific environmental and planning concerns.

KPOA acknowledges that the no-development alternative is discussed in Section H. We object to the assumption that no development entails no active management or restoration. The same passage acknowledges a legal obligation to control invasive alien plants, and earlier conservation conditions may impose further management duties. Assess retention of the land with applicable management and rehabilitation obligations, and explain why those measures require residential development to occur. Compare this with reasonable options that reduce harm, including a smaller footprint, fewer units, single-storey buildings or omission of the pool.

Section H records design changes following earlier comments and explains why other portions of the land were not selected. KPOA does not claim that no alternatives were considered. We request the comparative evidence supporting rejection of feasible lower-impact options and the specialist basis for the precise preferred proposal. A more intensive alternative cannot alone establish that the preferred layout is the best practicable option.

8 Conditions and duration of any approval

Section J recommends incorporating all specialist measures into the authorisation and proposes monitoring and rehabilitation targets. Please translate those recommendations into consistent, measurable conditions, with a responsible party, funding, reporting, corrective action and controls binding future owners. Resolve differing garden and landscaping provisions and ensure conservation management continues beyond the one-year post-construction monitoring period. The requested ten-year authorisation period and anticipated final monitoring by 2032 also require a coherent programme; approval must not leave an indefinite interval of cleared or unrehabilitated land.

9 Relief requested and further participation

KPOA requests that the authorities refuse the application as presently substantiated. If it remains under consideration, we request the following before any decision:

- Accept and acknowledge this objection in both relevant processes, provide their current status, and investigate the reported lack of formal notification.
- Provide the complete current BAR and appendices, the municipal application and proposed zoning changes, prior approvals and conservation conditions, notification evidence, and all subsequent revisions.
- Afford the fresh environmental comment period requested above and confirm the separate municipal participation arrangements.
- Require a reasoned response to each objection, supporting evidence for the disputed conclusions, and enforceable conservation and service arrangements that bind successors where appropriate.
- Provide KPOA with the final comments and responses report, written decisions, reasons and applicable appeal procedures. If a decision has already been issued, provide its date and notification record immediately.

This revised submission is based on both supplied BAR text extracts, including Sections G to J added subsequently, and the published records below. The extracts contain specialist summaries but not the complete mapped appendices, title records or municipal application. We acknowledge that the BAR reports conditional specialist support and proposes mitigation; our objection concerns whether the exact proposal is consistently defined, adequately substantiated and compatible with binding requirements. KPOA reserves the right to supplement its objection when the full records and responses are available. Participation is not acceptance of the proposal or waiver of the notification concern. This letter is an objection and information request, not an appeal against an identified decision.

KPOA's interest is its representation of property owners and residents and the protection of the village's environmental quality, amenities and infrastructure. Any additional direct interest requiring disclosure will be supplied by the authorised signatory.

Yours faithfully,

C Weir
Chairperson
For the Keurboomstrand Property Owners Association
KPOA email for all notices: admin@kpoa.org.za
Telephone: 0832630034

Records referred to

[2] Appendix F1 I and AP Register page 3 [open source]

[3] Appendix F3 Comments and Response Report pages 21 to 22 and 45 to 46 [open source]

[4] Appendix E5 Forestry comment dated 10 December 2025 [open source]

[5] NEMA EIA Regulations 2014 as amended official departmental compilation Chapter 6 [open source]

DRAFT BAR COMMENTS

Eco Route
ENVIRONMENTAL CONSULTANCY
REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN
PhD Univ. Pretoria
Cell:072 222 6013
e-mail: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN
Bsc. Hons. Environmental Management
Cell: 082 557 7122
e-mail: janet@ecoroute.co.za

Comments and Response Report

DRAFT Basic Assessment Report – A Portion of ERF 1180 Keurboomstrand, Plettenberg Bay

Public Participation Process Followed:

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

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

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO DRAFT BASIC ASSESSMENT REPORT –	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning (DEA&DP) – Dorien Werth – 03 July 2026	
1. The abovementioned document compiled by the appointed Environmental Assessment Practitioner ("EAP"), Mr. Samantha Teeluckdhari (2023/6443), of Eco Route Environmental Consultancy (Pty) Ltd. and received by this Directorate on 25 June 2026, refers.	
2. Furthermore, this Directorate has reviewed the Draft Basic Assessment Report ("DBAR") dated 05 June 2026 which was received by this Directorate on 05 June 2026 and provides the following comment:	
2.1 All prior comments and recommendations made by this Directorate, including the correspondence issued under Reference number 16/3/3/6/7/1/D1/6/0339/25, remain applicable and must be responded to and be incorporated into the Basic Assessment Report.	**A Comments and Response Report for the previous Pre-Application BAR circulated for public comment in August 2022 is attached to this report.**
2.2 Site Development Plan It is noted that the current Site Development Plan (SDP) does not adequately reflect all associated infrastructure related to the proposed development.	
All relevant infrastructure must be clearly indicated to its full extent. At present, the planned access road is only partially indicated on the SDP.	**See revised SDP showing the full extent of the planned access road.**
Furthermore, there is no clear indication of how this access road connects to the existing road network.	**As above**
The SDP must demonstrate a complete connection between the proposed access road and the existing road infrastructure, ensuring proper access to the proposed residential dwellings on the property.	**As above**

The linkage between the access road and all proposed residential units must be clearly illustrated on the SDP and on the KMZ or KML.	**See revised SDP and KML**
In light of the above, you are kindly requested to revise and resubmit the SDP to: • Reflect the full extent of the proposed access road; • Clearly indicate the connection to the existing road network; and • Demonstrate access to all proposed residential dwellings. This information is required to ensure that the development can be adequately assessed in terms of its layout and associated impacts.	**See revised SDP**
It is noted from the comment and responses report that the *laydown area, stockpile areas, and the site camp's exact locations have not yet been pinpointed on the site; however, these areas will be restricted to being within the approved development footprint only. Should the Department approve the proposed development the exact location of the mentioned areas will be provided to the Department for approval prior to construction*. Please be advised that the SDP must clearly demonstrate where the extent of the development footprint is.	**Noted. The revised SDP shows the laydown area, stockpile areas and the site camps location will be in the carcourt area labelled as "Temporary Construction Yard" on the SDP.**

It is also noted that the SDP does not provide a comprehensive key-legends which affects the readability and the interpretation of all of the aspects on the SDP. Comprehensive legends are essential to ensure that the SDP is adequately self-explanatory to avoid misinterpretation, therefore this Directorate requires; • Keys/legend must be presented on the SDP; • Symbols, colours and linework must be explained for all applicable features; • All different structures, infrastructures and environmental features; The above mentioned is essential to ensure that the SDP can be reviewed, assessed in line with the requirements of the NEMA EIA Regulation 2014, as amended.	**Revised SDP now contains a Legend.**
2.3 Confirmation of Services Based on the information presented in the Draft Basic Assessment Report dated **05 June 2026**, it is noted that the proposed development of two residential dwellings intends to utilise municipal services, including municipal water supply, refuse removal, sewage disposal (notwithstanding the proposed installation of a conservancy tank), municipal electricity and access to the property off Main Street in Keurboomstrand. Considering the above, this Directorate requires the applicant to provide a formal letter from **Bitou Municipality** confirming that adequate, unlocated municipal services are available to support the proposed development at the specified location, or what upgrades are required to municipal infrastructure to accommodate the proposed development.	**Noted. A formal letter will be attached to the Final BAR submission.**

<table>
<tr>
<td>2.4 Comments from Organs of State

Based on the information provided in the Draft Basic Assessment report and the review of relevant GIS data sets it is noted that the proposed development falls within areas classified as Critical Biodiversity Areas (CBA 1 and CBA 2) as well as an Ecological Support Area (ESA).
These areas are recognised as environmentally sensitive and play a significant role in maintaining biodiversity and ecological functioning.
According to the Plant Species Theme (Screening Tool Report) the site forms part of the National Protected Area Expansion Strategy (NPAES) and the sensitivity rating is also informed by the Garden Route National Park.</td>
<td>Please note that the development (including access road) falls within an ESA 1: Terrestrial area only - according to the updated 2023 Western Cape Biodiversity Spatial Plan and Guidelines.

The 2023 Western Cape Biodiversity Spatial Plan (WC BSP) was formally adopted into law on the 13th of December 2024 (Gazette Extraordinary 9017) in alignment with the Western Cape Biodiversity Act (No. 6 of 2021). This marks the replacement of the 2017 WC BSP with the 2023 WC BSP.

The DFFE Screening Tool Report has the Terrestrial Biodiversity Theme categorised as Very High for CBA, ESA, NPAES, and Garden Route NP. However, the Terrestrial Biodiversity specialist disputed these ratings:

“Site verification of the Terrestrial Biodiversity sensitivities is summarised in Table 15 and depicted in Figure 37 (WC BSP, 2017) and Figure 38 (WC BSP, 2023), where CBA is light green, ESA is yellow and Protected Area is dark green. The 2017 CBA designation is revised to an ESA designation as per the revised WC BSP (2023); hence the Screening Tool designated CBA is disputed. The site is situated within an urban erf and is not within a protected area, hence the protected area designation is also disputed.

Table 15: Terrestrial Biodiversity Features flagged in the National Environmental Screening Tool.
<table><tr><th>Feature</th><th></th><th>COMMENT</th></tr><tr><td>Critical Biodiversity Area (WC BSP, 2019)</td><td>CBA 1</td><td rowspan="3"><u>Dispute</u> – the site is within an urban erf, most recent WC BSP designation is ESA, not CBA and the site is an urban erf and not a protected area.</td></tr><tr><td>Ecological Support Area (EC BSP, 2023)</td><td>ESA 1</td></tr><tr><td>Protected Area</td><td></td></tr></table>
The Very High Terrestrial Biodiversity sensitivity is thus disputed, and a Low Terrestrial Biodiversity Sensitivity is designated by the specialist. The development of a portion of the site is unlikely to compromise ecological processes and connectivity (i.e. ESA) significantly above baseline levels in an already developed landscape.</td>
</tr>
</table>

Written comment from the DEA&DP CMU (dated 19 December 2025) has highlighted various issues which have not been responded to adequately and requires further detail.	**It is unknown which issues are being referred to by the Department; however, please refer to further details provided as per points 2.4, 2.5.4 and the comments and response to DEA&DP CMUs comments further in this document.**
In light of the above, this Directorate requires that more formal consultation with the relevant conservation authorities be undertaken, namely CapeNature and SANParks. Comments from both Cape Nature and SANParks must be obtained and incorporated in the BAR. CapeNature is the custodian for Biodiversity within the Western Cape Province, including the property on which the proposed development is proposed. The SANPArks must provide comment on the NPAES and relationship to the Garden Route National Park. These comments must be submitted with the Final Basic Assessment Report.	**See below and attached feedback received from CapeNature on 8 July 2026 stating that they do not have the capacity to comment on the proposed development.** Dear Ms Teeluckdhari **Re: Draft Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180, Keurboomstrand, Plettenberg Bay, Western Cape Province** *DEA&DP Ref: 16/3/3/1/D1/6/0024/26* Please be advised that CapeNature is regrettably unable to review and provide formal comments on this application. Due to capacity constraints resulting from a vacant Land Use Scientist post, we are unable to process this proposal within the stipulated timeframe. This response should not be interpreted as support or objection to the proposed development. Please continue to process the application and consult with the other required stakeholders. We apologize for any inconvenience this may cause and appreciate your understanding. Please keep CapeNature on your stakeholder list for future notifications; we will respond when our capacity allows. Kind regards (Dr) Marienne de Villiers Manager, Landscape Conservation Intelligence (East) **SANParks responded on 30 July 2026 indicating that "SANParks does not appear to be directly affected by the proposed development and has no further comment."**

RE: NOTIFICATION OF PUBLIC PARTICIPATION - DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape

VW Vanessa Weyer<Vanessa.Weyer@sanparks.org>

To: You

Thu 30 Jul 2026 09:48

Cc: Pat Bopape; Lwazi Khuzwayo

You replied on Thu 30 Jul 2026 10:13 View conversation

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Dear Sam,

SANParks does not appear to be directly affected by the proposed development and has no further comment.

Kind regards,

Dr Vanessa Weyer

Environmental Management (University of Pretoria)

Reg. EAP (EAPASA) & Reg. Pr.Sci.Nat. (SACNASP)

2.5 Comment on Specialist input/reports: 2.5.1 It is emphasised that the BAR and supporting specialist studies must comply with the legislated minimum information and reporting requirements. Therefore, all identified specialist studies must be complied with in full and one study cannot substitute another. The partial assessment/reporting of a specific theme by two or more different persons in separate reports, will not be accepted, even if there may be a level of overlap in the different specialist disciplines. Specifically with regard to the Protocols that have been published, there may be an *exception where two or more different specialists must undertake the assessment of the different 'taxa' identified under the animal species or plant species theme. However, where a single person will be undertaking the assessment of more than one of the themes identified in the screening tool report (STR), it must be ensured that— • the person undertaking such specialist assessments and reporting, must be appropriately registered with SACNASP for each of the respective Protocols, and that he/she provides the necessary proof hereof in the BAR; • the assessment and reports address all the minimum information requirements, as specified in the respective protocols for each of the relevant themes the person will be responsible for assessing and reporting on, and • where a single report will be submitted (i.e., two themes are combined in a single report), such a document must clearly separate the information on the minimum information	**The report "KEURBOOMS RIVER ERF 155: VEGETATION SENSITIVITY ANALYSIS" has been removed from the BAR. It is evident that this report has caused some confusion amongst various departments. This report was commissioned as a mere vegetation analysis to assist in the original screening of the site in 2018. It was never meant to replace the Terrestrial Biodiversity Assessment originally compiled by Jamie Pote in 2020. The analysis report is also now outdated and should not be considered.** **The revised Terrestrial Biodiversity Assessment dated 02/09/2026 is the only assessment report to be considered in terms of the Terrestrial Biodiversity and Plant Species Sensitivity Themes as identified in the DFFE Screening Tool Report.**

requirements of the respective protocols to avoid any ambiguity, and the report must clearly demonstrate how each aspect has been addressed. If the latter is not evident, the report will be rejected. It is recommended that each Protocol be dealt with as a separate 'chapter' in such a combined report. Where the Protocol requires that specialists with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is required, and two or more different specialists (persons) must be appointed to undertake the assessment of that theme (i.e., animal species theme), the respective taxa reports may be combined in a single report; however, the information on the minimum information requirements of the protocol must be addressed by each specialist to avoid any ambiguity, and the report must clearly demonstrate how each taxa has been addressed and the specialist has signed off on the relevant information. If the latter is not evident, the report will be rejected. It is recommended that the report for each taxa rather be submitted as a separate document; however, where a combined document is submitted that each taxa is dealt with as a separate 'chapter' in such a combined report. Therefore, the following response to the DEA&DP: Sub-directorate: Coastal Management ("SD: CM") included in the DBAR (C&R) is deemed to be unacceptable: "*The conservation status of the proposed development area has changed since the compilation of said report. An updated assessment should be read in the Terrestrial Biodiversity Assessment prepared by Jamie Pote, dated 19/.05/2025*"	

2.5.2 Botanical Assessment Please be informed that the applicable protocols or minimum information requirements, which have been published in the Government Gazette[1], must be applied to the impact assessment process that must be followed**:** Provided that the requirements of these protocols do not apply where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned by the date of publication of these protocols in the Government Gazette, in which case Appendix 6 of the Environmental impact Assessment Regulations, 2014, as amended, will apply to such applications. Therefore— • in accordance to the above, where the applicable protocol applies any specialist performing work related to any of the fields of practice listed in Schedule I of the Natural Scientific Professions Act, 2003 (Act 27 of 2003) must be registered with the South African Council for Natural Scientific Professions ("SACNASP")[2] in any of the prescribed categories [Section 18] and further to this, only a person registered with the SACNASP may practise in a consulting capacity [Section 20]; or • where a specialist assessment was commissioned prior to the relevant date the specific protocol came into effect (i.e. 9 May 2020 or 30 October 2020), you are required to submit proof to the competent authority that the work was commissioned prior to said date. • It is apparent from the DBAR that the *Keurbooms River Vegetation Sensitivity Analysis study* (prepared by Conservation Management Services, dated October 2018) was commissioned prior to the date the protocols were published; however, considering the minimum information requirements set out in Appendix 6 of the EIA Regulations in conjunction with those of the protocols, the 2018 report does not adequately address the minimum information requirements.	**In addition to the above response, the Terrestrial Biodiversity Assessment has been amended to include a section deliberately dealing with Plant Species. Refer to the amended assessment report.**

Based on the DBAR and responses contained therein, it appears that the *Keurbooms River Vegetation Sensitivity Analysis study* (prepared by Conservation Management Services, dated October 2018) has been updated / replaced by the *Terrestrial Biodiversity Assessment* by Jamie Pote (dated 19 May 2025). However, the Screening Tool Report appended to the DBAR identifies that the Plant Species Theme has a "Very High" sensitivity rating, and describes which factors contribute to the sensitivity rating. Considering that a *Terrestrial Biodiversity Assessment* has been provided, it is unclear how the regulatory requirement has been complied with (i.e., submission of a *Plant Species Specialist Assessment in* accordance with the Plant Species Protocol). It is not apparent that the *Keurbooms River Vegetation Sensitivity Analysis (2018)* report addresses the issues raised in the STR either. Notwithstanding the fact that the *Keurbooms River Vegetation Sensitivity Analysis (2018)* was commissioned prior to the Protocol being published, you are required to demonstrate that the report addresses all the aspects detailed in the STR as well as Table 1: Section 2.3 of the Plants Species Protocol published in Government Notice No. 1150 of 30 October 2020 (Government Gazette No. 43855 of 30 October 2020, as amended).	

2.5.3 Geotechnical Assessment It is noted that the geotechnical assessment has supported development on the site in general if certain conditions are met and if steep slopes are avoided; however, the specialist must specially confirm whether this site or any part thereof, may be prone to slope-slip under severe weather circumstances as experienced during May 2026 through-out the region. It is noted that the geotechnical assessment recommends that effective stormwater management measures to prevent erosion be incorporated. Furthermore, these recommendations have informed the site layout and will be incorporated into the development design and EMPr. You are required to demonstrate how the EMPr has detailed the mitigation measures proposed in the geotechnical report, and specific attention must be given to a stormwater management plan and what measure, designs and methods will be implemented. These stormwater measures and layout designs for the proposed development must be reviewed by the other specialist, specifically regarding the plant species theme and terrestrial biodiversity theme.	**The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –** RE: Erf 155 Keurboomstrand E engineer@tuiniqua.co.za To: You Fri 04 Sep 2026 13:06 You replied on Fri 04 Sep 2026 13:52 View conversation Hi Samantha Your stormwater submission is comprehensive and is supported. Just a note – on another development I have requested that an additional 40 mm overflow outlet be placed 1/3 down from the top of the rainwater tank. This ensures that there is spare capacity in the tank to take up peak rainfall. Also allow for 5000l per person on average. Regards Francois
2.5.4 Coastal matters and impacts It is noted that the responses have been provided to the relevant considerations of Section 63 of National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) ("ICMA"); however, it is advised that the comment from the DEA&DP: SD:CM be reconsidered and the responses be revisited. Specific attention should be given to the promotion of sustainable coastal development, especially in light of the fact that the property is mapped as an ESA: Coastal Corridor in the Western Cape Biodiversity Spatial Plan (WCBSP).	**As per comment to point 2.5.1 above, the report "KEURBOOMS RIVER ERF 155: VEGETATION SENSITIVITY ANALYSIS" has been removed from the BAR. The analysis report is outdated (compiled in 2018) and should not be considered. In addition, the analysis report was never meant to replace the Terrestrial Biodiversity Assessment originally compiled by Jamie Pote in 2020.** **The revised Terrestrial Biodiveristy Assessment dated 16/03/2026 is the only assessment report to be considered in terms of the Terrestrial Biodiversity and Plant Species Sensitivity Themes as identified in the DFFE Screening Tool Report.** **The Terrestrial Biodiversity Assessment, 2026 specifically addresses factors relating to the sites ESA categorisation in relation to the proposed development. The specialist has provided the following conclusion:**

	"…It is evident that the character of the village is such that elements of the natural environment are still retained between development. It is thus feasible to develop the portion of the site without significantly changing ecological processes. **• The vegetation is not considered to be under any imminent threat at a national level, nor at a regional level and can withstand further development without compromising conservation target significantly.** **• No-go areas include the following:** **O dune-thicket along the eastern slope** **O the fynbos pocket on the southern portion** **O forest-thicket due on the north-western side of the site** **• No cumulative impacts of significance are expected because of the development of the dwellings, providing recommendation and mitigation measures are adhered to, due to the limited disturbance of intact vegetation and concentration within an already urbanised context.** **• Within the Erf 155 (±5.6 Ha), a portion of vegetation will be removed and the remaining natural, near natural and degraded Dune Thicket and Forest Thicket will not be developed within the greater Erf.** **• The proposed ~2 500 m2 footprint accounts for a nominal 0.0003 percent of the total Goukamma Dune Thicket occurring nationally, hence the proposed activity will not pose any risk to conservation targets.** **• It is reiterated that around 70 % of the site will not be developed and is unlikely to be developed due to slope, which far exceeds the conservation target of 19 %, within a vegetation unt where conservation targets are already exceeded in designated protected areas.** **• All impacts are assessed to be of low significance before mitigation and can be reduced to low or very low with the implementation of the mitigation measures.** **• All development alternatives are similar in extent and location within the site and hence impact significance). The preferred (linear) option should be adjusted to ensure that the dwellings do not extend into the dune on the north-western side of the site.** **• Under status quo conditions it is likely that the disturbed areas will develop into Dune Thicket in time and the dune fynbos patch may develop into Dune Thicket also, if fire and other disturbance is excluded. It is likely that species diversity may decrease due to lack of disturbance.**

	• The findings of this report are aligned with the findings of a previous assessment undertaken for the site in 1018, 'Keurbooms River: Erf 155: Vegetation Sensitivity Analysis' (Conservation Management Services, October 2018). **• The specialist thus deems the proposed development to be within acceptable limits for development of such a site in terms of potential loss of habitat as well as risks to flora and fauna species of conservation concern.** **• No additional alternatives have been considered as the proposed layout is deemed to be the most appropriate for the site and was developed in alignment with the preliminary sensitivity analysis. No alternative acceptable or low sensitivity footprints are deemed to be applicable."** **The layout was refined to minimise the development footprint, reduce vegetation clearing, avoid the most sensitive portions of the coastal forest and dune system where practicable, and minimise earthworks within the dune environment. Temporary disturbance areas will be rehabilitated and long-term management measures implemented through the EMPr.** **This highlights that environmental protection has been integrated into the planning and design of the development.** **The proposal is considered consistent with the objectives of sustainable coastal development because it has been informed by specialist investigations and an iterative design process that sought to avoid and minimise impacts on the coastal environment. The development footprint has been restricted to the minimum extent reasonably required, ecological connectivity within the coastal corridor is maintained, natural hydrological processes are protected through the implementation of Sustainable Drainage Systems, and disturbed areas will be rehabilitated and managed in accordance with the EMPr. While some localised loss of indigenous vegetation is unavoidable, the proposal incorporates the mitigation hierarchy and provides for the long-term protection and management of the remaining coastal ecosystem. Accordingly, the proposal seeks to balance the reasonable use of privately owned land with the need to maintain the integrity, resilience and functioning of the coastal environment, thereby giving effect to the objectives of sustainable coastal development contained in Section 63 of the ICMA.**

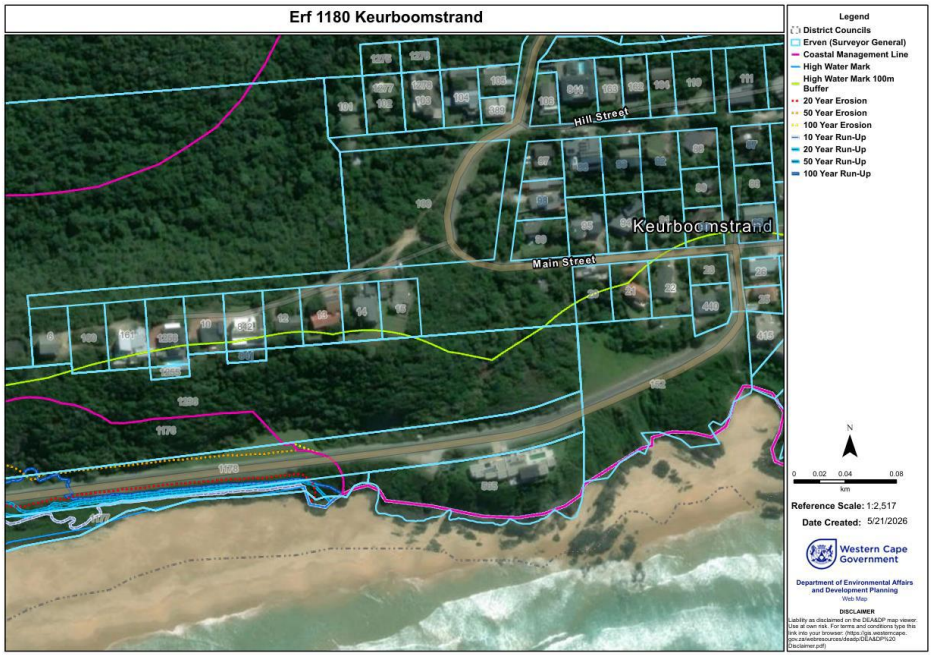
2.5.5 All Specialists Based on the responses from the EAP, it is apparent that changes to the SDP have been affected (and further details are required as detailed above). All specialists are required to provide comment on impacts related to the proposed change(s) and demonstrate what the advantages and disadvantages associated with the change(s) are; and describe what the measures are to ensure avoidance, management and mitigation of impacts associated with such changes. For example, please refer to the response in the C&R Report to the input on the VIA.	**1. Terrestrial Biodiversity Assessment: the report had been revised to represent the changes to the SDP. Therefore, no further input is required.** **2. Agriculture Compliance Statement: the full property was assessed, therefore, the changes to the SDP do not affect the findings of the assessment.** **3. Aquatic Biodiversity Compliance Statement: the report compared site findings and the suitability of the proposed preferred development plan.** **4. Animal Species Compliance Statement: the report compared site findings and the suitability of the proposed preferred development plan.** **5. HIA: the report had been revised to represent the changes to the SDP. Therefore, no further input is required.** **6. VIA: the specialist compiled a review report (appended to this report); however, here is a summary of the findings, as well as feedback from the EAP –** **6.1. Include the driveway and carcourt in the disturbance footprint, considering that the driveway and carcourt will also result in disturbance. A 1m offset should suffice for construction disturbance around these paved areas.** **EAP response: This has been undertaken. See amended SDP.** **6.2. Forest areas as mapped by the Botanical specialist must be shown on the SDP correctly to demonstrate adherence to Environmental development constraints. There is one part of Unit 2 that is still within a no-go area according to our measurements (Our measurements may not be accurate - this should therefore be shown on the SDP accurately).** **EAP response: This has been amended to correctly represent the vegetation habitats.** **6.3. We suggest that areas within the disturbance footprint be hatched in a different colour or pattern to indicate that these areas will be rehabilitated as**

	per the recommendations of the 2025 VIA or incorporated into the future landscape design. **EAP response: This has been amended.** **6.4. All protected tree species within the development footprint and the disturbance footprint must be indicated on plan.** **EAP response: This has now been included in the SDP.** **6.5. The architects appointed to undertake the architectural guidelines must be given a copy of the 2025 VIA and all following reports/studies, including this letter.** **EAP response: This has been undertaken.** **6.6. We recommend that at least one appropriate site-long section is included to indicate compliance with the height restriction on the SDP, and to demonstrate adherence to the height restriction as it slopes parallel to the existing ground level.** **EAP response: The applicant will undertake this item should the development be approved. The site-long section will be sent to the visual impact specialist for approval.** **6.7. The proposed linear infrastructure (i.e., the sewer line and the water connection line including footprint and area that will be disturbed for their construction) must be shown on the SDP.** **EAP response: This has now been included in the SDP.** **7. Geotech report: the full property was assessed, therefore, the changes to the SDP do not affect the findings of the assessment.** **8. Town Planning: the report was commissioned by the applicant regarding the revised SDP.**

	9. Engineering: the amended SDP is in-keeping with the current engineering report, except the services calculations would decrease as the number of proposed units decreased from the original three units to two. The engineer has provided his feedback regarding the SWMP included in the EMPr as per above mentions. Therefore, no further information is required in terms of engineering.
General 3.The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014. In accordance with Regulation 19, the Department stipulates that the BAR must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department, to be reckoned from 29 May 2026. However, if significant changes have been made or significant new information has been added to the BAR, the applicant/ EAP must notify this Department that an additional 50 days (i.e., 140 days from receipt of the Application Form for Environmental Authorisation) will be required for the submission of the final BAR for decision-making. The additional 50 days must include a minimum commenting period of thirty (30) days to allow registered Interested and Affected Parties ("I&APs") to comment on the revised report/additional information. Based on the content of the DBAR and comment provided herein, please be advised that if the EAP decides not to follow the process described in Regulation 19(1)(b), the BAR must provide a reasoned opinion to substantiate the decision. If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 and your file will be closed.	**Noted. The Final BAR will be submitted within the 140-day timeframe as an additional Public Participation Process will be undertaken in accordance with NEMA Regulation 19 (1) (b).**
4. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking	**This is acknowledged and no commencement of Listed Activities will take place prior to Environmental Authorisation.**

of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.	
5. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.	**Noted.**
Department of Environmental Affairs and Development Planning (DEA&DP) – Biodiversity and Coastal Management – Sibaphiwe Gumede – 06 July 2026	
Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of the pre-application Basic Assessment Report (BAR) for the above-mentioned application received on 17 November 2025 and the submission of the draft Basic Assessment Report, dated and received on 05 June 2026, refer.	
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. Thank you.**

1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request. 1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved. 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.	
2 COMMENT 2.1. The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary: 2.1.1. The proposal is to:	

i. develop two (2) double-storey residential units with a double garage and a shared swimming pool within a sectional title development on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236 – the site is on an elevated promontory (raised mass of land jutting out into lowland or a watercourse), is undeveloped and is densely covered with coastal vegetation. ii. develop approximately 2000m² of the 5 000m² subject site - the proposal is to subdivide a portion (approximately 5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature Conservation Area" to allow for the two dwelling units and a swimming pool. iii. develop access to the property – the property is entitled to a 7m wide right of way servitude across Erf 391 (the proposed driveway width into the development is 4m, curved around mature trees of conservation value).	**Agreed.**
 Figure 1: Appendix A2 Coastal Risk Zones Map	**The comment is noted.** **The relevant Listed Activity has been added to the BAR and EIA Application. The associated impacts have already been assessed under the relevant impact themes (vegetation, biodiversity, erosion, stormwater, coastal processes, etc.).** **No additional impacts arise beyond those already assessed, but the activity has now been formally identified in the Listed Activities table to ensure the application accurately reflects the scope of works.**

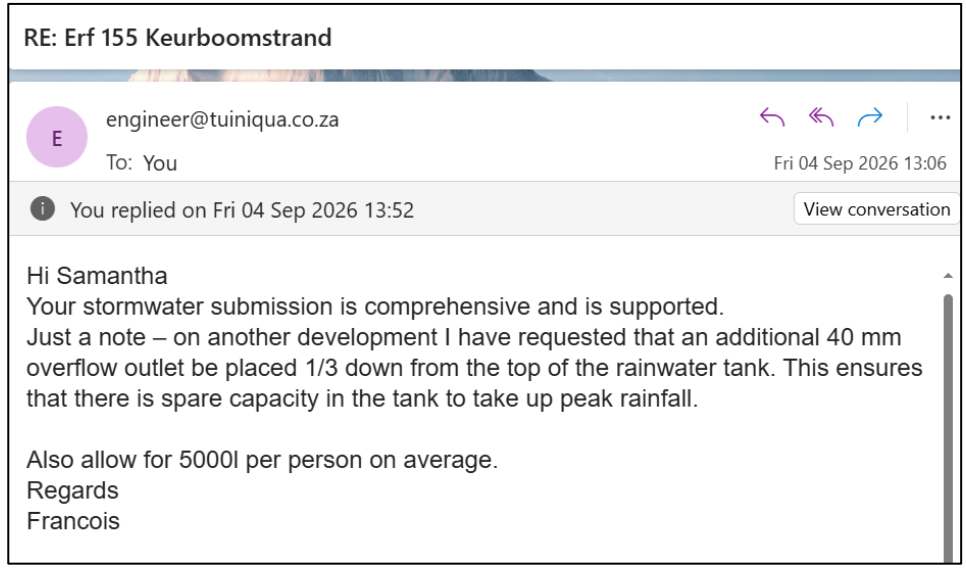
2.1.2. As per Figure 1 above, The Appendix A2 Coastal Risk Zones Map illustrates that the proposed site is predominantly located within 100 metres of the High Water Mark (HWM) yet this is not considered a potential trigger for the possible infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary.	
Furthermore, the map in Figure 1 above must be amended to illustrate the position of the proposed structures (as per Appendix B2 Environmental Sensitivities preferred layout) in relation to coastal risk and other relevant boundaries.	**Noted Appendix B2 has been amended.**
2.1.3. As per the SD: CM correspondence dated 19 December 2025, the proposed development, although located near the sea, is elevated and is located inland of the draft Garden Route Coastal Management Line (CML) and wave run-up lines as modelled by the Department. Although the property is unlikely to be affected by wave run-up, the SD: CM is still concerned that any development of this site may negatively impact the integrity of the slope.	**The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –** RE: Erf 155 Keurboomstrand E engineer@tuiniqua.co.za To: You Fri 04 Sep 2026 13:06 You replied on Fri 04 Sep 2026 13:52 View conversation Hi Samantha Your stormwater submission is comprehensive and is supported. Just a note – on another development I have requested that an additional 40 mm overflow outlet be placed 1/3 down from the top of the rainwater tank. This ensures that there is spare capacity in the tank to take up peak rainfall. Also allow for 5000l per person on average. Regards Francois

2.1.4. Development pressure within Keurboomstrand is a concern. In this regard, the proposed development is inconsistent with the purpose of the Coastal Protection Zone (CPZ) as defined in Section 17 of the NEM: ICMA. The CPZ is extremely dynamic and extremely vulnerable to the impacts of climate change. A precautionary approach must be adopted with respect to land use decision making within this zone.	**It is acknowledged that the property is located within the Coastal Protection Zone (CPZ) as defined in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (ICMA), and that the CPZ performs important ecological functions, including the protection of coastal ecosystems, maintenance of ecological processes, buffering against coastal hazards, and enhancing resilience to the impacts of climate change. The application has therefore been assessed with due regard to the objectives of the CPZ and the precautionary approach embodied in both the ICMA and the National Environmental Management Act, 1998 (Act 107 of 1998).** **The proposal has been informed by specialist investigations and an iterative design process aimed at avoiding and minimising impacts on the coastal environment. The development footprint has been confined to the minimum extent reasonably required to accommodate the proposed development, while retaining substantial areas of indigenous coastal vegetation and limiting disturbance of the surrounding dune system. The preferred layout has been refined to reduce vegetation clearing, minimise earthworks, avoid the most environmentally sensitive areas where practicable, and maintain the ecological functioning of the remaining coastal habitat.** **The proposal further incorporates a comprehensive suite of mitigation measures, including rehabilitation of disturbed areas, long-term management of indigenous vegetation, invasive alien plant control, erosion prevention measures, and the implementation of Sustainable Drainage Systems (SuDS) to maintain natural infiltration and reduce concentrated stormwater flows that could destabilise the dune system. These measures are intended to ensure that the ecological integrity and protective function of the coastal environment are maintained over the long term.** **With regard to climate change, the proposal has considered the site's coastal hazard context, including the applicable coastal risk information and specialist assessments. The development is not proposed within the active beach system, and appropriate setbacks and design measures have been incorporated to reduce exposure to coastal hazards and to avoid adversely affecting the natural functioning of the dune system. Accordingly, the proposal is not anticipated to increase coastal erosion risk or compromise the resilience of the broader coastal environment.**

	The proposal should not be interpreted as supporting unrestricted development within the Coastal Protection Zone. The environmental assessment has been undertaken on the basis of the site's specific characteristics, the findings of detailed specialist studies, and the application of the mitigation hierarchy. Any future development proposals within the CPZ would require independent assessment on their own merits and in accordance with the objectives of the ICMA, the applicable spatial planning framework, and the relevant environmental legislation. Accordingly, the recommendation for this proposal does not diminish the importance of protecting the CPZ or the need for a precautionary approach to future land use decisions.
2.1.5. The increase in frequency and impacts of coastal storm events in the last 6 to 10 years, especially the coastal storm and flooding that occurred during May and June 2026, has resulted in large scale erosion along certain stretches of coastline that correspond to the projected risk horizon of the high-risk area. This was specifically evident in Diaz Beach, Witsand, Plettenberg Bay, Robberg Beach and Victoria Bay (Garden Route District). It is therefore important to maintain ecological corridors along the coast to ensure that ecological infrastructure or important coastal features such as coastal dunes remain intact to serve as storm surge buffering thereby protecting communities against the impact of dynamic coastal processes. Modelled coastal risk data from DEA&DP is publicly available at the following URL: https://gis.westerncape.gov.za/portal/apps/experiencebuilder/experience/?draft=true&id=5acb2adc90c444edb56a1f01a34d1b46	**The proposed site forms part of the broader coastal dune system and is recognised as contributing to the ecological functioning of the coastal landscape. The proposal has therefore been informed by specialist investigations and has sought to minimise impacts on the integrity and functioning of the remaining dune vegetation through an iterative design process. The development footprint has been limited to the minimum extent reasonably required, with substantial areas of indigenous vegetation being retained, disturbed areas rehabilitated, and long-term management measures incorporated into the Environmental Management Programme (EMPr).** **It is also noted that the site is separated from the active beach and foredune system by Main Road 394 (P0394), an established public road linking Keurboomstrand with the N2, and existing dwellings. As such, the primary coastal storm surge buffering function immediately adjacent to the shoreline is already influenced by existing infrastructure. Nevertheless, the proposal recognises the importance of maintaining the ecological function of the inland dune system and has been designed to avoid unnecessary fragmentation of the remaining indigenous vegetation and to maintain ecological connectivity to the extent practicable.** **The proposal further incorporates measures to enhance the resilience of the site to climate-related impacts, including limiting earthworks, implementing Sustainable Drainage Systems (SuDS) to maintain natural infiltration and reduce concentrated runoff, stabilising disturbed areas through rehabilitation, and protecting retained indigenous vegetation. These measures are intended to**

	maintain dune stability and reduce the potential for erosion or degradation of the coastal environment. **The specialist assessments concluded that, with the implementation of the recommended mitigation measures, the proposal is not expected to materially compromise the broader ecological functioning of the coastal dune system or significantly diminish the resilience of the surrounding coastal environment to dynamic coastal processes: *"The characteristics of the surrounding village and the complexity of the terrain limits the potential for mass clearing to take place. It is evident that the character of the village is such that elements of the natural environment are still retained between development. It is thus feasible to develop the portion of the site without significantly changing ecological processes"* (Terrestrial Biodiversity Assessment, Jamie Pote, 16/03/2026). The proposal has therefore sought to balance the protection of coastal ecological infrastructure with the limited and site-specific nature of the proposed development.**
2.1.6. The CPZ is an area where coastal considerations must inform all planning and land-use decision-making. Section 62 of the NEM: ICMA obliges all organs of state that regulate planning or development of land, to apply legislation in relation to land in the CPZ in a manner that gives effect to the purpose of the CPZ, as specified in Section 17 of the NEM: ICMA. 2.1.7. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered. The draft Basic Assessment Report (prepared by Eco Route Environmental Consultancy, dated 05 June 2026), in terms of the general project description stated on page 2, does not demonstrate adequate engagement or responsiveness to Section 63 of NEM: ICMA. Engagement and responsiveness include planning for tidal surges and sea storm events, as well as the long-term natural processes of erosion and accretion in the CPZ.	**It is acknowledged that the General Project Description presented on page 2 of the draft Basic Assessment Report provides only an overview of the proposed development and is not intended to constitute the detailed environmental assessment or legislative evaluation required in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (ICMA).** **The detailed consideration of Section 63 of the ICMA, including the objectives of the Coastal Protection Zone, the principles of sustainable coastal development, coastal risk, ecological functioning, climate resilience, and the potential effects of dynamic coastal processes, is addressed in the relevant assessment sections of the BAR and informed by the specialist investigations undertaken as part of the Basic Assessment process.** **Notwithstanding the above, the General Project Description has been revised to more clearly acknowledge that the proposed development is located within the Coastal Protection Zone and that the assessment has been undertaken with due consideration of Section 63 of the ICMA. The revised text now makes specific reference to the need to consider coastal hazards, as well as the**

	requirement to promote sustainable coastal development and maintain the ecological functioning of the coastal environment. **The BAR has therefore been amended to improve the linkage between the introductory project description and the more detailed assessment presented in the remainder of the report, ensuring that the document more clearly demonstrates how the proposal has responded to the requirements of Section 63 of the ICMA.**
2.1.8. The draft Basic Assessment Report (prepared by Eco Route Environmental Consultancy, dated 05 June 2026) stated that a forestry license will be required in terms of the National Forestry Act, 1998. Official written permission must be sought from the Department of Forestry, Fisheries and the Environment (DFFE) prior to the commencement of construction (including site clearance), should the proposed development be approved.	**Acknowledged. This will be undertaken.**
2.1.9. The draft Basic Assessment Report (prepared by Eco Route Environmental Consultancy, dated 05 June 2026) also stated that the Outeniqua Sensitive Coastal Area Extension Regulations, 1998 - OSCAER permit will likely be required (this must be confirmed by Bitou Municipality).	**Acknowledged. Confirmation will be sought.**
2.1.10. The Aquatic Biodiversity Compliance Statement (prepared by Upstream Consulting Aquatic Specialist Services, dated 09 November 2025) states that there are no aquatic features within the site. The three hydrogeomorphic (HGM) units within the 500m buffer study area are associated with the drainage line in the neighbouring minor catchment area (including two riparian HGM units and an unchannelled valley bottom wetland adjacent to where the system discharges into the sea). However, the Aquatic Biodiversity Compliance Statement must be updated to reflect that the proposed development site has high potential to be affected by erosion from runoff from inland sources, especially during high rainfall or coastal storm events.	**Response from the Aquatic Biodiversity specialist:** ***"The proposed development is situated on a small plateau atop a stable, lithified coastal dune ridge. As indicated on the attached architectural plans, the development footprint is located on slopes of less than 1:4. Consequently, the inherent risk of slope instability and erosion associated with the proposed development is considered to be low.*** ***The surficial sandy soils overlying the lithified dune ridge are expected to promote substantial infiltration of stormwater, thereby reducing the potential for concentrated surface runoff.*** ***The relatively small development footprint and the limited extent of landscape disturbance also reduce, the risk to erosion. There are no formal gardens or***

The dense vegetation is currently stabilising the slope and removal of any vegetation could significantly exacerbate erosion.	***extensive landscaped areas proposed, thereby retaining the existing vegetation and limiting soil disturbance and the potential for erosion further. No HGM units are impacted, so compliance statement is still valid."*** **Engineers input on SWMP:** **The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –**  RE: Erf 155 Keurboomstrand E engineer@tuiniqua.co.za To: You Fri 04 Sep 2026 13:06 You replied on Fri 04 Sep 2026 13:52 View conversation Hi Samantha Your stormwater submission is comprehensive and is supported. Just a note – on another development I have requested that an additional 40 mm overflow outlet be placed 1/3 down from the top of the rainwater tank. This ensures that there is spare capacity in the tank to take up peak rainfall. Also allow for 5000l per person on average. Regards Francois

2.1.11. The Heritage Impact Assessment (prepared by Hearth Heritage, dated 07 November 2025) confirmed that, pending a specialist palaeontological site visit, the bedrocks observed during the investigation can be provisionally assigned a High to Very High palaeosensitivity. The Early Devonian marine to coastal sediments of the Baviaanskloof Formation (uppermost Table Mountain Group) underlying the proposed development site contain important, mostly unstudied fossils of primitive land plants while a small range of shelly invertebrate and trace fossils occur within sandstone facies in parts of the Western Cape.	**This statement is true to the Desktop Palaeontology Assessment of the site which is appended to the HIA. On page 29 of the HIA the specialist states the following:** **"A recent site visit shows that the bedrocks beneath the development footprint in fact belong to the slightly younger Early Devonian Gydo Formation (lowermost Bokkeveld Group), which has yielded a range of marine shelly invertebrate fossils from the Keurboomstrand area in the past (Oosthuizen 1984). However, the Gydo Formation bedrocks in and around the project area are tectonically deformed (pervasive cleavage, folded). Sparse shelly fossils recorded near-surface here (brachiopods, bivalves, corals,crinoids etc) are poorly preserved due to deformation and secondary mineralisation; their conservation value is accordingly low. The overlying Late Caenozoic superficial sediments (colluvium, coversands, soils etc) are probably largely or entirely unfossiliferous. It is concluded that their palaeosensitivity of the bedrocks and cover sediments is low overall, while the impact significance of the proposed small housing development is also LOW.** **There are therefore no objections on palaeontological heritage grounds to authorisation of the housing development, and no specialist palaeontological monitoring or mitigation measures are proposed here, pending the potential discovery of new fossil finds during the construction phase."**
2.1.12. The Terrestrial Biodiversity Compliance Statement & Assessment (prepared by Bluepebble Consulting, dated 16 March 2026) states that the highly sensitive former Shale Fynbos and the Scrub Forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area. Proposed development (to be considered ecologically cognisant of the high environmental sensitivity) must be on the flattest part of the property and well clear of the scrub forest areas which should remain completely unaffected by the development, services included.	**The Terrestrial Biodiversity Compliance Statement and Assessment was prepared by Jamie Pote, not Bluepebble Consulting.** **The preferred layout is proposed on the flattest part of the property and has been kept out of the scrub forest. Please refer to the SDP (Appendix B1).**

