Note: This document has been sanitised. Personal contact details have been blacked out as per the requirements of POPI Act.

COMMENTS & RESPONSES REPORT

DRAFT BASIC ASSESSMENT REPORT

FOR THE PROPOSED DEVELOPMENT ON ERF 134, INFANTA

Opened 12 November 2025 at PHS Consulting Offices

No.	NAME & PRESENTING UNIT	COMMENT	RESPONSE
Pre-application Draft BAR (Circulated from 13 November 2025 – 12 December 2025). Late comments received January 2026 included.			
1	David Viljoen	Email dated 12 November 2025: Please add me to all communication on this matter. I am interested in understanding the proposal and might share comments.	EAP response: Attached please see notification letter for IAPs on the proposed project. (refer Annexure A to this report). The pre-application draft BAR, draft Water Use License Technical Report, and supporting documents will be available on our website at download link https://phsconsulting.co.za/proposed-rezoning-and-subdivision-of-a-portion-of-erf-134-for-the-establishment-of-a-residential-development-infanta/ for a 30-day commenting period from 13 Nov 2025 up to and inclusive of 12 Dec 2025. Should you not be able to access the report, please contact the Environmental Assessment Practitioner (EAP) at the details below. NOTE: the process for the WULA requires a 60-day consultation period. A further 30-day consultation period is planned within the statutory BAR process.
2	DEADPEIAadmin	Email dated 12 November 2025: Attached please find the correspondence from this Directorate concerning a portion of Erf 134, Infanta	Noted.

		<u>Letter received via email dated 12 November 2025:</u> ACKNOWLEDEGEMENT OF RECEIPT OF THE NOTICE OF INTENT ("NOI") TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS FOR THE PROPOSED A RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF NO. 134, INFANTA. 1. The NOI received electronically by this Department's Directorate: Development Management (Region 1) ("this Directorate") on 3 November 2025, refers.	Noted.
		2. This letter serves as acknowledgement of receipt of the aforementioned document.	Noted.
		3. This Directorate notes your request for a pre-application meeting. Please be advised that a virtual meeting will have to be arranged. The virtual meeting date will be confirmed with the Environmental Assessment Practitioner, Ms Amanda Fritz-Whyte of PHS Consulting.	EAP response: at this stage the pre-application meeting was waivered, but with the option of having it early 2026 once the comments from the first round of public participation has been received.
		4. The lawfulness of the existing house and associated infrastructure must be confirmed. A timeline must be provided	EAP response: The existing house and additional infrastructure was constructed in the mid 1980's.

		as to when the house and associated infrastructure was developed on the site.	This includes the Main house, the Garage, the Braai area, the Front reservoir, the Store located behind the main house, the Shed located West of the sand road, the access roads off the MR268 and the workers' accommodation. Refer to Appendix N for historical photo's and timeline.
		5. Applicable listed activities 5.1. It is noted that the site is located within 100 metres of the high-water mark of the sea. However, the listed activities relating to development within 100 metres of the high-water mark have not been applied for.	EAP response: Listed activities 18, 19, 19A and 27 in Listing 1 have been included. Listed activity 12 of Listing 3 have been included. Note the proposed development is within an urban area so listed activities with the exclusion for urban area have not been included in the application.
		5.2. A portion of the site has also been mapped as a Critical Biodiversity Area. Clarity must be provided whether Activity 14 of Listing Notice 3 is applicable to the proposed development.	EAP response: The proposed development lies within the SLM urban edge (as defined in the SDF) and thus within the urban area and therefor Act 14 Listing Notice 3 is not applicable.
		5.3. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking a site sensitivity verification. The outcome of the site sensitivity verification must be recorded in the format of a report and must be appended to the BAR.	EAP response: Noted. A site sensitivity verification was included as Appendix K to the pre-application draft BAR.

		6. Services 6.1. It is noted that water will be obtained from groundwater abstraction. Please note that the water use licence for the abstraction of groundwater must be obtained and included in the final report.	EAP response: A water use licence application is in process for the abstraction of groundwater – proof of submission is attached as Appendix M to the pre-application draft BAR.
		6.2. It is noted that electricity will be obtained from Eskom. Confirmation must be obtained from Eskom that they have sufficient, spare, unallocated capacity to provide the proposed development with electricity.	EAP response: Proof of availability of supply will be attached to the in-process draft BAR as Appendix E3.
		6.3. It is noted that a package plant will be developed for each dwelling and various alternatives have been identified to treat effluent. Please note that the preferred method must be reported on in subsequent documents.	EAP response: Noted.
		6.4. Confirmation is required from the local authority that sufficient, spare, unallocated capacity is available for solid waste management.	EAP response: SLM is a commenting authority on the proposed project and confirmation of solid waste handling and capacity will be included in the final BAR for authorisation.
		7. Screening Tool 7.1 The “Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation” (“the	7.1 EAP response: Noted. A site sensitivity verification was included as Appendix K to the pre-application draft BAR.