2.1.13. According to the Western Cape Biodiversity Spatial Plan (WCBSP, 2023), the entire study site consists of Goukamma Dune Thicket and Southern Afrotemperate Forest that can be described as highly sensitive. It is imperative that indigenous vegetation is protected. If protection fails, impacts (direct, indirect and cumulative) from construction and operation must be properly mitigated as far as possible.	**Goukamma Dune Thicket (mostly present on the site) is classified as having a Least Concern status, as per National Biodiversity Assessment Red Listed Ecosystems (2022). Nevertheless, the proposed site layout has been restricted to an area categorised as Transformed by the Terrestrial Biodiversity specialist. The development footprint has been confined to the minimum extent reasonably required to accommodate the proposed development, while retaining substantial areas of indigenous coastal vegetation and limiting disturbance of the surrounding dune system.**
2.1.14. The Visual Impact Assessment (prepared by FILIA Visual, dated October 2025) confirms that the preferred alternative is expected to have Low to Medium visual impact overall, with Low to Medium visual impact on the scenic route specifically. Due to the high vegetation sensitivity, should the proposed development be approved, a 35m minimum visual sensitivity setback line measured from the centre line of the MR394 road reserve and an additional 5m building setback from the sensitive forest vegetation and 1:4 slope no-go area must be implemented.	**The SDP was revised to comply with the specialist's findings and recommendations.** **VIA: the specialist compiled a review report (appended to this report); however, here is a summary of the findings, as well as feedback from the EAP –** **1. Include the driveway and carcourt in the disturbance footprint, considering that the driveway and carcourt will also result in disturbance. A 1m offset should suffice for construction disturbance around these paved areas.** **EAP response: This has been undertaken. See amended SDP.** **2. Forest areas as mapped by the Botanical specialist must be shown on the SDP correctly to demonstrate adherence to Environmental development constraints. There is one part of Unit 2 that is still within a no-go area according to our measurements (Our measurements may not be accurate - this should therefore be shown on the SDP accurately).** **EAP response: This has been amended to correctly represent the vegetation habitats.** **3. We suggest that areas within the disturbance footprint be hatched in a different colour or pattern to indicate that these areas will be rehabilitated as per the recommendations of the 2025 VIA or incorporated into the future landscape design.** **EAP response: This has been amended.**

	4. All protected tree species within the development footprint and the disturbance footprint must be indicated on plan. **EAP response: This has now been included in the SDP.** **5. The architects appointed to undertake the architectural guidelines must be given a copy of the 2025 VIA and all following reports/studies, including this letter.** **EAP response: This has been undertaken.** **6. We recommend that at least one appropriate site-long section is included to indicate compliance with the height restriction on the SDP, and to demonstrate adherence to the height restriction as it slopes parallel to the existing ground level.** **EAP response: The applicant will undertake this item should the development be approved. The site-long section will be sent to the visual impact specialist for approval.** **7. The proposed linear infrastructure (i.e., the sewer line and the water connection line including footprint and area that will be disturbed for their construction) must be shown on the SDP.** **EAP response: This has now been included in the SDP.**
2.1.15. Based on the above, the SD:CM does not support the proposed development as its location is within a sensitive coastal area. Climate change and high coastal vulnerability risks pose threats from dynamic coastal processes that will endanger residents and infrastructure, as well as flora and fauna. The mitigation measures required to ensure minimal impacts warrants the consideration of the precautionary approach to not allow development of this site. The impact of the proposed development on the integrity of the slope is still of concern.	**The Basic Assessment process has recognised the environmental sensitivity of the site from the outset, and the proposal has therefore been informed by an iterative design process supported by specialist investigations. The layout has been refined to minimise the development footprint, reduce vegetation clearing, limit earthworks within the dune system, and avoid the most environmentally sensitive areas where practicable. The proposal has also incorporated the recommendations of the specialist studies into both the project design and the Environmental Management Programme (EMPr).** **The precautionary approach, as provided for in the National Environmental Management Act, 1998 (Act 107 of 1998), does not require that development**

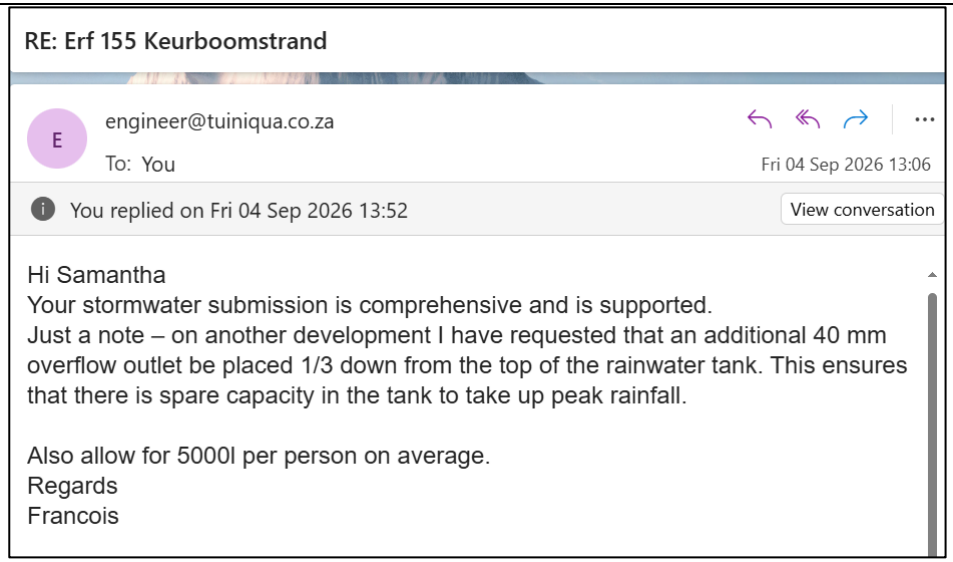
	be prohibited solely because a site is environmentally sensitive. Rather, it requires that decisions be based on the best available information and that potentially significant risks be identified, assessed, avoided where reasonably possible, and managed through appropriate mitigation where they can be reduced to acceptable levels. Accordingly, the proposal has been evaluated against the available specialist evidence to determine whether the identified risks can be satisfactorily managed. **With respect to climate change and coastal vulnerability, the assessment has considered the site's location within the Coastal Protection Zone, applicable coastal risk information, and the role of the surrounding dune system. The proposal includes measures to maintain dune stability and ecological functioning, including limiting the extent of disturbance, retaining indigenous vegetation outside the approved development footprint, implementing Sustainable Drainage Systems (SuDS) to maintain natural infiltration and avoid concentrated stormwater discharge, rehabilitating disturbed areas, and providing for the long-term management of the site through the EMPr.** **Construction activities will be undertaken in accordance with the EMPr, including measures relating to erosion prevention, stormwater management, phased rehabilitation, and monitoring of disturbed areas. These measures are intended to maintain the stability of the slope during both the construction and operational phases.** **While the concerns raised by the Directorate: Coastal Management are acknowledged, the findings of the specialist investigations indicate that, following the application of the mitigation hierarchy and implementation of the recommended mitigation measures, the proposal is not expected to result in unacceptable impacts on the stability or ecological functioning of the site. The application therefore submits that the proposal represents a site-specific assessment that has sought to balance the protection of the coastal environment with the proposed land use in accordance with the objectives of the National Environmental Management Act and the Integrated Coastal Management Act.**

3. The proposed development of double-storey residential units with a double garage and a shared swimming pool is not considered essential, as it does not provide services of significant public importance that would justify its location within the CPZ.	**It is acknowledged that the proposed development is a private residential development and does not constitute public infrastructure or provide a service of significant public importance. However, neither the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (ICMA), nor the purpose of the Coastal Protection Zone (CPZ) limits development within the CPZ exclusively to infrastructure of public importance. Rather, the ICMA requires that development proposals within the CPZ be assessed to determine whether they are compatible with the objectives of protecting the ecological integrity, natural functioning and resilience of the coastal environment and whether they represent sustainable coastal development.** **Accordingly, the proposal has been subjected to a comprehensive Basic Assessment process supported by specialist investigations to determine whether the development can be accommodated without resulting in unacceptable impacts on the coastal environment. The development footprint has been refined to minimise disturbance to indigenous vegetation and the dune system, reduce earthworks, retain ecological connectivity where practicable, and incorporate measures to maintain dune stability and natural hydrological processes. These measures are further supported by the Environmental Management Programme (EMPr), which provides for the long-term management of stormwater, rehabilitation, invasive alien plant control, erosion prevention and vegetation protection.** **The assessment has therefore focused not on whether the development provides a public service, but on whether the proposed land use is compatible with the objectives of the CPZ and can be implemented in a manner that maintains the ecological functioning and resilience of the coastal environment. Based on the findings of the specialist studies and the implementation of the recommended mitigation measures, it is considered that the proposal is capable of meeting these objectives.**
4. 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*	**This is acknowledged.**

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.	
5. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.	**This is acknowledged.**
Department of Forestry, Fisheries & the Environment (DFFE) – OCEIA – Mr Xolani Myanga – 02 July 2026	
The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Basic Assessment Report (Draft BAR) in the subject of this letter. This Branch will provide comments based on the provisions of Section 24O (2) the National Environmental Management Act 107 of 1998 ("NEMA") and Section 5 of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").	**Noted.**
The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.	**This is noted.**

Based on the submitted Draft BAR, the Branch O&C would like to submit the following comments for your consideration: **1.** Although the proposed development is located outside the Coastal Management Line (CML), it is situated within the Coastal Protection Zone (CPZ). The development footprint should therefore be strictly confined to the approved disturbed areas, and all identified no-go areas and ecological buffers must be clearly demarcated, protected and maintained for the duration of both the construction and operational phases. The applicant should further demonstrate that the proposed development and associated infrastructure will not result in a future need for coastal protection works or shoreline stabilisation measures that may adversely affect the coastal environment, as contemplated in Sections 7 and 11 of ICM Act. In this regard, consideration should be given to Section 58 of the ICM Act, which empowers the relevant authority to require the removal or relocation of structures threatened by dynamic coastal processes	**It is acknowledged that, although the proposed development is located outside the Coastal Management Line (CML), it falls within the Coastal Protection Zone (CPZ), and that careful management of the development footprint is required to protect the ecological functioning of the coastal environment.** **The Environmental Management Programme (EMPr) includes a requirement that all approved development footprints, temporary construction areas, no-go areas and ecological buffer areas be clearly surveyed, demarcated and protected prior to the commencement of construction. No vegetation clearing, stockpiling, vehicle movement or construction-related activities will be permitted outside the approved development footprint. These protection measures will remain applicable throughout both the construction and operational phases.** **The development is located landward of the Coastal Management Line and is separated from the active beach and foredune system by the existing Main Road 394 (P0394) and an existing residential dwelling. The proposal does not include, nor is it reliant upon, any seawalls, revetments, gabions, dune armouring or other shoreline stabilisation structures to maintain its long-term viability.** **The assessment has considered the site's coastal context, including the applicable coastal risk information and the recommendations of the specialist studies. In addition, the development incorporates measures to maintain the stability and functioning of the inland dune system, including limiting earthworks, retaining indigenous vegetation outside the approved development footprint, implementing Sustainable Drainage Systems (SuDS) to maintain natural infiltration, and rehabilitating disturbed areas. These measures are intended to ensure that the development does not increase erosion risk or alter natural coastal processes in a manner that would necessitate future coastal protection works.**

	The applicant acknowledges the provisions of Sections 7, 11 and 58 of the ICMA. Should dynamic coastal processes, arising from future climate change, threaten the development such that intervention within the coastal environment becomes necessary, any future management response would be subject to the applicable legislative requirements and authorisation processes. The current proposal should therefore not be construed as creating an entitlement to future shoreline protection works or to the retention of structures at the expense of the natural functioning of the coastal environment. **Based on the available specialist investigations and the proposed mitigation measures, the development is not anticipated to create a foreseeable need for coastal protection works or shoreline stabilisation measures that would adversely affect the coastal environment.**
2. A detailed Stormwater Management Plan should be prepared prior to construction. The plan should clearly indicate how stormwater will be attenuated, conveyed and discharged, and demonstrate that stormwater runoff will not cause erosion, destabilisation of vegetated slopes, or adverse impacts on adjacent coastal habitats. Stormwater should be directed through an appropriate stormwater management system to ensure that runoff does not impact sensitive dune vegetation, ecological corridors or surrounding natural areas.	**The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –**

	
3. The applicant must demonstrate that the proposed development will not compromise existing or future public access to Coastal Public Property, in accordance with Section 13 of the ICM Act. While the BAR indicates that public access will not be affected, the development should not create any physical or perceived barriers that may restrict lawful public access to and along the coast, and all existing public access rights must be maintained.	**The proposed development is located on privately owned land and is situated landward of Main Road 394 (P0394), an existing public road that separates the site from the beach and Coastal Public Property. The proposal does not involve the closure, diversion or restriction of any existing public road, public servitude, public right of way, or recognised public access route to the coast. Accordingly, lawful public access to Coastal Public Property will remain unchanged.**

4. It is noted that the site contains sensitive dune thicket, forest-thicket and fynbos vegetation that contribute to ecological functioning, soil stabilisation and the maintenance of coastal processes. The identified no-go areas and ecological buffers must be clearly demarcated prior to construction and remain protected throughout the life of development. Furthermore, the clearing of indigenous coastal vegetation should be strictly limited to the approved development footprint, and all disturbed areas should be rehabilitated with locally indigenous species immediately following construction to maintain ecosystem functioning and minimise erosion risks.	**The preferred SDP (Appendix B1) and Biodiversity Sensitivities Overlay Map (Appendix B2) identify the sensitive no-go areas.**
Based on the information provided, the Oceans and Coasts Branch has no objection to the Based on the information provided, the Oceans and Coasts Branch has no objection to the Based on the information provided, the Oceans and Coasts Branch has no objection to the Based on the information provided, the Oceans and Coasts Branch has no objection to the Based on the information provided, the Oceans and Coasts Branch has no objection to the Based on the information provided, the Oceans and Coasts Branch has no objection to the Based on the information provided, the Oceans and Coasts Branch has no objection to the	**Acknowledged.**
Department of Forestry, Fisheries & the Environment (DFFE) – TF Gwala – 6 July 2026	
<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>	**Acknowledged.**

1. 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".	**The anticipated impacts on the indigenous vegetation have been comprehensively assessed in the Terrestrial Biodiversity Assessment, which includes a detailed description of the vegetation communities, habitat condition, ecological functioning, impact assessment and recommended mitigation measures.** **The biodiversity assessment confirms that the site comprises a mosaic of dune thicket, forest-thicket and fynbos elements within an already developed coastal village landscape. While portions of indigenous vegetation will be affected within the approved development footprint, the proposal has been refined to minimise vegetation clearing, retain forest and dune thicket elements wherever practicable, and limit disturbance to the minimum area required for the proposed development. The specialist further notes that the development is proposed within an urbanised "forest-village" landscape, where indigenous vegetation is retained between residential erven, and concludes that the proposed development is unlikely to significantly compromise ecological processes or ecological connectivity above the existing baseline condition.** **The assessment also found that no plant Species of Conservation Concern flagged by the National Environmental Screening Tool were recorded on the site and that the terrestrial biodiversity, flora and fauna sensitivities are considered to be Low, contrary to the automated screening tool classifications. The specialist concludes that only a portion of the site will be developed while forest elements will be retained, and that the proposed activity is unlikely to result in significant impacts on biodiversity within the broader landscape.** **The applicant acknowledges the importance of the National Forests Act, 1998 (Act 84 of 1998), and the protection afforded to natural forests. The purpose of the biodiversity assessment was to quantify the anticipated impacts on the indigenous vegetation and to inform the application of the mitigation hierarchy. Accordingly, the proposal has incorporated avoidance and minimisation measures through refinement of the development layout, retention of indigenous vegetation outside the approved development footprint, rehabilitation of temporarily disturbed areas, and long-term management measures contained within the Environmental Management Programme (EMPr).**

	Should any approvals be required in terms of the National Forests Act, these will be obtained from the relevant competent authority prior to the commencement of any activities regulated under that Act. The environmental authorisation process under NEMA does not replace, nor remove the requirement to comply with, the provisions of the National Forests Act where applicable.
2. 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 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.	**The applicant acknowledges that environmental authorisation under the National Environmental Management Act, 1998 (Act 107 of 1998) does not replace or negate any obligations arising under the National Forests Act. Accordingly, should the proposed development require the destruction of indigenous forest as contemplated in Section 7 of the NFA, or the removal or disturbance of any protected trees in terms of Section 15 of the Act, the necessary licence(s) or authorisation(s) will be obtained from the relevant forestry authority prior to the commencement of any activities regulated under the NFA. No clearing of indigenous forest or protected trees will be undertaken until all applicable statutory approvals have been obtained.**
3. 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.	**As per point 2 above.**
4. 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.	**As per point 2 above.**

5. 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.	**This is acknowledged and will be included as a condition in the EMPr.**
DFFE studied the supporting documents for the above-mentioned Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable	
6. According to the information provided: "According to the report: Erf 1236 is 56 615,4m² in extent. The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236 (previously named Erven 155 & 1234). Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool. Currently there are a town Planning proposal to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. According to the report the property is entitled to a 7m wide right of way servitude across Erf 391 (which is public space)."	**Agreed.**

In the past Forestry objected to the proposal of rezoning as well as subdivision- as new primary rights will cause more destruction of indigenous forest. The whole property is covered with indigenous forest. 	**The applicant acknowledges Forestry's previous concerns regarding the rezoning and subdivision and the potential for increased loss of indigenous forest associated with additional development rights.** **The Terrestrial Biodiversity Assessment confirms that the property supports indigenous forest-thicket and dune vegetation and recognises its ecological importance. Consequently, the proposal has undergone a refining process to minimise the development footprint, reduce vegetation clearing, retain indigenous vegetation wherever practicable, and limit fragmentation of the remaining habitat. Proof that the design has been refined is further depicted in the image provided – this image is of Alternative 2 which is not supported.** **The specialist concluded that, while localised vegetation loss within the development footprint is unavoidable, forest elements will be retained and the proposed development is unlikely to significantly compromise the broader ecological functioning or connectivity of the landscape, provided the recommended mitigation measures are implemented.** **The applicant further acknowledges that any approvals required in terms of the National Forests Act, 1998 (Act 84 of 1998), will be obtained prior to the commencement of any activities regulated under that Act.**
Forestry has the following comments: i. 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.**
ii. Forestry requests the following: 1. Forestry object to the proposed rezoning as well as subdivision of above property	**Noted.**
2. Forestry object to above proposal of two units on above property.	**Noted.**
3. Forestry request that a revised development proposal should be considered within the current Open Space Zone 2 zoning rights- having a more minimal footprint size and recirculated for comment	**Noted. The proposed development has been refined through an iterative design process informed by the findings of the specialist assessments to minimise the development footprint and associated impacts on indigenous vegetation. The current application seeks approval for the proposed rezoning**

	and associated development rights, which have been assessed as part of this Basic Assessment process. The competent authority is requested to consider the proposal, together with the specialist findings and recommended mitigation measures, in determining the appropriateness of the proposed land use.
4. Forestry request that previous said revised development proposal be planned in the more disturbed area- at a positioning that would also minimize the access road	**This has been undertaken with the current Preferred layout where the development has been positioned as north of the site boundary as possible.**
5. Forestry request that vegetation specialist study be conducted for above property; that indigenous forest be plotted, GPS'd and included within the proposal as no-go areas	**This has been conducted. Please refer to the Terrestrial Biodiversity Assessment which provides GIS mapping of plotted no-go areas.**
iii. Kindly note that this letter is not a NFA licence	**Acknowledged.**
iv. 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.	**Acknowledge as per point 2 above.**
Note: The Department reserves the right to revise the initial comment based on any additional information that may be received Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0022-2026-27. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.	**Noted.**
ORGANS OF STATE	
SANParks – Dr. Vanessa Weyer – 30 July 2026	
Dear Sam, SANParks does not appear to be directly affected by the proposed development and has no further comment. Kind regards, Dr Vanessa Weyer Environmental Management (University of Pretoria) Reg. EAP (EAPASA) & Reg. Pr.Sci.Nat. (SACNASP)	**Acknowledged.**

Cape Nature – Marienne de Villiers – 08 July 2026	
Please be advised that CapeNature is regrettably unable to review and provide formal comments on this application. Due to capacity constraints resulting from a vacant Land Use Scientist post, we are unable to process this proposal within the stipulated timeframe. This response should not be interpreted as support or objection to the proposed development. Please continue to process the application and consult with the other required stakeholders. We apologize for any inconvenience this may cause and appreciate your understanding. Please keep CapeNature on your stakeholder list for future notifications; we will respond when our capacity allows.	**Acknowledged.**
PUBLIC	
Previously submitted comments re-submitted – A & T Millar 99 Paradise Beach Investments Pty Ltd – 07 July 2026	
RE: APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR A DEVELOPMENT ON A PORTION OF Erf 1180, KEURBOOMSTRAND, PLETTENBERG BAY DEDEA Ref 16/3/3/1/D1/6/0024/26	
We hereby object in the strongest terms to the granting of Environmental authorisation of the proposed development on a portion of Erf 1180 (previously ERF 155) Keurboomstrand for the following reasons.	
1. Destruction of a CBA [Critical biodiversity area]. The consultant and all of the specialists' studies, in the application documentation, acknowledge that Erf 1180 (previously ERF155) is a CBA. "CBA's are terrestrial and aquatic areas which must be safeguarded in	**According to the Western Cape Biodiversity Spatial Plan (WCBSP 2023), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation. Subsequent ground-truthing by Jamie Pote (Pr.Sci.Nat.) confirmed that the footprint occurs within ESA 1—not CBA 1—because the**

their natural or near-natural state because they are critical for conserving biodiversity and maintaining functioning ecosystems."



Furthermore SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANparks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area .

The conclusion, of a previous vegetation study for Erf 155, states:

"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."

In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate

remaining vegetation in the erf represents secondary, partially disturbed dune thicket and thicket-forest mosaic that provides connectivity rather than core biodiversity habitat.

The ESA 1 category is defined as land not essential to achieving biodiversity targets, but that supports the ecological functioning of adjacent CBAs and Protected Areas by maintaining natural corridors, hydrological processes, and ecosystem services. The management objective for ESA 1 is to maintain ecological functionality in a near-natural state, allowing for limited, well-mitigated, low-impact development.

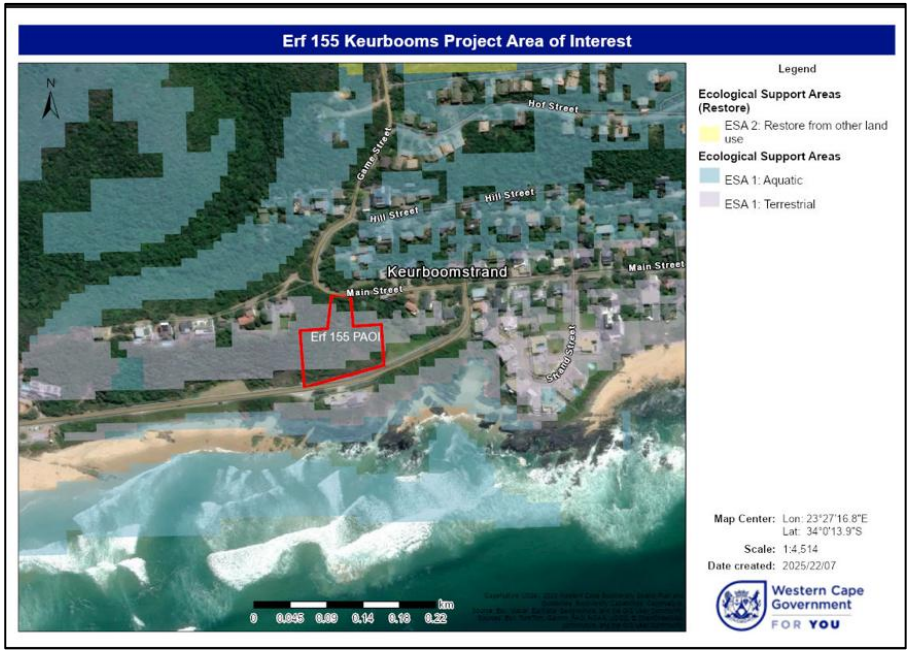
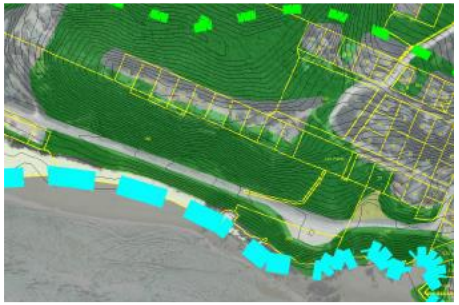
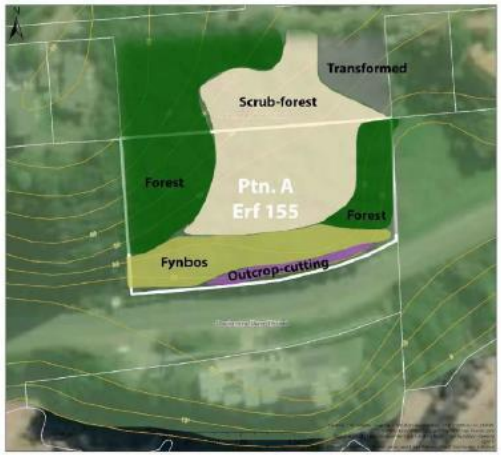


Image as per the 2023 Western Cape Biodiversity Spatial Plan (WCBSP). This product replaces all previous systematic biodiversity planning products and sector plans with updated layers and features. (Source: CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines. Biodiversity Capabilities, CapeNature. Link: https://www.capenature.co.za/western-cape-biodiversity-spatial-plan)

degraded land to natural or near natural and to manage for no further degradation. They state that land-use should not be approved. Conclusion: Environmental authorisation for the development of Erf 155 Keurboomstrand therefore cannot be granted.	
2. Negative impact on an ecological Green Corridor. Any structures to the immediate North of Provincial Road 394, in the steep forested corridor of Erf 155 would create a "Tunnel Entrance" to Keurbooms Village and impact on its "Sense of place" by destroying the "Green Belt" leading into Keurboomstrand village. The ecological corridor as shown on the KLASP mapping cannot be obstructed 	**The Terrestrial Biodiversity specialist states the following in his assessment report (Appendix G): *"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction."***
3. Violation of NEMBA Approval of this application would be in violation of a multitude of environmental legislation and regulations, including: National Environmental Management; Biodiversity Act . which needs: a] To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act	**The proposed development has been assessed through the Basic Assessment process, including specialist biodiversity investigations. The findings indicate that, subject to the implementation of recommended avoidance and mitigation measures, the development will not result in unacceptable impacts on protected ecosystems, species, or ecological processes. The proposal has been designed to avoid sensitive areas where possible and is therefore considered consistent with the objectives of the National Environmental Management: Biodiversity Act, 2004, which seeks to conserve biodiversity while enabling sustainable development.**

b]provide for the protection of species and ecosystems that warrant national protection.  VegMap 2018	
4. Non-compliance with SPLUMA Principles: This application fails to comply with the principles/ out by Spluma which states: (2) Land use planning is guided by the following principles of spatial sustainability: (b) the sustained protection of the environment should be ensured by having regard to the following: (i) natural habitat, ecological corridors and areas with high biodiversity importance; (ii) the provincial heritage and tourism resources;	**The proposal has been assessed against the principles of SPLUMA through the Basic Assessment process, specialist studies and planning assessment. The development footprint has been confined, while significant areas of natural vegetation and ecological connectivity will be retained. Potential impacts on biodiversity, visual character, heritage resources and slope stability have been assessed and mitigated. Furthermore, the public participation process has provided affected parties with an opportunity to comment, ensuring that the interests of landowners, residents, authorities and the broader community are considered in the decision-making process.**

(iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and (iv) the economic potential of the relevant area or region; Further under SPLUMA i]"Consideration of the public interest; ii]Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property owners, public and private service providers and the wider community"?	
5. Violation of National Forest Act: This application cannot be approved as it is clearly in violation of the NFA [National Forest Act] which states under Principle 3 3[a]: "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 economics; social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance. According to these criteria, residential development does not comply" The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF. The "Vegetation Study" for Erf 155 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White	**The presence and extent of natural forest and other sensitive vegetation communities on the site were assessed by suitably qualified specialists as part of the Basic Assessment process. The proposed development footprint has been refined to avoid and minimise impacts on sensitive vegetation and ecological features, and mitigation measures have been incorporated into the project design. Compliance with the National Forests Act and any applicable permitting requirements relating to protected tree species will be addressed through the relevant regulatory processes. The competent authority will consider the specialist findings and legislative requirements when assessing the application.**

Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection.

The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in forest with a strip of Shale fynbos on the southern tip of the site.

RE/155, KEURBOOMSTRAND, PLETTENBERG BAY

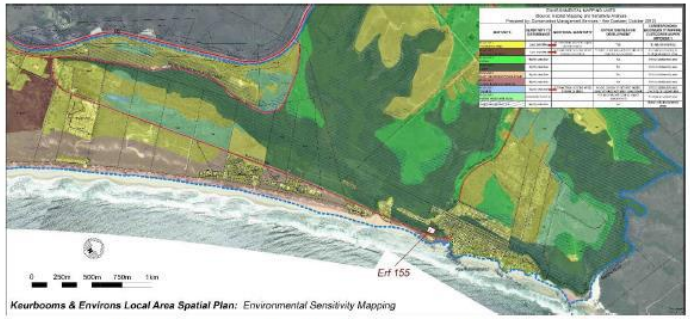
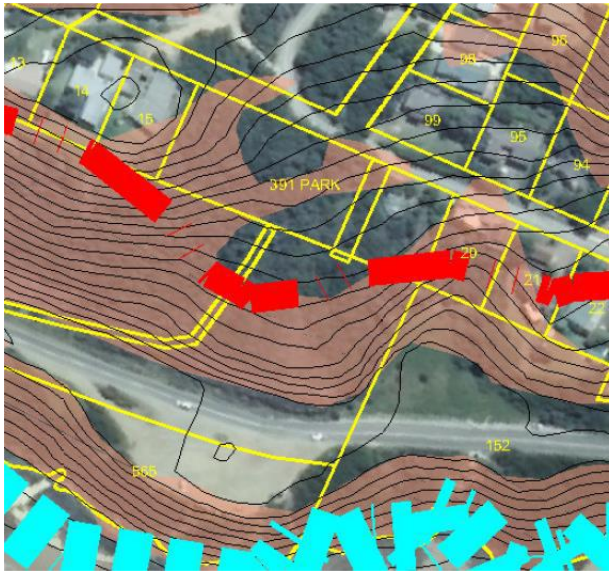


Pre-application reference: 16/3/3/6/7/1/D1/6/0126/20 **August 2022**

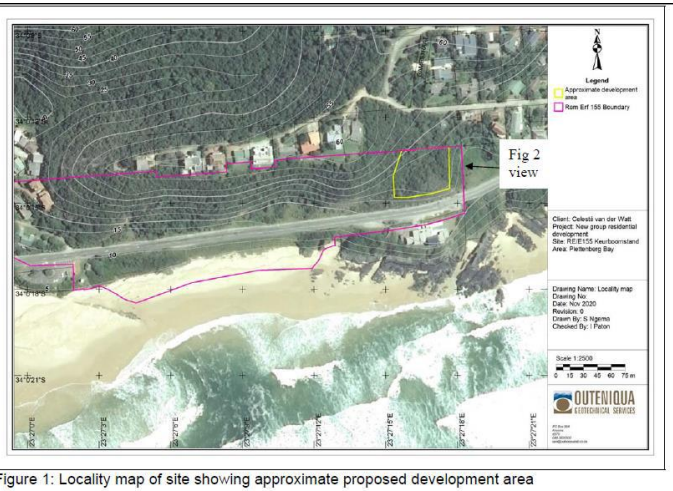
The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site,

Their CONCLUSION :

"The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.	
6. Would not conform with the KLASP [Keurbooms spatial plan] adopted by the Bitou municipality The Keurbooms LSDF determines a few "no go" development areas, based on biophysical constraints and "Habitat Mapping and Sensitivity Analysis map units" indicated as: • below the 1:50 and 100: year floodlines; • on any slopes with a gradient steeper than 1:4; • below the 4,5m coastal setback line; • within the 100m high water mark setback; • within the Tshokwane Wetland system. • Map Unit 3: Fynbos • Map Unit 4: Forest • Map Unit 5: Dune Thicket/Dune Fynbos Mosaic • Map Unit 6: Coastal fore dune & seashore	**As per the Specialist Planning Report, 2025:** ***"For the purposes of the conceptual siting of nodes as depicted on the proposals plan consideration was given to criteria such as, but not limited to:*** • ***The location of any other existing development on the property so as to enhance the principle of clustering of development;*** • ***Proximity of existing roads both from an access as well potential visual impact consideration;*** • ***Features such as dams and natural drainage systems.*** ***With regard to the proposal to rezone the application area to a nature conservation area, and the development of two dwellings on the disturbed areas on the site, it is the considered opinion that the proposal is consistent with the KLASP policy statements, for the following reasons:*** • ***The proposed dwellings are not on steep slopes;*** • ***The proposed dwellings are setback by 30m from the cliff edge*** • ***The proposed dwellings are not below the 4,5m contour coastal setback line;*** • ***The proposed dwellings are not within 100m of the HWM.*** ***The proposal is therefore considered to be consistent with the KLASP policy statements, and not inconsistent with the KLASP."***

 **Figure 17:** LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013) below A] Forest & corridor, B] Steep slopes & 100m line from HWM. 	
7. Non-compliance with the conditions of the Municipal Approval	**Please refer to the Specialist Planning Report, 2025 – Appendix G which addresses Town Planning aspect of the proposal.**

Approval of this application would not comply with the conditions of the Municipal approval 18/151 & 155/KB dated 21 Sept 2011, for the rezoning/subdivision of Erf 155/151 to create 26 individual residential erven for the existing structures. Condition h] the remainder of the property to be managed as a Private nature reserve by the Mare Nostrum HOA. This was a condition requested by the KPOA [Keurbooms Property Owners Association] when submitting comments on the application, and adopted by the municipality.	
8. No Go Alternative not considered According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED",despite the acknowledged sensitivity of the land. Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". We find this stance not in the common interest of Keurboomstrand. Erf 1180(previously ERF 155) has 26 residential units on the flatter western portion of the 56,000m2 some of which are for sale, so the necessity to develop in a sensitive protected environment is not given. Furthermore properties are available for houses in Keurboomstrand and surrounds. The map below forms part of the documentation of the proposed development and shows the extent of Erf 1180 (previously ERF 155) Mare Nostrum and some of the residential units on the western portion. Also the forested steep slopes.	**Please note that the BAR has been revised.** **In accordance with the EIA Regulations, reasonable alternatives were considered during the Basic Assessment process, including the no-go alternative and alternative layout configurations. Property alternatives were not assessed as the application relates to the development of a specific privately owned property and the environmental suitability of that site. The availability of other properties within Keurboomstrand does not negate the applicant's right to seek development approval for the subject property. The acceptability of the proposal is therefore based on the findings of the specialist assessments and the extent to which environmental impacts can be avoided, minimised and managed.**

 Figure 1: Locality map of site showing approximate proposed development area	
9. The Visual impact report by Filia Visuals PTY LTD Findings "The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline. The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local receiving environment is unique and distinctive within the coastal belt, based on both the local townscape character and the value of the natural and scenic resources. The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand.	**The Visual Impact has been reassessed as the proposed development plan was amended. Please see Appendix G for the updated report and findings.**

The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable. • Inside the 100m Urban Coastal Setback Line; • On an elevated promontory with an average slope of approximately 1:4; • Within a Critical Biodiversity Area containing protected tree species; • Alongside a scenic route; • Within an area with a recognized special character, sense of place and • importance in terms of tourism and recreation value; • Within an area with visually prominent ridgelines or skylines; Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes: i. A change in land use from the prevailing use; ii. A use that is in conflict with an adopted plan or vision for the area; iii. Possible visual intrusion in the landscape.	
10. Visual impact on the residents of Keurboomstrand village. It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 155 Private open space. This is strange as they state in paragraph5.3.4.	**The Visual Impact has been reassessed as the proposed development plan was amended. Please see Appendix G for the updated report and findings.** **The VIA states the following: "The proposed development will not obstruct the views of any neighbours, although it is most likely to be visible from neighbouring properties." (Visual Impact Assessment, October 2025)**

Visual Receptors and their Potential Sensitivity i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community; ii. Residents and residential properties with views affected by the development. iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.	
11. Personal impact We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 155 would experience a drastic change of our scenic view across the forest towards Robberg photos below(Figures 5-8). 	**Thank you for providing comments. They have been taken into consideration, and an amended proposal has been the result.** **The concerns regarding the protection of the existing natural environment and the potential precedent for future development are acknowledged. The current application has been assessed on its own merits through the Basic Assessment process and informed by specialist studies. The proposed development footprint has been refined to avoid and minimise impacts on sensitive environmental features, and the competent authority will determine the acceptability of the proposal based on the findings of the assessment, applicable legislation and recommended mitigation measures. Approval of this application would not automatically create a right for similar developments elsewhere, as each application must be assessed independently based on its site-specific characteristics, environmental sensitivities, legislative requirements and specialist findings.**

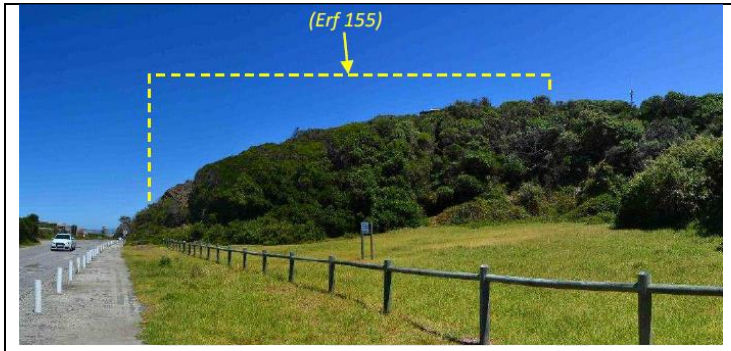


Figure 6:View Forest from below



Figure 7: from Blaubankies beach We would like to note that, when we bought our house on Erf 96, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures in the face of such environmental legislation, in place to protect such pristine protected environments, would open the door to other developers doing the same which is of grave concern to us as permanent residents of Keurboomstrand. We reserve the right to submit further comments on the application as information becomes available.	
R & E Martin Erf 15 – 7 July 2026	
RE: Basic Assessment Report DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape Thanks for the opportunity to comment on the above application we must however object vehemently to granting environmental authorization for the proposed development for the following reasons:	
1. Violation of the National Forests Act, 1998 This application cannot be approved as it is inconsistent with the principles of the National Forests Act (Act 84 of 1998), which provides under Principle 3(a): "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. Exceptional circumstances generally refer to projects of national or provincial strategic importance."	**The anticipated impacts on the indigenous vegetation have been comprehensively assessed in the Terrestrial Biodiversity Assessment, which includes a detailed description of the vegetation communities, habitat condition, ecological functioning, impact assessment and recommended mitigation measures.** **The biodiversity assessment confirms that the site comprises a mosaic of dune thicket, forest-thicket and fynbos elements within an already developed coastal village landscape. While portions of indigenous vegetation will be affected within the approved development footprint, the proposal has been refined to minimise vegetation clearing, retain forest and dune thicket elements wherever practicable, and limit disturbance to the minimum area required for the proposed development. The specialist further notes that the**

A private residential development for one does not constitute such an exceptional circumstance.

The site is, beyond reasonable dispute, part of a continuous indigenous forest corridor extending along the southern slopes of the Keurbooms hillside. This is confirmed by virtually every specialist investigation, planning document and environmental mapping prepared for the property and surrounding area, including:

- the Keurbooms Environmental Management Framework;
- the Keurbooms Local Area Spatial Plan (KLASP);
- the Bitou Spatial Development Framework;
- previous botanical and vegetation studies; and
- the current biodiversity assessment.

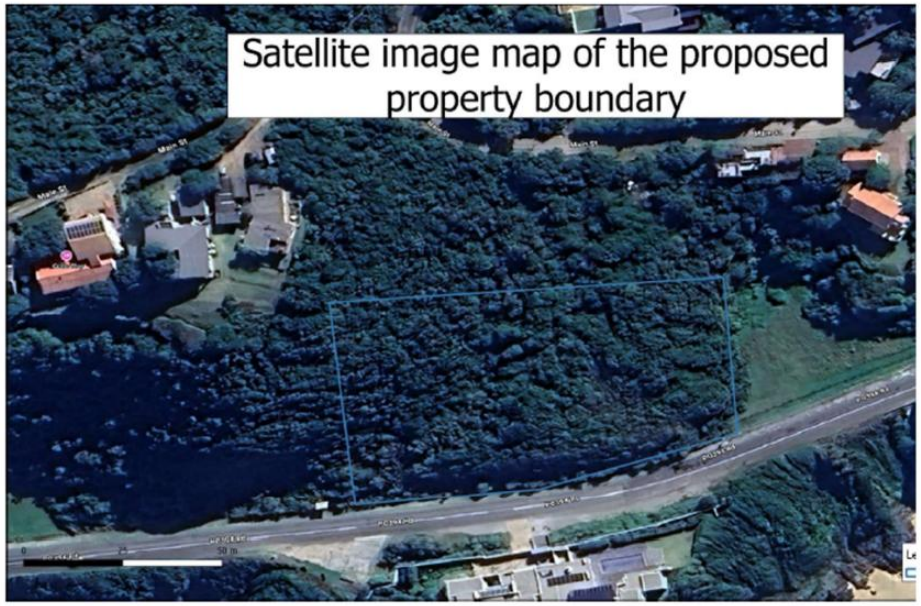


Figure 2. *Satellite image map of the development.*

development is proposed within an urbanised "forest-village" landscape, where indigenous vegetation is retained between residential erven, and concludes that the proposed development is unlikely to significantly compromise ecological processes or ecological connectivity above the existing baseline condition.

Following specialist recommendations, the development has been positioned within the scrub-forest area which is of medium ecological importance. "MODERATE Sensitivity include the portions of natural vegetation that is mostly intact, but not having specific biodiversity related issues of significance or where proposed activity will have limited overall impact, and recovery will be good with minimal intervention." (p.48 of The Terrestrial Biodiversity Assessment)

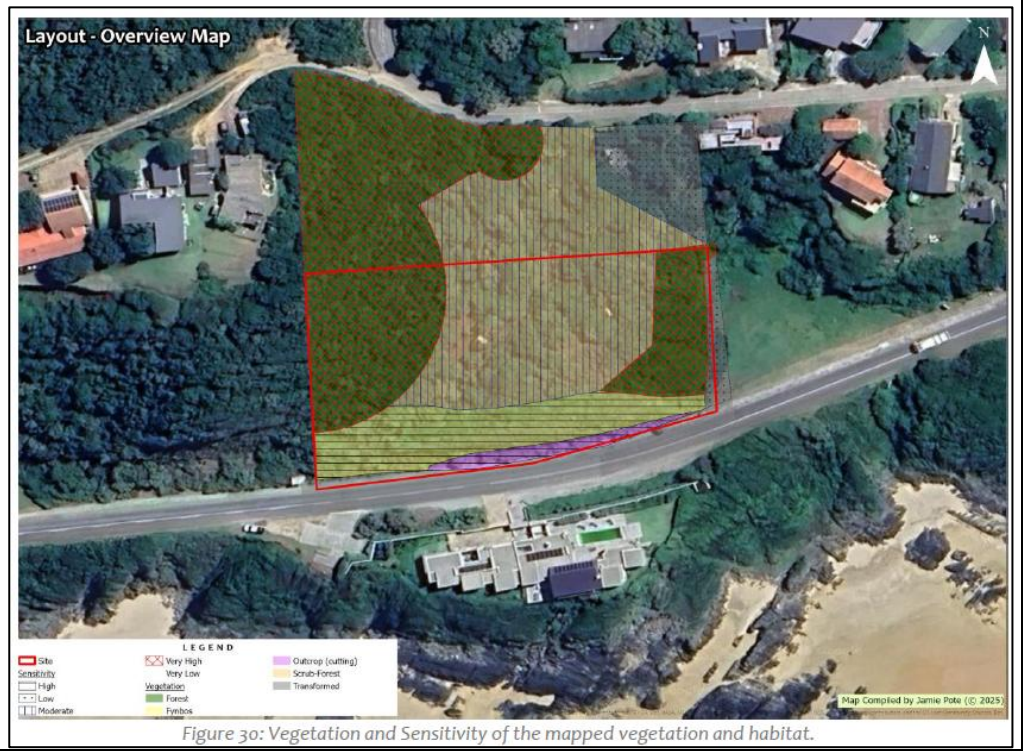


Figure 30: Vegetation and Sensitivity of the mapped vegetation and habitat.

Fig 1 Shows that Erf 1180 as a continuous undisturbed forested area before it was impacted by consultants for the applicant. Earlier specialist studies classified the vegetation as Southern Afro-temperate Forest, while regional vegetation mapping classifies the area as Western Cape Milkwood Forest, both of which constitute protected natural forests under Notice 167 of 2017 issued under the National Forests Act. The ecological importance of the site has never been disputed. What has changed is the interpretation of whether development should be permitted. The 2018 Botanical Survey concluded that the eastern portion of the property contains pristine scrub forest, protected Milkwood trees and threatened Shale Fynbos. It specifically stated that these pristine forest habitats should not be impacted by development, that the scrub forest occurs on steep slopes particularly sensitive to disturbance, and that development should be restricted only to the flattest portions of the property while avoiding these sensitive habitats. Furthermore, the same report concluded: "Both the former Shale Fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.	**The assessment also found that no plant Species of Conservation Concern flagged by the National Environmental Screening Tool were recorded on the site and that the terrestrial biodiversity, flora and fauna sensitivities are considered to be Low, contrary to the automated screening tool classifications. The specialist concludes that only a portion of the site will be developed while forest elements will be retained, and that the proposed activity is unlikely to result in significant impacts on biodiversity within the broader landscape.** **"GENERAL COMMENT: Some degradation and transformation is already present in the surrounding area and additional habitat loss and fragmentation will be negligible within the scope of existing impacts and as a result of the small footprint. No flagged criteria will be significantly at risk as a result of this development which will result in the clearing of vegetation from a portion of the site to accommodate dwellings as per the proposed layout plan. A fringe of natural vegetation will be retained on the west, east and south sides which will accommodate connectivity with the surrounding landscape and will also serve to contribute towards the conservation of the represented vegetation units and habitat." (p.49 of The Terrestrial Biodiversity Assessment)** **"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction." (p.28 of The Terrestrial Biodiversity Assessment)** **According to the Western Cape Biodiversity Spatial Plan (WCBSP 2023), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation.**



Figure 8: Forest From our house on Erf 15 above Erf 1180

The **2026 Terrestrial Biodiversity Assessment** acknowledges essentially the same ecological facts:

the site remains within a Critical Biodiversity Area; the site contains Goukamma Scrub Forest and Shale Fynbos, both recognised as threatened vegetation types

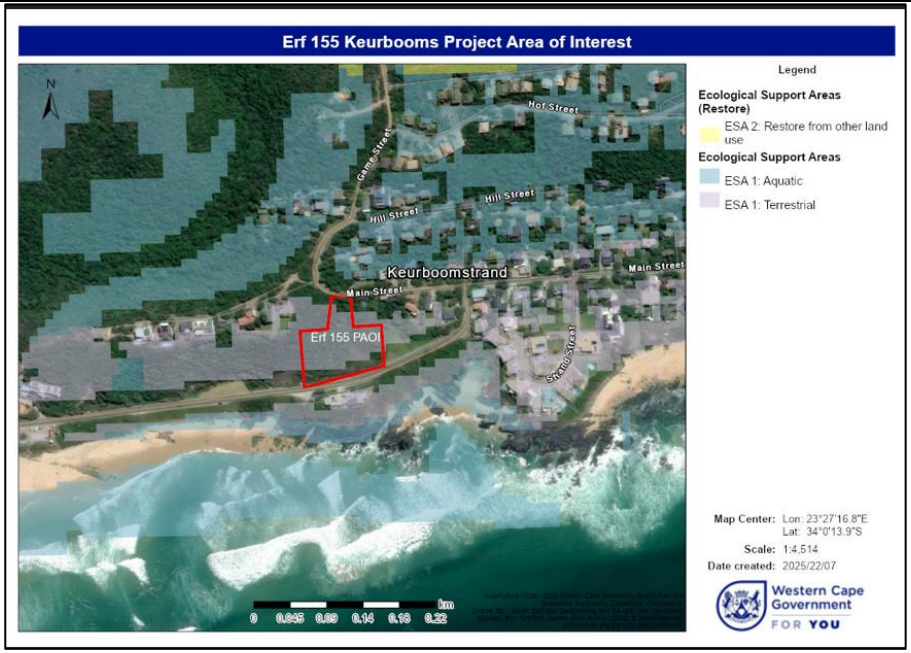


Image as per the 2023 Western Cape Biodiversity Spatial Plan (WCBSP). This product replaces all previous systematic biodiversity planning products and sector plans with updated layers and features. (Source: CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines. Biodiversity Capabilities, CapeNature. Link: https://www.capenature.co.za/western-cape-biodiversity-spatial-plan)

The report "KEURBOOMS RIVER ERF 155: VEGETATION SENSITIVITY ANALYSIS" has been removed from the BAR. It is evident that this report has caused some confusion amongst various I&APs. This report was commissioned as a mere vegetation analysis to assist in the original screening of the site in 2018. It was never meant to replace the Terrestrial Biodiversity Assessment originally compiled by Jamie Pote in 2020. The analysis report is also now outdated and should not be considered.

	The revised Terrestrial Biodiveristy Assessment dated 16/03/2026 is the only assessment report to be considered in terms of the Terrestrial Biodiversity and Plant Species Sensitivity Themes as identified in the DFFE Screening Tool Report.
6. Destruction of a Critical Biodiversity Area The previous specialist studies accompanying the application unanimously acknowledge that Erf 1180 is situated within a Critical Biodiversity Area (CBA). SANBI mapping, the Keurbooms Local Area Spatial Plan and the Garden Route Biodiversity Sector Plan all classify the site as a Core Critical Biodiversity Area. The previous vegetation study concluded: "This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan." The Garden Route Biodiversity Sector Plan recommends that land within a Critical Biodiversity Area should remain in a natural or near-natural state, degraded land should be rehabilitated and no further degradation should be permitted. **Environmental Authorisation would therefore be inconsistent with these conservation objectives.**	**As per above.**



7. Loss of an Ecological Green Corridor

The proposed development would interrupt an important indigenous forest corridor linking the Keurbooms estuary with the forested slopes surrounding Keurbooms Village.The corridor is recognised within the Keurbooms Local Area Spatial Plan and contributes significantly to ecological connectivity, wildlife movement and landscape integrity.



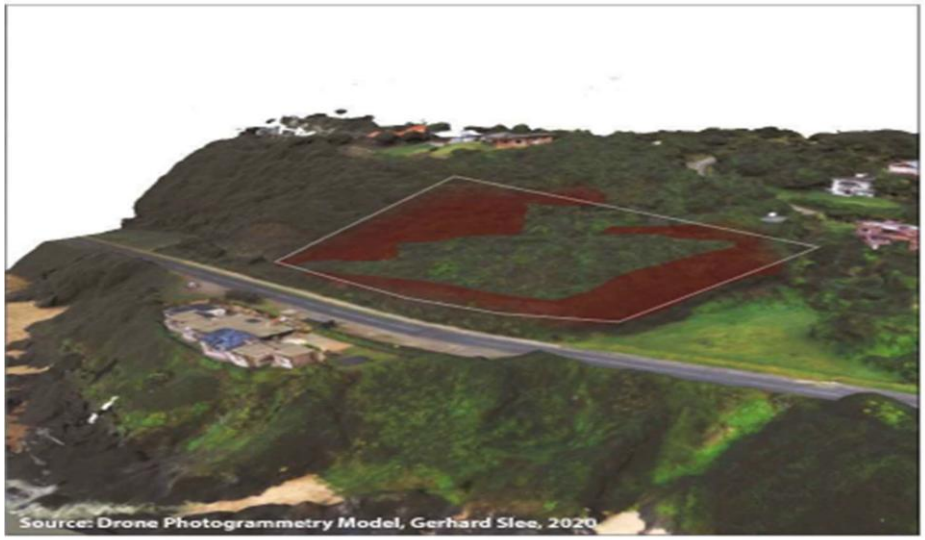
Development would also destroy the distinctive "green entrance" into Keurbooms Village, diminishing its recognised sense of place

"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction." (p.28 of The Terrestrial Biodiversity Assessment)

8. Conflict with the Keurbooms Local Area Spatial Plan The KLASP identifies several environmental constraints where development should not occur, including: • forests; • threatened vegetation; • steep slopes; • Critical Biodiversity Areas; • ecological corridors; • coastal setback areas; The proposed development conflicts directly with these adopted planning policies.  Figure 17: LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013)	**As per the Specialist Planning Report, 2025: *"For the purposes of the conceptual siting of nodes as depicted on the proposals plan consideration was given to criteria such as, but not limited to:*** • ***The location of any other existing development on the property so as to enhance the principle of clustering of development;*** • ***Proximity of existing roads both from an access as well potential visual impact consideration;*** • ***Features such as dams and natural drainage systems.*** ***With regard to the proposal to rezone the application area to a nature conservation area, and the development of two dwellings on the disturbed areas on the site, it is the considered opinion that the proposal is consistent with the KLASP policy statements, for the following reasons:*** • ***The proposed dwellings are not on steep slopes;*** • ***The proposed dwellings are setback by 30m from the cliff edge*** • ***The proposed dwellings are not below the 4,5m contour coastal setback line;*** • ***The proposed dwellings are not within 100m of the HWM.*** ***The proposal is therefore considered to be consistent with the KLASP policy statements, and not inconsistent with the KLASP."*** **The Terrestrial Biodiversity Assessment has addressed the ecological sensitivity with regards to forests, threatened vegetation, CBAs, ecological corridors in great detail. The EAP has cited points from this assessment to address the concerns in point 1 above.**
9. Non-compliance with Environmental Legislation Approval would be inconsistent with: • the National Environmental Management Act;	**As addressed above.**

- the National Environmental Management: Biodiversity Act;
- the National Forests Act;
- provincial biodiversity planning.

Each of these legislative instruments requires protection of biodiversity and threatened ecosystems.



Terrain model

.Approximate representation of the steepest areas on site

Approximate representation of the property boundary (note: the photogrammetry model represents vegetation cover as a surface itself, as opposed to the DEM (Digital Elevation Model) which illustrates the topography underneath as a surface)

This Drone photo from the provided documentation shows that the proposed site is clearly forested and forms a section of the coastal corridor

10. Non-compliance with SPLUMA The proposal is inconsistent with the five foundational principles contained in the Spatial Planning and Land Use Management Act (SPLUMA) : Spatial Justice, Spatial Sustainability, Efficiency, Spatial Resilience, and Good Administration. Whilst requiring protection of: ecological corridors; areas of high biodiversity; environmentally sensitive land; tourism resources; landscapes of cultural significance. It also fails to demonstrate that sufficient consideration has been given to the interests of existing residents and the wider public.	**The proposal has been assessed against the principles of SPLUMA through the Basic Assessment process, specialist studies and planning assessment. The development footprint has been confined, while significant areas of natural vegetation and ecological connectivity will be retained. Potential impacts on biodiversity, visual character, heritage resources and slope stability have been assessed and mitigated. Furthermore, the public participation process has provided affected parties with an opportunity to comment, ensuring that the interests of landowners, residents, authorities and the broader community are considered in the decision-making process.**
11. Non-compliance with Previous Municipal Approval The 2011 municipal approval for Erf 151/155 required that the remainder of the property be managed as a Private Nature Reserve under the Mare Nostrum Homeowners Association. The present proposal is inconsistent with that condition.	**Please refer to the Specialist Planning Report, 2025 – Appendix G which addresses Town Planning aspect of the proposal.**
12. Failure to Properly Consider the No-Go Alternative The BAR states that no alternative sites were considered because the applicant wishes to develop this property. This is not an acceptable planning justification. The environmentally preferred "No-Go Alternative" has therefore not received proper consideration. The desire of one individual to develop such a site cannot prevail over the ideals of the local residents and the environmental laws. Need and desirability must be consistent with the principles of sustainability as contained in Section 2 of the NEMA.	**Please note that the BAR has been revised.** **In accordance with the EIA Regulations, reasonable alternatives were considered during the Basic Assessment process, including the no-go alternative and alternative layout configurations. Property alternatives were not assessed as the application relates to the development of a specific privately owned property and the environmental suitability of that site. The availability of other properties within Keurboomstrand does not negate the applicant's right to seek development approval for the subject property. The acceptability of the proposal is therefore based on the findings of the specialist assessments and the extent to which environmental impacts can be avoided, minimised and managed.** **Please note that the image you have included is referring to an old 3D version of the previous proposal.**



Figure 81: 3D view of the Alternative proposal (including retaining wall) from the south west (scenic route), modeled by the authors of this report and based on the project architect's concept sketch. The materials are indicative (van der Merwe, 2021)

Image supplied by applicant

13. Visual and Landscape Impacts The Visual Impact Assessment concludes that the receiving environment possesses a strong landscape character and unique sense of place based primarily on its natural forested coastline. It further confirms that the proposal would: • erode the visual character of the scenic route; • occur within the coastal setback; • occupy steep slopes; • occur within a Critical Biodiversity Area; • affect protected vegetation; • impact an important tourism landscape. • The report completely ignores the significant impact upon residents overlooking the • site, many of whom currently enjoy uninterrupted views across the protected forest • canopy towards the ocean.	**The Visual Impact has been reassessed as the proposed development plan was amended. Please see Appendix G for the updated report and findings.** **The image you are referring to is found in the Specialist Planning Report and it is assumed that this image was used to show an estimate site location. However, please refer to the plans provided in the BAR and the appendices for a more accurate representation.**

KEURBOOMSTRAND ERF 1180 (PTN OF ERF 1236) – SPECIALIST PLANNING REPORT FOR NEMA PURPOSES Mariko Vreken The proposed site development plan is shown in Figure 6 below:  *FIGURE 6: PREFERRED ALTERNATIVE - AMENDED PROPOSAL WITH ONLY TWO (2X) UNITS* We strongly object to the site plan presented by the applicants consultant which depicts the proposed structures reduced to the size of "Dog kennels" when compared to neighbouring houses [our house has a roof area of only 130m2 [red] whereas the proposed house are over 400m2. This can only be classified as being completely misleading and deceptive.	
14. Personal Impact and Conclusion When we purchased our property on Erf 15, it was with the understanding that the indigenous forest immediately below us formed part of a legally protected environmental corridor. We feel that the "precautionary approach" should apply to this ecologically sensitive site and that the proposed development would	**Thank you for your comments provided.** **The ecological and biodiversity sensitivities of the site have been considered through specialist assessment and have informed the design and mitigation measures proposed. The assessment has applied the precautionary approach by seeking to avoid and minimise impacts, retain indigenous vegetation where practicable, and maintain ecological functioning through appropriate mitigation and long-term management measures.**

fundamentally alter the scenic character, ecological integrity and sense of place of Keurbooms Village. For all the reasons set out above, we respectfully submit that the application is inconsistent with environmental legislation, biodiversity planning, municipal planning policy and the principles of sustainable development. **We therefore respectfully request that Environmental Authorisation be refused.** **Rudi & Eva Martin** **Erf 15 Keurboomstrand**  **Scenic road entrance into Keurboomstrand**	**The specialist assessments further concluded that, with the recommended mitigation measures implemented, the proposed development is unlikely to significantly compromise ecological functioning or connectivity within the broader landscape. The matters raised regarding environmental legislation, biodiversity planning and municipal planning have been considered in the BAR and will ultimately be weighed by the Competent Authority in determining the application.**
Plettenberg Bay Environment Forum – Chanel Visser (OBO) – 6 July 2026	

RE: Basic Assessment Report DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape Many thanks for the opportunity to review the application for the above development. The Plettenberg Bay Community Environment Forum STRONGLY objects to granting environmental authorization for the proposed development for the following reasons: NON-COMPLIANCE WITH ENVIRONMENTAL LEGISLATION, REGULATIONS, POLICIES, FRAMEWORKS, ETC: Notwithstanding that the applicant, over the years and various applications, has used multiple consultants to obtain satisfactory reports, the entire area for the proposed development is:	
1. <u>Recognised as a CBA (Critical Biodiversity Area):</u> and is subject to the National Environment Act and Biodiversity Act (NEMA & NEMBA), Keurbooms Local Area Spatial Development Framework (KLASDF), Bitou Spatial Development Framework (BSDF), Spatial Planning and Land Use Management Act (SPLUMA), Land Use Scheme, Western Cape SDF, Western Cape Biodiversity Spatial Plan and Spatial Handbook, Garden Route Biodiversity Sector Plan, Garden Route SDF]; Please see attachments According to SPLUMA, spatial sustainability principles MUST include protection of the environment by showing regard to natural habitat, ecological corridors and areas of high biodiversity importance. Furthermore, the Land Use Scheme [24(2)(b)] states that "A land use scheme adopted in terms of subsection (1) must take cognizance of any environmental management instrument adopted by the relevant environmental management authority and must comply with environmental legislation". The development, as proposed, will impact a CRITICAL BIODIVERSITY AREA, will result in irreparable damage to the sensitive habitat which forms a	According to the Western Cape Biodiversity Spatial Plan (WCBSP 2023), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation. Subsequent ground-truthing by Jamie Pote (Pr.Sci.Nat.) confirmed that the footprint occurs within ESA 1—not CBA 1—because the remaining vegetation in the erf represents secondary, partially disturbed dune thicket and thicket-forest mosaic that provides connectivity rather than core biodiversity habitat. The ESA 1 category is defined as land not essential to achieving biodiversity targets, but that supports the ecological functioning of adjacent CBAs and Protected Areas by maintaining natural corridors, hydrological processes, and ecosystem services. The management objective for ESA 1 is to maintain ecological functionality in a near-natural state, allowing for limited, well-mitigated, low-impact development.

COASTAL CORRIDOR and which is in contravention of environmental regulations and legislation.

The need to conserve CBA's is further highlighted by SANParks in their biodiversity maps and descriptions recognising that "CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning.

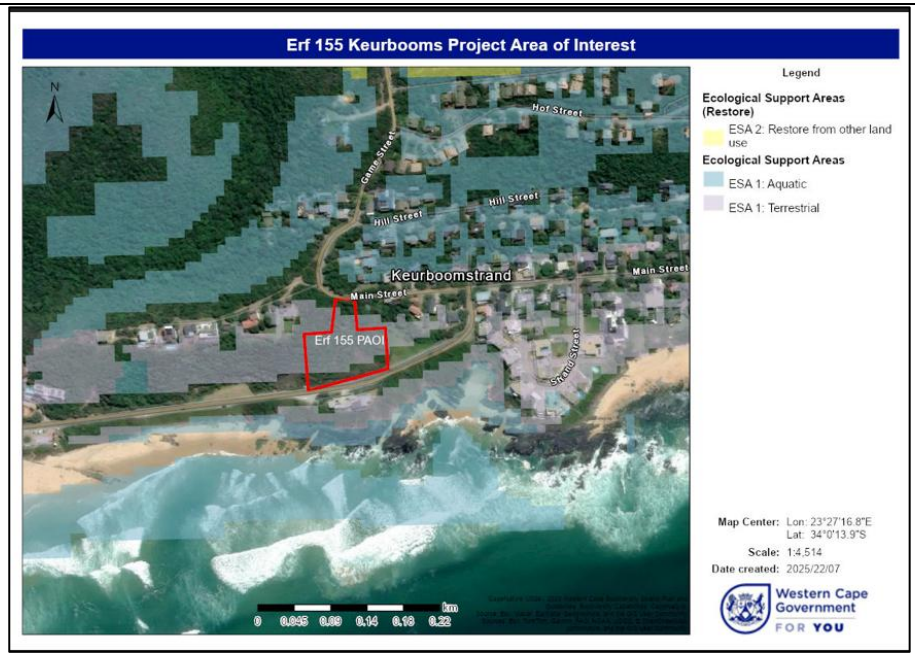


Image as per the 2023 Western Cape Biodiversity Spatial Plan (WCBSP). This product replaces all previous systematic biodiversity planning products and sector plans with updated layers and features. (Source: CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines. Biodiversity Capabilities, CapeNature. Link: https://www.capenature.co.za/western-cape-biodiversity-spatial-plan)

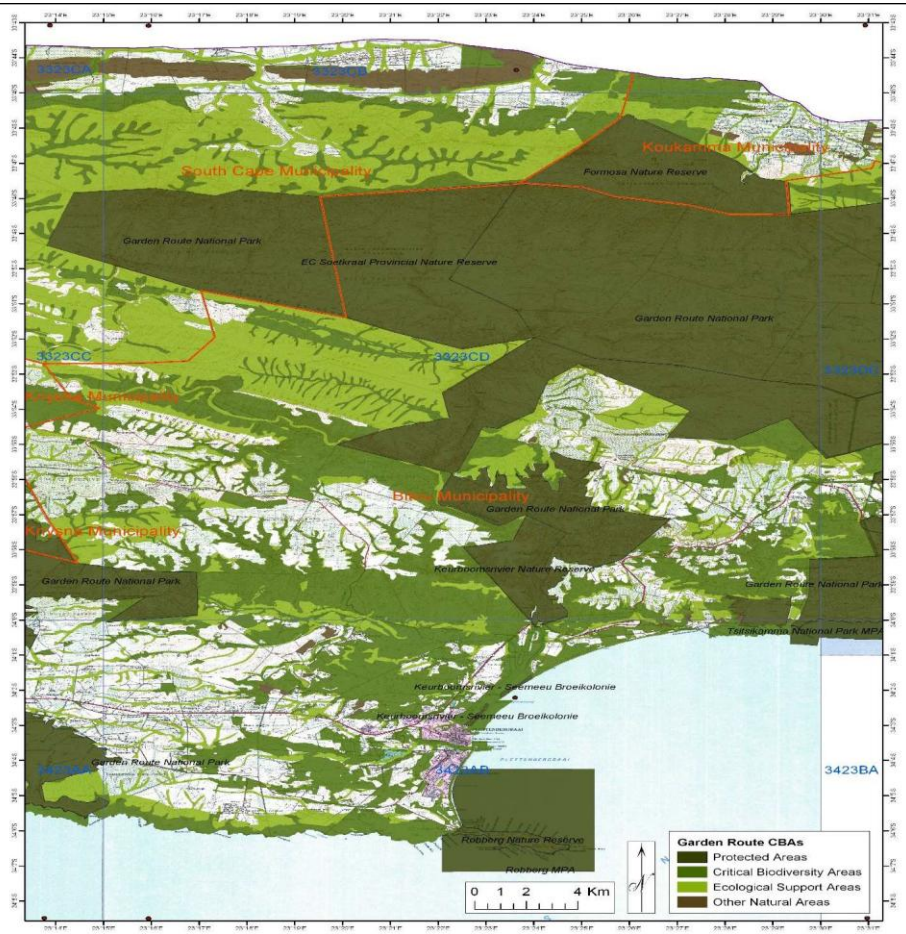


Fig 1: GRNP Mapbook CBA is defined

Western Cape Biodiversity Spatial Plan 2023

Consideration must be given to the Western Cape Biodiversity Spatial Plan 2023 ('WCBSP'), which was adopted by the Western Cape Minster of Local Government, Environmental Affairs and Development Planning in terms of section 34(2)(c) of the Western Cape Biodiversity Act, Act 6 of 2021. According to this plan, the site on the property earmarked for

development, has been assigned a category Critical Biodiversity Area. The Forum would query how the latest consultant came to the conclusion that the site is now an ESA and not a CBA as shown in official mapping and mentioned in previous reports?  Fig 2 Forested corridor and CBA are apparent	
2. Within a protected forest (see Fig 1 & 3 above): [National Forest Act]; The National Forest Act protects natural forests from destruction, "SAVE IN EXCEPTIONAL CIRCUMSTANCES" where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economics, social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance." There is no exceptional or strategic circumstance associated with this development. It is important to note that even clearing within a forested area is prohibited under the National Forest Act.	**The anticipated impacts on the indigenous vegetation have been comprehensively assessed in the Terrestrial Biodiversity Assessment, which includes a detailed description of the vegetation communities, habitat condition, ecological functioning, impact assessment and recommended mitigation measures.** **The biodiversity assessment confirms that the site comprises a mosaic of dune thicket, forest-thicket and fynbos elements within an already developed coastal village landscape. While portions of indigenous vegetation will be affected within the approved development footprint, the proposal has been refined to minimise vegetation clearing, retain forest and dune thicket**

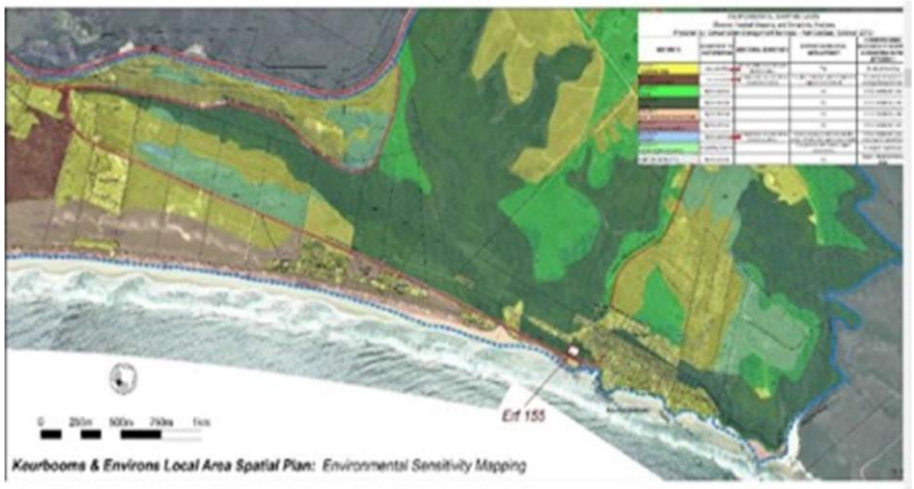


Fig 3: Keurbooms LASP Sensitive habitats

elements wherever practicable, and limit disturbance to the minimum area required for the proposed development. The specialist further notes that the development is proposed within an urbanised "forest-village" landscape, where indigenous vegetation is retained between residential erven, and concludes that the proposed development is unlikely to significantly compromise ecological processes or ecological connectivity above the existing baseline condition.

Following specialist recommendations, the development has been positioned within the scrub-forest area which is of medium ecological importance. "MODERATE Sensitivity include the portions of natural vegetation that is mostly intact, but not having specific biodiversity related issues of significance or where proposed activity will have limited overall impact, and recovery will be good with minimal intervention." (p.48 of The Terrestrial Biodiversity Assessment)

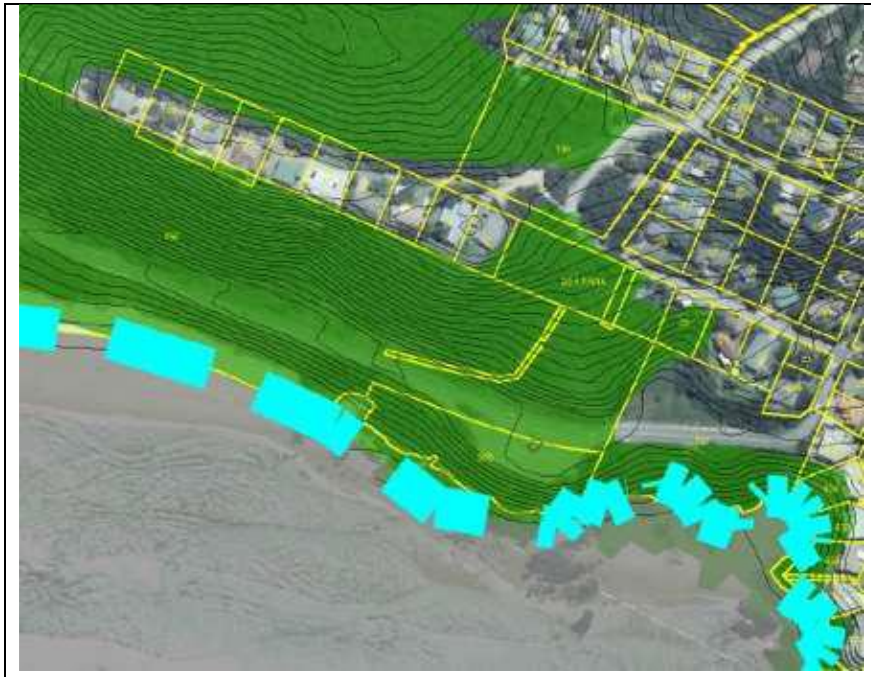


Fig 4: CBA and corridor (green)



Figure 30: Vegetation and Sensitivity of the mapped vegetation and habitat.

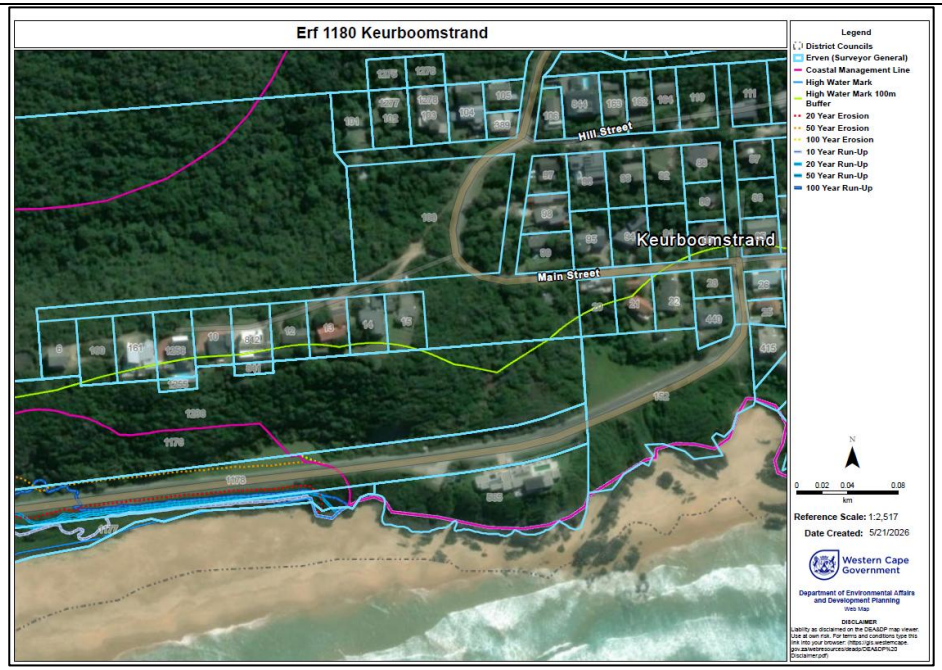
The assessment also found that no plant Species of Conservation Concern flagged by the National Environmental Screening Tool were recorded on the site and that the terrestrial biodiversity, flora and fauna sensitivities are considered to be Low, contrary to the automated screening tool classifications. The specialist concludes that only a portion of the site will be developed while forest elements will be retained, and that the proposed activity is unlikely to result in significant impacts on biodiversity within the broader landscape.

"GENERAL COMMENT: Some degradation and transformation is already present in the surrounding area and additional habitat loss and fragmentation will be negligible within the scope of existing impacts and as a result of the small footprint. No flagged criteria will be significantly at risk as a result of this development which will result in the clearing of vegetation from a portion of

	the site to accommodate dwellings as per the proposed layout plan. A fringe of natural vegetation will be retained on the west, east and south sides which will accommodate connectivity with the surrounding landscape and will also serve to contribute towards the conservation of the represented vegetation units and habitat." (p.49 of The Terrestrial Biodiversity Assessment)
3. within a protected shale fynbos area: [NEMBA, KLASDF, BSDF, SPLUMA, Western Cape Biodiversity Spatial Plan]; The KLASDF, adopted by Bitou Municipality, identifies this as a sensitive area and the mapping clearly illustrates that the site is part of the green belt leading into Keurbooms and forming a green corridor. Further to this, the KLASDF identifies "no-go" areas, we find it highly doubtful that it is possible or appropriate to develop in the area stipulated, without negatively impacting the vegetation or the corridor. The site is situated in a FUNCTIONING ECOLOGICAL CORRIDOR that would be impacted by the proposed development. The proposal also conflicts with SPLUMA's principle of Spatial Resilience. The indigenous vegetation conserves biodiversity, habitat connectivity, stormwater attenuation, steep slope stabilization and climate resilience. Development within this corridor would permanently reduce these ecosystem services.	**"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction." (p.28 of The Terrestrial Biodiversity Assessment)** **Zoning: The applicant proposes to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool.**

 FIGURE 15: EXTRACT OF BITOU SDF KEURBOOMSTRAND AREA Fig 5: Bitou SDF site is shown for conservation. The Garden Route Biodiversity Sector Plan for George, Knysna and Bitou (2010), with super-imposed images of the proposed development onto the maps show that this development will most definitely impact the forest and fynbos areas of the site.	
4. within 100m of the high water mark of the sea: [Bitou SDF, the Garden Route District Coastal Management Programme (CMP), the Draft Western Cape Coastal Management Programme, Integrated Coastal Management Act (ICMA), National Climate Change documents]; According to the ICMA and Garden Route Coastal Management Plan, the Coastal Management Zone is "A continuous strip of land, starting from the high-water mark and extending 100 meters inland in developed urban areas zoned as residential, commercial, or public open space, or 1000 meters inland in areas that remain undeveloped ... It further includes sensitive coastal areas declared in terms of the Environment Conservation Act (Act 73 of 1989) such as the Outeniqua Sensitive Coastal Areas Extension, coastal protected areas ..." The Garden Route District CMP further states that "ALL FUTURE INFRASTRUCTURE AND DEVELOPMENTS	**According to modelled coastal data provided by the DEA&DP https://gis.westerncape.gov.za/portal/apps/experiencebuilder/experience/?draft=true&id=5acb2adc90c444edb56a1f01a34d1b46 the proposed development is located outside the Coastal Management Line (CML), it falls within the Coastal Protection Zone (CPZ), and careful management of the development footprint is required to protect the ecological functioning of the coastal environment.** **The Environmental Management Programme (EMPr) includes a requirement that all approved development footprints, temporary construction areas, no-go areas and ecological buffer areas be clearly surveyed, demarcated and protected prior to the commencement of construction. No vegetation clearing, stockpiling, vehicle movement or construction-related activities will**

SHOULD BE RESTRICTED TO LAND ALREADY ZONED FOR THAT PURPOSE AND NO NEW ZONINGS SHOULD BE CONSIDERED WITHIN THE COASTAL PROTECTION ZONE. Future spatial planning strategies must consider the coastal protection zone as a no-go area for infrastructure." This development application is not suitable or appropriate for this site.  Fig 6: High water mark and forested corridor clearly apparent	**be permitted outside the approved development footprint. These protection measures will remain applicable throughout both the construction and operational phases.** **The development is located landward of the Coastal Management Line and is separated from the active beach and foredune system by the existing Main Road 394 (P0394) and an existing residential dwelling. The proposal does not include, nor is it reliant upon, any seawalls, revetments, gabions, dune armouring or other shoreline stabilisation structures to maintain its long-term viability.** **The assessment has considered the site's coastal context, including the applicable coastal risk information and the recommendations of the specialist studies. In addition, the development incorporates measures to maintain the stability and functioning of the inland dune system, including limiting earthworks, retaining indigenous vegetation outside the approved development footprint, implementing Sustainable Drainage Systems (SuDS) to maintain natural infiltration, and rehabilitating disturbed areas. These measures are intended to ensure that the development does not increase erosion risk or alter natural coastal processes in a manner that would necessitate future coastal protection works.**

	 **Image of Coastal Risk Zones – Modelled Data provided by the DEA&DP Coastal Management Map Viewer**
5. on an elevated promontory with an average slope of approximately 1:4: [Keurbooms LASDF, Bitou SDF]; 6. alongside a scenic route : [Heritage Resource Act]; 7. within an area with a recognised special character, sense of place and importance in terms of tourism and recreation value: [Heritage Resource Act]; 8. within an area with visually prominent ridgelines or skylines: [Heritage Resource Act] Points 5,6 7 and 8 have relevance to the Heritage Resource Act. The visual impact of this proposed development, if permitted, will impact the aesthetics of the village of Keurbooms and irrevocably change the existing "SENCE OF PLACE". The previous application states, "Given that NONE OF THE ALTERNATIVES ARE COMPLIANT WITH THE VISUAL SENSITIVITY	**The VIA revision 3, October 2025 concludes the following:** **1. The central area of the site is less steeply sloped than the extremities of the site. The proposed development has been placed centrally.** **2. The presence of dense local vegetation reduces the visual exposure of the site, which is located on a steep, stepped promontory with otherwise high visual exposure.** **3. While there are views of the site and proposed buildings from between 1km and 5km away, they are mostly either from the ocean (not frequented by viewers); or screened by vegetation, sand dunes and topography; and the viewer will be less likely to see individual buildings - rather Keurboomstrand as a whole.**

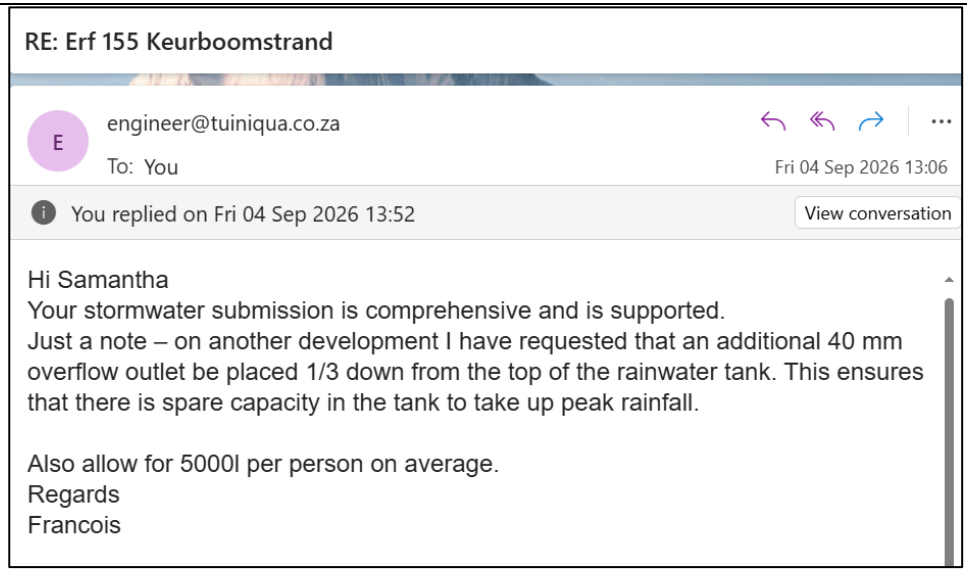
PO Box 1252, Sedgefield, 6573 www.ecoroute.co.za

PARAMETERS. The application documents further state that, "The sense of place is derived (especially at a local scale) from the scenic resources of the coastline which are based on natural features." Furthermore, this development will "change the character of the site", as described in the Heritage Resource Act (as well as the sense of place of the area) (See Figs 7 & 8 below)   	**4. The proposed development will not obstruct the views of any neighbours, although the propose development is most likely to be visible from neighbouring properties.** **5. The proposed development will be most visible from up to 150m away to viewers moving eastward on the MR394 Scenic route.** **The Preferred Alternative is expected to have Low to Medium visual impact overall, with Low to Medium visual impact on the scenic route specifically.** **The effect on the visual character and sense of place: Low negative.**

Figs 7 & 8: The potential visual impact, considering the currently vegetated site, is obvious	
9. within an area requiring and OSCAE (Outeniqua Sensitive Coastal Area Extension Regulations, 1998) permit The location of the proposed site makes it a requirement that an OSCAE permit is required for relevant activities on site.	**Agreed. An OSCAER permit would need to be applied for should the development be approved.**
According to the previous BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED ", despite the acknowledged sensitivity of the land. Additionally, the previous BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". The Environment Forum is firmly of the belief that this rationale is egoistic at best and provides NO LOGICAL REASON FOR THE DESTRUCTION OF SENSITIVE FOREST OR FYNBOS HABITAT, particularly as there are still residential properties available in the area. The Plettenberg Bay Environmental Forum feels that the "precautionary approach" should apply to this ecologically sensitive and valuable site. "Needs and desirability" must be consistent with the principles of sustainability as contained in Section 2 of NEMA. In this context, EIA's play an important role by evaluating the need and desirability of development proposals and appropriateness of alternatives. The proposal fails to satisfy the mandatory Development Principles in Section 7 of SPLUMA, including Spatial Sustainability, Spatial Resilience, Efficiency and Good Administration. Read together with NEMA, the National Forests Act and the adopted municipal and provincial planning framework, refusal of the application is both legally justified and necessary The Plettenberg Bay Community Environment Forum thanks you for the opportunity to comment and we look forward to your response. We reserve the right to comment on further applications or documents pertaining to this development.	**Property alternatives were not assessed as the application relates to the development of a specific privately owned property and the environmental suitability of that site. The acceptability of the proposal is therefore based on the findings of the specialist assessments and the extent to which environmental impacts can be avoided, minimised and managed.**

Keurbooms Property Owners Association – Chris Weir (chairperson) – 6 July 2026	
Registration as an Interested and Affected Party **Proposed Residential Development on Erf 1236 (Erf 1180), Keurboomstrand** The Keurboomstrand Property Owners Association (KPOA) hereby requests to be formally registered as an Interested and Affected Party (I&AP) in terms of the applicable environmental authorisation process for the proposed residential development on Erf 1236 (Erf 1180), Keurboomstrand. The KPOA is a voluntary association representing the interests of property owners and residents within the Keurboomstrand community. As the proposal has the potential to affect the environmental character, municipal services and future planning of the area, the Association has a direct and legitimate interest in the outcome of the application.	**Thank you for your comments. The KPOA details were included in the I&AP register.**
Reasons for Registration and Matters of Interest • Rezoning of Open Space: The proposal includes the rezoning of land currently designated as Open Space Zone 2. The Association seeks clarity regarding the original purpose of this zoning, the planning rationale for the proposed rezoning and whether approval could establish a precedent for future applications involving open space within Keurboomstrand.	**Please refer to the Specialist Planning Report, August 2025 for more information on town planning aspects of the proposal.** **The concerns regarding the protection of the existing natural environment and the potential precedent for future development are acknowledged. The current application has been assessed on its own merits through the Basic Assessment process and informed by specialist studies. The proposed development footprint has been refined to avoid and minimise impacts on sensitive environmental features, and the competent authority will determine the acceptability of the proposal based on the findings of the assessment, applicable legislation and recommended mitigation measures. Approval of this application would not automatically create a right for similar developments elsewhere, as each application must be assessed independently based on its site-specific characteristics, environmental sensitivities, legislative requirements and specialist findings.**
• Long-Term Protection of the Conservation Area: Confirmation is requested that the conservation area will be legally protected in perpetuity through an appropriate legal mechanism.	**The decision to protect the remainder of the property will fall with DEA&DP. However, this is a recommendation of the EAP.**

Municipal Infrastructure Capacity: Confirmation is requested from Bitou Municipality that sufficient water, electricity and future sewer capacity exists.	**Confirmation has been received via email; however, Bitou Municipality have been requested to provide this confirmation on their official letterhead. This will be submitted to DEA&DP with the Final BAR.**
Sewerage Arrangements: Further information is requested regarding conservancy tank management, maintenance responsibilities, pump-out frequency and contingency measures.	**The proposed conservancy tanks will be privately owned and maintained by the respective property owners, who will be responsible for regular inspection, maintenance and pump-out by an appropriately licensed service provider. Pump-out frequency will be determined by tank capacity and usage, with tanks monitored to prevent overflow.** **In the event of a tank failure or other malfunction, the affected system will be taken out of service and repaired or emptied as required. Appropriate contingency measures will be implemented to prevent any discharge of untreated effluent to the surrounding environment.** **Conservancy tank contingency measures have been included in the EMPr.**
Stormwater Management: Detailed stormwater management information is requested.	**The EAP sought the input of the Geotechnical specialist regarding the Stormwater Management Plan already included in the EMPr. The specialist referred the EAP to the engineer for input, stating that the engineer can give more informed input. The engineer was asked to review the SWMP and approved it, recommending two additions –**

	
Protection of Indigenous Vegetation: Confirmation is requested that botanical nogo areas, ecological buffers and mature trees will be protected.	**These have been included in the BAR and EMPr as mitigation measures. DEA&DP will include these in their EA, should they approve the proposed development.**
Visual Character: Recommendations contained within the Visual Impact Assessment should form binding conditions of approval.	**These conditions have been included in the BAR and EMPr. DEA&DP will include these in their EA, should they approve the proposed development.**
Construction Management: A Construction Environmental Management Plan should minimise construction impacts.	**An EMPr has been included in the BAR documents. DEA&DP will review the report and provide a decision.**
Future Development Rights: Confirmation is requested that approval will not create additional development rights or establish a precedent.	**DEA&DP will include specific parameters in their decision, should they approve the proposed development.** **However, any proposed development that would trigger a Listed Activity in terms of the NEMA EIA Regulations 2014, as amended would be required by law to undertake an EIA in the form of a BAR or Scoping EIA prior to any development taking place.**
Conclusion	**Thank you for your comments.**

The KPOA acknowledges that the preferred proposal represents a relatively low-density development and recognises the environmental mitigation measures incorporated into the design. However, the Association considers it essential that the matters outlined above are satisfactorily addressed before any environmental authorisation is granted. The KPOA respectfully requests that: • The KPOA be formally registered as an Interested and Affected Party. • All future correspondence, reports and notices relating to this application be provided to the Association. • The KPOA be afforded the opportunity to review and comment on all subsequent reports. • The concerns raised in this submission be fully considered during the assessment process.	

FILIA VISUAL

Vleiplaas, Clanwilliam, 8135 · (+27) 79 841 0340
filia.visual@gmail.com

Attention: Samantha Teeluckdhari 05-08-2026
Eco Route Environmental Consultancy

Per email: samantha@ecoroute.co.za

Dear Samantha

COMMENT ON UPDATED SITE DEVELOPMENT PLAN FOR ERF 1180 (PREVIOUSLY ERF 155) IN KEURBOOMSTRAND

This letter is drafted in response to your request received on 28 July 2026 for comment on a revised Site Development Plan (SDP) for the proposed development on Erf 1180 (previously Erf 155). The SDP has been prepared by Francois van der Merwe Architects (Drawing number: D201 Rev E EIA Site Development Plan) and is a revision of the "Preferred Alternative" Site Plan that was assessed in the October 2025 VIA report. That Site Plan assessed included a hand-drawn Site Plan and Section with Simulations.

This letter answers the following questions:

- Does the SDP adhere to the Environmental development constraints?
- Is the SDP responsive to Visual Sensitivity parameters identified in the 2025 VIA?
- Does the SDP comply with the relevant recommendations, conditions and mitigation measures identified in the 2025 VIA?

Please note that this commentary letter is not meant to re-assess visual impact.

1.1 General comments on the SDP

1. The "developable area" that the VIA calls for to be clearly indicated on all plans and technical drawings is called the "disturbance footprint" on the SDP. This is acceptable.
2. The driveway/carcourt is not included in the 2m disturbance footprint offset/buffer zone. Please provide reasons.
3. The SDP appears to map the whole subject site as "Forest". This is technically incorrect, as the Forest areas are distinct from the Fynbos and Scrub forest areas, and certain development parameters are offset specifically from the edge of the Forest areas as mapped by the Botanical specialist.
4. The Forest hatch extends into the proposed disturbance footprint. The proposal is however to potentially disturb and then restore these areas, and the SDP should reflect this proposed outcome. The existing underlying vegetation hatches should end at red line of the disturbance footprint for clarity.
5. The colour of the Forest hatch in the key does not correspond to the plan hatch closely enough to be able to differentiate between the underlying vegetation hatch and the 1:4 slope hatch.

6. We are fully in support of the placement of the temporary construction yard in the carcourt area.
7. There are no sections or elevations on the SDP, and the 8m height restriction is therefore not being shown.
8. Protected tree species (e.g., Sideroxylon inerme) have not yet been indicated on plan.

1.2 SDP compliance and responsiveness

The following is a discussion on the SDP's responsiveness to the Visual Sensitivity parameters, key conditions and mitigation measures; and a summary of additional information needing to be shown according to the 2025 VIA.

Visual Sensitivity parameters

Checklist item	*Compliance / responsiveness*
Is there a 35m minimum visual sensitivity setback line measured from the centre line of the MR394 road reserve?	YES
Is there a 5m building setback from the eastern 1:4 slope?	YES
Is there a 5m building setback from the sensitive forest vegetation to the east?	NOT CLEAR - The SDP seems to show the entire site as forest, not accurate as per the Botanical sensitivity mapping.



Figure 1: *Comparative graphic showing botanical sensitivity overlaid by the proposed development footprint and the "disturbance footprint" outlined in red (Filia, 2026)*

Key conditions and mitigation measures

1. Except for the absolutely necessary linear infrastructure, no areas outside of the approximately 1448m² "developable area" may be disturbed. Therefore, no structures, including a swimming pool, may be sited and constructed within the no-go areas, within the 35m scenic route setback line or the 5m botanical/slope sensitivity setback line.
    a. The swimming pool is now within the sensitivity setbacks - good.
2. The building envelope, including chimneys, must not protrude above the 8m height restriction, as measured from the existing ground level (NGL) is the base level from which maximum height permitted is measured.
    a. We recommend that at least one appropriate site-long section is included to indicate compliance with the height restriction on the SDP, and to demonstrate adherence to the height restriction as it slopes parallel to the existing ground level.
3. No comment can be made on material choices.
    a. We defer to the architectural guidelines to follow. These must adhere to the recommendations in the report.
    b. The architects appointed to undertake the architectural guidelines must be given a copy of the 2025 VIA and all following reports/studies, including this letter.
4. No comment can be made on lighting design.
    a. We reiterate the need for compliance with guidelines and recommendations in 2025 VIA report.
5. No fence or wall should be permitted adjacent to and/or within view of the Scenic route, or within the 35m setback area as indicated on the Visual Sensitivity map.
    a. No fence or wall indicated on plan - good.