		Protocols") were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and it is noted that some of the Protocols are applicable to your proposed development. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking a site sensitivity verification. The outcome of the site sensitivity verification must be recorded in the format of a report and must be appended to the BAR.	
		7.2 This Directorate notes that the Screening Report has identified several specialist studies to be conducted. Although the Notice of Intent (NOI) indicates which specialist studies are proposed, the Site Sensitivity Verification Report (SSVR) does not include confirmation of these studies or provide a motivation why certain identified specialist studies will not be undertaken. The SSVR must therefore be updated to include these details.	7.2 EAP response: The SSVR will be updated to include this requirement. Refer Appendix K in this regard.
		7.3. It is further noted that the Agricultural theme has been identified as being of low sensitivity. Please note that according to the protocols if the sensitivity is low, an Agricultural compliance statement will be required. Please ensure that a compliance statement or comment from	7.3 EAP response: The DoA is included as commenting authority for the proposed project and comment was obtained and included within this C&R. Please refer to comment 73.

		the Department of Agriculture is obtained regarding development on the site.	
		7.4. It is noted that Heritage Western Cape ("HWC") provided comment in 2017. Please note that an updated comment from HWC is required. HWC must confirm whether a Landscape / Visual, Paleontological, Archaeological and Heritage Impact Assessment will be required.	EAP response: Noted. Updated comment from HWC has been received on 9 March 2026 and is attached as Appendix E1D to the draft BAR. The ROD confirmed that no further specialist studies in terms of Landscape / Visual, Paleontological, Archaeological and Heritage Impact Assessment was required. As such, no further action in terms of S38 of the NHRA is therefore applicable at this time, besides the existing HWC conditions associated with: • Radiocarbon dating is required for the material from CI03 and CI18. • All bulk earth-works must be monitored and a monitoring report is to be submitted to HWC upon completion of the project. The radiocarbon dating has been completed and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation related to this requirement will be requested from HWC during subsequent public consultation periods. Additional comment will be requested during the 2nd Public Participation Period and will be included with the Final BAR submission to DEA&DP for final review & decision.

		7.5. Further note that should any authority that have jurisdiction in respect of any aspect of the proposed development request that further specialist studies be conducted, and where the request is supported by this Directorate, this must take precedence.	7.5 EAP response: Noted – at present there is no additional request for further specialist studies by any authority that has jurisdiction in respect of any aspect of the proposed development.
		7.6. Where a specialist assessment is required and a specific environmental theme protocol has been prescribed, the requirement of Appendix 6 of the EIA Regulations, 2014 are replaced by the Protocols. The relevant specialist assessments must therefore comply with the requirements of the Protocols.	7.6 Noted.
		8. Process 8.1. Having considered the information contained in the NoI, this Directorate concurs that the proposed development constitutes listed activities as defined in terms of the NEMA EIA Regulations, 2014.	8.1 Noted.
		8.2. A Basic Assessment process must be followed to apply for Environmental Authorisation. Only the activities applied for shall be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.	8.2 Noted.
		8.3. You are advised that when undertaking the Basic Assessment process, you must take into account the applicable guidelines including	8.3 EAP response: Noted.

		the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (http://eadp-westerncape.kznsshf.gov.za/your-resource-library). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following: • Guideline for the Review of Specialist Input in the EIA process (June 2005). • Guideline for Environmental Management Plans (June 2005). • Guideline on Alternatives (March 2013). • Guideline on Need and Desirability (March 2013).	
		8.4. Please ensure the BAR and Environmental Management Programme contain all information requirements outlined in Appendices 1 and 4 respectively of EIA Regulations, 2014. Omission of any required information may result in the application for Environmental Authorisation being refused.	8.4 EAP response: Noted.
		9. Public Participation 9.1. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the	9.1 EAP response: Noted.

		requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the Draft BAR.	
		9.2. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Directorate, in terms of Regulation 40, the pre-application BAR may also be submitted to the Directorate for commenting purposes. Please ensure that an electronic copy of the pre-application BAR is submitted to the Directorate for commenting purposes.	9.2 EAP response: A pre-application draft BAR was submitted to DEA&DP for comment.
		9.3. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. Please note that the Environmental Assessment Practitioner ("EAP") is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.	9.3 EAP response: State departments identified for the proposed project were requested in terms of Section 24O (2) and (3) of NEMA to provide comment during the 30 days public participation period on the pre-application draft BAR.

		9.4. To ensure compliance with Regulation 3(3) of the NEMA EIA Regulations, 2014, you are reminded not to conduct a PPP over the festive period, i.e. between 15 December 2022 and 5 January 2023.	9.4 EAP response: Noted. The pre-application draft BAR was placed for comment from 12 November up to and inclusive of 12 December 2025.
		10. This Directorate awaits the submission of the Application Form and/or pre-application BAR prescribed by the EIA Regulations, 2014. Please note that an electronic copy of the Application Form must be submitted.	10. EAP response: Noted. The Application for Environmental Authorisation was submitted to DEA&DP on 28 September 2026. An acknowledgement of receipt was received on the same day.
		11. Please 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 Directorate. 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.	11. EAP response: Noted.
		12. Be advised 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 Directorate.	12. EAP response: Noted.

		13. 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.	13. EAP response: Noted.
		14. This Directorate reserves the right to revise or withdraw initial comments or request further information from you based on any information received.	14. EAP response: Noted.
3	Ron Brunings (Swellendam Local Municipality)	E-mail dated 12 November 2025: The Swellendam Municipality would like to attend the proposed pre-application meeting. In essence, no development ought to be considered on the property until such time as the Municipality is ad idem with the development team wrt. services. This has been an issue for many years. It would be pointless to proceed with yet another EIA process on this property until ALL roleplayers understand the challenges from a municipal perspective. We have requested a meeting with the full development team for months now, to no avail. <u>E-mail received 11 December 2025:</u>	EAP response: The EAP informed the DEA&DP this morning that there will be no pre-application meeting required at this date. We can however facilitate a meeting between SM and the development team during the PPP period. Please indicate your availability within the next two weeks and who you would require to attend from the development team's side. I will then issue meeting invitations. A meeting was subsequently held on 11 December 2025.

		Thank you for the various communications regarding the Pre-BAR and the meeting held with officials of the Swellendam Municipality (Directorate Infrastructure and Planning Services) in Swellendam on 11 December 2025. I trust that the professional team is now more fully aware of the challenges that face the development, as viewed from a Municipal perspective, and which will need to be attended to / addressed in the project documentation prior to moving forward. This office will consider the content of the BAR submission when this is made available for input, and comment more fully at that point.	EAP response: The SLM has not provided formal comment on the pre-application draft BAR. The SLM will be requested to provide comment on the draft BAR within the statutory process. Comments and inputs provided by the SLM during the meeting on 11 December 2025 has been considered by the project team in preparing the statutory draft BAR.
4	Anthony Sedgwick (erfs 140,141 and 201)	<u>Email dated 18 November 2025:</u> Thank you for your mail and the links to the various relevant documents. Please continue to use my existing e-mail address and keep me on your Interested Affected Party distribution list on all communication regarding this development. In addition please could I ask you to add 2 of my family members contact details (cc'ed above) as IAP's as affected by this development. These are: Alison Sedgwick: [redacted] Jean Meltzer: [redacted] I note the specified deadline date for submissions.	EAP response: Thank you for the email. I will add the additional 2 IAP contact details.

		E-mail received 11 December 2025: Attached herewith please find 3 documents dealing our objections to the above proposed development. Please could I ask you to confirm receipt thereof.	EAP response: Thank you for the email and attachments.
		Letter attached to e-mail: We write to you in our capacity as the directors of T Sedgwick Holdings (Pty) Ltd ("T Sedgwick") the registered owner of erfs 140,141 and 201 Cape Infanta which are neighbouring properties to erf 134 – the site of the proposed development by Westerhelling Investments CC ("the Applicant"). We would like to register our concerns and objections to amongst others the following aspects of the proposed development and as contained in the various documents made available for public inspection and comment. 1. Proposed access road and parking area on Erf 201 Infanta ("Erf 201"): 1.1. As per Paragraph 7.3 of App G6 Planning Motivation November 2025 ("the Proposal"), the Applicant proposes that an 'access way' on Erf 201 be created to link up with the remainder of the new public road on Erf 134 and in addition that a portion of Erf 201 be used as the parking area as shown in Figure 29 of the Proposal. It must be noted	EAP response: Noted. 1.1 Dave Saunders response: The reference to an 'accessway' is entirely related to the conceptual proposal put forward to address a principle contained in the Infanta SDP.

		that Erf 201 is not referred to directly, but rather as 'the adjacent property.' 1.2. T Sedgwick is the owner of Erf 201, held under Certificate of Consolidated Title T1628/97 (annexed hereto marked 'A'). 1.3. The 'access way' on Erf 201 is not a servitude registered in favour of the Applicant (as can be observed from the title deed), an unregistered servitude, nor is it utilized informally as a right of way. Rather, there is a fence along the southern boundary of Erf 201 and vegetation that has been cleared is only to maintain the fence line and create a firebreak between the 2 properties. Referring to this area as an 'access way' is false. 1.4. A praedial servitude, being a servitude held by one property over another, is created by agreement between the owners of the respective land, which thereafter is registered at the Deeds Office by way of a notarial deed. Without such agreement (registered or unregistered), the Applicant is not entitled to make use of Erf 201 in this manner. T Sedgwick has to date not been approached by the Applicant to enter into a servitude agreement for the creation of a parking area on Erf 201 nor a road over Erf 201 in favour of Erf 134. 1.5. The proposed "access way" and parking area would substantially reduce the market value of Erf 201 because it has a very limited portion of it with direct access to the sea. Any loss thereof would materially	1.2 EAP response: Noted. 1.3 Dave Saunders response: That is fully understood. The reference to an 'accessway' is entirely related to the conceptual proposal put forward in the proposal in order to offer a viable, pragmatic and legally straightforward way to address the Municipality's attempt at achieving a new coastal public access point along the common boundary with the 'Sedgwick' property. This has been put forward to respond to detail contained in the Infanta SDP. 1.4 Dave Saunders response: As stated above, the proposed public access point along the common boundary is conceptual and would require further engagement with the owners of Erf 201, together with the necessary land-use and legal approvals to rezone their portion of land that has been determined to be appropriate for rezoning to permit residential development. The current proposal does not presume any right of access over Erf 201. In its present form, the proposal provides a partial but viable resolution to the concept of public access along this common boundary. 1.5 Dave Saunders response: The intention is to cede this land to the public. The right of way servitude will remain in place, along with the rights that the public will attain.