Information to be shown according to the 2025 VIA

Information to be shown on drawings	*Compliance / responsiveness*
The location and footprint of the new sewer conservancy tank, including area to be cleared for its construction.	SHOWN
The sewer line (including footprint and area that will be disturbed for its construction)	NOT SHOWN
The connection to the water main (including the vegetation clearance required to establish this line)	NOT SHOWN
The adjoining erf 391 must be shown on the site plan, as well as the design and layout of the new private road that will be installed across public land to the north of the proposed dwellings.	SHOWN

1.3 Recommendations summary

1. Include the driveway and carcourt in the disturbance footprint, considering that the driveway and carcourt will also result in disturbance. A 1m offset should suffice for construction disturbance around these paved areas.
2. Forest areas as mapped by the Botanical specialist must be shown on the SDP correctly to demonstrate adherence to Environmental development constraints. There is one part of Unit 2 that is still within a no-go area according to our measurements (Our measurements may not be accurate - this should therefore be shown on the SDP accurately).

3. We suggest that areas within the disturbance footprint be hatched in a different colour or pattern to indicate that these areas will be rehabilitated as per the recommendations of the 2025 VIA or incorporated into the future landscape design.
4. All protected tree species within the development footprint and the disturbance footprint must be indicated on plan.
5. The architects appointed to undertake the architectural guidelines must be given a copy of the 2025 VIA and all following reports/studies, including this letter.
6. We recommend that at least one appropriate site-long section is included to indicate compliance with the height restriction on the SDP, and to demonstrate adherence to the height restriction as it slopes parallel to the existing ground level.
7. The proposed linear infrastructure (i.e., the sewer line and the water connection line including footprint and area that will be disturbed for their construction) must be shown on the SDP.

1.4 Conclusion

The SDP for the proposed development must demonstrate compliance with the visual sensitivity setbacks as well as the mitigation measures and recommendations set out in the 2025 VIA in order for visual impact to be managed successfully.

The revised SDP is substantially consistent with the Environmental development constraints and Visual Sensitivity parameters identified in the 2025 VIA. In particular, the proposed buildings and swimming pool are positioned within the principal visual sensitivity setbacks, including the 35 m setback from the centerline of the MR394 road reserve and the 5 m setback from the eastern steep slope. No walls or fences are indicated within the Scenic Route interface, and the proposed temporary construction yard is appropriately located within the carcourt area. The SDP may therefore be regarded as broadly responsive to the spatial principles and preferred development approach assessed in the 2025 VIA.

Full compliance with the Environmental development constraints cannot, however, yet be confirmed. The forest vegetation must be mapped accurately and distinctly from the other vegetation and slope sensitivity categories so that compliance with the required 5 m forest setback can be demonstrated. The disturbance Footprint should also be amended to include the construction disturbance associated with the driveway and carcourt, while the proposed sewer and water infrastructure routes and their associated disturbance areas must be shown. Protected tree species within or adjoining the development and disturbance footprints must similarly be identified.

The SDP complies with several of the relevant plan-level recommendations and mitigation measures contained in the 2025 VIA but does not yet demonstrate complete compliance. In particular, an appropriate site-long section is required to confirm that all buildings and chimneys will remain below the 8 m height limit measured from existing ground level. Compliance relating to architectural materials, external lighting, detailed landscaping and rehabilitation will need to be demonstrated through the subsequent architectural guidelines, landscape documentation and detailed design stages.

Subject to the amendments and additional information identified in this letter, the revised SDP can be supported from a visual impact perspective as being substantively aligned with the Preferred Alternative assessed in the 2025 VIA. Such support remains conditional upon strict

implementation of the visual sensitivity setbacks, development and disturbance limits, and all applicable mitigation measures and recommendations contained in the 2025 VIA and this commentary letter.

Please do not hesitate to contact us should you have any questions or require any further information.

With Kindest Regards



Fi Smit
Professional Landscape Architect SACLAP # 20245
Director, Rain Bull (Pty) Ltd trading as Filia Visual

Western Cape Government

Department of Environmental Affairs and Development Planning
Dorien Werth
Directorate: Development Management, Region 3
Dorien.Werth@westerncape.gov.za | Tel: 044 814 2005
DEADPEIAadmin.George@westerncape.gov.za | Tel: 044 814 2006

REFERENCE: 16/3/3/1/D1/6/0024/26
DATE OF ISSUE: **03 July 2026**

The Director
Ferpa (Pty) Ltd.
PO Box 35097,
Constantia
MENLOPARK
0102

Attention: Louis van der Watt

Cell: 083 263 9901
E-mail: louis@atterbury.co.za

COMMENT ON THE DRAFT BASIC ASSESSMENT FOR THE PROPOSED DEVELOPMENT OF GROUP DWELLING UNITS AND ASSOCIATED INFRASTRUCTURE ON ERF 1180 KEURBOOMSTRAND, BITOU MUNICIPALITY, WESTERN CAPE

1. The abovementioned document compiled by the appointed Environmental Assessment Practitioner ("EAP"), Mr. Samantha Teeluckdhari (2023/6443), of Eco Route Environmental Consultancy (Pty) Ltd. and received by this Directorate on 25 June 2026, refers.

2. Furthermore, this Directorate has reviewed the Draft Basic Assessment Report ("DBAR") dated 05 June 2026 which was received by this Directorate on 05 June 2026 and provides the following comment:

   2.1. All prior comments and recommendations made by this Directorate, including the correspondence issued under Reference number 16/3/3/6/7/1/D1/6/0339/25, remain applicable and must be responded to and be incorporated into the Basic Assessment Report.

   2.2. Site Development Plan

   It is noted that the current Site Development Plan (SDP) does not adequately reflect all associated infrastructure related to the proposed development.

   All relevant infrastructure must be clearly indicated to its full extent. At present, the planned access road is only partially indicated on the SDP. Furthermore, there is no clear indication of how this access road connects to the existing road network.

   The SDP must demonstrate a complete connection between the proposed access road and the existing road infrastructure, ensuring proper access to the proposed residential dwellings on the property. The linkage between the access road and all proposed residential units must be clearly illustrated on the SDP and on the KMZ or KML.

   In light of the above, you are kindly requested to revise and resubmit the SDP to:
   - Reflect the full extent of the proposed access road;

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- Clearly indicate the connection to the existing road network; and
- Demonstrate access to all proposed residential dwellings.

This information is required to ensure that the development can be adequately assessed in terms of its layout and associated impacts.

It is noted from the comment and responses report that the *laydown area, stockpile areas, and the site camp's exact locations have not yet been pinpointed on the site; however, these areas will be restricted to being within the approved development footprint only. Should the Department approve the proposed development the exact location of the mentioned areas will be provided to the Department for approval prior to construction*. Please be advised that the SDP must clearly demonstrate where the extent of the development footprint is.

It is also noted that the SDP does not provide a comprehensive key-legends which affects the readability and the interpretation of all of the aspects on the SDP. Comprehensive legends are essential to ensure that the SDP is adequately self-explanatory to avoid misinterpretation, therefore this Directorate requires;

- Keys/legend must be presented on the SDP;
- Symbols, colours and linework must be explained for all applicable features;
- All different structures, infrastructures and environmental features;

The above mentioned is essential to ensure that the SDP can be reviewed, assessed in line with the requirements of the NEMA EIA Regulation 2014, as amended.

2.3. Confirmation of Services

Based on the information presented in the Draft Basic Assessment Report dated **05 June 2026**, it is noted that the proposed development of two residential dwellings intends to utilise municipal services, including municipal water supply, refuse removal, sewage disposal (notwithstanding the proposed installation of a conservancy tank), municipal electricity and access to the property off Main Street in Keurboobstrand.

Considering the above, this Directorate requires the applicant to provide a formal letter from **Bitou Municipality** confirming that adequate, unlocated municipal services are available to support the proposed development at the specified location, or what upgrades are required to municipal infrastructure to accommodate the proposed development.

2.4. Comments from Organs of State

Based on the information provided in the Draft Basic Assessment report and the review of relevant GIS data sets it is noted that the proposed development falls within areas classified as Critical Biodiversity Areas (CBA 1 and CBA 2) as well as an Ecological Support Area (ESA). These areas are recognised as environmentally sensitive and play a significant role in maintaining biodiversity and ecological functioning. According to the Plant Species Theme (Screening Tool Report) the site forms part of the National Protected Area Expansion Strategy (NPAES) and the sensitivity rating is also informed by the Garden Route National Park.

Written comment from the DEA&DP CMU (dated 19 December 2025) has highlighted various issues which have not been responded to adequately and requires further detail.

In light of the above, this Directorate requires that more formal consultation with the relevant conservation authorities be undertaken, namely CapeNature and SANParks.

Comments from both Cape Nature and SANParks must be obtained and incorporated in the BAR. CapeNature is the custodian for Biodiversity within the Western Cape Province, including the property on which the proposed development is proposed. The SANPArks must provide comment on the NPAES and relationship to the Garden Route National Park. These comments must be submitted with the Final Basic Assessment Report.

2.5. Comment on Specialist input/reports:

2.5.1. It is emphasised that the BAR and supporting specialist studies must comply with the legislated minimum information and reporting requirements. Therefore, all identified specialist studies must be complied with in full and one study cannot substitute another. The partial assessment/reporting of a specific theme by two or more different persons in separate reports, will not be accepted, even if there may be a level of overlap in the different specialist disciplines. Specifically with regard to the Protocols that have been published, there may be an *exception where two or more different specialists must undertake the assessment of the different 'taxa' identified under the animal species or plant species theme.

However, where a single person will be undertaking the assessment of more than one of the themes identified in the screening tool report (STR), it must be ensured that—

- the person undertaking such specialist assessments and reporting, must be appropriately registered with SACNASP for each of the respective Protocols, and that he/she provides the necessary proof hereof in the BAR;
- the assessment and reports address all the minimum information requirements, as specified in the respective protocols for each of the relevant themes the person will be responsible for assessing and reporting on, and
- where a single report will be submitted (i.e., two themes are combined in a single report), such a document must clearly separate the information on the minimum information requirements of the respective protocols to avoid any ambiguity, and the report must clearly demonstrate how each aspect has been addressed. If the latter is not evident, the report will be rejected. It is recommended that each Protocol be dealt with as a separate 'chapter' in such a combined report.

Where the Protocol requires that specialists with a field of practice relevant to the taxonomic group ("taxa") for which the assessment is required, and two or more different specialists (persons) must be appointed to undertake the assessment of that theme (i.e., animal species theme), the respective taxa reports may be combined in a single report; however, the information on the minimum information requirements of the protocol must be addressed by each specialist to avoid any ambiguity, and the report must clearly demonstrate how each taxa has been addressed and the specialist has signed off on the relevant information. If the latter is not evident, the report will be rejected. It is recommended that the report for each taxa rather be submitted as a separate document; however, where a combined document is submitted that each taxa is dealt with as a separate 'chapter' in such a combined report.

Therefore, the following response to the DEA&DP: Sub-directorate: Coastal Management ("SD: CM") included in the DBAR (C&R) is deemed to be unacceptable:

"*The conservation status of the proposed development area has changed since the compilation of said report. An updated assessment should be read in the Terrestrial Biodiversity Assessment prepared by Jamie Pote, dated 19/.05/2025*"

2.5.2. Botanical Assessment

Please be informed that the applicable protocols or minimum information requirements, which have been published in the Government Gazette[1], must be applied to the impact assessment process that must be followed**:** Provided that the requirements of these protocols do not apply where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned by the date of publication of these protocols in the Government Gazette, in which case Appendix 6 of the Environmental impact Assessment Regulations, 2014, as amended, will apply to such applications.

Therefore—

- in accordance to the above, where the applicable protocol applies any specialist performing work related to any of the fields of practice listed in Schedule I of the Natural Scientific Professions Act, 2003 (Act 27 of 2003) must be registered with the South African Council for Natural Scientific Professions ("SACNASP")[2] in any of the prescribed categories [Section 18] and further to this, only a person registered with the SACNASP may practise in a consulting capacity [Section 20]; or

- where a specialist assessment was commissioned prior to the relevant date the specific protocol came into effect (i.e. 9 May 2020 or 30 October 2020), you are required to submit proof to the competent authority that the work was commissioned prior to said date.

It is apparent from the DBAR that the *Keurbooms River Vegetation Sensitivity Analysis study* (prepared by Conservation Management Services, dated October 2018) was commissioned prior to the date the protocols were published; however, considering the minimum information requirements set out in Appendix 6 of the EIA Regulations in conjunction with those of the protocols, the 2018 report does not adequately address the minimum information requirements.

Based on the DBAR and responses contained therein, it appears that the *Keurbooms River Vegetation Sensitivity Analysis study* (prepared by Conservation Management Services, dated October 2018) has been updated / replaced by the *Terrestrial Biodiversity Assessment* by Jamie Pote (dated 19 May 2025). However, the Screening Tool Report appended to the DBAR identifies that the Plant Species Theme has a "Very High" sensitivity rating, and describes which factors contribute to the sensitivity rating. Considering that a *Terrestrial Biodiversity Assessment* has been provided, it is unclear how the regulatory requirement has been complied with (i.e., submission of a *Plant Species Specialist Assessment in* accordance with the Plant Species Protocol). It is not apparent that the *Keurbooms River Vegetation Sensitivity Analysis (2018)* report addresses the issues raised in the STR either.

Notwithstanding the fact that the *Keurbooms River Vegetation Sensitivity Analysis (2018)* was commissioned prior to the Protocol being published, you are required to demonstrate that the report addresses all the aspects detailed in the STR as well as Table 1: Section 2.3 of the Plants Species Protocol published in Government Notice No. 1150 of 30 October 2020 (Government Gazette No. 43855 of 30 October 2020, as amended).

[1] Government Notice No. 320 of 20 March 2020 (Government Gazette No. 43110 of 20 March 2020 refers), which came into effect on 9 May 2020; and
Government Notice No. 1150 of 30 October 2020 (Government Gazette No. 43855 of 30 October 2020 refers), which came into effect on 30 October 2020.

[2] **SACNASP** – the legislated regulatory body for natural science practitioners in South Africa.

2.5.3. Geotechnical Assessment

It is noted that the geotechnical assessment has supported development on the site in general if certain conditions are met and if steep slopes are avoided; however, the specialist must specially confirm whether this site or any part thereof, may be prone to slope-slip under severe weather circumstances as experienced during May 2026 through-out the region.

It is noted that the geotechnical assessment recommends that effective stormwater management measures to prevent erosion be incorporated. Furthermore, these recommendations have informed the site layout and will be incorporated into the development design and EMPr. You are required to demonstrate how the EMPr has detailed the mitigation measures proposed in the geotechnical report, and specific attention must be given to a stormwater management plan and what measure, designs and methods will be implemented. These stormwater measures and layout designs for the proposed development must be reviewed by the other specialist, specifically regarding the plant species theme and terrestrial biodiversity theme.

2.5.4. Coastal matters and impacts

It is noted that the responses have been provided to the relevant considerations of Section 63 of National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) ("ICMA"); however, it is advised that the comment from the DEA&DP: SD:CM be reconsidered and the responses be revisited. Specific attention should be given to the the promotion of sustainable coastal development, especially in light of the fact that the property is mapped as an ESA: Coastal Corridor in the Western Cape Biodiversity Spatial Plan (WCBSP).

2.5.5. All Specialists

Based on the responses from the EAP, it is apparent that changes to the SDP have been affected (and further details are required as detailed above). All specialist are required to provide comment on impacts related to the proposed change(s) and demonstrate what the advantages and disadvantages associated with the change(s) are; and describe what the measures are to ensure avoidance, management and mitigation of impacts associated with such changes.

For example, please refer to the response in the C&R Report to the input on the VIA.

General

3. The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, 2014. In accordance with Regulation 19, the Department stipulates that the BAR must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Department, to be reckoned from 29 May 2026.

   However, if significant changes have been made or significant new information has been added to the BAR, the applicant/ EAP must notify this Department that an additional 50 days (i.e., 140 days from receipt of the Application Form for Environmental Authorisation) will be required for the submission of the final BAR for decision-making. The additional 50 days must include a minimum commenting period of thirty (30) days to allow registered Interested and Affected Parties ("I&APs") to comment on the revised report/additional information. Based on the content of the DBAR and comment provided herein, please be advised that if the EAP decides not to follow the process described in Regulation 19(1)(b), the BAR must provide a reasoned opinion to substantiate the decision.

If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 and your file will be closed.

4. Please note that it is prohibited in terms of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

5. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp_____ Digitally signed by Francois Naudé
Date: 2026.07.03 17:17:38 +02'00'

HEAD OF COMPONENT:
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:

Eco Route Environmental Consultancy

EAP: Samantha Teeluckdhari	E-mail:	samantha@ecoroute.co.za
Director	E-mail:	janet@ecoroute.co.za
Admin:	E-mail:	admin@ecoroute.co.za

Bitou Municipality

Ms Anje Minne	E-mail:	anje@plett.gov.za

Department of Environmental Affairs and Development Planning
Sibaphiwe Gumede
Biodiversity and Coastal Management
Sibaphiwe.Gumede@westerncape.gov.za | Tel: 021 483 2986
DEA&DP Reference: 17/1/8(CMU 117/2025)

The EAP
Eco Route Environmental Consultancy
PO Box 1252
Sedgefield
6573

Attention: Ms. Samantha Teeluckdhari

Tel: 072 773 5397
E-mail: samantha@ecoroute.co.za

Good day Madam

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PRE-APPLICATION BASIC ASSESSMENT PROCESS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE

Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of the pre-application Basic Assessment Report (BAR) for the above-mentioned application received on 17 November 2025 and the submission of the draft Basic Assessment Report, dated and received on 05 June 2026, refer.

1. CONTEXT

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

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

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

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

2 COMMENT

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

2.1.1. The proposal is to:

i. develop two (2) double-storey residential units with a double garage and a shared swimming pool within a sectional title development on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236 – the site is on an elevated promontory (raised mass of land jutting out into lowland or a watercourse), is undeveloped and is densely covered with coastal vegetation.

ii. develop approximately 2000m² of the 5 000m² subject site - the proposal is to subdivide a portion (approximately 5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature Conservation Area" to allow for the two dwelling units and a swimming pool.

iii. develop access to the property – the property is entitled to a 7m wide right of way servitude across Erf 391 (the proposed driveway width into the development is 4m, curved around mature trees of conservation value).

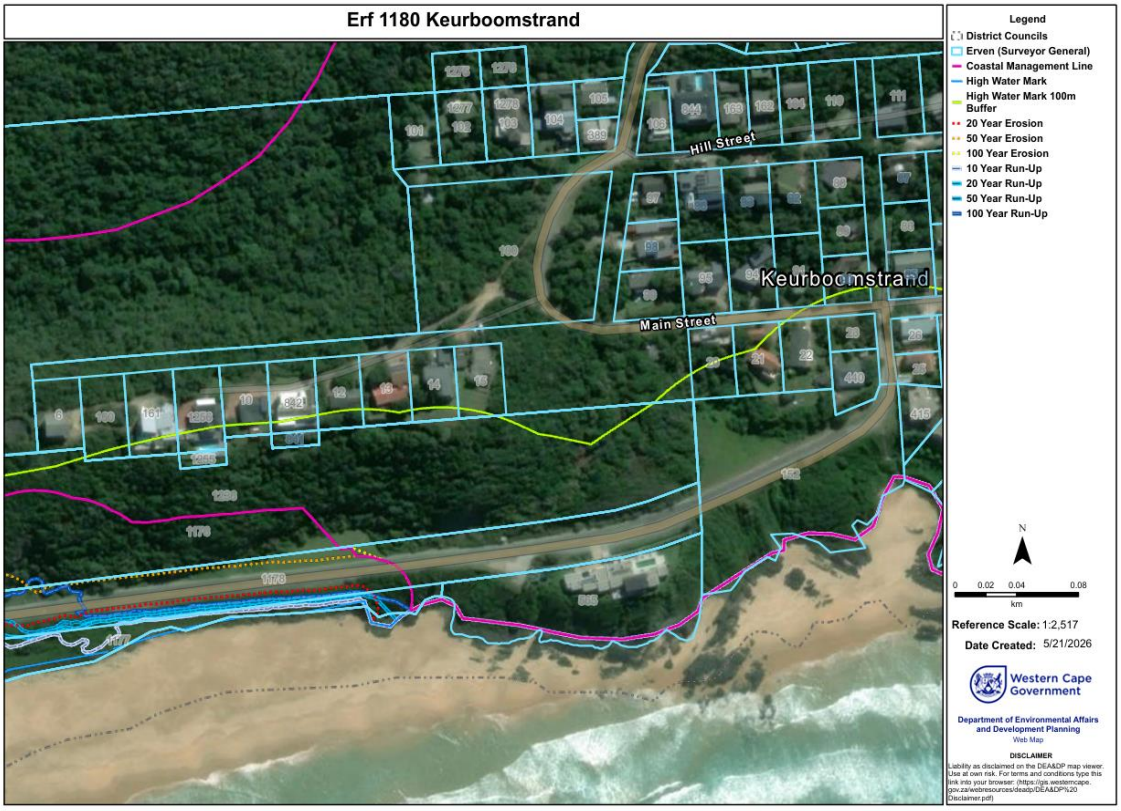


Figure 1: Appendix A2 Coastal Risk Zones Map

2.1.2. As per Figure 1 above, The Appendix A2 Coastal Risk Zones Map illustrates that the proposed site is predominantly located within 100 metres of the High Water Mark (HWM) yet this is not considered a potential trigger for the possible infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary. Furthermore, the map in Figure 1 above must be amended to illustrate the position of the proposed

structures (as per Appendix B2 Environmental Sensitivities preferred layout) in relation to coastal risk and other relevant boundaries.

2.1.3. As per the SD: CM correspondence dated 19 December 2025, the proposed development, although located near the sea, is elevated and is located inland of the draft Garden Route Coastal Management Line (CML) and wave run-up lines as modelled by the Department. Although the property is unlikely to be affected by wave run-up, the SD: CM is still concerned that any development of this site may negatively impact the integrity of the slope.

2.1.4. Development pressure within Keurboomstrand is a concern. In this regard, the proposed development is inconsistent with the purpose of the Coastal Protection Zone (CPZ) as defined in Section 17 of the NEM: ICMA. The CPZ is extremely dynamic and extremely vulnerable to the impacts of climate change. A precautionary approach must be adopted with respect to land use decision making within this zone.

2.1.5. The increase in frequency and impacts of coastal storm events in the last 6 to 10 years, especially the coastal storm and flooding that occurred during May and June 2026, has resulted in large scale erosion along certain stretches of coastline that correspond to the projected risk horizon of the high-risk area. This was specifically evident in Diaz Beach, Witsand, Plettenberg Bay, Robberg Beach and Victoria Bay (Garden Route District). It is therefore important to maintain ecological corridors along the coast to ensure that ecological infrastructure or important coastal features such as coastal dunes remain intact to serve as storm surge buffering thereby protecting communities against the impact of dynamic coastal processes. Modelled coastal risk data from DEA&DP is publicly available at the following URL:

https://gis.westerncape.gov.za/portal/apps/experiencebuilder/experience/?draft=true&id=5acb2adc90c444edb56a1f01a34d1b46

2.1.6. The CPZ is an area where coastal considerations must inform all planning and land-use decision-making. Section 62 of the NEM: ICMA obliges all organs of state that regulate planning or development of land, to apply legislation in relation to land in the CPZ in a manner that gives effect to the purpose of the CPZ, as specified in Section 17 of the NEM: ICMA.

2.1.7. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered. The draft Basic Assessment Report (prepared by Eco Route Environmental Consultancy, dated 05 June 2026), in terms of the general project description stated on page 2, does not demonstrate adequate engagement or responsiveness to Section 63 of NEM: ICMA. Engagement and responsiveness include planning for tidal surges and sea storm events, as well as the long-term natural processes of erosion and accretion in the CPZ.

2.1.8. The draft Basic Assessment Report (prepared by Eco Route Environmental Consultancy, dated 05 June 2026) stated that a forestry license will be required in terms of the National Forestry Act, 1998. Official written permission must be sought from the Department of Forestry, Fisheries and the Environment (DFFE) prior to the commencement of construction (including site clearance), should the proposed development be approved.

2.1.9. The draft Basic Assessment Report (prepared by Eco Route Environmental Consultancy, dated 05 June 2026) also stated that the Outeniqua Sensitive Coastal Area Extension Regulations, 1998 - OSCAER permit will likely be required (this must be confirmed by Bitou Municipality).

2.1.10. The Aquatic Biodiversity Compliance Statement (prepared by Upstream Consulting Aquatic Specialist Services, dated 09 November 2025) states that there are no aquatic features within the site. The three hydrogeomorphic (HGM) units within the 500m buffer study area are associated with the drainage line in the neighbouring minor catchment area (including two riparian HGM units and an unchannelled valley bottom wetland adjacent to where the system discharges into the sea). However, the Aquatic Biodiversity Compliance Statement must be updated to reflect that the proposed development site has high potential to be affected by erosion from runoff from inland sources, especially during high rainfall or coastal storm events. The dense vegetation is currently stabilising the slope and removal of any vegetation could significantly exacerbate erosion.

2.1.11. The Heritage Impact Assessment (prepared by Hearth Heritage, dated 07 November 2025) confirmed that, pending a specialist palaeontological site visit, the bedrocks observed during the investigation can be provisionally assigned a High to Very High palaeosensitivity. The Early Devonian marine to coastal sediments of the Baviaanskloof Formation (uppermost Table Mountain Group) underlying the proposed development site contain important, mostly unstudied fossils of primitive land plants while a small range of shelly invertebrate and trace fossils occur within sandstone facies in parts of the Western Cape.

2.1.12. The Terrestrial Biodiversity Compliance Statement & Assessment (prepared by Bluepebble Consulting, dated 16 March 2026) states that the highly sensitive former Shale Fynbos and the Scrub Forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area. Proposed development (to be considered ecologically cognisant of the high environmental sensitivity) must be on the flattest part of the property and well clear of the scrub forest areas which should remain completely unaffected by the development, services included.

2.1.13. According to the Western Cape Biodiversity Spatial Plan (WCBSP, 2023), the entire study site consists of Goukamma Dune Thicket and Southern Afrotemperate Forest that can be described as highly sensitive. It is imperative that indigenous vegetation is protected. If protection fails, impacts (direct, indirect and cumulative) from construction and operation must be properly mitigated as far as possible.

2.1.14. The Visual Impact Assessment (prepared by FILIA Visual, dated October 2025) confirms that the preferred alternative is expected to have Low to Medium visual impact overall, with Low to Medium visual impact on the scenic route specifically. Due to the high vegetation sensitivity, should the proposed development be approved, a 35m minimum visual sensitivity setback line measured from the centre line of the MR394 road reserve and an additional 5m building setback from the sensitive forest vegetation and 1:4 slope no-go area must be implemented.

2.1.15. Based on the above, the SD:CM does not support the proposed development as its location is within a sensitive coastal area. Climate change and high coastal vulnerability risks pose threats from dynamic coastal processes that will endanger residents and infrastructure, as well as flora and fauna. The mitigation measures required to ensure minimal impacts warrants the consideration of the precautionary approach to not allow development of this site. The impact of the proposed development on the integrity of the slope is still of concern.

3. The proposed development of double-storey residential units with a double garage and a shared swimming pool is not considered essential, as it does not provide services of significant public importance that would justify its location within the CPZ.

4. 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.

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

Yours faithfully



Digitally signed by Ieptieshaam Bekko
Date: 2026.07.06 16:21:38 +02'00'

Ieptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
DIRECTORATE: BIODIVERSITY AND COASTAL MANAGEMENT
DATE: 07 July 2026

forestry, fisheries
& the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

Reference: EDMS 274582
Inquiries: Mr. Xolani Myanga
E-mail: OCEIA@dffe.gov.za
Telephone: (+27) 76 819 2935

Ms Samantha Teeluckdhari
Eco Route Environmental Consultancy
P.O Box 1252,
Sedgefield,
6573
Email: Samantha@ecoroute.co.za
Cell: 082 557 7122

Dear Ms Teeluckdhari

COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Basic Assessment Report (Draft BAR) in the subject of this letter. This Branch will provide comments based on the provisions of Section 24O (2) the National Environmental Management Act 107 of 1998 ("NEMA") and Section 5 of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

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

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

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

1. Although the proposed development is located outside the Coastal Management Line (CML), it is situated within the Coastal Protection Zone (CPZ). The development footprint should therefore be strictly confined to the approved disturbed areas, and all identified no-go areas and ecological buffers must be clearly demarcated, protected and maintained for the duration of both the construction and operational phases.

   The applicant should further demonstrate that the proposed development and associated infrastructure will not result in a future need for coastal protection works or shoreline stabilisation measures that may adversely affect the coastal environment, as contemplated in Sections 7 and 11 of ICM Act. In this regard, consideration should be given to Section 58 of the ICM Act, which empowers the relevant authority to require the removal or relocation of structures threatened by dynamic coastal processes.

2. A detailed Stormwater Management Plan should be prepared prior to construction. The plan should clearly indicate how stormwater will be attenuated, conveyed and discharged, and demonstrate that stormwater runoff will not cause erosion, destabilisation of vegetated slopes, or adverse impacts on adjacent coastal habitats. Stormwater should be directed through an appropriate stormwater management system to ensure that runoff does not impact sensitive dune vegetation, ecological corridors or surrounding natural areas.

3. The applicant must demonstrate that the proposed development will not compromise existing or future public access to Coastal Public Property, in accordance with Section 13 of the ICM Act. While the BAR indicates that public access will not be affected, the development should not create any physical or perceived barriers that may restrict lawful public access to and along the coast, and all existing public access rights must be maintained.

4. It is noted that the site contains sensitive dune thicket, forest-thicket and fynbos vegetation that contribute to ecological functioning, soil stabilisation and the maintenance of coastal processes. The identified no-go areas and ecological buffers must be clearly demarcated prior to construction and remain protected throughout the life of development.

Furthermore, the clearing of indigenous coastal vegetation should be strictly limited to the approved development footprint, and all disturbed areas should be rehabilitated with locally indigenous species immediately following construction to maintain ecosystem functioning and minimise erosion risks.

Based on the information provided, the Oceans and Coasts Branch has no objection to the issuance of Environmental Authorisation for proposed development, subject to the implementation of the above conditions and compliance with the relevant provisions of the ICM Act and all other applicable environmental legislation.

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

Yours sincerely,



Mr. Ryan Peter
Director: Coastal Development & Coordination
Department of Forestry, Fisheries, and the Environment
Date: 02/07/2026

forestry, fisheries & the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Demar Centre, Main Road, Knysna, WC, Contact Number: 066 374 7795
Enquiries: TF Gwala, E-mail: TGwala@dffe.gov.za

EIA-WC-GR-0022-2026-27

RE: COMMENT ON DRAFT BASIC ASSESSMENT REPORT (BAR) FOR A PORTION OF ERF 1180 (CURRENTLY ERF 1236 (PREVIOUSLY NAMED ERVEN 155 & 1234)), KEURBOOMSTRAND

DATE: 6 July 2026

Eco Route
Attention: Ms. Samantha Teeluchdari
Email: samantha@ecoroute.co.za
Cell/ Tel: -

Dear Sir/ Madam

I refer to your e-mail notification of 6 June 2026 with documents.

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.

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.

1.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".

2. 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 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.

3. 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.



4. 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.

5. 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.

DFFE studied the supporting documents for the above-mentioned Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable

6. According to the information provided: "According to the report: Erf 1236 is 56 615,4m² in extent. The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236 (previously named Erven 155 & 1234). Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool. Currently there are a town Planning proposal to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. According to the report the property is entitled to a 7m wide right of way servitude across Erf 391 (which is public space)." In the past Forestry objected to the proposal of rezoning as well as subdivision- as new primary rights will cause more destruction of indigenous forest. The whole property is covered with indigenous forest



Forestry has the following comments:

i. 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
ii. Forestry request the following:
    1. Forestry object to the proposed rezoning as well as subdivision of above property
    2. Forestry object to above proposal of two units on above property.
    3. Forestry request that a revised development proposal should be considered within the current Open Space Zone 2 zoning rights- having a more minimal footprint size and recirculated for comment
    4. Forestry request that previous said revised development proposal be planned in the more disturbed area- at a positioning that would also minimize the access road
    5. Forestry request that vegetation specialist study be conducted for above property; that indigenous forest be plotted, GPS'd and included within the proposal as no-go areas

iii. Kindly note that this letter is not a NFA licence
iv. 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.

Note: The Department reserves the right to revise the initial comment based on any additional information that may be received

Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0022-2026-27. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.

Yours Faithfully,

DEPARTMENT OF FORESTRY, FISHERIES
WESTERN CAPE REGION
06/07/2026
PRIVATE BAG X12, KNYSNA, 6570
TEL: 044 302 6900/07FAX: 044 382 5461
AND THE ENVIRONMENT

SIGNATURE OF DELEGATED AUTHORITY
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms. TF Gwala
Designation: Deputy Director Forest Resource Protection
Branch: Forestry Management

CONSERVATION INTELLIGENCE: LANDSCAPE EAST

physical 4th Floor, York Park Building, York Street, George, 6530
website www.capenature.co.za
enquiries Marienne de Villiers
telephone 087 087 6085
email mdevilliers@capenature.co.za
reference LE14/2/6/1/6/1/1180_Residential_Keurbooms
date **08 July 2026**

Samantha Teeluckdhari
Eco Route Environmental Consultancy
46 President Steyn Street
The Island
Sedgefield
6573

By email: admin@ecoroute.co.za

Dear Ms Teeluckdhari

Re: Draft Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180, Keurboomstrand, Plettenberg Bay, Western Cape Province
DEA&DP Ref: 16/3/3/1/D1/6/0024/26

Please be advised that CapeNature is regrettably unable to review and provide formal comments on this application. Due to capacity constraints resulting from a vacant Land Use Scientist post, we are unable to process this proposal within the stipulated timeframe. This response should not be interpreted as support or objection to the proposed development. Please continue to process the application and consult with the other required stakeholders.

We apologize for any inconvenience this may cause and appreciate your understanding. Please keep CapeNature on your stakeholder list for future notifications; we will respond when our capacity allows.

Kind regards



(Dr) Marienne de Villiers

Manager, Landscape Conservation Intelligence (East)

The Western Cape Nature Conservation Board trading as **CapeNature**
Board Members: Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

Outlook

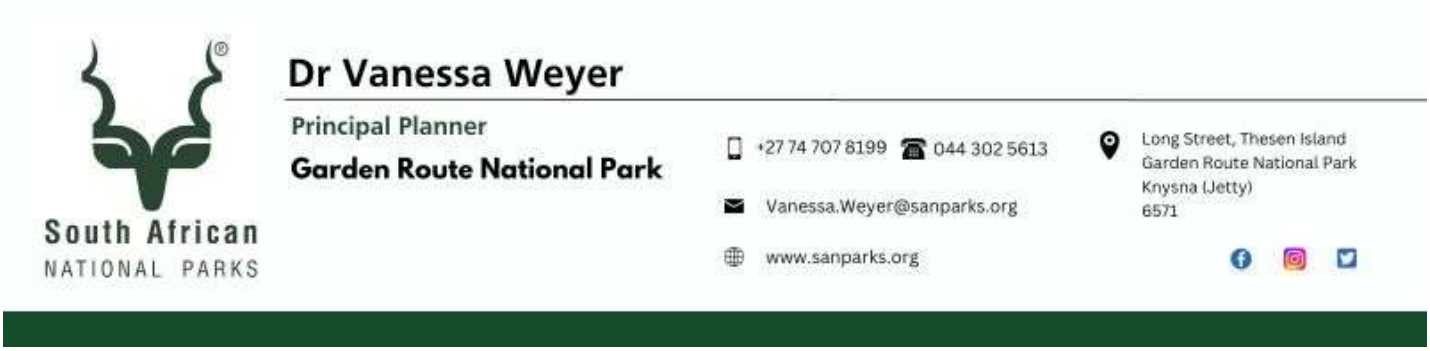
RE: NOTIFICATION OF PUBLIC PARTICIPATION - DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape

From Vanessa Weyer <Vanessa.Weyer@sanparks.org>
Date Thu 30 Jul 2026 09:48
To samantha@ecoroute.co.za <samantha@ecoroute.co.za>
Cc Pat Bopape <Pat.Bopape@sanparks.org>; Lwazi Khuzwayo <Lwazi.Khuzwayo@sanparks.org>

<
Dear Sam,

SANParks does not appear to be directly affected by the proposed development and has no further comment.

Kind regards,
Dr Vanessa Weyer
Environmental Management (University of Pretoria)
Reg. EAP (EAPASA) & Reg. Pr.Sci.Nat. (SACNASP)



From: samantha@ecoroute.co.za <samantha@ecoroute.co.za>
Sent: 22 July 2026 13:00
To: Vanessa Weyer <Vanessa.Weyer@sanparks.org>
Subject: Fw: NOTIFICATION OF PUBLIC PARTICIPATION - DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape

Dear Vanessa

I hope all is well.

As per below email, please may we get your comments on the proposed development?

Kind regards,

Samantha Teeluckdhari
BSS Geography and Environmental Management
EAPASA 2023/6443
072 773 5397

www.ecoroute.co.za

Eco Route
Environmental Consultancy

From: admin@ecoroute.co.za <admin@ecoroute.co.za>
Sent: Friday, 05 June 2026 10:44
To: Megan Simons <msimons@capenature.co.za>; 'Vanessa Weyer' <vanessa.weyer@sanparks.org>; ayanda.mdludlu@westerncape.gov.za <ayanda.mdludlu@westerncape.gov.za>; Rabokale Mphahlele <rmphahlele@bocma.co.za>
Cc: 'Samantha Teeluckdhari' <samantha@ecoroute.co.za>; janet <janet@ecoroute.co.za>
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - DRAFT Basic Assessment Report - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape

Good day,

A 30-day public participation will be held from **05/06/2026 - 07/07/2026**

Kindly find below the link to the DRAFT Basic Assessment Report and relevant appendices.

DRAFT Basic Assessment Report - The Proposed Residential Development and Associated Infrastructure on a Portion of Erf 1180, Keurboomstrand, Plettenberg Bay - DEA&DP Ref: 16/3/3/1/D1/6/0024/26 | Eco Route

Please submit your comments to the EAP undersigned in this email within 30 days of this notice (i.e., on or before 07 July 2026)

Thank you for your participation in this process.

ECO-ROUTE
ENVIRONMENTAL CONSULTANCY

EIA PROCESS

Notification of Public Participation:

PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY

Notice is hereby provided in terms of the National Environmental Management Act (Act 107 of 1998), the National Environmental Management Act: Environmental Impact Assessment Regulations 2014, as amended, of a 30-day Public Participation Process to be undertaken under the authority of the Department of Environmental Affairs and Development Planning (DEA&DP) reference: 16/3/3/1/D1/6/0024/26. The Public Participation Process will run from 5 June 2026 – 7 July 2026.

The following EIA Listed Activities are applicable:

Government Notice No. R324 (Listing Notice 3): Activity 4 I (i)(iii) (aa)
Activity 12 i (iv)
Activity 15 f (ii) (aa)

A Draft Basic Assessment Report and relevant appendices will be sent via email to all registered Interested and Affected Parties/ I&APs for public review and comment. Alternatively, all relevant documents may be accessed via our website during the public participation period.

Should you wish to gain further information regarding the project or wish to register as an Interested and Affected Party please contact the Environmental Assessment Practitioner (details below).

Please provide written comments with your name, contact details and an indication of any direct business, financial, personal, or other interest which you may have in the development.

Environmental Assessment Practitioner: Samantha Teeluckdhari (EAPASA Reg 2023/6443)

www.ecoroute.co.za
Email: admin@ecoroute.co.za

Kind regards,

Samantha Teeluckdhari
BSS Geography and Environmental Management
EAPASA 2023/6443
072 773 5397

www.ecoroute.co.za

Eco Route
Environmental Consultancy



#Kruger100 #Next100 #KNP100 #KrugerCentenary

Disclaimer: 1) Confidentiality: This email communication and any attachments sent from vanessa.weyer@sanparks.org to samantha@ecoroute.co.za on 2026-07-30 09:48:03 are confidential and may contain privileged or copyright information. You may not present this message to another party without consent from the sender. If you are not samantha@ecoroute.co.za please notify vanessa.weyer@sanparks.org and delete this email and you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. 2) Liability: This email is not a binding agreement and does not conclude an agreement without the express confirmation by the sender's superior or relevant authorisation of SANParks. 3) Viruses: SANParks does not certify that this email is free of viruses or defects. 4) Requested: SANParks does not consent to its employees sending un-asked for emails which contravene the law. In the event that you feel this email is such, please notify SANParks in order for the appropriate corrective action to be taken. 5) Advice: Any views or opinions presented in this email are solely those of the author and do not necessarily represent those of SANParks. Any actions taken on the basis of this email are at the reader's own risk. 6) Other: The sender of this email is expressly required not make any defamatory statements. Any such communication is contrary to SANParks policy and outside the scope of the employment of the individual concerned. SANParks will not accept any liability in respect of such communication, and the employee responsible will be personally liable for any damages or other liability arising. Thank you. South African National Parks 643 Leyds Street, Muckleneuk, Pretoria, South Africa

Registration as an Interested and Affected Party
Proposed Residential Development on Erf 1236 (Erf 1180), Keurboomstrand

Date: 6 July 2026

To: The Environmental Assessment Practitioner

Dear Sirs

Registration as an Interested and Affected Party

The Keurboomstrand Property Owners Association (KPOA) hereby requests to be formally registered as an Interested and Affected Party (I&AP) in terms of the applicable environmental authorisation process for the proposed residential development on Erf 1236 (Erf 1180), Keurboomstrand.

The KPOA is a voluntary association representing the interests of property owners and residents within the Keurboomstrand community. As the proposal has the potential to affect the environmental character, municipal services and future planning of the area, the Association has a direct and legitimate interest in the outcome of the application.

Reasons for Registration and Matters of Interest

- **Rezoning of Open Space:** The proposal includes the rezoning of land currently designated as Open Space Zone 2. The Association seeks clarity regarding the original purpose of this zoning, the planning rationale for the proposed rezoning and whether approval could establish a precedent for future applications involving open space within Keurboomstrand.
- **Long-Term Protection of the Conservation Area:** Confirmation is requested that the conservation area will be legally protected in perpetuity through an appropriate legal mechanism.
- **Municipal Infrastructure Capacity:** Confirmation is requested from Bitou Municipality that sufficient water, electricity and future sewer capacity exists.
- **Sewerage Arrangements:** Further information is requested regarding conservancy tank management, maintenance responsibilities, pump-out frequency and contingency measures.

- **Stormwater Management:** Detailed stormwater management information is requested.
- **Protection of Indigenous Vegetation:** Confirmation is requested that botanical no-go areas, ecological buffers and mature trees will be protected.
- **Visual Character:** Recommendations contained within the Visual Impact Assessment should form binding conditions of approval.
- **Construction Management:** A Construction Environmental Management Plan should minimise construction impacts.
- **Future Development Rights:** Confirmation is requested that approval will not create additional development rights or establish a precedent.

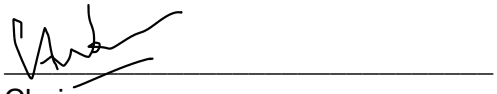
Conclusion

The KPOA acknowledges that the preferred proposal represents a relatively low-density development and recognises the environmental mitigation measures incorporated into the design. However, the Association considers it essential that the matters outlined above are satisfactorily addressed before any environmental authorisation is granted.

The KPOA respectfully requests that:

- The KPOA be formally registered as an Interested and Affected Party.
- All future correspondence, reports and notices relating to this application be provided to the Association.
- The KPOA be afforded the opportunity to review and comment on all subsequent reports.
- The concerns raised in this submission be fully considered during the assessment process.

Yours faithfully,



Chairperson
Keurboomstrand Property Owners Association (KPOA)

PLETTENBERG BAY
COMMUNITY ENVIRONMENT FORUM

6th July 2026

Samantha Teeluckdhari
EcoRoute
Via e-mail: samantha@ecoroute.co.za

TO WHOM IT MAY CONCERN

RE: Basic Assessment Report DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape

Many thanks for the opportunity to review the application for the above development. The Plettenberg Bay Community Environment Forum STRONGLY objects to granting environmental authorization for the proposed development for the following reasons:

NON-COMPLIANCE WITH ENVIRONMENTAL LEGISLATION, REGULATIONS, POLICIES, FRAMEWORKS, ETC:

Notwithstanding that the applicant, over the years and various applications, has used multiple consultants to obtain satisfactory reports, the entire area for the proposed development is:

1. Recognised as a CBA (Critical Biodiversity Area) : and is subject to the National Environment Act and Biodiversity Act (NEMA & NEMBA), Keurbooms Local Area Spatial Development Framework (KLASDF) , Bitou Spatial Development Framework (BSDF), Spatial Planning and Land Use Management Act (SPLUMA), Land Use Scheme, Western Cape SDF, Western Cape Biodiversity Spatial Plan and Spatial Handbook, Garden Route Biodiversity Sector Plan, Garden Route SDF]; Please see attachments
   According to SPLUMA, spatial sustainability principles MUST include protection of the environment by showing regard to natural habitat, ecological corridors and areas of high biodiversity importance. Furthermore, the Land Use Scheme [24(2)(b)] states that "A land use scheme adopted in terms of subsection (1) must take cognizance of any environmental management instrument adopted by the relevant environmental management authority and must comply with environmental legislation".
   The development, as proposed, will impact a CRITICAL BIODIVERSITY AREA, will result in irreparable damage to the sensitive habitat which forms a COASTAL CORRIDOR and which is in contravention of environmental regulations and legislation.
   The need to conserve CBA's is further highlighted by SANParks in their biodiversity maps and descriptions recognising that "CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining ecosystem functioning.