		reduce the value of the erf and as owners we will use all options available to defend the value of the asset.	
		1.6. T Sedgwick has not received any formal communication from the Swellendam Municipality or the Property Developer with respect to this matter save for finding it proposed in these documents which we find irregular. Should either party pursue this suggestion it will be vigorously opposed.	1.6 Dave Saunders response: As stated above, the proposal in no ways impacts on any of the existing rights enjoyed by T Sedgwick.
		2. Right of way servitude over Erf 134 in favour of Erf 201	
		2.1. We refer you to the attached Certificate of Consolidated Title ('Annexure A') and referenced diagram No. 1560/52 ('Annexure B') and draw your attention to Condition K where it clearly specifies that Erf 201 enjoys a right of way servitude 25 feet (approx. 7.6 meters) wide across the north east boundary of Erf 134 – and indicated by the line o'p' on the diagram.	2.1 EAP response: The SDP has been amended to visually indicate this servitude.
		2.2. T Sedgwick notes that this has not been taken into account in the application for the proposed development and insists that this right be accommodated.	2.2 EAP response: The SDP has been amended to visually indicate this servitude.
		3. Solid waste management	
		3.1. T Sedgwick manages a waste transfer station ('the Dump") on behalf of the Swellendam Municipality on Erf 201.	3.1 EAP response: Noted.

		3.2. There are currently three modified shipping containers at the Dump – two for general waste and one for recycling. During the busier holiday season, being December to January, the capacity of the Dump to manage the higher volumes of waste is strained, as the containers fill up quickly, and are only emptied irregularly.	3.2 EAP response: Noted. The management of the waste site during peak periods is noted. The expected volume of solid waste generated, for the specific development, will be seasonable. The highest volume of solid waste will be generated during the December-January period with other peaks around school holidays. Low volumes of waste will be generated during winter months. It is expected that between 0,15 to 0,25 m^3/household/week, solid waste, will be generated.
		3.3. Per paragraph 6.1.2 on page 33 of the Proposal, reference is made to a transfer station being established at the entrance of the development. While it is stipulated in the Proposal that the Swellendam Municipality will service this station and transport waste directly from the station, it must be stressed that the waste cannot be transported to the Dump as an interim measure prior to the Municipality collecting same.	3.3 EAP response: The EMPr states: Homeowners will be expected to deliver household solid waste to a Waste Transfer Station that will be located at one of the two entrances to the development. Swellendam Municipality will service the transfer station on Tuesday's and transport the un-compacted solid waste to the Swellendam Municipal Solid Waste Site. No treatment of waste to occur on site. Recyclables and garden waste will be separated at source and stored in designated containers or areas within the Waste Transfer Station / Refuse Area. Recyclable waste will be collected by Swellendam Local Municipality during its normal collection run. Garden waste will be stored separately and removed to an appropriate municipal facility, unless suitable chipping or composting arrangements are incorporated into the development's waste-management measures. Collection

			arrangements for each waste stream will be confirmed with the Municipality before occupation.
		3.4. The proposed development will contribute the waste of a further 21 units, which the Dump does not have the capacity to accommodate.	3.4 EAP response: Additional waste will be for an additional 20 units, as one house is existing. As stated by the I&AP in comment 3.3, the waste collected by SLM from the development's waste station will not first go to the Infanta waste dump, therefor the capacity of the waste dump is not relevant.
		3.5. There is a lot of alien vegetation on Erf 134 that will need to be cleared. The Dump will not have the capacity to accommodate this extra waste. The alien vegetation that needs to be removed in the initial phase of the development, if approved, will need to be cut and chipped on Erf 134 and not moved to the Dump.	3.5 Applicant response: Invasive species will be cleared and responsibly removed from the development site. EAP response: The EMPr states: Indigenous plant material can be removed from cleared areas and may be stockpiled for mulching. Alien vegetation may be used for mulching if it is not in seed. No waste, including the cleared vegetation may be burned on the site and must be disposed of at an authorised waste disposal facility, unless it can be further beneficially utilised such as composting of the organic waste. Garden waste may be chipped on site.
		4. Fire control 4.1. There is no mention in the Applicant's Proposal of fire control, nor is a copy of the Fire Management Plan (a legal requirement we	4.1 EAP response: Fire prevention is included in section 11.2.18 of the EMPr (Appendix H to the pre-application draft BAR). The EMPr also requires compilation of an Emergency Response Action Plan (ERAP)