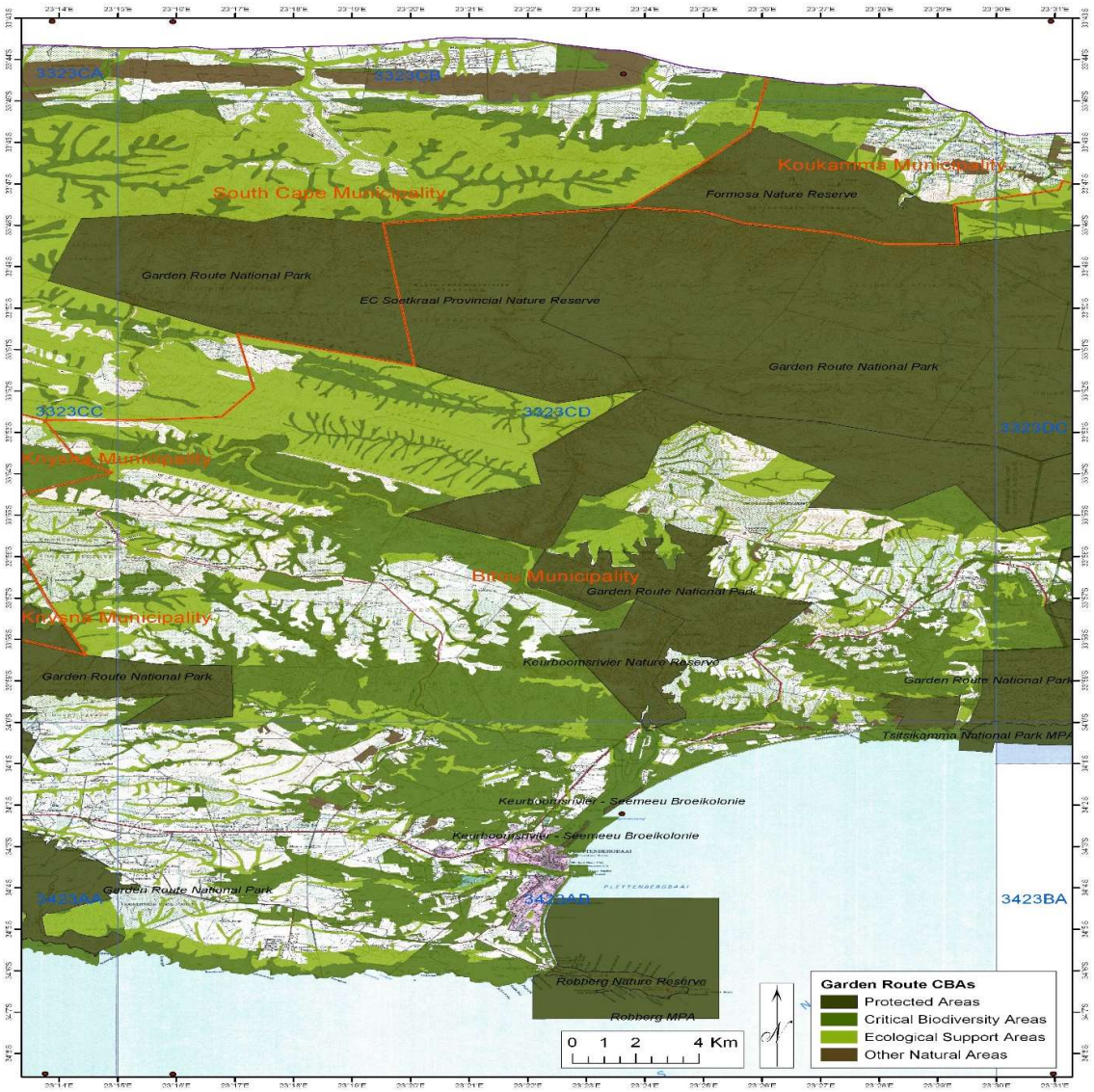


Fig 1: GRNP Mapbook CBA is defined

Western Cape Biodiversity Spatial Plan 2023

Consideration must be given to the Western Cape Biodiversity Spatial Plan 2023 ('WCBSP'), which was adopted by the Western Cape Minster of Local Government, Environmental Affairs and Development Planning in terms of section 34(2)(c) of the Western Cape Biodiversity Act, Act 6 of 2021. According to this plan, the site on the property earmarked for development, has been assigned a category Critical Biodiversity Area. The Forum would query how the latest consultant came to the conclusion that the site is now an ESA and not a CBA as shown in official mapping and mentioned in previous reports?



Fig 2 Forested corridor and CBA are apparent

2. <u>Within a protected forest (see Fig 1 & 3 above):</u> [National Forest Act];

The National Forest Act protects natural forests from destruction, "SAVE IN EXCEPTIONAL CIRCUMSTANCES" where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economics, social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance." There is no exceptional or strategic circumstance associated with this development.

It is important to note that even clearing within a forested area is prohibited under the National Forest Act.

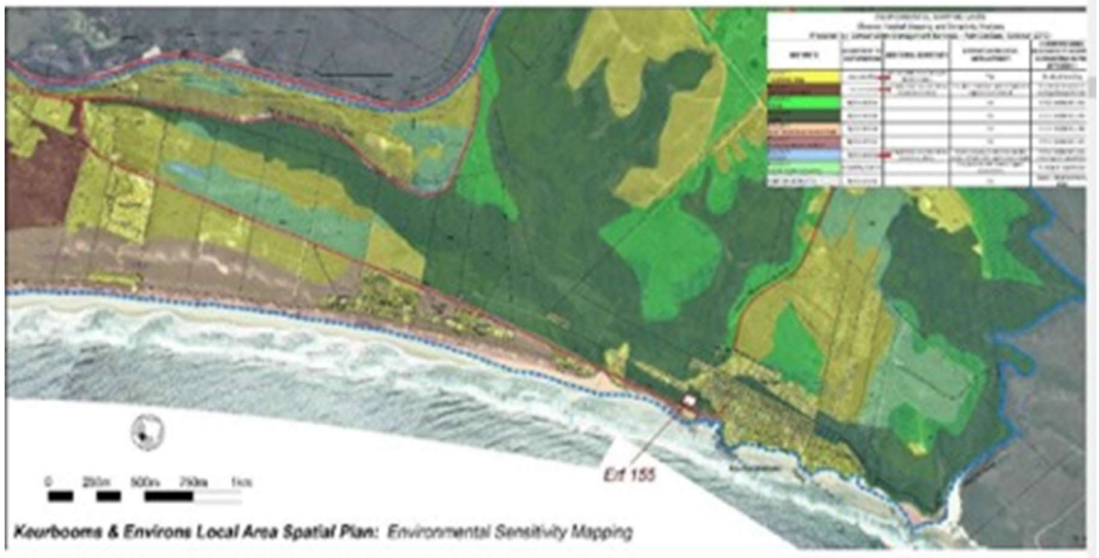


Fig 3: Keurbooms LASP Sensitive habitats

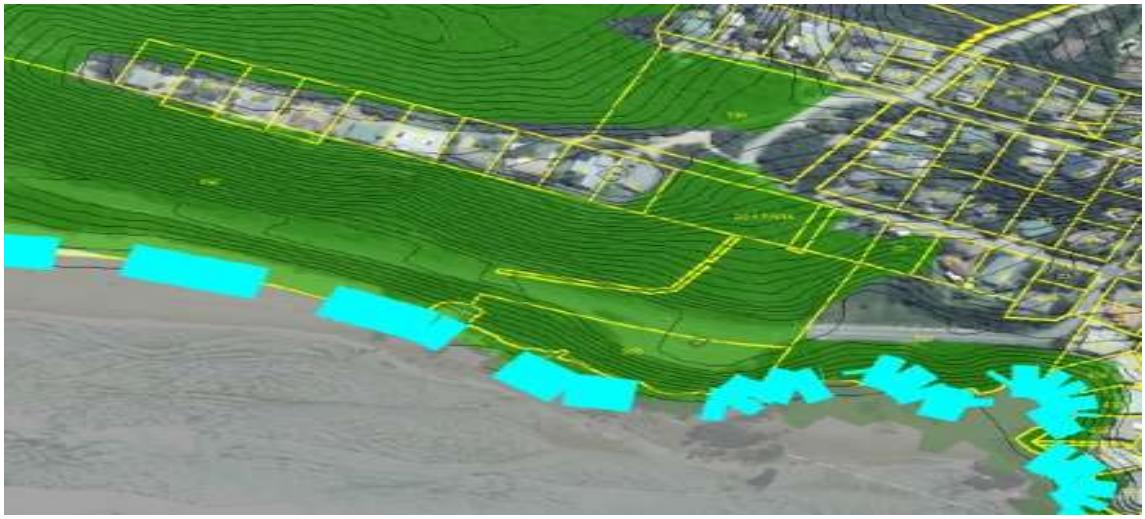


Fig 4: CBA and corridor (green)

3. <u>within a protected shale fynbos area</u>: [NEMBA, KLASDF, BSDF, SPLUMA, Western Cape Biodiversity Spatial Plan];

The KLASDF, adopted by Bitou Municipality, identifies this as a sensitive area and the mapping clearly illustrates that the site is part of the green belt leading into Keurbooms and forming a green corridor. Further to this, the KLASDF identifies "no-go" areas, we find it highly doubtful that it is possible or appropriate to develop in the area stipulated, without negatively impacting the vegetation or the corridor. The site is situated in a FUNCTIONING ECOLOGICAL CORRIDOR that would be impacted by the proposed development. The proposal also conflicts with SPLUMA's principle of Spatial Resilience. The indigenous vegetation conserves biodiversity, habitat connectivity, stormwater attenuation, steep slope stabilization and climate resilience. Development within this corridor would permanently reduce these ecosystem services.



FIGURE 15: EXTRACT OF BITOU SDF KEURBOOMSTRAND AREA

Fig 5: Bitou SDF site is shown for conservation.

The Garden Route Biodiversity Sector Plan for George, Knysna and Bitou (2010), with super-imposed images of the proposed development onto the maps show that this development will most definitely impact the forest and fynbos areas of the site.

4. within 100m of the high water mark of the sea : [Bitou SDF, the Garden Route District Coastal Management Programme (CMP), the Draft Western Cape Coastal Management Programme, Integrated Coastal Management Act (ICMA), National Climate Change documents];
   According to the ICMA and Garden Route Coastal Management Plan, the Coastal Management Zone is "A continuous strip of land, starting from the high-water mark and extending 100 meters inland in developed urban areas zoned as residential, commercial, or public open space, or 1000 meters inland in areas that remain undeveloped ... It further includes sensitive coastal areas declared in terms of the Environment Conservation Act (Act 73 of 1989) such as the Outeniqua Sensitive Coastal Areas Extension, coastal protected areas ..." The Garden Route District CMP further states that "ALL FUTURE INFRASTRUCTURE AND DEVELOPMENTS SHOULD BE RESTRICTED TO LAND ALREADY ZONED FOR THAT PURPOSE AND NO NEW ZONINGS SHOULD BE CONSIDERED WITHIN THE COASTAL PROTECTION ZONE. Future spatial planning strategies must consider the coastal protection zone as a no-go area for infrastructure." This development application is not suitable or appropriate for this site.



Fig 6: High water mark and forested corridor clearly apparent

5. on an elevated promontory with an average slope of approximately 1:4: [Keurbooms LASDF, Bitou SDF];
6. alongside a scenic route : [Heritage Resource Act];
7. within an area with a recognised special character, sense of place and importance in terms of tourism and recreation value: [Heritage Resource Act];
8. within an area with visually prominent ridgelines or skylines: [Heritage Resource Act]

Points 5,6 7 and 8 have relevance to the Heritage Resource Act. The visual impact of this proposed development, if permitted, will impact the aesthetics of the village of Keurbooms and irrevocably change the existing "SENCE OF PLACE". The previous application states, "Given that NONE OF THE ALTERNATIVES ARE COMPLIANT WITH THE VISUAL SENSITIVITY PARAMETERS. The application documents further state that, "The sense of place is derived (especially at a local scale) from the scenic resources of the coastline which are based on natural features." Furthermore, this development will "change the character of the site", as described in the Heritage Resource Act (as well as the sense of place of the area) (See Figs 7 & 8 below)





Figs 7 & 8: The potential visual impact, considering the currently vegetated site, is obvious

9. <u>within an area requiring and OSCAE (Outeniqua Sensitive Coastal Area Extension Regulations, 1998) permit</u>

   The location of the proposed site makes it a requirement that an OSCAE permit is required for relevant activities on site .

According to the previous BAR, “NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED “, despite the acknowledged sensitivity of the land. Additionally, the previous BAR states that “No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site “. The Environment Forum is firmly of the belief that this rationale is egoistic at best and provides NO LOGICAL REASON FOR THE DESTRUCTION OF SENSITIVE FOREST OR FYNBOS HABITAT, particularly as there are still residential properties available in the area.

The Plettenberg Bay Environmental Forum feels that the “precautionary approach” should apply to this ecologically sensitive and valuable site. “Needs and desirability” must be consistent with the principles of sustainability as contained in Section 2 of NEMA. In this context, EIA’s play an important role by evaluating the need and desirability of development proposals and appropriateness of alternatives. The proposal fails to satisfy the mandatory Development Principles in Section 7 of SPLUMA, including Spatial Sustainability, Spatial Resilience, Efficiency and Good Administration. Read together with NEMA, the National Forests Act and the adopted municipal and provincial planning framework, refusal of the application is both legally justified and necessary

The Plettenberg Bay Community Environment Forum thanks you for the opportunity to comment and we look forward to your response. We reserve the right to comment on further applications or documents pertaining to this development.

Yours sincerely

Chanel Visser
OBO Plettenberg Bay Community Environment Forum

R & E Martin Erf 15

19 Main street.

Keurboomstrand

7th July 2026

Samantha Teeluckdhari
EcoRoute
Via e-mail: samantha@ecoroute.co.za

RE: Basic Assessment Report DEA&DP Ref: 16/3/3/1/D1/6/0024/26 - Proposed Residential Development & Associated Infrastructure on a Portion of Erf 1180. Keurboomstrand, Plettenberg Bay, Western Cape

Thanks for the opportunity to comment on the above application we must however object vehemently to granting environmental authorization for the proposed development for the following reasons:

1. Violation of the National Forests Act, 1998

This application cannot be approved as it is inconsistent with the principles of the National Forests Act (Act 84 of 1998), which provides under Principle 3(a):

"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. Exceptional circumstances generally refer to projects of national or provincial strategic importance."

A private residential development for one does not constitute such an exceptional circumstance.

The site is, beyond reasonable dispute, part of a continuous indigenous forest corridor extending along the southern slopes of the Keurbooms hillside. This is confirmed by virtually every specialist investigation, planning document and environmental mapping prepared for the property and surrounding area, including:

- the Keurbooms Environmental Management Framework;
- the Keurbooms Local Area Spatial Plan (KLASP);
- the Bitou Spatial Development Framework;
- previous botanical and vegetation studies; and
- the current biodiversity assessment.

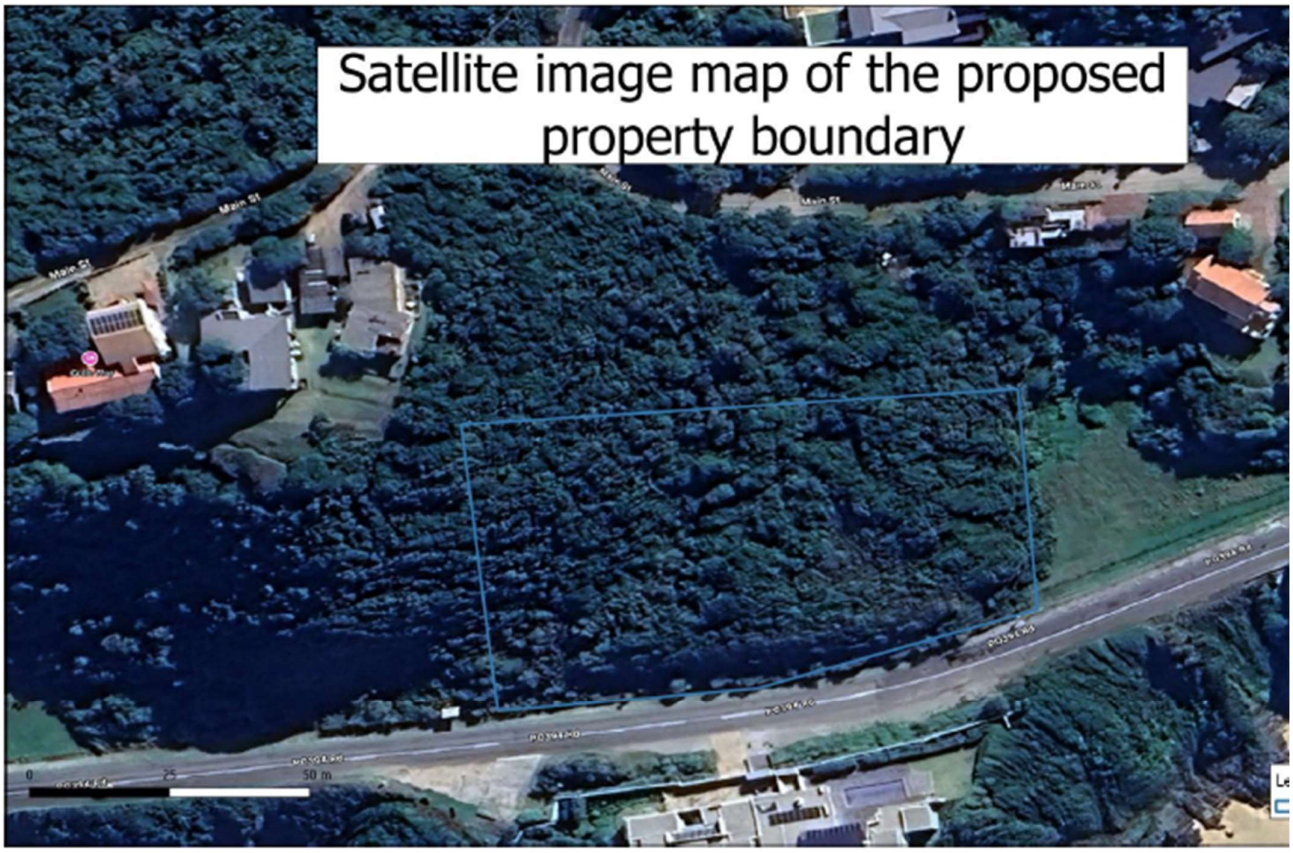


Figure 2. *Satellite image map of the development.*

Fig 1 Shows that Erf 1180 as a continuous undisturbed forested area before it was impacted by consultants for the applicant.

Earlier specialist studies classified the vegetation as **Southern Afro-temperate Forest**, while regional vegetation mapping classifies the area as **Western Cape Milkwood Forest**, both of which constitute protected natural forests under Notice 167 of 2017 issued under the National Forests Act.

The ecological importance of the site has never been disputed. What has changed is the interpretation of whether development should be permitted.

The **2018 Botanical Survey** concluded that the eastern portion of the property contains pristine scrub forest, protected Milkwood trees and threatened Shale Fynbos. It specifically stated that these pristine forest habitats should **not be impacted by development**, that the scrub forest occurs on steep slopes particularly sensitive to disturbance, and that development should be restricted only to the flattest portions of the property while avoiding these sensitive habitats.

Furthermore, the same report concluded:

"Both the former Shale Fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.



Figure 8: Forest From our house on Erf 15 above Erf 1180

The **2026 Terrestrial Biodiversity Assessment** acknowledges essentially the same ecological facts:

- the site remains within a **Critical Biodiversity Area**; the site contains Goukamma **Scrub Forest and Shale Fynbos**, both recognised as threatened vegetation types

---

6. Destruction of a Critical Biodiversity Area

The previous specialist studies accompanying the application unanimously acknowledge that Erf 1180 is situated within a Critical Biodiversity Area (CBA).

SANBI mapping, the Keurbooms Local Area Spatial Plan and the Garden Route Biodiversity Sector Plan all classify the site as a Core Critical Biodiversity Area.

The previous vegetation study concluded:*"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."*

The Garden Route Biodiversity Sector Plan recommends that land within a Critical Biodiversity Area should remain in a natural or near-natural state, degraded land should be rehabilitated and no further degradation should be permitted.

Environmental Authorisation would therefore be inconsistent with these conservation objectives.



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7. Loss of an Ecological Green Corridor

The proposed development would interrupt an important indigenous forest corridor linking the Keurbooms estuary with the forested slopes surrounding Keurbooms Village.The corridor is recognised within the Keurbooms Local Area Spatial Plan and contributes significantly to ecological connectivity, wildlife movement and landscape integrity.



Development would also destroy the distinctive "green entrance" into Keurbooms Village, diminishing its recognised sense of place

8. Conflict with the Keurbooms Local Area Spatial Plan

The KLASP identifies several environmental constraints where development should not occur, including:

- forests;
- threatened vegetation;
- steep slopes;
- Critical Biodiversity Areas;
- ecological corridors;
- coastal setback areas;

The proposed development conflicts directly with these adopted planning policies.



Figure 17: LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013)

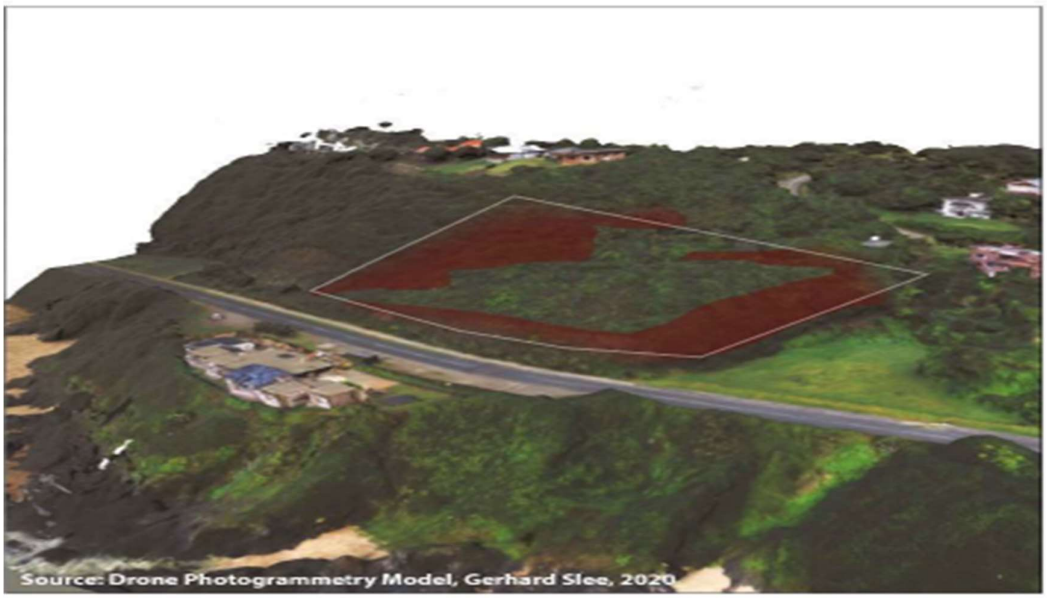
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9. Non-compliance with Environmental Legislation

Approval would be inconsistent with:

- the National Environmental Management Act;
- the National Environmental Management: Biodiversity Act;
- the National Forests Act;
- provincial biodiversity planning.

Each of these legislative instruments requires protection of biodiversity and threatened ecosystems.



Terrain model

.Approximate representation of the steepest areas on site

Approximate representation of the property boundary (note: the photogrammetry model represents vegetation cover as a surface itself, as opposed to the DEM (Digital Elevation Model) which illustrates the topography underneath as a surface)

This Drone photo from the provided documentation shows that the proposed site is clearly forested and forms a section of the coastal corridor

10. Non-compliance with SPLUMA

The proposal is inconsistent with the five foundational principles contained in the Spatial Planning and Land Use Management Act (SPLUMA) : Spatial Justice, Spatial Sustainability, Efficiency, Spatial Resilience, and Good Administration.

Whilst requiring protection of: ecological corridors; areas of high biodiversity; environmentally sensitive land; tourism resources; landscapes of cultural significance.

It also fails to demonstrate that sufficient consideration has been given to the interests of existing residents and the wider public.

---

11. Non-compliance with Previous Municipal Approval

The 2011 municipal approval for Erf 151/155 required that the remainder of the property be managed as a **Private Nature Reserve** under the Mare Nostrum Homeowners Association.

The present proposal is inconsistent with that condition.

---

12. Failure to Properly Consider the No-Go Alternative

The BAR states that no alternative sites were considered because the applicant wishes to develop this property.

This is not an acceptable planning justification.

The environmentally preferred "No-Go Alternative" has therefore not received proper consideration.

The desire of one individual to develop such a site cannot prevail over the ideals of the local residents and the environmental laws. Need and desirability must be consistent with the principles of sustainability as contained in Section 2 of the NEMA.



Figure 81: 3D view of the Alternative proposal (including retaining wall) from the south west (scenic route), modeled by the authors of this report and based on the project architect's concept sketch. The materials are indicative (van der Merwe, 2021)

Image supplied by applicant

13. Visual and Landscape Impacts

The Visual Impact Assessment concludes that the receiving environment possesses a strong landscape character and unique sense of place based primarily on its natural forested coastline.

It further confirms that the proposal would:

- erode the visual character of the scenic route;
- occur within the coastal setback;
- occupy steep slopes;

- occur within a Critical Biodiversity Area;
- affect protected vegetation;
- impact an important tourism landscape.

The report completely ignores the significant impact upon residents overlooking the site, many of whom currently enjoy uninterrupted views across the protected forest canopy towards the ocean.

The proposed site development plan is shown in Figure 6 below:



FIGURE 6: PREFERRED ALTERNATIVE - AMENDED PROPOSAL WITH ONLY TWO (2X) UNITS

We strongly object to the site plan presented by the applicants consultant which depicts the proposed structures reduced to the size of "Dog kennels" when compared to neighbouring houses [our house has a roof area of only 130m2 [red] whereas the proposed house are over 400m2. This can only be classified as being completely misleading and deceptive.

14. Personal Impact and Conclusion

When we purchased our property on Erf 15, it was with the understanding that the indigenous forest immediately below us formed part of a legally protected environmental corridor.

We feel that the “precautionary approach” should apply to this ecologically sensitive site and that the proposed development would fundamentally alter the scenic character, ecological integrity and sense of place of Keurbooms Village.

For all the reasons set out above, we respectfully submit that the application is inconsistent with environmental legislation, biodiversity planning, municipal planning policy and the principles of sustainable development.

We therefore respectfully request that Environmental Authorisation be refused.

Rudi & Eva Martin

Erf 15 Keurboomstrand



Scenic road entrance into Keurboomstrand

99 Paradise Beach Investments Pty Ltd
A & T Millar
Erf 96
5 Hill Street
Keurboomstrand
Plettenberg Bay
6600
7 July 2026

Samantha Teeluckdhari

EcoRoute Consultancy

Via e-mail: samantha@ecoroute.co.za

RE: APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR A DEVELOPMENT ON A PORTION OF Erf 1180, KEURBOOMSTRAND, PLETTENBERG BAY

DEDEA Ref 16/3/3/1/D1/6/0024/26

We hereby object in the strongest terms to the granting of Environmental authorisation of the proposed development on a portion of Erf 1180 (previously ERF 155) Keurboomstrand for the following reasons.

1. *Destruction of a CBA* [Critical biodiversity area].
   The consultant and all of the specialists' studies, in the application documentation, acknowledge that Erf 1180 (previously ERF155) is a CBA. **"CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving**

biodiversity and maintaining functioning ecosystems."



Furthermore SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANparks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area .

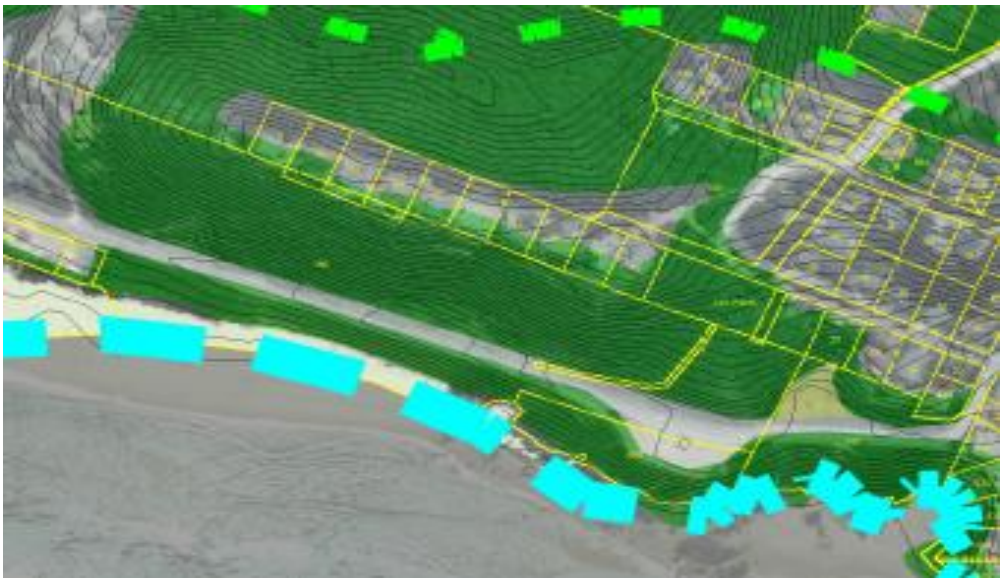
The conclusion, of a previous vegetation study for Erf 1180, states:
"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."

In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate degraded land to natural or near natural and to manage for no further degradation. *They state that land-use should not be approved*.

Conclusion: *Environmental authorisation for the development of Erf 1180 Keurboomstrand therefore cannot be granted*

2. Negative impact on an ecological Green Corridor.

Any structures to the immediate North of Provincial Road 394, in the steep forested corridor of Erf 1180 would create a "Tunnel Entrance" to Keurbooms Village and impact on its "Sense of place" by destroying the "Green Belt" leading into Keurboomstrand village. The ecological corridor as shown on the KLASP mapping cannot be obstructed



3. *Violation of NEMBA*

Approval of this application would be in violation of a multitude of environmental legislation and regulations, including: National Environmental Management; Biodiversity Act . which needs:
a] To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act
b]provide for the protection of species and ecosystems that warrant national protection.



VegMap 2018

4. *Non-compliance with SPLUMA Principles:*

This application fails to comply with the principles/ out by Spluma which states:

(2) Land use planning is guided by the following principles of spatial sustainability:

(b) the sustained protection of the environment should be ensured by having regard to the following:

(i) natural habitat, ecological corridors and areas with high biodiversity importance;

(ii) the provincial heritage and tourism resources;

(iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and

(iv) the economic potential of the relevant area or region;

Further under SPLUMA

i]"Consideration of the public interest;

ii]Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property owners, public and private service providers and the wider community"?

5. *Violation of National Forest Act:*

This application cannot be approved as it is clearly in violation of the NFA [National Forest Act] which states under Principle 3 3[a]:

"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 economics; social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance. According to these criteria, ***residential development does not comply****"*

The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF.

The "Vegetation Study" for Erf 1180 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection.

The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in forest with a strip of Shale fynbos on the southern tip of the site.

RE/155, KEURBOOMSTRAND, PLETTENBERG BAY



Pre-application reference: 16/3/3/6/7/1/D1/6/0126/20 **August 2022**

The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site,

Their CONCLUSION :
"The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.

6. *Would not conform with the KLASP [Keurbooms spatial plan] adopted by the Bitou municipality*

The Keurbooms LSDF determines a few "no go" development areas, based on biophysical constraints and "Habitat Mapping and Sensitivity Analysis map units"

indicated as:

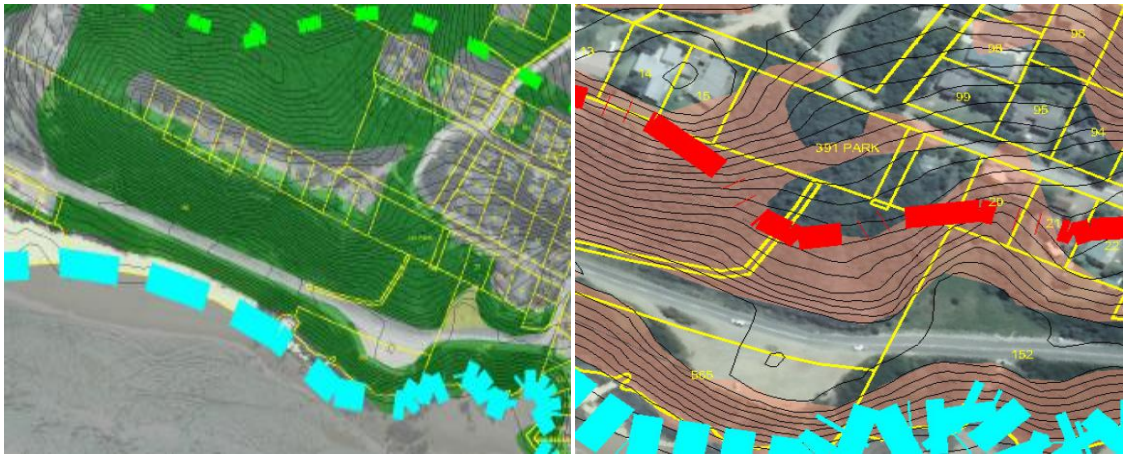
- below the 1:50 and 100: year floodlines;
- on any slopes with a gradient steeper than 1:4;
- below the 4,5m coastal setback line;
- within the 100m high water mark setback;
- within the Tshokwane Wetland system.
- Map Unit 3: Fynbos

- Map Unit 4: Forest
- Map Unit 5: Dune Thicket/Dune Fynbos Mosaic
- Map Unit 6: Coastal fore dune & seashore



Figure 17: LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013)

below A] Forest & corridor, B] Steep slopes & 100m line from HWM.



7. Non-compliance with the conditions of the Municipal Approval

Approval of this application would not comply with the conditions of the Municipal approval 18/151 & 155/KB dated 21 Sept 2011, for the rezoning/subdivision of Erf 1180/151 to create 26 individual residential erven for the existing structures. ***Condition h]*** the remainder of the property to be managed as a Private nature reserve by the Mare Nostrum HOA. This was a

condition requested by the KPOA [Keurbooms Property Owners Association] when submitting comments on the application, and adopted by the municipality.

8. *No Go Alternative not considered*

According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED ", despite the acknowledged sensitivity of the land. Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". We find this stance not in the common interest of Keurboomstrand. Erf 1180(previously ERF 155) has 26 residential units on the flatter western portion of the 56,000m2 some of which are for sale, so the necessity to develop in a sensitive protected environment is not given. Furthermore properties are available for houses in Keurboomstrand and surrounds.

The map below forms part of the documentation of the proposed development and shows the extent of Erf 1180 (previously ERF 155) Mare Nostrum and some of the residential units on the western portion. Also the forested steep slopes.

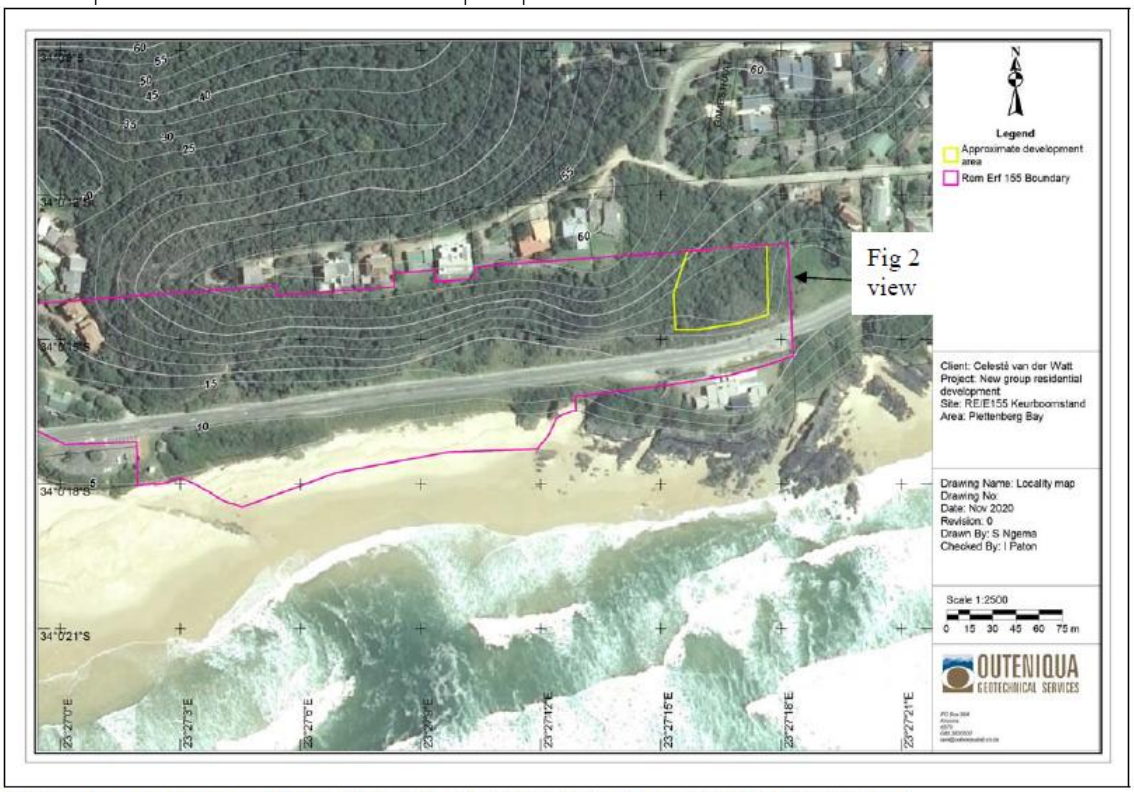


Figure 1: Locality map of site showing approximate proposed development area

9. The Visual impact report by Filia Visuals PTY LTD

Findings

"The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline.

The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local receiving environment is unique and distinctive within the coastal belt, based on both the local townscape character and the value of the natural and scenic resources.
The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand.
The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable.

- Inside the 100m Urban Coastal Setback Line;
- On an elevated promontory with an average slope of approximately 1:4;
- Within a Critical Biodiversity Area containing protected tree species;
- Alongside a scenic route;
- Within an area with a recognized special character, sense of place and
- importance in terms of tourism and recreation value;
- Within an area with visually prominent ridgelines or skylines;

Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes:

i. A change in land use from the prevailing use;
ii. A use that is in conflict with an adopted plan or vision for the area;
iii. Possible visual intrusion in the landscape.

10. Visual impact on the residents of Keurboomstrand village.

It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 11180 Private open space. This is strange as they state in paragraph5.3.4.

Visual Receptors and their Potential Sensitivity

i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community;
ii. Residents and residential properties with views affected by the development.
iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.

11. Personal impact

We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 1180 would experience a drastic change of our scenic view across the forest towards Robberg photos below(Figures 5-8).

Figure 5: Visual Impact from ERF 96 above



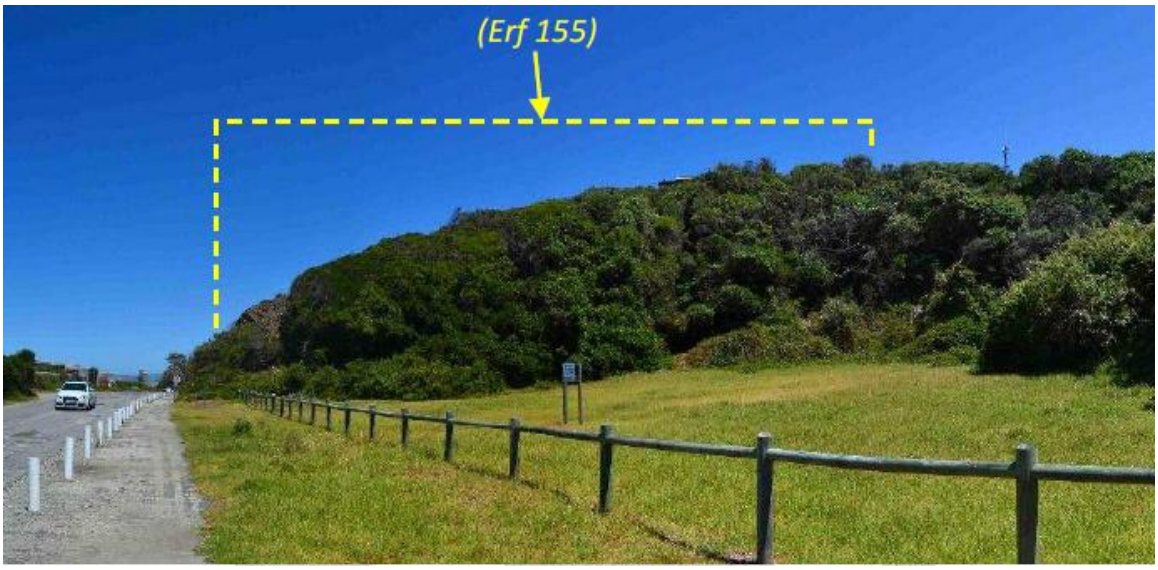


Figure 6:View Forest from below



Figure 7: from Blaubankies beach

We would like to note that, when we bought our house on Erf 96, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures in the face of such environmental legislation, in place to protect such pristine protected environments, would open the door to other developers doing the same which is of grave concern to us as permanent residents of Keurboomstrand.

We reserve the right to submit further comments on the application as information becomes available.

99 Paradise Beach Investments Pty Ltd
A & T Millar

AND WHEREAS it is the State's obligation to realise the constitutional imperatives in—

- section 24 of the Constitution, to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures, which include a land use planning system that is protective of the environment;



Compliance with environmental implementation plans and environmental management plans

16. (1) *(a)* Every organ of state must exercise every function it may have, or that has been assigned or delegated to it, by or under any law, and that may significantly affect the protection of the environment. substantially in accordance with the environmental implementation plan or the environmental management plan prepared. submitted and adoptedby that organ of state in accordance with this Chapter: Provided that any substantial deviation from an environmental management plan or environmental implementation plan must be reported forthwith to the Director-General and the Committee.

National Environmental Management: Biodiversity Act 10 of 2004

Files:

Attachment	Size
a10-04.pdf	2.41 MB

10 of 2004

The National Environmental Management: Biodiversity Act 10 of 2004 intends:

- to provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act, 1998;
- the protection of species and ecosystems that warrant national protection;

Contents of biodiversity management plans

45. A biodiversity management plan must—
(a) be aimed at ensuring the long-term survival in nature of the species or ecosystem to which the plan relates;
(b) provide for the responsible person, organisation or organ of state to monitor and report on progress with implementation of the plan; and
(c) be consistent with—
(i) this Act;
(ii) the national environmental management principles;
(iii) the national biodiversity framework;
(iv) any applicable bioregional plan;
(v) any plans issued in terms of Chapter 3 of the National Environmental Management Act;
(vi) any municipal integrated development plan;
(vii) any other plans prepared in terms of national or provincial legislation that is affected; and
(viii) any relevant international agreements binding on the Republic.

Bitou Municipal Spatial Development Framework, 2017 (MSDF)

The Eden District Spatial Development Framework notes that the Eden District has been identified as a strategic area within the province regarding its scenic value, on equal footing to that of its regional competitiveness and economic performance (GAPP Architects, Urban Designers and Spatial Planners, 2017, p. 36). Given that the scenic resources of the area originate from the landscape itself, it follows that conservation of the natural environmental is critical for the Bitou area (CNdV Africa (Pty) Ltd, 2017, p. 201). The Garden Route Critical Biodiversity Areas Map includes the subject site and its environs in its mapped Critical Biodiversity Areas (CBA), which represent the biodiversity priority areas which should be maintained in a natural to near natural state. The desired management objective associated with CBA's is to maintain natural land, rehabilitate degraded to natural or near natural and manage them to prevent further

Protection of threatened or protected ecosystems

Ecosystems that are threatened or in need of protection

52. (1) (a) The Minister may, by notice in the *Gazette*, publish a national list of ecosystems that are threatened and in need of protection.

(b) An MEC for environmental affairs in a province may, by notice in the *Gazette*, publish a provincial list of ecosystems in the province that are threatened and in need of protection.

(2) The following categories of ecosystems may be listed in terms of subsection (1):

(a) critically endangered ecosystems, being ecosystems that have undergone severe degradation of ecological structure, function or composition as a result of human intervention and are subject to an extremely high risk of irreversible transformation;

(b) endangered ecosystems, being ecosystems that have undergone degradation of ecological structure, function or composition as a result of human intervention, although they are not critically endangered ecosystems;

(c) vulnerable ecosystems, being ecosystems that have a high risk of undergoing significant degradation of ecological structure, function or composition as a

The Department of Environmental Affairs and Development Planning have made their position on this matter clear, stating in their comments on the Local Area Spatial Plan that future development in Keurboomstrand **must have low visual impact** (Keurbooms and Environs Local Area Spatial Plan, 2013, p. 154). The Department makes specific reference to development proposals on slopes of 1:4 or steeper, where development would be highly visible.

PRE-APPLICATION BAR 2025 COMMENTS

Comments and Response Report

PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY

DEA&DP REF: 16/3/3/6/7/1/D1/6/0339/25

Public Participation Process Followed:

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

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

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION BASIC ASSESSMENT REPORT DATED NOVEMBER 2025	
STATE DEPARTMENTS	
Department of Environmental Affairs and Development Planning – Dorien Werth – 12 December 2025	
COMMENT ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT: PROPOSED DEVELOPMENT OF GROUP DWELLING UNITS AND ASSOCIATED INFRASTRUCTURE ON PORTION OF ERF 1236 KEURBOOMSTRAND, BITOU MUNICIPALITY, WESTERN CAPE	
1. The abovementioned document compiled by the appointed Environmental Assessment Practitioner ("EAP"), Mr. Samantha Teeluckdhari (2023/6443), of Eco Route Environmental Consultancy (Pty) Ltd and received by this Directorate on 12 December 2025, refers.	
2. This Directorate has reviewed the undated Draft Basic Assessment Report and provided the following comment: 2.1. The DBAR does not contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended), including the information requested in the previous correspondence/ processes in respect of this matter. The previous correspondence ((Ref: 16/3/3/6/7/1/D1/6/0339/25 dated 06 October 2025).	The document issued was a Pre-Application BAR, not Draft BAR and was dated November 2025. All information requirements previously noted have been addressed in the Draft BAR.
2.2. Description of the Site / Site-Coordinates It is noted from the information provided in the undated Pre-Application Draft Basic Assessment Report (Pre-App DBAR) that limited coordinates were provided. Only start, middle point and end coordinates were provided and singular middle point for the other 5 sites. You are required to include a detailed description for the proposed the development footprint including the site for the activity, site camp(s) and stockpile area(s). Further to the above, this Directorate requires detailed coordinates of the development footprint and the detailed coordinates of the disturbance footprint inclusive of the site, laydown areas, construction camp and stockpile areas.	The development footprint coordinates were provided on page 3 of 73 of the Pre-Application BAR. The coordinates you are referring to are the coordinates for the linear section of the proposed i.e. the access road noted in section 3 of the report: **for linear activities or developments**. The laydown area, stockpile areas, and the site camp's exact locations have not yet been pinpointed on the site; however, these areas will be restricted to being within the approved development footprint only. Should the Department approve the proposed development the exact location of the mentioned areas will be provided to the Department for approval prior to construction. This condition has been included in the BAR and EMPr. A kml file of the proposed has been attached to the EIA application and will be attached to the Draft BAR appendices.