		understand for a property of this nature and with the degree of its alien vegetation cover) provided amongst the various documents supplied. 4.2. T Sedgwick, in compliance with its own Fire Management Plan maintains a 25 meter wide, 280 meter long firebreak around the back of Infanta Park on Erf 201. 4.3. If the development were approved and noting the very narrow building line limits of only 1.5m or 2m between the various proposed plots, there is no accommodation made for any firebreak on erf 134. To minimize this risk, the burden of maintaining a firebreak would fall on Erf 201, and be imposed on T Sedgwick, at our expense. In order to protect Erf 134, re-zoned as residential land, the accommodation of a firebreak and the cost of maintaining it should we feel at the very least be shared between the two property owners. 5. Proposed subdivision 5.1. In the Proposal, the average size of plots in the proposed development is compared to the average size of plots in Infanta Village and Infanta Park (see clause 4.6 of the Proposal) to indicate that no significant discrepancy exists. This is referenced to support the notion that the proposed subdivision is reasonable and aligned with the existing plot sizes.	prior to the commencement of the proposed project, which must deal with accidents, potential spillages and fires in line with relevant legislation. 4.2 Applicant response: There is approximately a 6m Firebreak around the proposed development site and approximately a 40m firebreak on the northern side of Infanta park. 4.3 Applicant response: The onus is on every landowner to create his own firebreak. There are existing firebreaks for Erf 134. 5.1 Dave Saunders: Please note that the plot sizes have changed. The revise plot sizes are indicated below. Above 1500m^2 1 Above 800m^2 1 Above 700m^2 1 Between 600m^2 and 700m^2 4 Between 550m^2 and 600m^2 8 Between 500m^2 and 550m^2 6

		5.2. T Sedgwick disputes the reference to the square meterage of plots in Infanta Park, as Infanta Park was originally a temporary camp site where the naturally small camping sites were converted into a sectional title scheme and is therefore not relevant. The only potentially appropriate comparison is to Infanta Village, which is comprised of multiple erven and laid out as a township.	Average plot size is therefore approximately 637m^2 The Spatial Development Framework lists the following development parameters pertaining to erf sizes: • The existing gross density of the town is approximately 10 units/ha. Proposed gross density of the development is 5,4 units/ha. • Average Plot size of the town is 600m^2.Proposed development's average plot size will be 637m^2 The development is within these parameters. 5.2 Dave Saunders: While it is acknowledged that Infanta Park originated as a temporary camping facility and was subsequently converted into a sectional title development, this historical background does not diminish its relevance within the current urban context. The pertinent consideration is that the character of the area has fundamentally changed over time, with the establishment of permanent residential accommodation in substantial built structures. From a spatial planning perspective, it therefore forms part of the existing urban fabric rather than functioning as a temporary campsite. Furthermore, the applicable Spatial Development Framework does not distinguish between "Infanta Park" and the remainder of the urban area contained within the defined urban edge. Accordingly, there is no rational planning basis to exclude Infanta Park from the broader urban form analysis, notwithstanding its historical origins. The comparison is

			therefore considered relevant in assessing the range and diversity of existing residential development patterns within the urban area.
		5.3. T Sedgwick contests that the minimum size of plots in Infanta Village should not be referenced in the application, but rather the average and that this should constitute the minimum plot size of the proposed development.	5.3 Dave Saunders: There is no sound planning basis to insist on this. The plot size range extends from 500m^2 to 1582m^2. Furthermore, the proposed gross density is way lower than what is regarded as desirable. No plots are smaller than 500m^2. The two criteria need to be considered collectively. It is also important to note that there are numerous plots within the defined urban edge of Infanta which are smaller than 500m^2.
		6. Water supply risk 6.1. The borehole(s) for the proposed development are variously but inconsistently referenced and indicated in the figure as BH134A , BH134C and BH11 on Erf 134 (see clause 6.1 of 'App G2 – Cl – Hydrogeological Study'). 6.2. The sustainable withdrawal rate of these boreholes is noted, and we note that at high occupation periods the demand rate is expected to closely match maximum daily withdrawal rates. 6.3. Although the neighboring boreholes shown as BH05 and BH06 are noted, the potential negative impact on their withdrawal rates which may / will be reduced by the high proposed withdrawal rates from	6.1 EAP response: all boreholes considered previously and currently for the proposed development are discussed in the documentation. Only one borehole is viable (refer WULA Appendix M) and forms part of the application - BH134C. 6.2 EAP response: Only one borehole forms part of the application - BH134C. 6.3 Lian Roos response: If the application is approved, then the abstraction of groundwater will only take place from BH134C. The Geohydrological Report indicates that the proposed abstraction

		BH11, BH134A and BH134C is not measured or quantified. Should this occur, it will have an extremely adverse impact on the existing residents (some of whom are permanent and rely on this for their only water supply) reliant on BH05 and BH06. There are 3 permanent households' resident on erf 201 and 141 who are reliant on the water supplied from BH06. 6.4. The Hydrological Study App G2 C1 lists several requirements regarding ongoing monitoring of withdrawal rates and monitoring of water quality at multiple boreholes and not only BH134A, BH134C and BH11 as well as the erection and monitoring of rain gauges at some, but this requirement is omitted from the Development Proposal. For reasons already raised above this must be an enforced requirement, with all records available for public scrutiny. 7. Setback line 7.1. As per clause 5 of 'App G7A Setback Line Assessment', the setback line indicates the minimum distance of the proposed development from the shoreline. 7.2. The Overberg Municipality's 'Coastal Processes/Erosion Line' is indicated as being substantially further inland, while the PBNS line practically runs along the boundary of Erf 134.	volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users. 6.4 Lian Roos response: The Geohydrological Report recommends that a rainfall gauge should be installed on the site and rainfall readings should be taken after every rainfall event and the time and date of the reading recorded and that the monitoring data (water levels, rainfall and chemistry) should be kept in an electronic database for further analysis should this be required. This recommendation is included in the EMPr (Appendix H). 7.1 EAP response: Noted. Please take note that a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment is included in the subsequent circulation to I&AP's for additional inputs, and provided an additional specialist coastal engineering assessment to inform the applicable setback line. 7.2 EAP response: Noted. A setback line assessment was performed in 2010 by PBNS (PBNS 2010) at the request of Doug Jeffery Environmental Consultants (DJEC). Subsequently Geoff. Toms (Consultant) was requested to reappraise the setback line in terms of

			recently published standard methodologies. This was completed in 2024. Furthermore, the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment titled "Site Analysis and Definition of the Development Setback Line on Erf 134, Luz de Lua, Infanta", prepared by Laurie Barwell & Associates (Pty) Ltd (July 2026), provides a specialist coastal engineering assessment that evaluates the site's coastal environment and physical processes to inform the determination of an appropriate development setback line, and includes an assessment of the coastal setting, shoreline stability, historical aerial and satellite imagery, topographical survey data, climate change and sea level rise projections, storm hazard modelling, applicable coastal legislation and Western Cape Coastal Management Lines, as well as consideration of public coastal access and a proposed wheelchair-friendly coastal walkway. The site-specific Coastal Setback Line Report concludes that, due to the rocky shoreline and relatively high elevation of Erf 134, the coastal hazard lines are confined to a manageable area. The recommended development setback line combines the estimated 1:100-year flood line and the 2100 sea-storm hazard line, including a projected 1 m sea-level rise. This site-specific setback line, as depicted in Figures 6 and 15 of the report, is recommended for the proposed development. Please refer to Appendix G7C in this regard.

		7.3. As per section 16 of the National Environmental Management: Integrated Coastal Management Act 28 of 2008 ("IEMA"), land that falls within 100 metres of a high-level water mark falls within the coastal protection zone. As per section 17 of IEMA, the coastal protection zone was established for enabling, but not limited to, the use of land to protect the ecological integrity of the coastal environment. 7.4. T Sedgwick contends that should the PBNS line be deemed the setback line, it will be in violation of the provisions of IEMA.	7.3 EAP response: Noted. 7.4 EAP response: A specialist determination was done in 2024 by G Toms, ground truthing the on-site conditions and determining a site-specific setback line. Furthermore, an additional assessment was performed by Laurie Barwell & Associates (Pty) Ltd in 2026 to determine an appropriate development setback line for Erf 134, Luz de Lua, based on detailed coastal engineering principles and an assessment of long-term coastal processes. The assessment concluded that the rocky shoreline is generally stable, exhibiting negligible long-term erosion and remaining in a state of equilibrium, with coastal hazards primarily associated with storm wave run-up, sea level rise and the flood dynamics of the on-site watercourse. Based on the assessment of historical shoreline behaviour, topographical survey data, projected climate change and sea level rise scenarios, as well as the applicable Western Cape Coastal Management Lines, a development setback line was defined by combining the projected 2100 coastal storm hazard line with the mapped 1:100-year flood line. The report further concluded that infrastructure located landward of the recommended setback line would remain beyond the influence of foreseeable coastal processes, while also recommending that the

			ecological corridor associated with the watercourse be maintained and that future public coastal access be accommodated through the provision of a wheelchair-friendly walkway and designated pedestrian access route within the coastal strip.
		8.Impact assessment matters 8.1.We note the responses contained in G13C SIA of these documents by the developer to various risks and negative impacts raised by the Infanta community in the various previous proposals in 2012, 2015 and 2021. It Is tiresome to have to address these again. Suffice to say that we find the developers' dismissive attitude to these valid concerns offensive and the mitigating actions where proposed inadequate to address the risk.	8.1 EAP response: The SIA responses are contained as an addendum in Appendix G13B and not in Appendix G13C. A summary of key social comments raised during previous rounds of public participation is included in Section 9 of G13B. These concerns were considered and incorporated in the proposed development and EMPr (refer section 10). Concerns raised by I&APs informed the proposed preferred alternative.
		NOTE: Two annexures provided with the email are attached to this document as Annexure B and C.	Includes Consolidated Title ('Annexure A') and referenced diagram No. 1560/52 ('Annexure B') to serve as reference to comment.
5	Monique Mulder (Malgas Residents and Ratepayers Association)	<u>E-mail received 21 November 2025:</u> Thank you for the notice. Please register the Malgas Residents and Ratepayers Association as an interested and affected party. For clarification purpose, the notice states rezoning 3,04ha of Erf 134.	EAP response: I will register the Malgas Residents and Ratepayers Association as an I&AP. Please clarify which other documents you are referring to that states a total development of 30,244ha.

		All other documents refer to a total development of 30,244ha. Can you please clarify in order for us to give informative comments. <u>E-mail response 21 November 2025:</u> Heritage Western Cape Letter1 (APP E1A), and Letter 3 (APP E1C) refers to the size of site being 32ha. Letter 3, dated the last, refers to original application for 24 units, reduced to 21 units, with a slight increase in range of erf sizes 400 – 900 sqm. The Civil Engineering Services report states the Erf 134 to be the total extent of 86ha. Heritage Statements (APP G11A) states site to be in the extent of 30ha and Figure X and Figure 5 indicate as such. It does, however state, further down in the document that the extend of development is 3ha at approximately 200sqm per unit. Some contradicting information.	EAP response: Thank you, Monique, for the additional information. Further EAP response: The contradicting information is noted. The total Erf 134 is ±85.6ha, of which a portion of approximately 3.89ha is proposed to be developed.
6	DEADP EIA Admin	<u>Email dated 24 November 2025:</u> Attached please find the correspondence from this Directorate concerning a portion of Erf 134, Infanta.	EAP response: Noted with thanks.