According to Appendix 1 of the National Environmental Impact Assessment Regulations, 2014, as amended, coordinates of the boundary of the property must be provided; or on land where the property has not been defined (i.e., will be utilised in its entirety) the coordinates within which the activity is to be undertaken. Furthermore, a KMZ / KML file must be provided for the site development plan (SDP), please include the site coordinates in the Basic Assessment Report and MMP as required.	
2.3. Applicable Listed Activities Applicable Listed Activities This Directorate notes that according to the information in the Pre-Application Draft Basic Assessment Report ("Pre-App DBAR") the EAP indicated that an access will be constructed to access the proposed residential dwellings. This access road is proposed to be four (4) meters in width. Based on this information the following listed activities must be applied for: **Environmental Impact Assessment Regulations Listing Notice 3 of 2014** (Government Notice No. R. 985 of 4 December 2014 as amended *Activity no.: 4* *Activity description:* *The development of a road wider than 4 metres with a reserve less than 13,5 metres.* ***i. Western Cape*** *(i) Areas zoned for use as public open space or equivalent zoning;* *(ii) Areas outside urban areas:* *(aa) Areas containing indigenous vegetation;* *(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or* *(iii) Inside urban areas:* *(aa) Areas zoned for conservation use; or* *(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.* You are reminded that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that the applicable listed activities are assessed as part of the Environmental Impact Assessment ("EIA") process. Should you concur	Thank you. Activity 4 has been included in the EIA application and Draft BAR.

that the above activities are indeed also applicable, you must submit an updated Application Form and ensure that all the applicable activities are assessed in the BAR.	
2.4. Site Development Plan From the information provided to this Directorate the Site Development Plan is noted, however the Site Development Plan attached as Appendix B does not meet the requirements of Appendix A (3) (c), which clearly states the following: "a plan which locates the proposed activity or activities applied for as well as associated structures and infrastructure at an appropriate scale;". This Directorate requires a Site Development Plan ("SDP") to be inclusive of the following: (a) Site and property information Property lines with a clear indication of the property boundaries; and Scale including a scale bar. (b) Building and structures Development footprint, along with the proposed disturbance footprint, inclusive of the location aspects e.g. main dwelling, decks, garages and patios etc. (c) Site access and circulation Driveways and entrance; location, dimensions, the main entrance and driveway, along within parking areas. (d) Utilities/services and landscaping environments.	The SDP has been updated to include the list of requirements provided.
2.5. Engineering Services The information indicated that services from the Bitou Municipality will be used for this development proposal.	Please refer to Appendix E16 for confirmation of bulk services from Bitou Municipality.

This Directorate is aware that the Bitou Municipality's bulk infrastructure require certain upgrades. This is also confirmed in the Engineering services report. Please obtain written confirmation for the Bitou Municipality and provide this Directorate with the services confirmation letter from the Bitou Municipality as early as possible in the application process. In addition to the above, it must be demonstrated/confirmed that any of the identified upgrades have already received environmental authorisation; or do not require environmental authorisation. Please be advised that this Department does not support incremental decision-making. Should such a matter arise, this will prejudice the success of the intended application.	
2.6. Specialists Reports It is emphasised that the BAR and supporting specialist studies must comply with the legislated minimum information and reporting requirements. Therefore, all identified specialist studies must be complied with in full. (a) Terrestrial Plant Species Theme The specialist report on the Terrestrial Plant Species Theme does not comply with the protocol for the specialist assessment and minimum report content requirements for environmental impacts on terrestrial plant species.	The Terrestrial Biodiversity Report has been amended.
2.7. National Water Act According to the information submitted to this Directorate it was indicated that the proposal development will not require an application for a Water Use License or the registration of a General Authorisation in terms of the National Water Act, 1998.	BOCMA comment has been received, and no Water Use License is required. Please refer to BOCMAs comment.

Notwithstanding the above, it is strongly advised that the applicability of the National Water Act, 1998 (NWA) to the proposal must urgently be confirmed by Breede Olifants Catchment Management Agency (BOCMA) in writing and the appropriate processes followed to ensure the correct information in included in the BAR. Specific attention must be given to the applicability of the NWA to any of the upgrades that may be required to municipal bulk services infrastructure.	
2.8. Environmental Management Programme The Draft Environmental Management Programme which was submitted with the Draft Basic Assessment report does comply with Appendix 4 of Government Notice No. R. 982 of 4 December 2024, however, please ensure than any additional impacts noted in this undated draft basic assessment report, public participation process, must be included and mitigated in the Final Environmental Management Programme.	Noted. This will be undertaken.
General 15. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.	Noted.
16. Also note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.	Noted.

17. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.	Noted.
Department of Environmental Affairs and Development Planning: Biodiversity & Coastal Management – Sibaphiwe Gumede – 19 December 2025	
RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PRE-APPLICATION BASIC ASSESSMENT PROCESS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of the pre-application Basic Assessment Report (BAR) for the above-mentioned application received on 17 November 2025, refers.	
1. CONTEXT 1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations." 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose	Noted.

is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request. 1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved. 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.	
2 COMMENT 2.1. The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary: 2.1.1. The proposal is to develop two (2) double-storey residential units with a double garage and a shared swimming pool on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236. The proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to	

rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. Approximately 2000m² of the 5 000m² subject site is earmarked for development.	
2.1.2. The BAR does not explain the need for the rezoning to from "Open Space Zone 2" to "Open Space Zone 3" for "Nature Conservation Area" in order to allow for the construction of the dwelling units and swimming pool. The limitations or conditions of each zoning is not specified and as such the merits and implications of the application is unclear.	As per extract from the Planning Report pg.13: KEURBOOMSTRAND ERF 1180 (PTN OF ERF 1236) – SPECIALIST PLANNING REPORT FOR NEMA PURPOSES **7.2. Proposed Rezoning** The rezoning application as submitted was to rezone Portion A of Erf 1180 from "Open Space Zone II" to "Open Space Zone III" for Nature Conservation purposes, in terms of the 2023 Bitou Zoning Scheme Bylaw. **7.3. Permanent Departure** The Bitou Zoning Scheme Bylaw 2023 prescribes a development parameter that states that **One dwelling house is allowed** if no dwelling house exists on another portion of the land unit zoned for agriculture purposes or if the full extent of the land unit is zoned Open Space III. In order to allow a second dwelling on Portion A (Nature Conservation Area), an application for a permanent departure is required.
2.1.3. The Keurbooms River Vegetation Sensitivity Analysis study (prepared by Conservation Management Services, dated October 2018, page 3) revealed that the site contains highly sensitive vegetation (disturbed Scrub Forest/former Fynbos and pristine Coastal Scrub Forest) that are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area (Keurbooms Thicket/Forest). The proposed development has high potential to cause irreversible damage to endemic species.	The conservation status of the proposed development area has changed since the compilation of said report. An updated assessment should be read in the Terrestrial Biodiversity Assessment prepared by Jamie Pote, dated 19/.05/2025.
2.1.4. Considering the sensitivity of the vegetation, the Vegetation Sensitivity Analysis should be updated as the 2018 information is outdated (i.e. information older than	As above.

five years old is not reflective of current conditions on the ground).	
2.1.5. The Visual Impact Assessment (prepared by Rain Bull (Pty) Ltd t/a Filia Visual, dated October 2025, page 112) indicated that the Preferred Alternative is more responsive to visual sensitivity parameters than previous development options, but remains non-compliant (therefore impacts remain high and negative). Revision of alternatives must be considered until direct, indirective and cumulative impacts are negligible.	Impact ratings were found to be low-medium. The specialist concluded the following: The visual specialist concludes that while the project cannot inherently meet the municipal preference for absolute "low visual impact" due to its elevated slope, it is acceptable for environmental and land use planning approval on a conditional basis (p. 19). Final authorization requires a mandatory desktop review by a qualified visual specialist at the SDP stage to ensure 100% compliance with the mapped setback lines and landscaping guidelines (p. 19). The SDP was amended to meet the specialist's conditions.
2.1.6. It is noted that , although in close proximity to the sea, the proposed site is elevated and is located inland of the draft Garden Route Coastal Management Line and wave run-up lines as modelled by the Department. However, the SD: CM is concerned that any development of this site will negatively impact the integrity of the slope. Erosion from runoff from inland sources, especially during high rainfall or coastal storm events may be hazardous. The dense vegetation is currently stabilising the slope and removal of any vegetation could exacerbate erosion.	The concern regarding slope stability and erosion has been assessed through a geotechnical investigation, which concluded that the proposed development area is generally stable and suitable for development. The site is underlain by shallow sandstone and shale bedrock, with no evidence of groundwater seepage, significant erosion or major stability problems within the proposed development footprint. The only instability feature identified was a localised tension crack at the edge of the steep southern slope, outside the proposed development area. The geotechnical report recommends setbacks from steep slopes and the implementation of effective stormwater management measures to prevent erosion. These recommendations have informed the site layout and will be incorporated into the development design and EMPr. In addition, vegetation clearance will be limited to the approved development footprint, while large areas of indigenous vegetation will be retained to maintain slope stability and ecological functioning. Accordingly, the proposed development is not expected to negatively affect slope integrity or result in significant erosion impacts.
2.2. Based on the above, the SD:CM does not support the proposed development on a Portion of Erf 1180, Keurboomstrand in Plettenberg Bay.	Noted. Your concerns have been addressed above.
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	Noted.

such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment…" together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.	
4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.	Noted.
Department: Forestry, Fisheries and the Environment – TF Gwala – 10 December 2025	
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 preapplication Draft BAR. Site inspection still to be conducted. **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.**	
1.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".	Noted. The Terrestrial Biodiversity Assessment has addressed impacts.
2. 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	This will be included as a condition of the BAR and EMPr.

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 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.	
3. 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.	This will be included as a condition of the BAR and EMPr
4. 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.	Noted.
5. 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.	This will be included as a condition of the BAR and EMPr
DFFE studied the supporting documents for the above-mentioned pre-application Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable 6. According to the information provided: "According to the report: The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf	

1236. Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool.".	
Forestry has the following comments: i. 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.
ii. 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 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.	Site visits have been conducted by Ms Melanie Koen. No comments have been received regarding the Environmental Process. A follow-up will be submitted.
iii. Kindly note that this letter is not a NFA licence.	Noted.
iv. 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.	Noted.
Note: The Department reserves the right to revise the initial comment based on any additional information that may be received Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0034-2025-26. Enquiries may be	Noted.

directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795. N	
Breede-Olifants Catchment Management Agency – R Mphahlele – 1 December 2025	
RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY	
1. The Breede-Olifants Catchment Management Agency (BOCMA) is responsible for implementing and enforcing the National Water Act, 1998 (Act No. 36 of 1998) (NWA). In terms of section 22(1) of the NWA, a person may only undertake a water use listed under section 21 if it is authorised by a licence, allowed under Schedule 1, qualifies as an existing lawful use, or is permissible under a General Authorisation issued in terms of section 39.	Noted.
2. We have assessed the abovementioned pre-application Basic Assessment Report and provide the following comments regarding the applicability of the NWA to the proposed development.	
3. Project scope • project entails the establishment of two (2) group housing units and associated ancillary infrastructure on the eastern portion of Erf 1180, Keurboomstrand. The site is vacant and will utilise municipal services. The site is currently vacant, and the development will utilise municipal services.	
4. Water Use Authorisation Requirements • The proposed development does not trigger any of the water uses listed in Section 21 of the NWA that require a water use licence in terms of Section 22. This is based on project not involving the discharge of wastewater into a water resource (Section 21(f)); disposal of waste in a manner which may detrimentally impact a water resource	Noted. The project will not trigger Section 21 c, e, f, g, h, or i.

(Section 21(g)); irrigation of land with wastewater (Section 21(e)); any activity within or impacting the regulated area of a watercourse (Sections 21(c) and (i)).	
5. Notwithstanding the above, the landowner/developer must ensure the following for the full lifespan of the project: • The implementation of sustainable stormwater management. Stormwater runoff from the property must not be contaminated by any on-site activities. • The active control and management of alien invasive plant species. • That all waste generated is disposed of in accordance with all relevant legislation and standards.	The proponent will be implementing the use of Sustainable Drainage Systems (SuDS) in the design and operation of the activity. Alien Invasive Plant management is included in the BAR and EMPr. Condition included in the BAR and EMPr: The proponent will maintain record-keeping of waste disposal during the construction and operational phase.
6. BOCMA reserves the right to amend these comments or request further information should it be necessary for the protection of water resources.	Noted.
PUBLIC	
Previously submitted comments re-submitted – A & T Millar 99 Paradise Beach Investments Pty Ltd – 30/08/2022	
RE: APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR A DEVELOPMENT ON A PORTION OF Erf 155, KEURBOOMSTRAND, PLETTENBERG BAY DEDEA Ref 16/3/3/6/7/1/D1/6/0126/20	
We hereby object in the strongest terms to the granting of Environmental authorisation of the proposed development on a portion of Erf 155 Keurboomstrand for the following reasons.	
1. Destruction of a CBA [Critical biodiversity area]. The consultant and all of the specialists' studies, in the application documentation, acknowledge that Erf 155 is a CBA. "CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state	According to the Western Cape Biodiversity Spatial Plan (WCBSP 2022), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation; however, subsequent ground-truthing by Jamie Pote (Pr.Sci.Nat.) confirmed that the footprint occurs within ESA 1—not CBA 1—because the remaining vegetation in the erf represents secondary, partially disturbed dune

because they are critical for conserving biodiversity and maintaining functioning ecosystems."



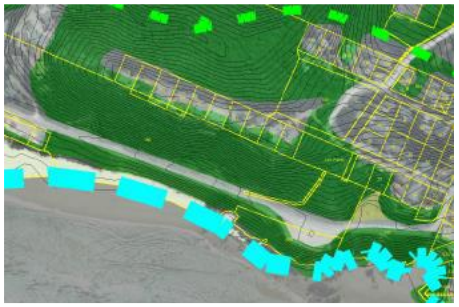
Furthermore SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANparks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area .
The conclusion, of a previous vegetation study for Erf 155, states:

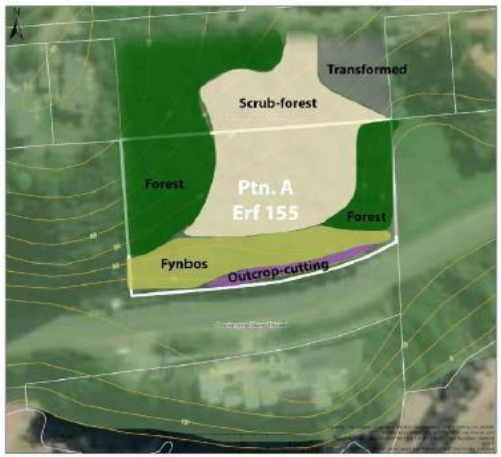
"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."

In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate degraded land to natural or near natural and to manage for no further degradation. They state that land-use should not be approved.

thicket and thicket-forest mosaic that provides connectivity rather than core biodiversity habitat.

The ESA 1 category is defined as land not essential to achieving biodiversity targets, but that supports the ecological functioning of adjacent CBAs and Protected Areas by maintaining natural corridors, hydrological processes, and ecosystem services. The management objective for ESA 1 is to maintain ecological functionality in a near-natural state, allowing for limited, well-mitigated, low-impact development.

Conclusion: Environmental authorisation for the development of Erf 155 Keurboomstrand therefore cannot be granted.	
2. Negative impact on an ecological Green Corridor. Any structures to the immediate North of Provincial Road 394, in the steep forested corridor of Erf 155 would create a "Tunnel Entrance" to Keurbooms Village and impact on its "Sense of place" by destroying the "Green Belt" leading into Keurboomstrand village. The ecological corridor as shown on the KLASP mapping cannot be obstructed 	The Terrestrial Biodiversity specialist states the following in his assessment report (Appendix G): *"The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction."*
3. Violation of NEMBA Approval of this application would be in violation of a multitude of environmental legislation and regulations, including: National Environmental Management; Biodiversity Act . which needs: a] To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act b]provide for the protection of species and ecosystems that warrant national protection.	The proposed development has been assessed through the Basic Assessment process, including specialist biodiversity investigations. The findings indicate that, subject to the implementation of recommended avoidance and mitigation measures, the development will not result in unacceptable impacts on protected ecosystems, species, or ecological processes. The proposal has been designed to avoid sensitive areas where possible and is therefore considered consistent with the objectives of the National Environmental Management: Biodiversity Act, 2004, which seeks to conserve biodiversity while enabling sustainable development.

 VegMap 2018	
4. Non-compliance with SPLUMA Principles: This application fails to comply with the principles/ out by Spluma which states: (2) Land use planning is guided by the following principles of spatial sustainability: (b) the sustained protection of the environment should be ensured by having regard to the following: (i) natural habitat, ecological corridors and areas with high biodiversity importance; (ii) the provincial heritage and tourism resources; (iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and (iv) the economic potential of the relevant area or region; Further under SPLUMA i]"Consideration of the public interest; ii]Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property	The proposal has been assessed against the principles of SPLUMA through the Basic Assessment process, specialist studies and planning assessment. The development footprint has been confined, while significant areas of natural vegetation and ecological connectivity will be retained. Potential impacts on biodiversity, visual character, heritage resources and slope stability have been assessed and mitigated. Furthermore, the public participation process has provided affected parties with an opportunity to comment, ensuring that the interests of landowners, residents, authorities and the broader community are considered in the decision-making process.

owners, public and private service providers and the wider community"?	
5. Violation of National Forest Act: This application cannot be approved as it is clearly in violation of the NFA [National Forest Act] which states under Principle 3 3[a]: "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 economics; social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance. According to these criteria, residential development does not comply" The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF. The "Vegetation Study" for Erf 155 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection. The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in	The presence and extent of natural forest and other sensitive vegetation communities on the site were assessed by suitably qualified specialists as part of the Basic Assessment process. The proposed development footprint has been refined to avoid and minimise impacts on sensitive vegetation and ecological features, and mitigation measures have been incorporated into the project design. Compliance with the National Forests Act and any applicable permitting requirements relating to protected tree species will be addressed through the relevant regulatory processes. The competent authority will consider the specialist findings and legislative requirements when assessing the application.

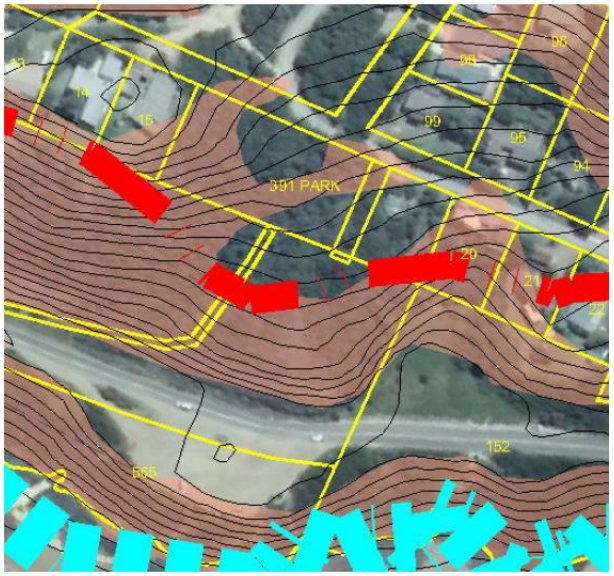
forest with a strip of Shale fynbos on the southern tip of the site. **RE/155, KEURBOOMSTRAND, PLETTENBERG BAY**  **Pre-application reference: 16/3/3/6/7/1/D1/6/0126/20** **August 2022** The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site, Their CONCLUSION : "The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.	
6. Would not conform with the KLASP [Keurbooms spatial plan] adopted by the Bitou municipality The Keurbooms LSDF determines a few "no go" development areas, based on biophysical constraints and "Habitat Mapping and Sensitivity Analysis map units" indicated as: • below the 1:50 and 100: year floodlines; • on any slopes with a gradient steeper than 1:4; • below the 4,5m coastal setback line; • within the 100m high water mark setback; • within the Tshokwane Wetland system.	As per the Specialist Planning Report, 2025: "For the purposes of the conceptual siting of nodes as depicted on the proposals plan consideration was given to criteria such as, but not limited to: • The location of any other existing development on the property so as to enhance the principle of clustering of development; • Proximity of existing roads both from an access as well potential visual impact consideration; • Features such as dams and natural drainage systems. With regard to the proposal to rezone the application area to a nature conservation area, and the development of two dwellings on the disturbed areas on the site, it is the considered

- Map Unit 3: Fynbos
- Map Unit 4: Forest
- Map Unit 5: Dune Thicket/Dune Fynbos Mosaic
- Map Unit 6: Coastal fore dune & seashore



Figure 17: LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013)

below A] Forest & corridor, B] Steep slopes & 100m line from HWM.

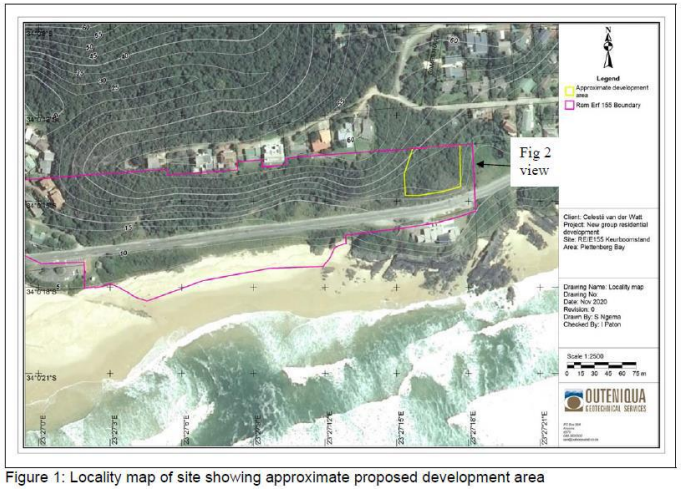


opinion that the proposal is consistent with the KLASP policy statements, for the following reasons:

- The proposed dwellings are not on steep slopes;
- The proposed dwellings are setback by 30m from the cliff edge
- The proposed dwellings are not below the 4,5m contour coastal setback line;
- The proposed dwellings are not within 100m of the HWM.

The proposal is therefore considered to be consistent with the KLASP policy statements, and not inconsistent with the KLASP.

7. Non-compliance with the conditions of the Municipal Approval Approval of this application would not comply with the conditions of the Municipal approval 18/151 & 155/KB dated 21 Sept 2011, for the rezoning/subdivision of Erf 155/151 to create 26 individual residential erven for the existing structures. Condition h] the remainder of the property to be managed as a Private nature reserve by the Mare Nostrum HOA. This was a condition requested by the KPOA [Keurbooms Property Owners Association] when submitting comments on the application, and adopted by the municipality.	Please refer to the Specialist Planning Report, 2025 – Appendix G which addresses Town Planning aspect of the proposal.

8. No Go Alternative not considered According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED ", despite the acknowledged sensitivity of the land. Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". We find this stance not in the common interest of Keurboomstrand. Erf 155 has 26 residential units on the flatter western portion of the 56,000m2 some of which are for sale, so the necessity to develop in a sensitive protected environment is not given. Furthermore properties are available for houses in Keurboomstrand and surrounds. The map below forms part of the documentation of the proposed development and shows the extent of Erf 155 Mare Nostrum and some of the residential units on the western portion. Also the forested steep slopes.  Figure 1: Locality map of site showing approximate proposed development area	Please note that the BAR has been revised. In accordance with the EIA Regulations, reasonable alternatives were considered during the Basic Assessment process, including the no-go alternative and alternative layout configurations. Property alternatives were not assessed as the application relates to the development of a specific privately owned property and the environmental suitability of that site. The availability of other properties within Keurboomstrand does not negate the applicant's right to seek development approval for the subject property. The acceptability of the proposal is therefore based on the findings of the specialist assessments and the extent to which environmental impacts can be avoided, minimised and managed.

9. The Visual impact report by Filia Visuals PTY LTD Findings "The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline. The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local receiving environment is unique and distinctive within the coastal belt, based on both the local townscape character and the value of the natural and scenic resources. The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand. The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable. • Inside the 100m Urban Coastal Setback Line; • On an elevated promontory with an average slope of approximately 1:4; • Within a Critical Biodiversity Area containing protected tree species; • Alongside a scenic route; • Within an area with a recognized special character, sense of place and • importance in terms of tourism and recreation value; • Within an area with visually prominent ridgelines or skylines; Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes:	The Visual Impact has been reassessed as the proposed development plan was amended. Please see Appendix G for the updated report and findings.

i. A change in land use from the prevailing use; ii. A use that is in conflict with an adopted plan or vision for the area; iii. Possible visual intrusion in the landscape.	

10. Visual impact on the residents of Keurboomstrand village. It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 155 Private open space. This is strange as they state in paragraph5.3.4. Visual Receptors and their Potential Sensitivity i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community; ii. Residents and residential properties with views affected by the development. iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.	The Visual Impact has been reassessed as the proposed development plan was amended. Please see Appendix G for the updated report and findings. The VIA states the following: "The proposed development will not obstruct the views of any neighbours, although it is most likely to be visible from neighbouring properties." (Visual Impact Assessment, October 2025)
11. Personal impact We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 155 would experience a drastic change of our scenic view across the forest towards Robberg photos below(Figures 5-8).	Thank you for providing comments. They have been taken into consideration, and an amended proposal has been the result. The concerns regarding the protection of the existing natural environment and the potential precedent for future development are acknowledged. The current application has been assessed on its own merits through the Basic Assessment process and informed by specialist studies. The proposed development footprint has been refined to avoid and minimise impacts on sensitive environmental features, and the competent authority will determine the acceptability of the proposal based on the findings of the assessment, applicable legislation and recommended mitigation measures. Approval of this application would not automatically create a right for similar developments elsewhere, as each application must be assessed independently based on its site-specific characteristics, environmental sensitivities, legislative requirements and specialist findings.



Figure 6:View Forest from below



Figure 7: from Blaubankies beach

We would like to note that, when we bought our house on Erf 96, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures in the face of such environmental legislation, in place to protect such pristine protected environments, would open the door to other developers doing the same which is of grave concern to us as permanent residents of Keurboomstrand.
We reserve the right to submit further comments on the application as information becomes available.

Western Cape Government

Department of Environmental Affairs and Development Planning
Dorien Werth
Development Management (Region 3)
Dorien.Werth@westerncape.gov.za | Tel: 044 814 2005
DEADPEIAadmin.George@westerncape.gov.za | Tel: 044 814 2006

REFERENCE: 16/3/3/6/7/1/D1/6/0339/25
DATE OF ISSUE: **12 December 2025**

The Managing Director
Ferpa (Pty) Ltd.
PO Box 35097,
Constantia
MENLOPARK
0102

Attention: Louis van der Watt

E-mail: louis@atterbury.co.za
Cell: 083 263 9901

Dear Sir,

COMMENT ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT: PROPOSED DEVELOPMENT OF GROUP DWELLING UNITS AND ASSOCIATED INFRASTRUCTURE ON PORTION OF ERF 1236 KEURBOOMSTRAND, BITOU MUNICIPALITY, WESTERN CAPE

1. The abovementioned document compiled by the appointed Environmental Assessment Practitioner ("EAP"), Mr. Samantha Teeluckdhari (2023/6443), of Eco Route Environmental Consultancy (Pty) Ltd and received by this Directorate on 12 December 2025, refers.

2. This Directorate has reviewed the undated Draft Basic Assessment Report and provided the following comment:

   2.1. The DBAR does not contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended), including the information requested in the previous correspondence/ processes in respect of this matter. The previous correspondence ((Ref: 16/3/3/6/7/1/D1/6/0339/25 dated 06 October 2025).

   2.2. Description of the Site / Site-Coordinates

   It is noted from the information provided in the undated Pre-Application Draft Basic Assessment Report (Pre-App DBAR) that limited coordinates were provided. Only start, middle point and end coordinates were provided and singular middle point for the other 5 sites. You are required to include a detailed description for the proposed the development footprint including the site for the activity, site camp(s) and stockpile area(s). Further to the above, this Directorate requires detailed coordinates of the development footprint and the detailed coordinates of the disturbance footprint inclusive of the site, laydown areas, construction camp and stockpile areas.

According to Appendix 1 of the National Environmental Impact Assessment Regulations, 2014, as amended, coordinates of the boundary of the property must be provided; or on land where the

property has not been defined (i.e., will be utilised in its entirety) the coordinates within which the activity is to be undertaken. Furthermore, a KMZ / KML file must be provided for the site development plan (SDP), please include the site coordinates in the Basic Assessment Report and MMP as required.

2.3. Applicable Listed Activities

Applicable Listed Activities This Directorate notes that according to the information in the Pre-Application Draft Basic Assessment Report ("Pre-App DBAR") the EAP indicated that an access will be constructed to access the proposed residential dwellings. This access road is proposed to be four (4) meters in width. Based on this information the following listed activities must be applied for:

Environmental Impact Assessment Regulations Listing Notice 3 of 2014
(Government Notice No. R. 985 of 4 December 2014 as amended

Activity no.: 4
Activity description:

The development of a road wider than 4 metres with a reserve less than 13,5 metres.

i. Western Cape

(i) Areas zoned for use as public open space or equivalent zoning;

(ii) Areas outside urban areas:
(aa) Areas containing indigenous vegetation;
(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or

(iii) Inside urban areas:
(aa) Areas zoned for conservation use; or
(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.

You are reminded that only those activities applied for will be considered for authorisation.

The onus is on the applicant to ensure that the applicable listed activities are assessed as part of the Environmental Impact Assessment ("EIA") process. Should you concur that the above activities are indeed also applicable, you must submit an updated Application Form and ensure that all the applicable activities are assessed in the BAR.

2.4. Site Development Plan

From the information provided to this Directorate the Site Development Plan is noted, however the Site Development Plan attached as Appendix B does not meet the requirements of Appendix A (3) (c), which clearly states the following:

"a plan which locates the proposed activity or activities applied for as well as associated structures and infrastructure at an appropriate scale;".

This Directorate requires a Site Development Plan ("SDP") to be inclusive of the following:

(a) Site and property information
Property lines with a clear indication of the property boundaries; and

Scale including a scale bar.

(b) Building and structures
Development footprint, along with the proposed disturbance footprint, inclusive of the location aspects e.g. main dwelling, decks, garages and patios etc.

(c) Site access and circulation
Driveways and entrance; location, dimensions, the main entrance and driveway, along within parking areas.

(d) Utilities/services and landscaping environments.

2.5. Engineering Services

The information indicated that services from the Bitou Municipality will be used for this development proposal.

This Directorate is aware that the Bitou Municipality's bulk infrastructure require certain upgrades. This is also confirmed in the Engineering services report.

Please obtain written confirmation for the Bitou Municipality and provide this Directorate with the services confirmation letter from the Bitou Municipality as early as possible in the application process.

In addition to the above, it must be demonstrated/confirmed that any of the identified upgrades have already received environmental authorisation; or do not require environmental authorisation. Please be advised that this Department does not support incremental decision-making. Should such a matter arise, this will prejudice the success of the intended application.

2.6. Specialists Reports
It is emphasised that the BAR and supporting specialist studies must comply with the legislated minimum information and reporting requirements. Therefore, all identified specialist studies must be complied with in full.

(a) Terrestrial Plant Species Theme
The specialist report on the Terrestrial Plant Species Theme does not comply with the protocol for the specialist assessment and minimum report content requirements for environmental impacts on terrestrial plant species.

2.7. National Water Act

According to the information submitted to this Directorate it was indicated that the proposal development will not require an application for a Water Use License or the registration of a General Authorisation in terms of the National Water Act, 1998.

Notwithstanding the above, it is strongly advised that the applicability of the National Water Act, 1998 (NWA) to the proposal must urgently be confirmed by Breede Olifants Catchment Management Agency (BOCMA) in writing and the appropriate processes followed to ensure the correct information in included in the BAR. Specific attention must be given to the applicability of the NWA to any of the upgrades that may be required to municipal bulk services infrastructure.

2.8. Environmental Management Programme

The Draft Environmental Management Programme which was submitted with the Draft Basic Assessment report does comply with Appendix 4 of Government Notice No. R. 982 of 4 December 2024, however, please ensure than any additional impacts noted in this undated draft basic assessment report, public participation process, must be included and mitigated in the Final Environmental Management Programme.

General

15. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.

16. Also note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

17. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

Yours faithfully

pp Francois Naudé

Digitally signed by Francois Naudé
Date: 2025.12.12 11:17:45 +02'00'

HEAD OF COMPONENT:
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES (REGION 3)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
(reference: 16/3/3/6/7/1/D1/6/0339/25*)*

Copied to:

EAP: Samantha Teeluckdhari (Eco Route Environmental Consultancy)	E-mail: samantha@ecoroute.co.za
Admin: Eco Route Environmental Consultancy	E-mail: admin@ecoroute.co.za
Mr Eugene Schoeman – Landowner: Mare Nostrum (Pty) Ltd.	E-mail: csms@mweb.co.za
Ms Anje Minne (Bitou Municipality)	E-mail: anje@plett.gov.za

Western Cape Government

Department of Environmental Affairs and Development Planning
Sibaphiwe Gumede
Biodiversity and Coastal Management
Sibaphiwe.Gumede@westerncape.gov.za | Tel: 021 483 2986
DEA&DP Reference: 17/1/8(CMU 117/2025)

The EAP
Eco Route Environmental Consultancy
PO Box 1252
Sedgefield
6573

Attention: Ms. Samantha Teeluckdhari

Tel: 072 773 5397
E-mail: samantha@ecoroute.co.za

Good day Madam

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PRE-APPLICATION BASIC ASSESSMENT PROCESS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY, WESTERN CAPE

Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of the pre-application Basic Assessment Report (BAR) for the above-mentioned application received on 17 November 2025, refers.

1. CONTEXT

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

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

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

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

2 COMMENT

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

2.1.1. The proposal is to develop two (2) double-storey residential units with a double garage and a shared swimming pool on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236. The proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. Approximately 2000m² of the 5 000m² subject site is earmarked for development.

2.1.2. The BAR does not explain the need for the rezoning to from "Open Space Zone 2" to "Open Space Zone 3" for "Nature Conservation Area" in order to allow for the construction of the dwelling units and swimming pool. The limitations or conditions of each zoning is not specified and as such the merits and implications of the application is unclear.

2.1.3. The Keurbooms River Vegetation Sensitivity Analysis study (prepared by Conservation Management Services, dated October 2018, page 3) revealed that the site contains highly sensitive vegetation (disturbed Scrub Forest/former Fynbos and pristine Coastal Scrub Forest) that are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area (Keurbooms Thicket/Forest). The proposed development has high potential to cause irreversible damage to endemic species.

2.1.4. Considering the sensitivity of the vegetation, the Vegetation Sensitivity Analysis should be updated as the 2018 information is outdated (i.e. information older than five years old is not reflective of current conditions on the ground).

2.1.5. The Visual Impact Assessment (prepared by Rain Bull (Pty) Ltd t/a Filia Visual, dated October 2025, page 112) indicated that the Preferred Alternative is more responsive to visual sensitivity parameters than previous development options, but remains non-compliant (therefore impacts remain high and negative). Revision of alternatives must be considered until direct, indirective and cumulative impacts are negligible.

2.1.6. It is noted that , although in close proximity to the sea, the proposed site is elevated and is located inland of the draft Garden Route Coastal Management Line and wave run-up lines as modelled by the Department. However, the SD: CM is concerned that any development of this site will negatively impact the integrity of the slope. Erosion from runoff from inland sources, especially during high rainfall or coastal storm events may be hazardous. The dense vegetation is currently stabilising the slope and removal of any vegetation could exacerbate erosion.

2.2. Based on the above, the SD:CM does not support the proposed development on a Portion of Erf 1180, Keurboomstrand in Plettenberg Bay.

3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "…*Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such*

pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment…" together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.

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

Yours faithfully

Ieptieshaam Bekko

Digitally signed by Ieptieshaam Bekko
Date: 2025.12.19 12:23:44 +02'00'

Ieptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
DIRECTORATE: BIODIVERSITY AND COASTAL MANAGEMENT
DATE: 19 December 2025

forestry, fisheries & the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Demar Centre, Main Road, Knysna, WC, Contact Number: 066 374 7795
Enquiries: TF Gwala, E-mail: TGwala@dffe.gov.za

EIA-WC-GR-0034-2025-26

RE: COMMENT ON PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR) FOR A PORTION OF ERF 1180, KEURBOOMSTRAND

DATE: 10 December 2025

Eco Route
Attention: Ms. Samantha Teeluchdari
Email: samantha@ecoroute.co.za
Cell/ Tel: -

Dear Sir/ Madam

I refer to your e-mail notification of 17 November 2025 with documents.

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 pre-application Draft BAR. Site inspection still to be conducted.

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.

1.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".

2. 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 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.

3. 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.



4. 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.

5. 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.

DFFE studied the supporting documents for the above-mentioned pre-application Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable

6. According to the information provided: "According to the report: The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236. Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool.".

Forestry has the following comments:

i. 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
ii. 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
    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.
iii. Kindly note that this letter is not a NFA licence
iv. 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.

Note: The Department reserves the right to revise the initial comment based on any additional information that may be received

Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0034-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.

Yours Faithfully,

_____

SIGNATURE OF DELEGATED AUTHORITY
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms. TF Gwala
Designation: Deputy Director Forest Resource Protection
Branch: Forestry Management

DEPARTMENT OF FORESTRY, FISHERIES
WESTERN CAPE REGION
12/12/2025
PRIVATE BAG X12, KNYSNA, 6570
TEL: 044 302 6900/07FAX: 044 382 5461
AND THE ENVIRONMENT

BREEDE-GOURITZ
CATCHMENT MANAGEMENT AGENCY

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

Enquiries: R Mphahlele **Tel:** 023 346 8000 **Fax:** 044 873 2199 **E-mail:** rmphahlele@bgcma.co.za

REFERENCE: 4/10/2/K70A/ERF 1180, KEURBOOMSTRAND

Date: 01 December 2025

Eco-route Environmental Consultancy
PO Box 1252
SEDGEFIELD
6573

Dear Sir/ Madam

RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF 1180, KEURBOOMSTRAND, PLETTENBERG BAY

1. The Breede-Olifants Catchment Management Agency (BOCMA) is responsible for implementing and enforcing the National Water Act, 1998 (Act No. 36 of 1998) (NWA). In terms of section 22(1) of the NWA, a person may only undertake a water use listed under section 21 if it is authorised by a licence, allowed under Schedule 1, qualifies as an existing lawful use, or is permissible under a General Authorisation issued in terms of section 39.

2. We have assessed the abovementioned pre-application Basic Assessment Report and provide the following comments regarding the applicability of the NWA to the proposed development.

3. Project scope

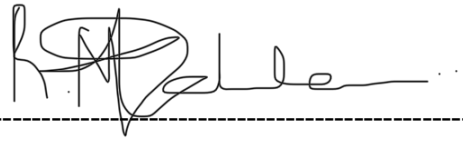
    - project entails the establishment of two (2) group housing units and associated ancillary infrastructure on the eastern portion of Erf 1180, Keurboomstrand. The site is vacant and will utilise municipal services. The site is currently vacant, and the development will utilise municipal services.

4. Water Use Authorisation Requirements
    - The proposed development does not trigger any of the water uses listed in Section 21 of the NWA that require a water use licence in terms of Section 22. This is based on project not involving the discharge of wastewater into a water resource (Section 21(f)); disposal of waste in a manner which may detrimentally impact a water resource (Section 21(g)); irrigation of land with wastewater (Section 21(e)); any activity within or impacting the regulated area of a watercourse (Sections 21(c) and (i)).

5. Notwithstanding the above, the landowner/developer must ensure the following for the full lifespan of the project:
    - The implementation of sustainable stormwater management. Stormwater runoff from the property must not be contaminated by any on-site activities.
    - The active control and management of alien invasive plant species.
    - That all waste generated is disposed of in accordance with all relevant legislation and standards.

6. BOCMA reserves the right to amend these comments or request further information should it be necessary for the protection of water resources.

Yours faithfully,



---

pp MR. JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

99 Paradise Beach Investments Pty Ltd
A & T Millar
Erf 96
5 Hill Street
Keurboomstrand
Plettenberg Bay
6600

Samantha Teeluckdhari

EcoRoute Consultancy

Via e-mail: samantha@ecoroute.co.za

RE: APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR A DEVELOPMENT ON A PORTION OF Erf 155, KEURBOOMSTRAND, PLETTENBERG BAY

DEDEA Ref 16/3/3/6/7/1/D1/6/0126/20

We hereby object in the strongest terms to the granting of Environmental authorisation of the proposed development on a portion of Erf 155 Keurboomstrand for the following reasons.

1. *Destruction of a CBA* [Critical biodiversity area].
   The consultant and all of the specialists' studies, in the application documentation, acknowledge that Erf 155 is a CBA. **"CBA's are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and**

maintaining functioning ecosystems."



Furthermore SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANparks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area .

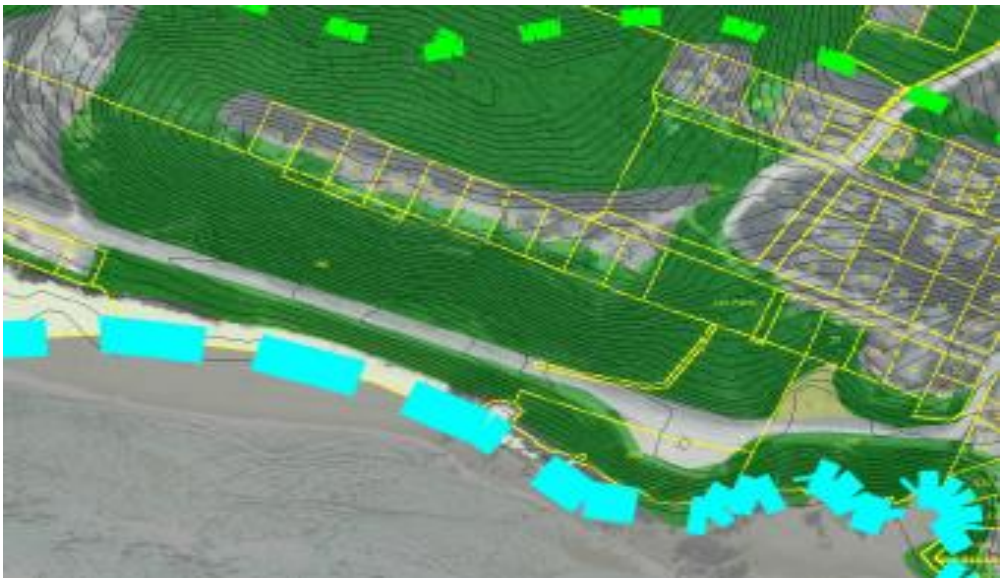
The conclusion, of a previous vegetation study for Erf 155, states:
"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."

In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate degraded land to natural or near natural and to manage for no further degradation. *They state that land-use should not be approved*.

Conclusion: *Environmental authorisation for the development of Erf 155 Keurboomstrand therefore cannot be granted*

2. Negative impact on an ecological Green Corridor.

Any structures to the immediate North of Provincial Road 394, in the steep forested corridor of Erf 155 would create a "Tunnel Entrance" to Keurbooms Village and impact on its "Sense of place" by destroying the "Green Belt" leading into Keurboomstrand village. The ecological corridor as shown on the KLASP mapping cannot be obstructed



3. *Violation of NEMBA*

Approval of this application would be in violation of a multitude of environmental legislation and regulations, including: National Environmental Management; Biodiversity Act . which needs:
a] To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act
b]provide for the protection of species and ecosystems that warrant national protection.



VegMap 2018

4. *Non-compliance with SPLUMA Principles:*

This application fails to comply with the principles/ out by Spluma which states:

(2) Land use planning is guided by the following principles of spatial sustainability:

(b) the sustained protection of the environment should be ensured by having regard to the following:

(i) natural habitat, ecological corridors and areas with high biodiversity importance;

(ii) the provincial heritage and tourism resources;

(iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and

(iv) the economic potential of the relevant area or region;

Further under SPLUMA

i]"Consideration of the public interest;

ii]Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property owners, public and private service providers and the wider community"?

5. *Violation of National Forest Act:*

This application cannot be approved as it is clearly in violation of the NFA [National Forest Act] which states under Principle 3 3[a]:

"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 economics; social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance. According to these criteria, ***residential development does not comply****"*

The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF.

The "Vegetation Study" for Erf 155 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection.

The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in forest with a strip of Shale fynbos on the southern tip of the site.

RE/155, KEURBOOMSTRAND, PLETTENBERG BAY



Pre-application reference: 16/3/3/6/7/1/D1/6/0126/20 **August 2022**

The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site,

Their CONCLUSION :
"The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.

6. *Would not conform with the KLASP [Keurbooms spatial plan] adopted by the Bitou municipality*

The Keurbooms LSDF determines a few "no go" development areas, based on biophysical constraints and "Habitat Mapping and Sensitivity Analysis map units"

indicated as:

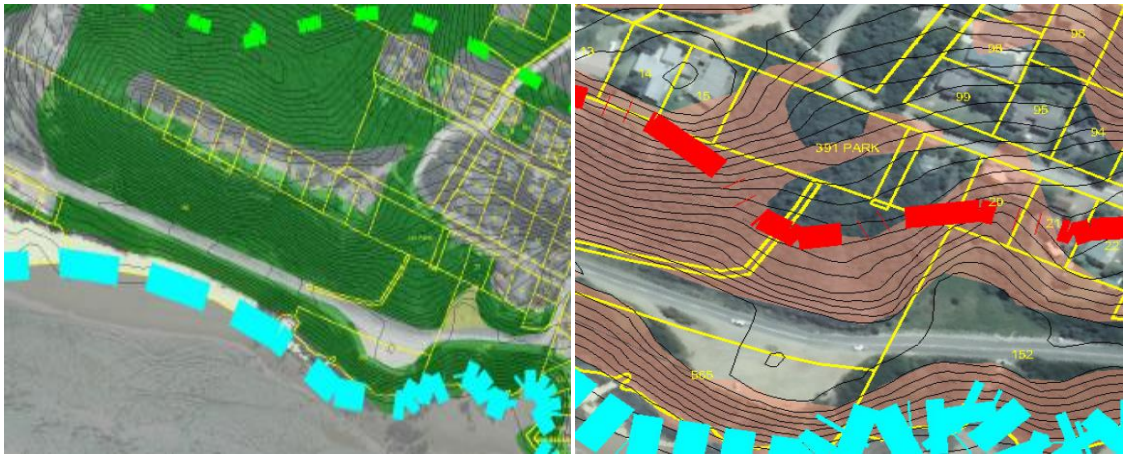
- below the 1:50 and 100: year floodlines;
- on any slopes with a gradient steeper than 1:4;
- below the 4,5m coastal setback line;
- within the 100m high water mark setback;
- within the Tshokwane Wetland system.
- Map Unit 3: Fynbos

- Map Unit 4: Forest
- Map Unit 5: Dune Thicket/Dune Fynbos Mosaic
- Map Unit 6: Coastal fore dune & seashore



Figure 17: LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013)

below A] Forest & corridor, B] Steep slopes & 100m line from HWM.