		<u>Letter received via email dated 24 November 2025:</u> ACKNOWLEDEGEMENT OF RECEIPT OF THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS FOR THE PROPOSED A RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON A PORTION OF ERF NO. 134, INFANTA.	EAP response: Noted with thanks.
		1. The electronic copy of the pre-application Draft BAR received by this Department's Directorate: Development Management, Region 1 ("this Directorate") on 12 November 2025, refers.	EAP response: Noted.
		2. This letter serves as an acknowledgement of receipt of the abovementioned document by this Directorate.	EAP response: Noted.
		3. Please note that this Directorate will consider the pre-application Draft BAR and issue a comment within the prescribed 30-day commenting period, which ends on 12 December 2025.	EAP response: Noted.
		4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.	EAP response: Noted.

		5. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.	EAP response: Noted.
		6. This Directorate reserves the right to revise or withdraw any comments or request further information from you based on any information received.	EAP response: Noted.
7	Owner of Erf 87 Laura Elliott nee Mardon	<u>E-mail received 30 November 2025:</u> I am writing in regards to the proposed development of Erf 134 at Cape Infanta. My concerns are as follows: 1. Number of units proposed is too many. The initial stated 15% of current infanta is incorrect as you have added the village with the infanta park which are not the same. As a result the posted number of units mimics that's of a holiday resort not a natural addition to the existing infanta area. Secondly as a result of your proposed number of units the actual size each is not in line with other infanta properties and again this leads to the perception that it is a holiday resort /appartment set up.	EAP response: Your concerns will be addressed in the Comments and Responses report which will be circulated to all IAPs in the next round of public participation. 1. Dave Saunders response: Infanta is a settlement made up of two parts. The intention of the SDP is to use the land between the two parts to integrate the settlement. It is agreed that both parts have different settlement patterns, both strongly determined by a traditional mono-functional grid-like subdivision pattern. It is simply not possible to use this pattern of settlement to 'stitch' the two together. The law has changed since these two areas were laid out, and current environmental legislations requires, quite rightly so, planning to take a more wholistic approach to the creation of new developments. It is by following this process of engaging with specialists that the design has emerged.

			The claim that the prosed development will look like a holiday resort / apartment setup (whatever that may be) is completely baseless. Coastal settlements take on the appearance of holiday resorts due to perceived occupancy and not according to the size of the plot or the dwelling. There is no way of determining what the occupancy of the proposed 20 dwellings will be. Given this, this claim should be regarded as spurious.
		2. The plan concedes that while there will be an increased security risk whilst building any potential issues should be covered by existing insurance policies of infanta property owners. This is very short sighted of the developer.	2. EAP response: Site safety and security is addressed in the EMPr (section 11.2.19 and 11.2. 20 of Appendix H). The reference to insurance policies comes from the SIA (Appendix G13A) assessment of cumulative impact from Assessment of risk posed by construction workers on safety and security, and reads *Cumulative impacts: No, provided losses are compensated for by insurance or stolen goods are recovered. Yes, if people are injured during break-ins and or family heirlooms or sentimental goods are stolen.* There is no statement that *any building issues should be covered by existing insurance policies of infanta property owners*.
		3. The beach area is already under massive pressure with the existing infanta population and holiday makers. Boats are already overflowing and it has caused issues during the holiday season. There were no mentions in the plans for Accomodation or planning for boats or other sea craft.	3. Dave Saunders response: There is no space on the property to accommodate more boats and other crafts. Indeed, it may well be appropriate not to do so.

			It must be accepted that the approved Infanta SDF facilitates the development of the land in question. In doing so, the process of finalising the SDP would have taken into consideration the broader social considerations and issues of the Infanta settlement. It is important to note that the coastal amenities in every coastal settlement in the Western Cape, including in the Cape Metropol are faced with high levels of use during the holiday season. This spike in the intensity of use lasts 3 weeks in a year comprised of 52 weeks. Coastal residents generally understand that this happens over the short festive /holiday season and plan their days accordingly. This is certainly not a valid reason to not allow any development.
		4. There is no clear plan for access to the ocean , the current road in from the 8 properties is maintained by the owners on that road , our family being one of them. There is a boom gate clearly stating private road and access allowed only by property owners whose access is from the front road. The current proposal makes not reference to how or where the tenants or new home owners would be accessing the beach areas. This is concerning.	4. EAP response: The new residents will gain access to the ocean the same way as other residents enjoy.
		5. Water : it is shown that a new pipeline will be built as current water from boreholes as not sufficient and or not portable.	
		I do appreciate that the developers have a goal in their income projections from all of these properties. There is negativity towards this project as no likes change, especially in a community where families have enjoyed relative isolation from mass holiday makers.	5. EAP response: The proposed pipeline is to bring water from the borehole to the proposed development.