7. *Non-compliance with the conditions of the Municipal Approval*

Approval of this application would not comply with the conditions of the Municipal approval 18/151 & 155/KB dated 21 Sept 2011, for the rezoning/subdivision of Erf 155/151 to create 26 individual residential erven for the existing structures. ***Condition h]*** the remainder of the property to be managed as a Private nature reserve by the Mare Nostrum HOA. This was a

condition requested by the KPOA [Keurbooms Property Owners Association] when submitting comments on the application, and adopted by the municipality.

8. *No Go Alternative not considered*

According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED ", despite the acknowledged sensitivity of the land. Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ". We find this stance not in the common interest of Keurboomstrand. Erf 155 has 26 residential units on the flatter western portion of the 56,000m2 some of which are for sale, so the necessity to develop in a sensitive protected environment is not given. Furthermore properties are available for houses in Keurboomstrand and surrounds.
The map below forms part of the documentation of the proposed development and shows the extent of Erf 155 Mare Nostrum and some of the residential units on the western portion. Also the forested steep slopes.

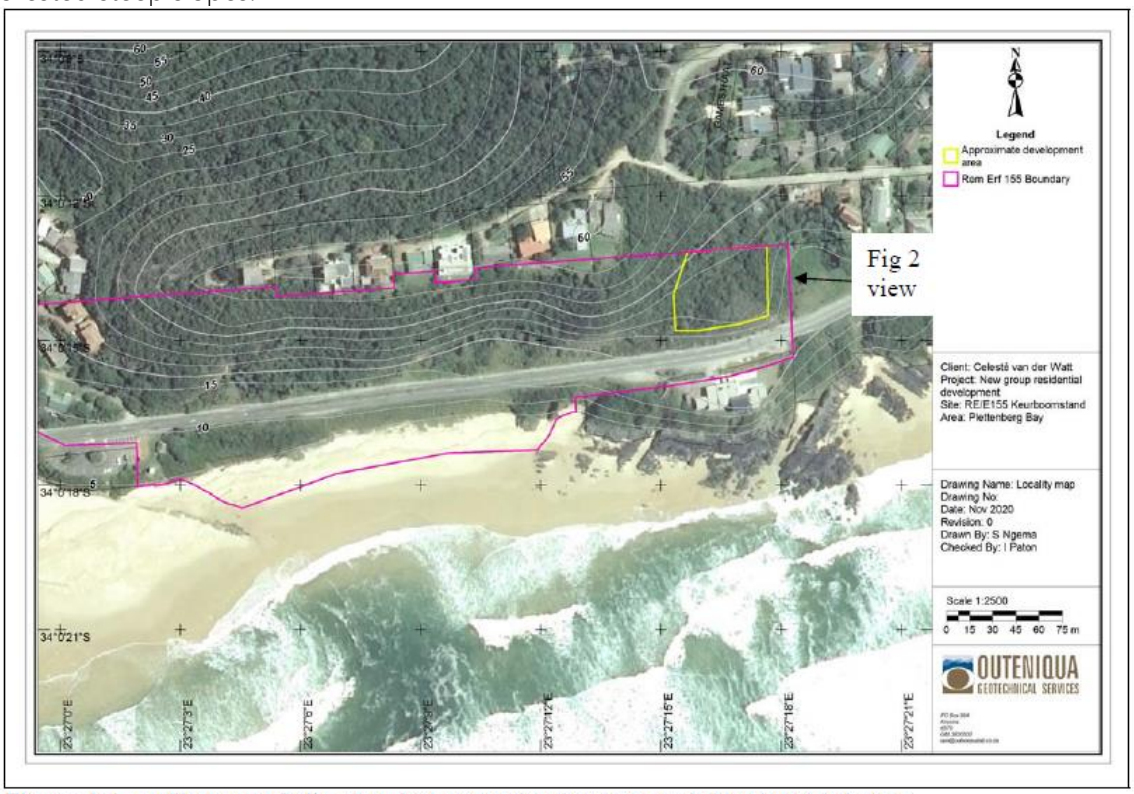


Figure 1: Locality map of site showing approximate proposed development area

9. The Visual impact report by Filia Visuals PTY LTD

Findings

"The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline.
The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local receiving environment is unique and distinctive within the

coastal belt, based on both the local townscape character and the value of the natural and scenic resources.
The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand.
The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable.

- Inside the 100m Urban Coastal Setback Line;
- On an elevated promontory with an average slope of approximately 1:4;
- Within a Critical Biodiversity Area containing protected tree species;
- Alongside a scenic route;
- Within an area with a recognized special character, sense of place and
- importance in terms of tourism and recreation value;
- Within an area with visually prominent ridgelines or skylines;

Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes:

i. A change in land use from the prevailing use;
ii. A use that is in conflict with an adopted plan or vision for the area;
iii. Possible visual intrusion in the landscape.

10. Visual impact on the residents of Keurboomstrand village.

It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 155 Private open space. This is strange as they state in paragraph5.3.4.

Visual Receptors and their Potential Sensitivity

i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community;
ii. Residents and residential properties with views affected by the development.
iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.

11. Personal impact

We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 155 would experience a drastic change of our scenic view across the forest towards Robberg photos below(Figures 5-8).

Figure 5: Visual Impact from ERF 96 above



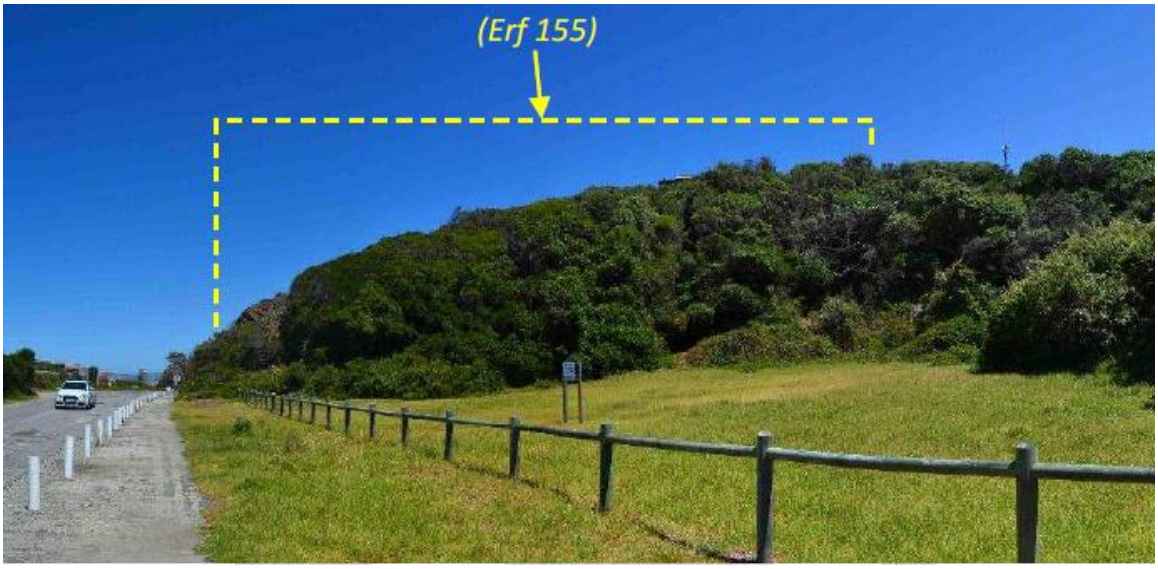


Figure 6:View Forest from below



Figure 7: from Blaubankies beach

We would like to note that, when we bought our house on Erf 96, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures in the face of such environmental legislation, in place to protect such pristine protected environments, would open the door to other developers doing the same which is of grave concern to us as permanent residents of Keurboomstrand.

We reserve the right to submit further comments on the application as information becomes available.

99 Paradise Beach Investments Pty Ltd
A & T Millar

AND WHEREAS it is the State's obligation to realise the constitutional imperatives in—

- section 24 of the Constitution, to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures, which include a land use planning system that is protective of the environment;



Compliance with environmental implementation plans and environmental management plans

16. (1) *(a)* Every organ of state must exercise every function it may have, or that has been assigned or delegated to it, by or under any law, and that may significantly affect the protection of the environment. substantially in accordance with the environmental implementation plan or the environmental management plan prepared. submitted and adoptedby that organ of state in accordance with this Chapter: Provided that any substantial deviation from an environmental management plan or environmental implementation plan must be reported forthwith to the Director-General and the Committee.

National Environmental Management: Biodiversity Act 10 of 2004

Files:

Attachment	Size
a10-04.pdf	2.41 MB

10 of 2004

The National Environmental Management: Biodiversity Act 10 of 2004 intends:

- to provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act, 1998;
- the protection of species and ecosystems that warrant national protection;

Contents of biodiversity management plans

45. A biodiversity management plan must—
(a) be aimed at ensuring the long-term survival in nature of the species or ecosystem to which the plan relates;
(b) provide for the responsible person, organisation or organ of state to monitor and report on progress with implementation of the plan; and
(c) be consistent with—
(i) this Act;
(ii) the national environmental management principles;
(iii) the national biodiversity framework;
(iv) any applicable bioregional plan;
(v) any plans issued in terms of Chapter 3 of the National Environmental Management Act;
(vi) any municipal integrated development plan;
(vii) any other plans prepared in terms of national or provincial legislation that is affected; and
(viii) any relevant international agreements binding on the Republic.

Bitou Municipal Spatial Development Framework, 2017 (MSDF)

The Eden District Spatial Development Framework notes that the Eden District has been identified as a strategic area within the province regarding its scenic value, on equal footing to that of its regional competitiveness and economic performance (GAPP Architects, Urban Designers and Spatial Planners, 2017, p. 36). Given that the scenic resources of the area originate from the landscape itself, it follows that conservation of the natural environmental is critical for the Bitou area (CNdV Africa (Pty) Ltd, 2017, p. 201). The Garden Route Critical Biodiversity Areas Map includes the subject site and its environs in its mapped Critical Biodiversity Areas (CBA), which represent the biodiversity priority areas which should be maintained in a natural to near natural state. The desired management objective associated with CBA's is to maintain natural land, rehabilitate degraded to natural or near natural and manage them to prevent further

Protection of threatened or protected ecosystems

Ecosystems that are threatened or in need of protection

52. (1) (a) The Minister may, by notice in the *Gazette*, publish a national list of ecosystems that are threatened and in need of protection.

(b) An MEC for environmental affairs in a province may, by notice in the *Gazette*, publish a provincial list of ecosystems in the province that are threatened and in need of protection.

(2) The following categories of ecosystems may be listed in terms of subsection (1):

(a) critically endangered ecosystems, being ecosystems that have undergone severe degradation of ecological structure, function or composition as a result of human intervention and are subject to an extremely high risk of irreversible transformation;

(b) endangered ecosystems, being ecosystems that have undergone degradation of ecological structure, function or composition as a result of human intervention, although they are not critically endangered ecosystems;

(c) vulnerable ecosystems, being ecosystems that have a high risk of undergoing significant degradation of ecological structure, function or composition as a

The Department of Environmental Affairs and Development Planning have made their position on this matter clear, stating in their comments on the Local Area Spatial Plan that future development in Keurboomstrand **must have low visual impact** (Keurbooms and Environs Local Area Spatial Plan, 2013, p. 154). The Department makes specific reference to development proposals on slopes of 1:4 or steeper, where development would be highly visible.

Eco Route
ENVIRONMENTAL CONSULTANCY
REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN
PhD Univ. Pretoria
Cell:072 222 6013
e-mail: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN
Bsc. Hons. Environmental Management
Cell: 082 557 7122
e-mail: janet@ecoroute.co.za

Comments and Response Report

Pre-Application Basic Assessment Report from August 2022– RE/155 Keurboomstrand, Plettenberg Bay

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION BASIC ASSESSMENT REPORT – August 2022	
STATE DEPARTMENTS	
Department of Environmental Affairs & Development Planning (DEA&DP) – Directorate: Development Management, Region 3 – Jessica Christie – 01 September 2022	
1. The abovementioned report received by this Directorate on 1 August 2022, refers.	
2. This Directorate has reviewed the Pre-Application Basic Assessment Report (Pre-App BAR) and have the following comment:	
2.1. Compliance with Appendix 1 of the NEMA EIA Regulations 2014:	
The report as submitted to this Directorate does not comply with the requirements of Appendix 1 as no declaration has been signed by the applicant nor the EAP, amongst other aspects highlighted below:	**All declarations have been signed and submitted with the new EIA application and BAR submitted in June 2026.**
2.2. Applicable Listed Activities:	
It must be made clear that the proposed development will occur on an area outside of the interim urban edge as well as the urban area; as such, Activity 4 and 15 of Listing Notice 3 in the Pre-Application BAR must highlight the correct theme, (i.e., outside urban areas). The onus is on the applicant to ensure that the applicable listed activities are applied for and assessed as part of the Environmental Impact Assessment ("EIA") process.	**The urban edge has been decided and in the updated BAR dated June 2026 the property is considered to be within the urban edge.**
2.3. Need and Desirability: The proposal to develop on a portion of Erf 155, which has no direct access due to it being landlocked is noted. However, it is unclear as to what benefit the general public will have from a private road through public open space. It has not been demonstrated that the nett benefit of the proposed road will outweigh the loss of good quality coastal forest on Erf 391, nor the proposed development site. Furthermore, the need for 3 dwellings on an area which was not set aside for development but for a conservation use has not been adequately addressed. The need and desirability of the proposed development must be adequately addressed.	**The need for access to Erf 155 and the associated road through Public Open Space have been considered as part of the land-use planning and environmental assessment. The proposed road (legal servitude) is required to provide lawful access to the otherwise landlocked portion of Erf 155 and is not proposed as a public amenity or facility.** **The applicant acknowledges that the proposal will result in some loss and disturbance of indigenous vegetation and that this represents an environmental cost that must be weighed against the need and desirability of the development. Accordingly, the development footprint, including the access road, has been minimised and the layout refined to avoid unnecessary vegetation clearance and fragmentation. Vegetation outside the approved footprint will be retained and protected, with the mitigation, rehabilitation and environmental management measures identified through the specialist assessments incorporated into the BAR and EMPr.**

	The net-benefit consideration therefore does not rely solely on the economic or residential benefit of the proposal, but on whether a limited and appropriately mitigated development can occur without materially compromising the ecological functioning of the broader coastal environment. The terrestrial biodiversity assessment concluded that, given the urbanised context, limited development footprint and retention of forest and thicket elements, the proposal is unlikely to significantly compromise ecological processes and connectivity above the existing baseline. **The need and desirability of the proposed development, including the required change in land-use rights from Open Space 2 to Open Space 3, have been addressed in the BAR. The final determination of whether the proposal achieves an acceptable net benefit rests with the relevant planning and environmental authorities.**
Also, the main driver for this proposal seems to be solely an economic one and by considering the motivation in support of the land-use application report compiled by *Virdus Works*, stating that "*The Western Cape Provincial Spatial Development Framework (PSDF) focuses strongly on densification of urban areas as a means to achieve its desired outcomes*" it is unclear from the motivation how this development can be considered in line with this aspect of the WCPSDF". Furthermore, it is written in the same document, the WCPSDF lists a number of spatial Implications for scenic landscapes which include but not limited to "*Recognize the intrinsic characteristics and suitability of the landscape and its influence on land use, settlement and movement patterns, in response to geology, topography, water, soil types and microclimate*." Clarity must be provided.	**While the proposal has an economic and residential component, the motivation for the development is not based solely on economic considerations. The application has considered the applicable spatial planning principles, including the WCPSDF's objectives relating to appropriate land use, settlement patterns and the protection of scenic and sensitive coastal landscapes.** **The proposed development is limited in scale and has been informed by the site's topography, existing vegetation, coastal setting and environmental sensitivities. The layout has been refined to minimise vegetation clearance and visual and ecological impacts, while retaining vegetation outside the development footprint. The applicant therefore considers the proposal to be responsive to the intrinsic characteristics of the site and its surrounding landscape, subject to the mitigation measures contained in the BAR and EMPr.**
2.4. Alternatives: It is noted that no property or site alternatives were identified because the applicant is solely interested in developing on the identified site. This Is not appropriate as the applicant is not the landowner and that other sites, locations on erf or other properties can and must be identified and the feasibility thereof determined.	**The applicant's interest in the identified site does not preclude consideration of alternatives. The site and development alternatives have been considered in the context of the applicant's proposed development, site constraints, land-use rights, access requirements and environmental sensitivities. Given that Erf 155 is a steep property with sensitive vegetation present, alternative layout considerations have also informed the proposed development footprint. The preferred alternative is assessed in the BAR based on its feasibility and environmental impacts.**
The No-Go alternative as presented in the report is unacceptable. The reasoning that if the property remains undeveloped, it will become overrun	**The No-Go alternative has been reassessed.**

by alien invasive vegetation and increase illegal dumping, will place the landowner in contravention with other national legislation (i.e. removal of listed alien and invasive plant species), and is irrational.	
2.5. Bulk Municipal Services Water Reticulation: It is understood that potable water will be supplied to the development from the existing Keurboomstrand reservoir. The proposed connection point for the development on RE/155 is at the existing 75mm water main in adjacent park Erf 691. It is proposed that a 75 mm bulk meter connection be made to the municipal mains. Sewerage Reticulation: It is noted that according to the Municipal Sewer Masterplan and the existing approved developments that the is no capacity to accommodate the new development as the network already needs to be upgraded. Therefore, the alternative to the municipal connection is to have a 24 000 litre conservancy tank installed. In accordance with Section 152 the Constitution and Section 73 of the Local Government: Municipal Systems Act, 2000 (Act no. 32 of 2000), the general duties and functions of local government are described, which require inter alia that the local government must provide basic services. The Local Government: Municipal Systems Act, 2000 does however allow for the provision of such a municipal service in its area or part of its area, through an external mechanism by entering into a service delivery agreement with an entity or person legally competent to operate a business activity. In light hereof, the Bitou Municipality's Department of Civil Engineering Services must provide written comment on the requirements and implementation of a service level agreement. In addition, the Bitou Municipality must indicate what the level of the service must be (i.e. service standard) and under which circumstances the municipality shall need to undertake the management and the maintenance of the facility to provide the service (i.e. failure to provide an adequate service). If possible, a signed service level agreement between the developer and the Bitou Municipality must be made and submitted to the Competent Authority for consideration with the Basic Assessment Report.	**Water Supply** **One municipal water connection will be provided by Bitou Municipality. An alternative method of water supply would be the harvesting of rainwater. However, rainwater should be considered as a supplementary supply for non-potable use (watering of garden), unless treated.** **Sewerage** **A conservancy tank will be located on the south-west corner of the development. Sewage removal will be undertaken by a private contractor to the Gansevallei WWTW. However, once internal reticulation/bulk upgrades have been completed, the development must connect to such services.** **Electricity** **The electricity supplier is Bitou Municipality. The municipality can provide one electrical connection. The split of the consumption of the two houses will need to be undertaken internally.** **Solid Waste Management** **The development will be incorporated into the Bitou Municipal solid waste stream. Regular waste collection at the proposed site is of utmost importance to prevent the degradation of the overall environment; as well as to prevent scavenging by fauna and indigent communities. Recycling of waste will be implemented for the lifespan of the proposed project. Please see attached confirmation email of bulk services from Bitou Municipality.**

It is noted that the position of the conservancy tank is proposed southwest of the dwellings and must be accessible to a tanker for the removal. This aspect has not been assessed and reported on. The slope of this area and the proposed access must be detailed on the site development plan. Also, the Bitou Municipality must confirm capacity of the WWTW for the disposal of the sewage and sludge.	
Storm Water Management: Storm water management in the engineering report is insufficient as it is noted in the Geotechnical report that vertical infiltration will be restricted due to shallow rock that will significantly increase the percentage of run-off from the site. It is known the site slopes from north to south and considering the draining problem identified by the geotechnical specialist and that there is a tension crack along the edge of the steep slope on the southern boundary of the site, it is not clear what stormwater management interventions will be put in place to curb runoff and possible erosion problems. A detailed stormwater plan must be compiled and include details of specific infrastructure that will be required for this development.	**Please refer to the Stormwater Management Plan included in the latest EMPr.**
2.6. Site Sensitivity Verification Report: On 5 November 2020, this Directorate issued a letter offering advice and comment on the Notice of Intent form that was submitted. In this letter it was requested that a Site Sensitivity Verification Report be submitted prior to the submission of the application for environmental authorisation. This meant that it should first be submitted to obtain clarity and agreement by this Directorate on the specialist assessments that must be undertaken as identified by the Screening Tool Report. This has however, never been forthcoming. Furthermore, the Screening tool Report was compiled on 30 July 2020, which is more than 2 years ago and various themes that may have not been applicable in 2020 may be applicable now due to the sensitivities that may have changed. It is strongly advised that a new Screening Tool Report be compiled and compared to the one previously compiled.	**The Screening Tool Report and the SSVR have been updated since the receipt of this comment.**

2.7. Specialist Assessments: Terrestrial Biodiversity Assessment: It is noted that the specialist conducted a detailed report that considered plants, animals and terrestrial biodiversity according to the information generated by the Screening Tool Report. However, it is not known whether this specialist reviewed Mr Ken Coetzee's Vegetation Sensitivity Analysis that is dated October 2018 and agrees or disagrees with the content. It is suggested that this specialist review this report as it may contain other information that may inform further investigating by the specialist. Also, it is vital that CapeNature comment on the Terrestrial Biodiversity Assessment Report.	**The specialist has included in his report that he has reviewed said Vegetation Sensitivity Analysis and has agreed. However, with the passing of time, certain sensitivity ratings have changed and thus been updated in the Terrestrial Biodiversity Assessment.**
Botanical Sensitivity Analysis: It is noted that this analysis was commissioned by Mr Andre Swart of behalf of his (unknown) client. It is unclear who this client is and whether this person is the proponent now. Since this report was commissioned before the protocols came into effect, this report needs to comply with Appendix 6 of the NEMA EIA Regulations 2014 if it is to be seen that this is a specialist report. This report however does not comply with Appendix 6 and the purpose of this report in the Pre-App BAR is unclear as a Terrestrial Biodiversity Assessment has been undertaken that includes plants and animal species.	**This report has been omitted from the current EIA as it serves no purpose in the assessment.**

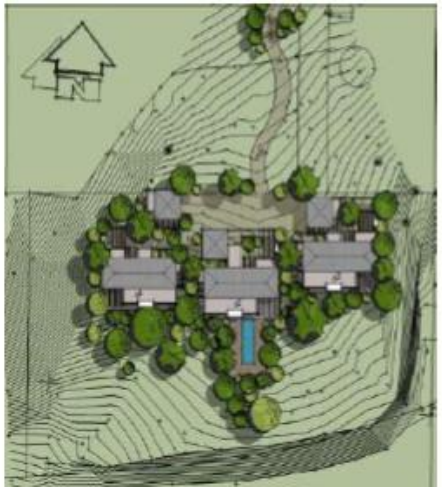
2.8. Aspects related to the Coastal Zone and the *Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA"):* Section 63 of NEM:ICMA states that the competent authority responsible for issuing environmental authorisations for coastal activities must take into account all relevant factors which include, but is not limited to, where the coastal protection zone will be affected and if so, to what extent the proposed development or activity is consistent with for the purpose for protecting this area; the likely impact of coastal environmental processes on the proposed activity. As such, the proposed development is within the Coastal Protection Zone (CPZ). The section in the Pre-App BAR addressing the requirements of the ICMA has not been adequately completed. Furthermore, the ICMA established the coastal protection zone in order to (Section 17 of the Act) inter alia: protect the ecological integrity, natural character and the economic, social and aesthetic value of coastal public property; avoid increasing the effect or severity of natural hazards in the coastal zone; protect people, property and economic activities from risks arising from dynamic coastal processes, including the risk of sea-level rise; maintain the natural functioning of the littoral active zone; maintain the productive capacity of the coastal zone by protecting the ecological integrity of the coastal environment; It is not clear from the information in the Pre-App BAR that the development will address the abovementioned criteria. It is however noted in the Pre-App BAR that the "*proposed development design has taken care to limit vegetation removal, control erosion and provide protection against potential pollution to surrounding areas. The proposed development will not infringe on the functioning of the coastal ecosystem or compromise the ecological integrity, natural character, and the economic, social and aesthetic value of the neighbouring coastal public property*". This is insufficient and vague.	**The proposed development has been assessed against the objectives of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) ("ICMA"), with particular reference to the Coastal Protection Zone (CPZ). The application site falls within the Coastal Protection Zone as contemplated in Section 16 of the ICMA. The purpose of the CPZ is to protect the ecological integrity, natural functioning, economic value and amenity of the coastal environment, while safeguarding coastal ecosystems, biodiversity, public access opportunities and areas required for coastal protection processes. The proposed development has been designed to ensure that these objectives are not compromised. Specialist investigations undertaken as part of the Basic Assessment process identified environmentally sensitive areas on the property, including indigenous vegetation and biodiversity features. These areas have been avoided through the placement of the development footprint within a moderate sensitive portion of the site taking into consideration ecological buffers and no-go areas. The proposal is limited in scale and extent, with approximately 2 000 m² of the site proposed for development while substantial portions of the property will remain undeveloped and maintained in a natural state. The development does not occur on Coastal Public Property, does not impede public access to the coastline, and will not interfere with natural coastal processes such as erosion, sediment movement or coastal drainage patterns. Furthermore, the development incorporates measures to protect the functioning of the coastal environment, including:** **• Retention of indigenous vegetation outside the approved development footprint;** **• Protection of identified biodiversity-sensitive areas;** **• Stormwater management measures to minimise erosion and runoff impacts;** **• Low-density development that is compatible with the surrounding coastal landscape;** **• Architectural and visual mitigation measures to maintain the scenic quality of the area.** **The proposal therefore supports the objectives of the Coastal Protection Zone by allowing limited and appropriately located development within an existing settlement area while maintaining ecological functioning, protecting biodiversity features and preserving the environmental and scenic qualities of the coastal environment.**

	The proposed development is accordingly considered to be consistent with the intention and purpose of the Coastal Protection Zone as contemplated in the ICMA.

2.9. Impact Assessment: The impact assessment methodology in the report does not adequately address the impacts and risks. Furthermore, the 'nature of the impacts' identified does not make sense, (i.e. the nature of the impact in the report is given as "Impact on biodiversity"). The loss of vegetation, loss of faunal habitat, increased stormwater from hardened surfaces etc. is not clear and have not been assessed. The indirect and cumulative impacts have not been described for any of the impacts. The Environmental Impact Statement as written by the EAP states that the EIA at present has found that the development proposal is acceptable in terms of the zoning, landuse and partially in terms of the layout of the preferred alternative. It is further written that there are impacts that have been noted in terms of the preferred alternative which includes that the proposed development footprint does not remain within the developable area defined by the specialists, the swimming pool alters the visual impact and the impact of the development on the forested section on the eastern and western extent of the proposed site and an area that is on a slope of 1:4 and steeper. This clearly then shows that the development proposal is not acceptable. The summary of the positive and negative impacts that the development will have on the environment and the community is nonsensical. The section is the Pre-App BAR that requires the recommendation of the EAP is not completed. Please be reminded that the EAP appointed by the applicant must, according to Regulation 13(1)(b) of the EIA Regulations, have expertise in conducting environmental impact assessments or undertaking specialist work as required, including knowledge of the Act, these regulations and any guidelines that have relevance to the proposed activity.	**The impact assessment has been reworked since receipt of these comments and the relative amendments made to the proposal.**

2.10. Implementation programme: Please note that, in accordance with the provisions of the Environmental Impact Assessment Regulations, 2014, a period for which the environmental authorisation is required must be provided. This period must be informed by the operational aspects (if applicable) and the non-operational aspects of the proposed development. As such, the date on which the activity will be concluded and the post construction monitoring requirements finalised, must be determined. This Department requests that an implementation programme be provided which sets out the construction phase (non-operational aspects) of the proposed development and specifies the period required to conclude the respective activities (a date on which the activity will be deemed to have been concluded should be derived from such a programme). Where the proposed development will include operational aspects, the period for which the environmental authorisation is required must be provided.	**Recommendations by the EAP have been incorporated into the BAR Section J 2.5.**
2.11. Environmental Management Programme ("EMPr"): The EMPr submitted does not comply with Annexure 4 of the EIA Regulations 2014. It is noted that a table is included in the front of the EMPr that references certain sections of the EMPr to the content requirements of Appendix 4, however, this does not contain all the requirements. For instance, the mechanism for monitoring compliance with the impact management actions contemplated in paragraph and a program for reporting on compliance, taking into account the requirements as prescribed by the Regulations have not been adequately addressed.	**The EMPr has since been amended to comply with Annexure 4 of the EIA Regulations 2014, as amended.**

3.Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation: • that additional information or documents will not be requested • of the outcome of the application	**Noted.**
4. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.	**Noted.**
5. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless the Department has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.	**Noted. This will be complied with.**
Department Forestry, Fisheries and the Environment – Melanie Koen – 30 May 2024	
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.	
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 are applicable.	

a. According to the report the: "Erf 155, Keurboomstrand (56 615,4m² in extent) is located abutting the Keurboomstrand residential area and zoned for various urban related uses. The relevant portion of the property located on the northern side of the main road is zoned as Open Space Zone II (private open space), while the remainder is zoned Residential Zone II. The proposal is to subdivide a portion of roughly 5 000m² located directly abutting and between Keurboomstrand residential erven (15, 20 and 565) and public place (Erf 391) off the private open space and to use approximately 3 250m² for the construction of three dwelling houses in a sectional title development, zoned Residential Zone II. above proposed application is to subdivide the property in order to form two average sized smallholdings (±3ha each)." The property is situated on very steep south-facing rocky slopes- 1:5 slope; the property earmarked for the proposed development is set out for conservation as well as Erf 391 where access is being proposed. The property consists of pristine protected Coastal Forest which includes species such as: Candlewood, Common Saffron, Campherbush, Climbing Saffron, Cabbage Trees, Common Spike-Thorn, Blue Kuni-Bush, Milkwood, White Forest Spike-Thorn, Thorny Currant, Cape Beech, Cheesewood.  	**The proposal has since been amended to:** **The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236. Approximately 2000m² of the 5 000m² subject site is earmarked for development.** **The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool.** **Town Planning: the proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool.** **Access: the property is entitled to a 7m wide right of way servitude across Erf 391. The proposed driveway width into the development is 4m, curved around mature trees of conservation value. Refer to SG Diagrams in the Specialist Planning Report in Appendix G.** **A 35m scenic route setback was put in place by the visual impact specialist for all alternatives. This is to provide a reduced visual intrusion along a scenic route into and out of Keurboomstrand and the town of Plettenberg Bay. The units will incorporate low-pitched roofing and earth-toned colours. In addition, botanical sensitive areas have been marked as no-go areas and provided an additional 5m buffer offset from the proposed development.**

b. Forestry object to above proposal as this impose new vested property rights that will negatively impact on the protection of indigenous forest as well as protected trees. c. Indigenous forest as well as protected trees are protected under the National Forest Act (NFA) (Act No. 84 of 1998) as amended. d. This letter is not a NFA licence. 3. Forestry reserves the right to revise initial comment based on any additional information that may be received.	**The anticipated impacts on the indigenous vegetation have been comprehensively assessed in the Terrestrial Biodiversity Assessment, which includes a detailed description of the vegetation communities, habitat condition, ecological functioning, impact assessment and recommended mitigation measures.** **The biodiversity assessment confirms that the site comprises a mosaic of dune thicket, forest-thicket and fynbos elements within an already developed coastal village landscape. While portions of indigenous vegetation will be affected within the approved development footprint, the proposal has been refined to minimise vegetation clearing, retain forest and dune thicket elements wherever practicable, and limit disturbance to the minimum area required for the proposed development. The specialist further notes that the development is proposed within an urbanised "forest-village" landscape, where indigenous vegetation is retained between residential erven, and concludes that the proposed development is unlikely to significantly compromise ecological processes or ecological connectivity above the existing baseline condition.** **The assessment also found that no plant Species of Conservation Concern flagged by the National Environmental Screening Tool were recorded on the site and that the terrestrial biodiversity, flora and fauna sensitivities are considered to be Low, contrary to the automated screening tool classifications. The specialist concludes that only a portion of the site will be developed while forest elements will be retained, and that the proposed activity is unlikely to result in significant impacts on biodiversity within the broader landscape.** **The applicant acknowledges the importance of the National Forests Act, 1998 (Act 84 of 1998), and the protection afforded to natural forests. The purpose of the biodiversity assessment was to quantify the anticipated impacts on the indigenous vegetation and to inform the application of the mitigation hierarchy. Accordingly, the proposal has incorporated avoidance and minimisation measures through refinement of the development layout, retention of indigenous vegetation outside the approved development footprint, rehabilitation of temporarily disturbed areas, and long-term management measures contained within the Environmental Management Programme (EMPr).** **Should any approvals be required in terms of the National Forests Act, these will be obtained from the relevant competent authority prior to the commencement of any activities regulated under that Act. The environmental**

	authorisation process under NEMA does not replace, nor remove the requirement to comply with, the provisions of the National Forests Act where applicable.
Department Forestry, Fisheries & the Environment – OCEIA – 12 August 2022	
The Branch Oceans & Coasts (O&C) of the Department of Forestry, Fisheries, and the Environment (DFFE) appreciates the opportunity granted to comment on the Pre-Application Basic Assessment Report for The Proposed Residential Development and Associated Infrastructure on a Portion of Re/155, Keurboomstrand, Plettenberg Bay. This Branch has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) **("ICM Act**").	
1. The Branch O&C has the mandate to ensure integrated management of the coastal and estuarine environments. This Branch aims to ensure the coordinated application of the different policies affecting the coastal zone to safeguard the ecological integrity, natural character, and economic, social, and aesthetic value of coastal zones.	
2. Guided by the principles of sustainable development, this Branch aims to enhance the protection of coastal resources whilst increasing the efficiency of their uses to promote socially justified sharing of benefits derived from a resource-rich coastal area.	
2.1 This Branch remains cognizant that the proposed site is identified as being environmentally sensitive and zoned as an Endangered ecosystem, occurs within a CBA, and is partially within 100 metres inland from the high-water mark of the sea.	
For this reason, this Branch is not satisfied that sufficient motivation has been provided to substantiate the need and desirability of this development proposal considering the soil and geological constraints associated with this site, the ecological and biodiversity significance, socioeconomic issues associated with the existing intended land use rights for this site and concerns relating to the long-term, cumulative and unintended impacts on the visual integrity on of this protected landscape and scenic resource.	**Please note that since the receipt of these comments the SDP and BAR have been amended.**

2.2 This Branch is further of the view that this development could potentially result in the privatisation of open space. The concern specifically relates to how this development will contribute toward the socioeconomic benefit and community beneficiation. How is this proposal in line with/compliment the intended use of this property? Where will the public facilities (private sites for sports, play, rest, or recreational facilities or as an ornamental garden or a pleasure garden (private site for sports, play, rest, or recreational facilities or as an ornamental garden or a pleasure garden) be accommodated when considering the increasing need for housing when we have a limited number of resources to provide for the growing population? These are key aspects that need to be carefully assessed and the merits of the proposal weighed against the externalities. Further clarity is sought on these aspects.	**The proposed development provides for the appropriate use of the property for residential purposes, subject to the required land-use change from Open Space 2 to Open Space 3. While the development is privately owned and is not intended as a community facility, it will contribute indirectly to the local economy through construction expenditure, employment opportunities, rates and taxes, and ongoing local services and expenditure. The compatibility of the proposed use with the surrounding land uses and applicable planning framework is assessed in the BAR.**
2.3 In the assessment and review of the complexity of environmental concerns associated with this application, the specialists' studies conducted, and the complexities associated with the proposed site, this Branch concludes that a site inspection is necessary before a decision can be made on this application and to enable for this Branch to positively input into the Preferred Alternative. The Branch O&C recommends that the Environmental Assessment Practitioner (EAP) engages its officials to ensure that a site inspection is undertaken as part of the subsequent public participation process.	**A site inspection was scheduled in June; however, was subsequently cancelled by the case officer.**
<u>3. Comments & Recommendations for the Attention of the Environmental Assessment Practitioner (EAP) and Competent Authority (CA).</u> 3.1 The report specifies that the proposal entails the subdivision of a portion of roughly 5 000m² located directly abutting and between Keurboomstrand residential erven (15, 20, and 565) and public place (Erf 391) off the private open space and to use approximately 3 250m² for the construction of three dwelling houses with a shared swimming pool in a sectional title development, zoned Residential Zone II.	**The proposal details have been amended. Please refer to the latest BAR dated September 2026 and appended specialist assessments.**

3.2 The report details three development alternatives which are thoroughly assessed in the visual impact assessment report. However, the advantages and disadvantages associated with each alternative which have been listed in the report specifically deal with the visual impact. They do not specifically explain how each alternative has been designed to consider the soil and geological conditions of the site, climate change, and related impacts, maximizing the layout and design- in terms of selecting an alternative that will best maximize heat retention (north facing vs south facing designs) or the economic feasibility which provides detail on the financial implication associated with each alternative. 3.3 This type of information is crucial in providing the knowledge basis for decision-making and enabling this Branch to positively input into the process of selecting a feasible alternative (design-wise, environmentally cogniscance, and financially feasible). This Branch requests detailed information on the advantages and disadvantages associated with each alternative, including associated impacts to be provided in the subsequent report.	**The proposal details have been amended. Please refer to the latest BAR dated September 2026 and appended specialist assessments.**
3.4 It is detailed on page 13 of the report that in terms of the Municipal Sewer Masterplan and already approved developments there is no spare capacity for the proposed development in various sections of the sewer network and upgrades are required to accommodate this development. The report further provides that an interim alternative (combined 24 000 litre conservancy tank) to the municipal connection has been proposed by the engineer to accommodate the capacity constraints. The municipal-approved conservancy tank is to be constructed at an approved position to allow municipal and or private tanker access. The maintenance requirements of this conservancy tank should be specified in the approved EMPr.	**Agreed. The EMPr contains this information.**
3.5 It is noted that an access road of a minimum of 5,5m wide will be constructed once a Land Use application is accepted for access to the development via a seven-meter-wide servitude right of way access over Erf 391(zoned as public open space).	**The access road will be a 4m wide servitude. The access road has been strategically placed to meander around mature trees in order to conserve these trees. The road will be paved with permeable paving to allow for the drainage of stormwater.**

Details about the proposed construction method, and material to be used, including alternatives in terms of size, layout, or technology alternatives need to be clarified in the subsequent report to inform decision-making on the preferred alternative for implementation.	
3.6 Page 17 of the report specifies that the proposed development is not within the existing land use rights of the property. The site is currently zoned as Open Space Zone II (private open space). The Bitou municipality Zoning Scheme Regulations define private open space as any land which has been set aside in this scheme for utilization primarily as a private site for sports, play, rest, or recreational facilities or as an ornamental garden or a pleasure garden and includes public land which is or will be leased on a long-term basis and a cemetery, whether public or private. This Branch notes that the proposal entails the subdivision and rezoning of RE/155 from Open Space Zone II (private open space) to Residential Zone II to enable the development of private grouped dwelling houses.	**The proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. Please consult the Specialist Planning Report for NEMA Purposes report in Appendix G.**

3.7 This Branch is concerned with the potential issues associated with the privatisation of open space with specific questions around how this development will contribute towards the socioeconomic benefit and community beneficiation. The need and desirability for this development proposal considering the associated impacts on the protected landscape and scenic resources and how this development contribute towards the socioeconomic benefit and community beneficiation? How is this proposal in line with/compliment the intended use of this property? Where will the public facilities (private sites for sports, play, rest, or recreational facilities or as an ornamental garden or a pleasure garden (private site for sports, play, rest, or recreational facilities or as an ornamental garden or a pleasure garden) be accommodated when considering the increasing need for housing when we have a limited number of resources to provide for the growing population? These are key aspects that need to be carefully assessed and the merits of the proposal weighed against the externalities. Further clarity is sought on these aspects.	**The proposed development provides for the appropriate use of the property for residential purposes, subject to the required land-use change from Open Space 2 to Open Space 3. While the development is privately owned and is not intended as a community facility, it will contribute indirectly to the local economy through construction expenditure, employment opportunities, rates and taxes, and ongoing local services and expenditure. The compatibility of the proposed use with the surrounding land uses and applicable planning framework is assessed in the BAR.**
3.8 In terms of the Bitou municipality Zoning Scheme Regulations and Section 8 of the Land-Use Planning Ordinance 15 of 1985, Open Space Zone II has the following restrictions: 3.22.2 *No structure shall be erected or used practiced except such as is compatible with "private open space", as defined.* This Branch reiterates the points above and further requests that the applicant ensures that approval is granted for the Land Use Application before commencement with the activities detailed in this application.	**Agreed. The development can only commence if the land use change is granted.**
3.9 The Geotechnical Report specifies that there are some localised stability issues were noted along the edge of the very steep slope along the southern boundary with the Keurboomstrand Road (MR394), where a tension crack has developed along the edge of the cliff. The specialist recommendations further conclude that the side indicates generally favorable geotechnical conditions for the proposed development and the site is considered generally suitable in terms of these conditions but some constraints may require consideration from the designers. A site inspection is recommended to better understand the opportunities and constraints associated with this site. The EAP is encouraged to further	**A site inspection was scheduled in June; however, was subsequently cancelled by the case officer.**

engage with the officials in this Branch to ensure that this inspection is arranged during the subsequent public participation process on: OCEIA@dffe.gov.za	
3.10 During construction, the contractor must ensure that stormwater and erosion prevention methods are used. The recommendation of installing sandbags and silt traps where the natural flow of water has been pre-determined before construction is supported. The contractor must ensure that the site has been properly stabilised once the vegetation has been removed.	**Agreed.**
3.11 Continuous monitoring for erosion impacts must occur during the construction phase. The developer must ensure that a specialist is contracted to compile a stormwater management plan and implement a reliable stormwater drainage system.	**Please consult the Stormwater Management Plan in the EMPr.**
Further comments will be provided as part of the next PPP phase when more information is available	

Department of Environmental Affairs & Development Planning (DEA&DP) – Biodiversity and Coastal Management – Mfundo Ndovela – 01 September 2022	
Your request for comment from the Sub-directorate: Coastal Management on the above-mentioned pre-application basic assessment report received on 01 August 2022, refers. **1. CONTEXT** 1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations". 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The PCMP 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. The Department is in the process of finalising the next generation PCMP that includes priority objectives for the next 5 years. This PCMP was recently subjected to stakeholder engagement and may be viewed at https://www.westerncape.gov.za/eadp/files/atoms/files/DRAFT%20Western%20Cape%20Provincial%20Coastal%20Management%20Programme%202022-2027.pdf. 1.3. A key priority of the PCMP is the Estuary Management Programme, which is predominantly implemented through the Estuary Management Framework and Implementation Strategy ("EMFIS") project. The Department is implementing estuary management 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. Both draft and approved plans may be viewed at https://www.westerncape.gov.za/eadp/about-us/meet-	

chief-directorates/environmental-sustainability/biodiversity-and-coastal-management.	
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 applicant wishes to subdivide and rezone RE/155 from Open Space Zone II (private open space) to Residential Zone II to enable the development of private grouped dwelling houses on the eastern portion of RE/155. Approximately 3 250m² of the 5 000m² subject site is earmarked for the development of three (3) residential units and a shared swimming pool.	**The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236. Approximately 2000m² of the 5 000m² subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool.** **Town Planning: the proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool. Please consult the Specialist Planning Report for NEMA Purposes report in Appendix G.**
2.1.2. It should be noted that the proposed development forms part of a Critical Biodiversity Area. According to the Western Cape Biodiversity Spatial Plan (2017) Critical Biodiversity Areas (CBAs) are areas that are required to meet biodiversity targets for species, ecosystems or ecological processes and infrastructure. These include all areas required to meet biodiversity pattern (e.g., species, ecosystems) targets, Critically Endangered (CR) ecosystems (terrestrial, wetland and river types); all areas required to meet ecological infrastructure targets, which are aimed at ensuring the continued existence and functioning of ecosystems and delivery of essential ecosystem services; and Critical corridors to maintain landscape connectivity. CBAs are areas of high biodiversity and ecological value and need to be kept in a natural or near-natural state, with no further loss of habitat or species. Degraded areas should be rehabilitated to natural or near-natural condition. Only low-impact, biodiversity-sensitive land uses are appropriate.	**Please note that the development (including access road) falls within an ESA 1: Terrestrial area only - according to the updated 2023 Western Cape Biodiversity Spatial Plan and Guidelines.** **The 2023 Western Cape Biodiversity Spatial Plan (WC BSP) was formally adopted into law on the 13th of December 2024 (Gazette Extraordinary 9017) in alignment with the Western Cape Biodiversity Act (No. 6 of 2021). This marks the replacement of the 2017 WC BSP with the 2023 WC BSP.**

2.1.3. Be advised that the subject property's location falls within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and delineated by the Department in the project for the delineation of the coastal management line. It must be noted that the purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks.	**It is acknowledged that the property is located within the Coastal Protection Zone (CPZ) as defined in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (ICMA), and that the CPZ performs important ecological functions, including the protection of coastal ecosystems, maintenance of ecological processes, buffering against coastal hazards, and enhancing resilience to the impacts of climate change. The application has therefore been assessed with due regard to the objectives of the CPZ and the precautionary approach embodied in both the ICMA and the National Environmental Management Act, 1998 (Act 107 of 1998).** **The proposal has been informed by specialist investigations and an iterative design process aimed at avoiding and minimising impacts on the coastal environment. The development footprint has been confined to the minimum extent reasonably required to accommodate the proposed development, while retaining substantial areas of indigenous coastal vegetation and limiting disturbance of the surrounding dune system. The preferred layout has been refined to reduce vegetation clearing, minimise earthworks, avoid the most environmentally sensitive areas where practicable, and maintain the ecological functioning of the remaining coastal habitat.** **The proposal further incorporates a comprehensive suite of mitigation measures, including rehabilitation of disturbed areas, long-term management of indigenous vegetation, invasive alien plant control, erosion prevention measures, and the implementation of Sustainable Drainage Systems (SuDS) to maintain natural infiltration and reduce concentrated stormwater flows that could destabilise the dune system. These measures are intended to ensure that the ecological integrity and protective function of the coastal environment are maintained over the long term.** **With regard to climate change, the proposal has considered the site's coastal hazard context, including the applicable coastal risk information and specialist assessments. The development is not proposed within the active beach system, and appropriate setbacks and design measures have been incorporated to reduce exposure to coastal hazards and to avoid adversely affecting the natural functioning of the dune system. Accordingly, the proposal is not anticipated to increase coastal erosion risk or compromise the resilience of the broader coastal environment.** **The proposal should not be interpreted as supporting unrestricted development within the Coastal Protection Zone. The environmental assessment has been undertaken on the basis of the site's specific**

	characteristics, the findings of detailed specialist studies, and the application of the mitigation hierarchy. Any future development proposals within the CPZ would require independent assessment on their own merits and in accordance with the objectives of the ICMA, the applicable spatial planning framework, and the relevant environmental legislation. Accordingly, the recommendation for this proposal does not diminish the importance of protecting the CPZ or the need for a precautionary approach to future land use decisions.
2.1.4. The applicant needs to specify the frequency at which the 24 000-litre conservancy tank will be maintained and by whom in the report and who will come to collect the sewerage in page 13 of the Basic Assessment Report.	**This information has been included in the BAR and the EMPr.**
2.1.5. The applicant states that regular waste collection at the proposed site is of utmost importance to prevent the degradation of the overall environment. In this regard the applicant should ensure that waste collection activities are measurable by indicating who will collect the solid waste and at what intervals.	**The Bitou Municipality will be responsible for collecting solid waste on a weekly basis should the development be approved.**
2.1.6. The Pre-Application BAR indicates that alien invasive vegetation will be removed from the site, and eradication will be maintained due to the development. The applicant should consider drafting an Alien Invasive Management Plan that highlight relevant permits that the applicant may require in terms of conducting restricted activities in terms of clearing alien invasive species on the site. It must be noted that alien clearing on the property is required regardless of whether development on the property is authorised.	**Agreed. An AIP Management Plan has been incorporated into the EMPr.**
2.1.7. The applicant indicates that the proposed development will result in improved socio-economic conditions through local investment related to property development. The applicant should reflect on how many jobs will be earmarked for women and youth who are most considered as vulnerable in society.	**The applicant will encourage the appointment of local labour during the construction phase, with preference given, where feasible, to women and youth from the local community. Specific employment opportunities will depend on the appointed contractors and the nature of the work required.**

2.1.8. In Page 30 of the Basic Assessment Report the applicant indicates that rainwater harvesting interventions will be implemented; however, this would serve as supplementation where needed due to possible contamination. The SD: CM proposes that the applicant must be specific and indicate the rainwater harvesting mechanisms to be put in place and whether this would lead to the clearing of vegetation.	Each unit will have a rainwater tank to collect rainwater from the roofs. The tanks have been included in the vegetation clearance total.
2.1.9. The applicant indicated that there are several no-go areas for the proposed development such as the Dune-thicket along the eastern slope, Fynbos pocket on the southern portion, Forest-thicket due on the north-western side of the site. The applicant should consider developing a map of the no-go areas and refer to such a map in page 32.	**This has been included in the BAR.**
2.1.10. The applicant stresses that during construction the contractor must ensure that stormwater and erosion prevention methods are used such as sandbags and silt traps. These will be installed where the natural flow of water has been pre-determined prior to construction. The SD: CM would like to encourage the applicant to engage with the Department of Water and Sanitation to determine if there is need for a Water Use Licence for that activity.	**BOCMA have confirmed that there is no need for a WULA.**
2.1.11. It is recommended that the applicant must specify the purpose of using drip trays in the Environmental Management Programme. Actions that are measurable and specific will assist the department during monitoring and compliance inspections.	**Noted. This has been undertaken**.
2.1.12. Since construction vehicles will be entering the site, it is proposed that the Environmental Control Officer must regularly monitor within a specified period the construction vehicles for oil leaks. If such leaks are identified the ECO will prohibit the use of such a vehicle until the vehicle is properly repaired offsite.	**Noted.**

2.1.13. In Page 38 of the EMPr, the applicant must consider adding the stabilisation methods that will be used during the clearance of vegetation.	**A Stormwater Management Plan has been included in the EMPr.**
2.1.14. In terms of the coastal risk modelling commissioned by the SD: CM, the property is not subject to coastal risk and is located landward of the Garden Route CML. However, caution must be applied when considering the change of land use from Open Space as the intention of the Open Space zoning must be considered.	**While the site is located landward of the Garden Route CML and is not identified as being subject to coastal risk, the applicant acknowledges that the intended function of the existing Open Space zoning must be considered. The proposed change to Open Space 3 has therefore been assessed in terms of the applicable planning framework and environmental sensitivities, with the development footprint minimised to retain the ecological and landscape functions of the site where practicable.**
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.	**Noted. This has been incorporated into the EIA.**
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.**
ORGANS OF STATE	
Breeder-Olifants Catchment Management Agency (BOCMA) – Rabokale Mphahlele – 11 August 2022	
Reference is made to the above-mentioned report which was submitted to this office for comments on 01 August 2022.	
The following are this office comments on the proposed development: 1. The use of conservancy tank(s) for disposal of domestic waste as proposed by the development constitute a water use in terms of section 21(g) of the National Water Act, 1998 (Act 36 of 1998) (NWA), for which a water use authorisation must be obtained prior commencement as contemplated in section 22 of NWA. 2. In light of the office, this office should be contacted for further information related to the requirement for, or the application for a Water Use Authorisation. 3. Please note that the onus remains with the property owner to adhere to the above-mentioned relevant NWA provisions.	**This matter was discussed between the then aquatic specialist and BOCMA in September 2022. It was concluded that the total daily volume would not trigger the need for a WULA.**

4. Lastly, this office reserves the right to amend and revise it comments as well as to request any further information should it be necessary to do so.	**Noted.**
Cape Nature – Megan Simons – 28 September 2022	
CapeNature would like to thank you for the opportunity to review the above application. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:	**Noted.**
According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017)1 the erf has Critical Biodiversity Areas (CBA 1: Terrestrial and Aquatic) and Ecological Support Areas (ESA 2: Restore). The erf does not have any aquatic habitat or National Freshwater Ecosystem Priority Areas (NFEPA)2.	**According to the Western Cape Biodiversity Spatial Plan (WCBSP 2023), the site is classified primarily as an Ecological Support Area 1 (ESA 1). Earlier mapping (WCBSP 2017) indicated a Critical Biodiversity Area 1 (CBA 1) edge designation.**
The Vlok (2014) fine scale vegetation map the area as Keurbooms Thicket-Forest, Tsitsikamma Perennial Stream, and Wilderness Forest-Thicket. According to Mucina and Rutherford3 and the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017) the vegetation is mapped as Vulnerable Garden Route Shale Fynbos as listed in the 2011 NEM:BA threatened ecosystems gazette4.	**Please refer to the latest Terrestrial Biodiversity Assessment dated 16/03/2026.**
The Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et.al. 2017) has specific guidelines regarding CBA loss and their sensitivity and conservation objectives. Thus, the proposed development should be guided by those objectives to conserve and protect the CBAs (Pool-Stanvliet et al. 2017).	**As above.**
Coastal ecosystems are ecological infrastructures that provides a range of regulatory services to coastal communities5. The foredunes play an essential role in providing physical buffering against sea storm surges and other potential climate change related impacts. Therefore, they should be in a functional near-natural state. Furthermore, the property forms part of a coastal corridor, which is an important ecological infrastructure. As these areas are important corridors to maintain landscape connectivity it is crucial that no further disturbances occur, and that the area must be restored to improve connectivity and reduce landscape fragmentation.	**The Terrestrial Biodiversity specialist states the following in his assessment report (Appendix G): "The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction."** **The proposed development has been assessed through the Basic Assessment process, including specialist biodiversity investigations. The findings indicate that, subject to the implementation of recommended avoidance and mitigation measures, the development will not result in unacceptable impacts on protected ecosystems, species, or ecological processes. The proposal has been designed to avoid sensitive areas where possible and is therefore considered consistent with the objectives of the National Environmental Management: Biodiversity Act, 2004, which seeks to conserve biodiversity while enabling sustainable development.**
Activities in state forests must be licensed in terms of section 23 (1) (2) of the National Forest Act, 1998. Thus, if the proposed development will	**Comments from DFFE have been received.**

impact on indigenous forest vegetation, then comments must be obtained from the Department of Forestry, Fisheries and Environment (DFFE).

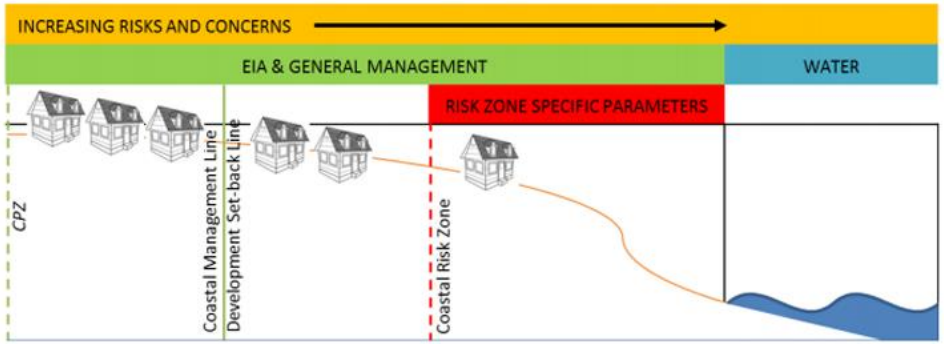
The erf is within the erosion risk zones (i.e., 50-year and 100-year) of the draft Eden Coastal Management Line (see fig.1 and table 1)6. These zones are areas within the flood risk zones of estuaries and littoral active zones.
This zone demarcates the area in which development will either be prohibited or controlled.
This is done to achieve the objectives as set in section 25 of NEM:ICM Act, as amended, or coastal management objectives7.

Table 1: The Coastal Management Zones and the appropriate development regulations in each zone.

Zone	Description	Development controls to apply
CPZ	• Area seaward of the CPZ	• No additional controls
CML	• Area seaward of the CML and around development islands	• Prevent new development expansion areas below the CML • General development parameters to avoid insensitive new development and positively inform execution of existing rights
DSL	• Area seaward of the DSL and around development islands	• As per EIA listing notices
Risk zones	• Medium term (50 year) erosion risk zone (built-up areas) • Long term (100 year) erosion risk zone (rural areas) • Area within 1:100yr floodline or below the 10m amsl contour around estuaries • Littoral active zones	Specific development parameters to avoid insensitive new development and positively inform execution of existing rights with specific reference to: • Encroachment • Erosion risk • Mobile sand • Flooding • Storm damage • Public access • Vegetation control • Public amenities and infrastructure

[5] Cadman, M. (ed.). 2016. Fynbos Forum Ecosystem Guidelines for Environmental Assessment in the Western Cape, Edition 2. Fynbos Forum, Cape Town.
[6] [5]Western Cape Government, Department of Environmental Affairs and Development Planning. 2018. The Technical Delineation of both the coastal management line; the EIA development setback line as well as an audit of coastal access in the Eden District Municipality
[7] National Environmental Management: Integrated Coastal Management Amendment Act, 2014 Act (No. 36 of 2014).

According to the latest mapping from the DEA&DP Coastal Management Map Viewer, the site is not within the erosion risk zones.

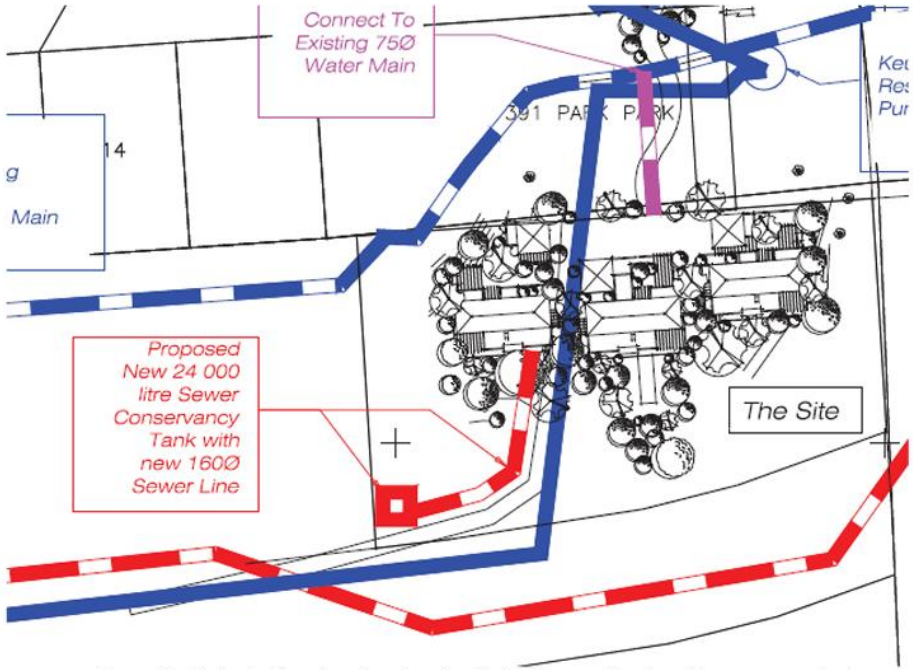
 **Figure 1:** Illustration of the different Coastal Management Zones, including the applicable risks, of the Eden District that must be considered for development management.	
The specialist must determine a suitable location before search-and-rescue is undertaken for the indigenous plants that will be transplanted. The season should also be considered to give the plants an adequate opportunity to re-establish.	**Agreed. This will be undertaken by the ECO with input by the Terrestrial Biodiversity specialist.**
Any irreversible loss of habitat would be highly undesirable and could constitute loss of irreplaceable biodiversity (de Villiers et al. 2016). Sensitive areas or areas with sensitive plant species must be illustrated on a map as No-Go areas. The No-Go areas must be included in the EMPr and demarcated with danger tape during construction. A final walk-through survey will be undertaken once the development footprint/ layout has been finalised and this is supported by CapeNature.	**Agreed. No-go zones will be strictly implemented.**
CapeNature acknowledges that the development will not be on slopes with a gradient that is greater than 1:4.	**This is correct.**
The ecosystem assessment that was conducted as part of the National Biodiversity Assessment has been completed and produced as list of threatened ecosystems (Skowno et al. 2018)8. The ***revised list has not been gazetted*** although the list has been prepared. Therefore, CapeNature refers to the 2018 NBA as the best available science and the impacts should be treated as though the latest listing applies.	**The development footprint has been refined to minimise vegetation clearance and avoid unnecessary loss of intact biodiversity, with existing vegetation outside the approved footprint to be retained and protected. The proposal is not anticipated to result in significant additional biodiversity loss, subject to implementation of the mitigation and rehabilitation measures contained in the BAR and EMPr.**

The site is natural with some disturbed areas, if the proposed development will be approved it will be crucial to only develop on already disturbed areas to conserve the remaining intact biodiversity. The proposed development must not result in any further loss to biodiversity.	
CapeNature is aware of the proposed developments west of the current site. The cumulative impact of these developments will result in the loss of ecological connectivity across the coastal strip, as most of the remaining habitat is still intact and mapped as natural CBAs. Thus, limiting the maintenance of ecological processes such as fire and fragmenting ecological corridors for the movement of animals. Having corridors for animal movement is important for conserving biodiversity. Therefore, we recommend maintaining ecological corridors.	**The Terrestrial Biodiversity specialist states the following in his assessment report (Appendix G): "The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction."**
In terms of section 12 (1) and 2 (a) of National Veld and Forest Act9 an adequate firebreak must be prepared and maintained around the property to reasonably prevent the spread of unwanted fires in the area.	**The applicant will approach the SCFPA to provide input on fire management.**
Invasive alien plant infestation cannot be used as a motivating factor for the development as this is a legal requirement. CapeNature reminds the applicant of the following: a) Alien and Invasive Species Regulations, NEM: BA10,2014, specific alien plant species are either prohibited or listed as requiring a permit; aside from restricted activities concerning, inter alia, their spread, and should be removed. b) In terms of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) (CARA) the level of alien infestation must not be seen as reducing the site sensitivity, nor is the subsequent removal of alien vegetation from a property regarded as a mitigation measure as this is a legal requirement.	**Understood. An AIP Management Plan has been included in the EMPr.**

Infestation by alien plants does not necessarily mean that an area is not important for biodiversity as some vegetation types are particularly prone to invasive alien infestation but may recover when cleared of alien vegetation and rehabilitated. The eradication and monitoring of the spread of invasive alien species should follow the National Environmental Management: Biodiversity Act (Act No.10 of 2004)11. Control methods for the eradication of alien invasive species must be implemented in such a way that it prevents harm to the surrounding environment.	
Strictly adhere to stormwater management control measures to avoid any negative impacts such as erosion or flooding. These measures include ensuring all stormwater outlets have diffuse flow, multiple if steep or frequent, and permeable pavements areas, rainwater harvesting from roofs. Thus, all stormwater runoff within the development area must be managed in a manner as to minimise or prevent erosion (where possible). Areas that are susceptible to erosion must be protected by installing the necessary temporary or permanent structures.	**Noted. A SWMP has been included in the EMPr.**
Waste should be removed from the entire site and not only the development footprint. Waste generated by the development must be stored on site until it is removed to a registered facility. Ensure that waste bins and containers do not overflow by emptying them regularly. A qualified Environmental Control Officer (ECO) should be appointed to monitor and ensure the implementation of the proposed mitigation measures. The ECO must identify any harmful activities to the environment.	**Noted. These conditions are part of the EMPr.**

CapeNature reminds the applicant of Section 28 of National Environmental Management Act (NEMA) (Act 104 of 1998 as amended) (Duty of Care) that states the following: *"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."* 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.	**Noted.**
CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	**Noted.**
MUNICIPALITIES	
Bitou Municipality – A Taljaard – 22 November 2022	
Bitou Local Municipality would like to thank you for the opportunity to review and comment on the Pre Application Basic Assessment Report (BAR). Please note that these comments have been drafted by the Town Planning department within the Economic Development and Planning directorate. Additional comments may be required from other relevant departments within the municipality. The following information was taken from the supplied report and summarises the proposed activities.	
DESCRIPTION OF ACTIVITIES The project proposal entails the subdivision and rezoning of RE/155 from Open Space Zone II to Residential Zone II to enable the development of private grouped dwelling houses on the eastern portion of the property. Approximately 3250m2 of the site will be developed into three residential units and a shared pool.	**The proposal has been amended since 2022 –** **The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236. Approximately 2000m² of the 5 000m² subject site is earmarked for development. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool.**

LOCATION The property is a portion of the remainder of Erf 155, Keurboomstrand within the Bitou Municipal area. Following a review of the documentation and appendices the following comments are made:	**Town Planning: the proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool.**
ENVIRONMENTAL MANAGEMENT 1. As mentioned in the BAR the property in question falls within an area that has been classified as an Outeniqua Sensitive Coastal Area (OSCA) in terms of the OSCAE Regulation in terms of Government Notice No. R879 of May 1996. In terms of this regulation application is to be made for an OSCA Permit should any of the following activities be undertaken - disturbance of vegetation, earthworks, dredging and or dune stabilisation. It is the applicant's responsibility to ensure compliance with these regulations. Please contact this office for additional information on requirements for application purposes once Environmental Authorisation has been obtained.	**Acknowledged. The applicant will ensure that an OSCAE application is submitted prior to development.**

2. The Pre-App BAR states "due to capacity constraints an alternative to the municipal connection has been proposed by the engineer. The municipal approved conservancy tank is to be constructed at an approved position to allow municipal and or private tanker access." The proposed positioning of the conservancy tank and the associated access that it would require is questioned. It is understood that the tanks have to be positioned in a lower lying area to be able to function fully. The position indicated on the engineering drawings needs to be fully assessed in terms of the vegetation clearance required for the tank as well as the access to the tank. The feasibility of an access point over this very steep section needs to be investigated as well as the visual impact that this might pose.  *Figure 1 – Extract of engineering drawing indicating positioning of conservancy tank.*	**The position of the conservancy tank has been adjusted to just south-west of unit 1. The area will be screened in by natural vegetation.**

3. The VIA details that a 35m minimum visual sensitivity setback line measured from the centre line of the MR394 road reserve be imposed, together with an additional 5m building offset from the sensitive forest vegetation and 1:4 slope no-go area. The SDP is to be amended to incorporate these setback lines. These lines are to be cleared indicated on the amended SDP.	**The SDP has been updated and includes these setbacks.**
4. The Visual Impact Statement details the high visual sensitivity of the site in question being within a Critical Biodiversity Area, adjacent to scenic routes and within an area with visually prominent skylines to name a few. It is questioned whether the proposed site development plan was informed by the visual specialist at all as the set-back lines suggested by the specialist are ignored. As mentioned in the Pre-App BAR the "proposed development footprint does not remain within the developable area identified by the specialists". The proposal is to take environmental constraints and sensitivities into due consideration and be informed accordingly. The swimming pool inclusion should be reconsidered or amended to fit within the environmental constraints identified	**Acknowledged. The SDP has been amended to take into account the findings and recommendations of the specialists.**
The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received.	**Noted.**
PUBLIC	
A.P. van der Merwe – 01 December 2022	
We object to: 1. The density of the seafront erven in the proposed development. 2. The approval of the development without a formal commitment from the developers and responsible authority to improve and maintain the access roads.	**Thank you for your comments. The proposed density has been assessed against the applicable planning framework, site constraints and environmental sensitivities, with the layout and development footprint minimised where practicable.** **With regard to the access roads, the proposed development will be subject to the applicable municipal access and road requirements. Any upgrades or maintenance obligations arising from the development will be addressed through the relevant municipal and land-use approval processes and conditions of approval.**
Bert Grobbelaar – 28 August 2022	
I submit the following comments related to the overall / general aspects. (I have steered clear of commenting on the discipline specific environmental aspects)	

General Comments on Basic Assessment report ; DEDEA Ref. 16/3/3/6/7/1/D1/6/0126/20 (August 2022) 1) General project description. p2. Land use Zoning changes. In this description, an incorrect statement emanating from the similar incorrect statement in the Virdus Works Pty Ltd. application of 31 June 2021, is repeated. Viz. that the application is for the rezoning of the entire Erf 155 to that of Residential Zone 2 from its current status of Protected /Private Open space. The original expressed intention of the developer is for the rezoning of only the eastern portion of Erf 155, known also as "Die Neus", to enable the building of three dwellings on that specific portion and for which rezoning to Res 2 is clearly intended. This incorrect and undesirable rezoning of the whole of Erf 155 to Residential 2 status, has been repeatedly objected to in previous comments submitted to the Bitou Council by several interested parties, going back several years . You are respectfully requested to refrain from propagating this incorrect statement in your reports and documentation, lest an inadvertent rezoning result gets applied to the remainder of Erf 155, with subsequent potentially harming effects and developments on this land. In this regard, your statements accompanying the map/site drawing on p.11 of your report is the more accurate and preferred way of defining the rezoning of the 3250m2 portion of erf 155 only. Also reflected in your more accurate description of the intended rezoning as per item 3.22.3, p18, of the report. ***The continued and deliberate attempt to have the entire Erf 155 rezoned to Residential 2 status is in direct conflict with existing earlier Council rulings on the land use status of Erf 155 .*** ***You are requested not to provide any further credibility to this notion in your report by making it clear that the scope is to redefine the land use category for the affected portion of the site only.*** Your statements in item 4.5, p24 are more to the point and correctly advises that development on the remainder portion to the west of the intended site, is unsuitable for development . Kindly ensure that this fact is highlighted in your report.	**Your comment is noted. An amendment has been made to the proposed rezoning of the portion for development –** **The proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone 2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool.**

2) Number of dwellings proposed You have correctly stated that the proposed development is for the building of three dwellings only. Thank You. This corresponds correctly to the Developer's expressed purpose. The original Virdus Works application attempts to define the number of units in an open-ended way, thereby creating an approval for further development of the affected site in a clandestine way. Council officials dealing with these applications are again reminded / requested not to subscribe to this attempt at increasing the scope of development or rezoning of land use in the remainder of Erf155. In this regard, you are urged to be careful in the use of the Virdus Works application in its entirety as Appendix K of your report, as per item 12, p21, of your report. You are urged to closely scrutinise the Specific wordings of the Motivation of that application before adopting it verbatim as an integral part of your report I suggest that you aver yourself of the specifics that are not correct in the Application. Eg. The statement that there are no impacts on "no go " areas. See p13 of the Virdus Application	**The proposal has since been amended –** **The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180", previously Erf 155) of Erf 1236. Approximately 2000m² of the 5 000m² subject site is earmarked for development. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool.**
3) Section C, Policies p14. You refer to the Bitou Spatial Development Framework, dated 2013, as your reference for use of spatial information. . Please note that there are later versions of this document and the Bitou Development plan in place, which should be used as reference in preference	**Noted. This information has been amended in the updated BAR.**
4) Development Option choices - as described and illustrated in the document, the Alternative 1 version is definitely favoured due to its lower visual impact and minimised environmental impact. For the same visual impact reason, Alternative 2 is considered to be unacceptable. **The statement contained in Section H, item 1.8 of your report is hereby supported fully, in conjunction with the proposed attendant mitigations on impact as per Section H, Item 4, p34 to 40 for Alternative 1.**	**Please note that amendments have been made to the proposal and there are now different Alternatives provided. Please review the latest BAR September 2026.**

5) Vehicle traffic at access road juncture. Your report fails to highlight the potential risks and impact that could arise from the proposed access road juncture with Main Street . You should make a recommendation that a vehicle traffic analysis exercise should be done to determine the best roadworks engineered solution to minimise the risk of accidents and impacts between vehicles and bicycle riders and pedestrians . The proposed juncture is on n steeply sloping section of Main Road and just before / after an unsighted bend in the road . The risk of accidents would be high at this proposed juncture. Kindly stress this point in your impact assessment matrix, Section I, p51.	**Noted. As the proposed development has decreased, the number of vehicles used will be decreased. However, as an additional safety precaution, the applicant could consider the use of convex mirrors and if need be, additional traffic safety methods.**
6) Engineering Services report, Thank you for highlighting and specifically referencing the impacts and consequences of this proposed development on the engineering services connections and infrastructure (water supply, sewerage, electrical power etc). The current shortfalls in the services infrastructure of the localised Keurboomstrand area, are well known, but the Applicant has again preferred to gloss over the potential impacts as well as the risks as described in the specialist engineering consultancy reports made available by the Applicant. You are requested to make this a pertinent matter requiring further engineering design, attention and mitigating to ensure the successful implementation of the proposed development. It would be welcome to see these aspects given higher priority /focus in your finalised report(s).	**Noted. Please review the amended services information.**
7) Impact assessment findings, items 7 & 8, p57. Your evaluation(s) of the potential environmental and other impacts appear correct overall and are well founded. (Note that this is a general observation and not a specific technical comment). Whilst the statements under your item 7 appear to be correct, it would be appreciated if your assessments could be specifically referenced back to the incomplete and inaccurate statements contained in the Application, so that all ambiguities can be addressed. Specifically, such that the Applicant be required to align his view regarding potentially damaging impacts be modified closer to the actual facts on the ground, before committing to signing the Declaration form BAR 10/2019, P64.	**Independent specialist assessments were commissioned to assess the potential impacts that could arise from the proposed development. All specialist recommendations have been taken seriously and incorporated into the now amended proposal. All mitigation measures provided by the specialists will need to be implemented in order to protect the receiving environment.**
Council Planners should also please take note. I trust that these comments and recommendations are of use and that much of it will be incorporated into your final report.	**Thank you for your comments.**

I look forward to being updated on further progress and to receive your draft final copy. May I thank you and express my appreciation for a well-documented, professional exercise and report.	
Pieter Luttig (Chairman) – Keurbooms Property Owners Association (KPOA) - 31 August 2022	
We are the Keurbooms Property Owners Association (KPOA) which is a registered not-for-profit community organisation functioning in the interest of KB property owners. Our activities note and respect individual opportunities in a manner which is optimally conducive to a bigger community with diverse needs and characteristics. This email contains, in brief terms, our view and noteworthy aspects in connection with KB erf 155 and its proposed residential development and associated infrastructure. We have noted this as a pre-application basic assessment report which will be refined and adjusted by yourselves in taking care of inputs and requests collected during the one-month public participation.	
The following KPOA statements are to be noted : 1 This specific track of land and its unique locality in the greater Keurbooms and Bitou has diverse characteristics which are most sensitive, prominent and influential. 2 Erf 155 is a private open space green belt area for extremely important reasons ; however it has since 2020 been 'earmarked' as an 'urban edge' area for unknown reasons. 3 As a green belt area we are not in support of its subdivision and rezoning as a residential area; as urban edge area a new set of considerations become applicable which are to be applied in a site-specific manner. 4 There are convincing reasons for a green corridor to exist in the mentioned area, ranging from its biodiversity, close proximity to the ocean and part of a scenic route; these conditions also justify the special coastal and environmental legal arrangements which we support in principle.	**Noted. Independent specialist assessments were commissioned to assess the potential impacts that could arise from the proposed development. All specialist recommendations have been taken seriously and incorporated into the now amended proposal. All mitigation measures provided by the specialists will need to be implemented in order to protect the receiving environment.** **Of particular mention are the findings of the Terrestrial Biodiversity specialist –** **The Terrestrial Biodiversity specialist states the following in his assessment report (Appendix G): "The Dune thicket does provide an ecological corridor. Development of the footprint is unlikely to significantly disrupt this corridor, other than minor displacement during construction."** **The specialist concluded that, while localised vegetation loss within the development footprint is unavoidable, forest elements will be retained and the proposed development is unlikely to significantly compromise the broader ecological functioning or connectivity of the landscape, provided the recommended mitigation measures are implemented.** **In addition, the rezoning application deals specifically with the proposed development site and not the whole Erf: the proposal is to subdivide a portion (±5000m²) off from Erf 1180, and to rezone this portion from "Open Space Zone**

	2" to "Open Space Zone 3" for "Nature conservation area" to allow for the two dwelling units and a swimming pool.
If it is assumed that development will take place, KPOA needs to record the following of a more technical nature: 5 KPOA does not agree, and we are on record, that the current municipal infrastructural services in the village are sufficient in terms of capacity and maintenance and needs upgrading, especially electricity and sewerage. We request that this situation be addressed in a much more analytical and objective mannes than merely indicating that additional load can be handled by our local authority.	**Sewerage: A conservancy tank will be located on the south-west corner of the development. Sewage removal will be undertaken by a private contractor to the Gansevallei WWTW. However, once internal reticulation/bulk upgrades have been completed, the development must connect to such services.** **Electricity: The electricity supplier is Bitou Municipality. The municipality can provide one electrical connection. The split of the consumption of the two houses will need to be undertaken internally. The installation of solar panels and other green energy methods should assist with decreasing the properties overall energy consumption.**
6 Stormwater flow is another critical and high-risk aspect needing specific professional planning and provision.	**Stormwater management has been incorporated into the proposal. The EMPr contains a specific Stormwater Management Plan that will need to be implemented.**
7 Access and exit from Main Street also requires to be planned professionally to safely cater for two-way traffic on a bend and a steep hill consisting of light and heavy vehicles, bicycles and pedestrians causing high safety risks.	**Traffic calming during the construction phase will be a necessity.** **Operational phase: As the proposed development has decreased, the number of vehicles used will be decreased. However, as an additional safety precaution, the applicant could consider the use of convex mirrors and if need be, additional traffic safety methods.**

As will be seen against the above sketched statements, KPOA as a community association accommodates a wide range of requirements and also sentiments which differ almost from person to person. It is not an easy task for the purposes of this most crucial and attractive potential project to provide a clear-cut set of comments reflecting and representing our KB community. There are too many unanswered questions. Therefore, in summary, our final suggestion is to kindly request a special and open opportunity to discuss the proposed development, its issues and hurdles both of regulatory and practical nature. KPOA is of the opinion that such an opportunity will be most valuable to all concerned. May we take the opportunity to convey to you and your organisation our appreciation for a most comprehensive and valuable pre-application basic assessment report. It is trusted that the end result will fruitfully serve its purpose.	**Thank you for your comments. Please note that the proposal has been amended and there is new information to review since 2022. The EAP hopes the amended BAR and specialist assessments provide clarity to your questions; however, should you have any additional comments, the EAP will address these.**
Rudi & Eva Martin -Erf 155 Keurboomstrand	
We hereby object in the strongest terms to the granting of Environmental Authorisation of the proposed development on a portion of Erf 155 Keurboomstrand for the following reasons:	**Thank you for your comments.** **The proposal has since been amended to be receptive to the specialist findings and mitigation measures. I am aware that you have commented on the latest iteration of the SDP and the BAR – please refer to the latest Comments and Response Report.**
1. *Destruction of a CBA* [Critical biodiversity area critical biodiversity area].	
The Consultant and all of the specialists' studies, in the application documentation that Erf 155 is a CBA. ***"CBAs are terrestrial and aquatic areas which must be safeguarded in their natural or near-natural state because they are critical for conserving biodiversity and maintaining functioning ecosystem "***	



Furthermore, SANBI mapping as well as the KLASP [Keurbooms local area spatial plan] and SANparks documentation, all show that the proposed development as being a Core 1 area within a CBA [Critical Biodiversity Area.

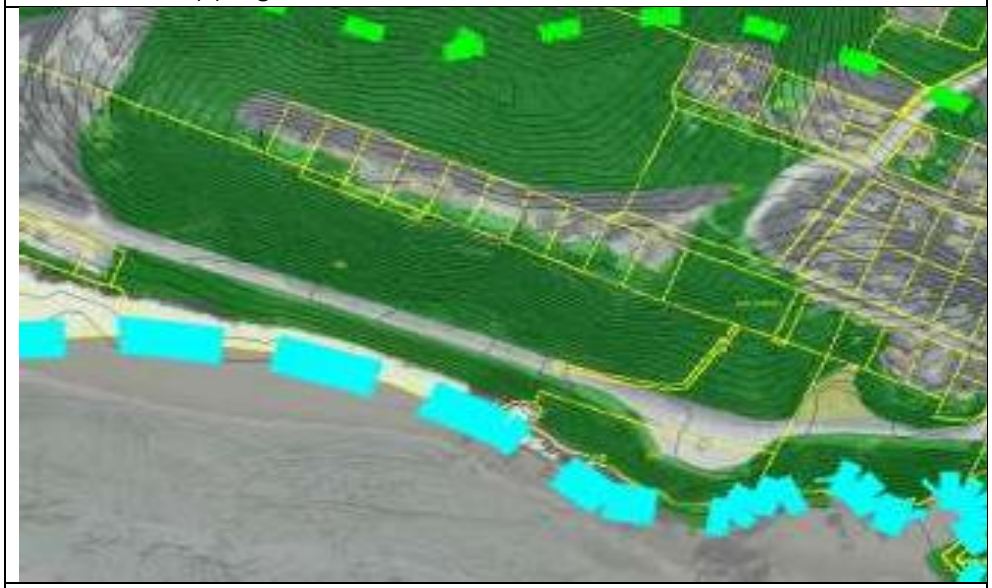
The conclusion, of a previous vegetation study for Erf 155, states:
"This is somewhat of a problem in terms of the development of the study site as it lies within such a CBA area and the objective of proposed residential development is thus contrary to the Biodiversity Sector Plan."
In the Garden Route Biodiversity Sector Plan for George, Knysna and Bitou Municipalities Vromans et al (2010) recommend that the desired management objective for a CBA is to maintain natural land, rehabilitate degraded land to natural or near natural and to manage for no further degradation. They state that land-use should not be approved.

Conclusion: Environmental authorisation for the development of Erf 155 Keurboomstrand therefore cannot be granted

2.Negative impact on an ecological Green Corridor.

Any structures to the immediate North of Provincial Road 394, in the steep forested corridor of Erf 155 would create a "Tunnel Entrance" to Keurbooms Village and impact on its "Sense of place" by destroying the "Green Belt"

leading into Keurboomstrand village. The ecological corridor as shown on the KLASP mapping cannot be obstructed



3.Violation of NEMBA

Approval of this application would be in violation of a multitude of environmental legislation and regulations, including National Environmental Management; Biodiversity Act . which needs:

a) To provide for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act

b) provide for the protection of species and ecosystems that warrant national protection;



VegMap 2018

4.Non-compliance with SPLUMA Principles:

This application fails to comply with the principles laid out in Spluma which states:

(2) Land use planning is guided by the following principles of spatial sustainability:

(b) the sustained protection of the environment should be ensured by having regard to the following:

(i) natural habitat, ecological corridors and areas with high biodiversity importance;

(ii) the provincial heritage and tourism resources;

(iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and

(iv) the economic potential of the relevant area or region;

Further under SPLUMA

j"Consideration of the public interest;

ii) Considers the respective rights and obligations of all those potentially affected, primarily the existing residents and property owners, public and private service providers and the wider community"?	
5.Violation of National Forest Act:	
This application cannot be approved as it is clearly in violation of the NFA [National Forest Act] which states under Principle 3 3[a]:	
"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 economics; social or environmental benefits. The term "exceptional circumstance" refers to capital projects of national and provincial strategic importance. According to these criteria, residential development does not comply"	
The area in question is, without doubt, a forest corridor. and is verified by all of the specialist studies which form part of the application and is clearly shown on mapping, such as the Keurbooms EMF, the Keurbooms Local Area Spatial Plan which was adopted by the Bitou Municipality in 2013 and forms the base of the BSDF.	
The "Vegetation Study" for Erf 155 submitted in a previous application for the same area, confirms that the area is covered by forest and classifies this as "Southern Afro-temperate Forest" the report states that White Milkwoods are present and Cheesewoods are possible. Whereas the authorities and various studies and mapping show this as "Western Cape Milkwood Forests" which forms a continuous protected corridor, along the south facing "Hard Edge" of the Keurbooms hillside, from the Estuary to Keurbooms village and beyond. Both forest classifications are "Natural forests" as per Notice 167 of 2017 issued by DAFF and listed under VEGMAP CODE FOz 13 and as such under protection.	
The image below, on the cover page of the application by Eco route, clearly shows the site as being covered in forest with a strip of Shale fynbos on the southern tip of the site.	

RE/155, KEURBOOMSTRAND, PLETTENBERG BAY



Pre-application reference: 16/3/3/6/7/1/D1/6/0126/20 **August 2022**

The "Vegetation sensitivity analysis" compiled previously by Conservation Management Services for this site.

Their CONCLUSION:

"The study site contains vegetation that can be described as highly sensitive. Both the Shale fynbos and the scrub forest are threatened vegetation types and the entire area is classified as a Critical Biodiversity Area.

6.Would not conform with the KLASP [Keurbooms spatial plan] adopted by the Bitou Municipality

The Keurbooms LSDF determines a few "no go" development areas, based on biophysical constraints and "Habitat Mapping and Sensitivity Analysis map units"

indicated as:

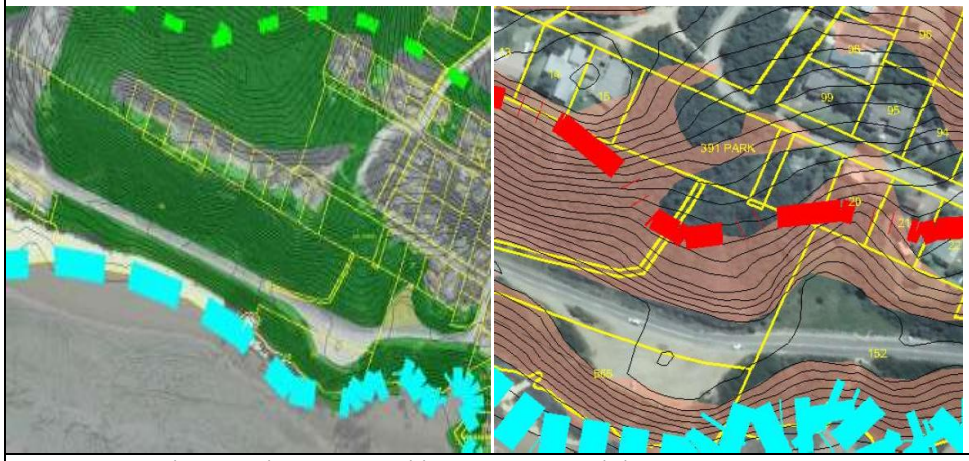
- below the 1:50 and 100: year floodlines;
- on any slopes with a gradient steeper than 1:4;
- below the 4,5m coastal setback line;
- within the 100m high water mark setback;
- within the Tshokwane Wetland system.
- Map Unit 3: Fynbos

- Map Unit 4: Forest
- Map Unit 5: Dune Thicket/Dune Fynbos Mosaic
- Map Unit 6: Coastal fore dune & seashore



Figure 17: LASP Environmental Sensitivity Mapping (TV3 Architects and Town Planners, 2013)

below A] Forest & corridor, B] Steep slopes & 100m line from HWM



7.Non-compliance with the conditions of the Municipal Approval

Approval of this application would not comply with the conditions of the Municipal approval 18/151 & 155/KB dated 21 Sept 2011, for the rezoning/subdivision of Erf 155/151 to create 26 individual residential erven for the existing structures.

Condition h] the remainder of the property to be managed as a Private nature reserve by the Mare Nostrum HOA. This was a condition requested by the KPOA [Keurbooms Property Owners Association] when submitting comments on the application and adopted by the municipality.

8. No Go Alternative not considered

According to the BAR, "NO OTHER PROPERTY OR SITE ALTERNATIVES WERE CONSIDERED ", despite the acknowledged sensitivity of the land.

Additionally, the BAR states that "No property or site alternatives have been identified, due to the fact that the applicant is solely interested in developing the identified site ".

We find this stance not in the common interest of Keurboomstrand and egoistic to say the least.

Erf 155 has 26 residential units on the flatter western portion of the 56,615.4m2 site, some of which are for sale, so the necessity to develop in a sensitive protected environment is not given.

Furthermore, properties are availa ble for houses in Keurboomstrand and surrounds.

The map below forms part of the documentation of the proposed development and shows the extent of Erf 155 Mare Nostrum and some of the residential units on the western portion. Also, the forested steep slopes.



Figure 1: Locality map of site showing approximate proposed development area

9. The Visual impact report by Filia Visuals PTY LTD	
Findings "The sense of place is derived (at a local scale) from the scenic resources of the coastline, which are based on natural features. These include the sandy (blue flag) beaches, rocky promontories, vegetated primary dunes and dune slack areas, and the steep forested foothills that meet the rocky coastline".	
The study area and receiving environment can be described as having a strong landscape character and a distinctive sense of place. The local receiving environment is unique and distinctive within the coastal belt, based on both the local townscape character and the value of the natural and scenic resources.	
The proposed development will contribute to the erosion of the visual character of the scenic route and the threshold of Keurboomstrand.	
The Visual impact report confirms the encroachment of the development on sensitive areas and as such considered unacceptable.	
• Inside the 100m Urban Coastal Setback Line;	
• On an elevated promontory with an average slope of approximately 1:4;	
• Within a Critical Biodiversity Area containing protected tree species;	
• Alongside a scenic route;	
• Within an area with a recognized special character, sense of place and	
• importance in terms of tourism and recreation value;	
• Within an area with visually prominent ridgelines or skylines;	
Indicators suggesting the need for visual input based on the nature of the proposed project include the following. The project proposes:	
i. A change in land use from the prevailing use;	
i. A use that is in conflict with an adopted plan or vision for the area;	
ii. Possible visual intrusion in the landscape.	
10.Visual impact on the residents of Keurboomstrand village.	

It must be noted that the Visual impact report did not take into consideration the significant impact this development would have on the Keurbooms residents living uphill and behind the proposed site. A large portion of the Keurbooms residents enjoy the view of the ocean over the top of this green forest which is on Erf 391 Public Park and Erf 155 Private open space. This is strange as they state in paragraph5.3.4.	
Visual Receptors and their Potential Sensitivity	
i. Communities where development results in changes in the landscape setting or valued views enjoyed by the community;	
ii. Residents and residential properties with views affected by the development.	
iii. Views from residences and tourist facilities / routes are typically more sensitive since views from these are considered to be frequent and of long duration.	
11.Personal impact	
We object to the granting of environmental authorisation for this development and refer to our rights which we feel would be violated if the environmental legislation is not adhered to. We as neighbours of Erf 391 and Erf 155 would experience a drastic change of our scenic view of Blaubankies beach and the forest below us, as can be seen on the photos below (Figures 5-8).	



Figure 5: View from Lounge window

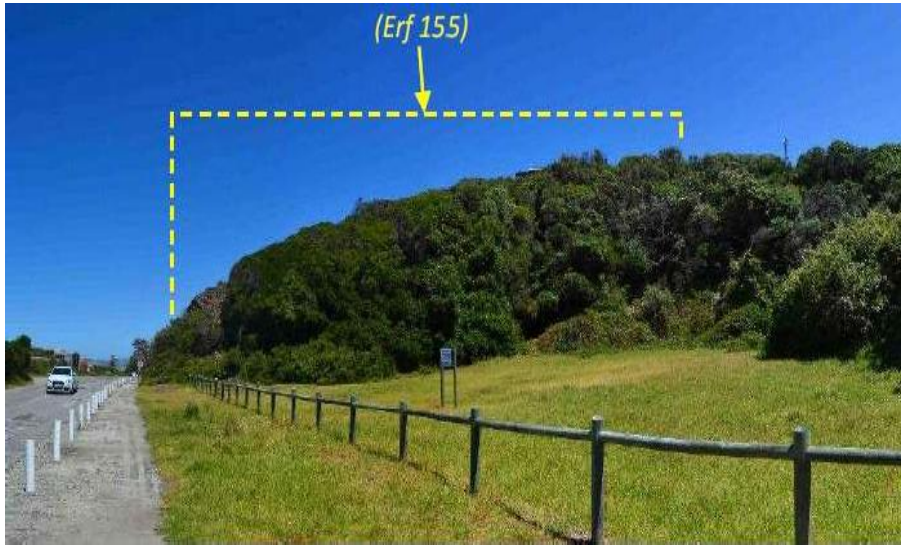


Figure 6: View of the Forest from below

Figure 7: from Blaubankies beach



 *Figure 8: Forest From our house on Erf 15 aboveErf 155*	
We would like to note that, when we bought our house on Erf 15, which is our permanent residence, it was with the clear knowledge that the Forest "Green belt" in front of our house is protected by environmental legislation and cannot be developed. Replacing the pristine natural forest with the proposed structures would have a detrimental effect on our personal "Sense of place" and the value of our property.	
We reserve the right to submit further comments on the application as information becomes available.	
A & T Millar – 99 Paradise Beach Investments Pty Ltd -	
Same as comments received from Rudi & Eva Martin	**Thank you for your comment. Please refer to response above.**