		It would be prudent for the developers to understand that by reducing the number of units they would be seen as less of a threat and more of a logical increase to the community. Thank you in advance for considering my points of concern.	EAP response: The comment is noted. Please note the applicant is a current landowner and long-time resident of the area. Dave Saunders response: There is no factual evidence presented by the I&AP to justify reducing the number of units. The number has been determined by undergoing a thorough constraints and opportunities planning exercise. All the informants that have come out of the numerous specialist studies have been respected in guiding and achieving an appropriate pattern of subdivision.
8	Jean Tresfon (Chairman - Infanta Resident's and Ratepayer's Association)	<u>E-mail received 1 December 2025:</u> Please could you confirm that the Infanta Resident's and Ratepayer's Association (IRRA) is registered as an interested and affected party in the above-mentioned development application. <u>Response 1 December 2025:</u> Yes, please do. Thanks! <u>E-mail received 5 December 2025:</u> In working through the many documents pertaining to the proposed development of a portion of erf 134, Infanta, and that were made available for comment, we have noticed that a number of the annexures to these documents were not included or available on the website. For example, with the Planning Motivation (App. G6) there are 7 Annexures and 13 Diagrams that were not included.	EAP response: I have Nicole de Freitas as contact for Infanta Ratepayers and Residents Association. Can I add your contact details as well for the Infanta Ratepayers and Residents Association? EAP response: The list of diagrams and annexures to Appendix G6 are as below:

		In addition, the AGM for the IRRA is only to be held on 30 December 2025, at which the community would like to discuss the proposed development. We also understand that, as a general rule, DEA&DP does not consider submissions during the December/January holidays. Accordingly, we request an extension of time for the submission of comments to 19 January 2026 or 30 days after the receipt of the requested documentation, whichever is the later. As soon as we hear from you about the extension, we will endeavour to submit the list of outstanding documents. We look forward to hearing from you soonest.	**9. ANNEXURES** 9. 1 Annexure A - Power of Attorney 9. 2 Annexure B - Company Resolution 9. 3 Annexure C - Conveyancers Certificate 9. 4 Annexure D - Title Deed 9. 5 Annexure E - Architectural Design Guidelines 9. 6 Annexure F - Civil Engineering Report 9. 6 Annexure G - Application Form **10. DIAGRAMS** Diagram 1 - Regional Context Diagram 2 - Sub Regional Context Diagram 3 - Aerial Photo of Infanta Diagram 4 - Land Use Map Diagram 5 - Existing Zoning Diagram 6 - Infanta Spatial Development Framework A Diagram 7 – Growth Management Plan for Cape Infanta Diagram 8 - Urban Edge Diagram Diagram 9 - Key Design Informants Diagram 10 - Urban Design Informants Diagram 11 - Proposed Plan of Subdivision Diagram 12 - Proposed Zoning Map Diagram 13 - Proposed Landscape plan Of these the following are included in the documents circulated for comment: 9. ANNEXURES 9. 5 Annexure E - Architectural Design Guidelines – refer Appendix G1 9. 6 Annexure F - Civil Engineering Report – refer Appendix G3

			The rest of the annexures form part of the land use application to be submitted to the SLM after completion of the NEMA process and will not be provided as part of this round of PPP. They will be provided to IAPs as part of the land use application at the time it is lodged. It was included in the annexures to provide more explanation to IAPs when providing comment on the planning aspects of the proposed project. 10. DIAGRAMS Diagram 1 - Regional Context – refer Figure 1 and 2 Appendix A Diagram 2 - Sub Regional Context – refer Figure 3 Appendix A Diagram 3 - Aerial Photo of Infanta – refer Figure 4 Appendix A Diagram 4 - Land Use Map – refer Figure 13 to 15 Appendix G6 Diagram 5 - Existing Zoning – refer Figure 12 Appendix G6 Diagram 6 - Infanta Spatial Development Framework – refer Figure 18 Appendix G6 Diagram 7 – Growth Management Plan for Cape Infanta – refer Figure 20 Appendix G6 Diagram 8 - Urban Edge Diagram – refer Figure 19 Appendix G6 Diagram 9 - Key Design Informants – refer Appendix G1 Diagram 10 - Urban Design Informants - refer Appendix G1

			Diagram 11 - Proposed Plan of Subdivision - refer Figure 24 Appendix G6 Diagram 12 - Proposed Zoning Map - page 20 Appendix G1 Diagram 13 - Proposed Landscape plan - refer page 18 Appendix G1 Please note: this is a pre-application BAR, and further comments will be sought from IAPs during the in-process BAR when another 30-day commenting period is allowed for. Which other annexures are not available?
		<u>E-mail received 8 December 2025:</u> Thank you for the clarity about the various annexures and appendices. We understand that you have granted the Infanta Park Body Corporate an extension of time until 15 January 2026 for the submission of their comments, as their AGM is only on 29 December. Could you kindly confirm that the same extension of time will be granted to the IRRA, as our AGM is only on 30 December 2025? <u>E-mail received 8 December 2025:</u>	EAP response: Please confirm that you are not missing any further annexures as claimed in your original email. EAP response: The "missing" annexures do not form part of the PPP for the BAR - they are required for the separate land use planning application which follows on the NEMA (BAR) process, so I won't be providing them to you. IAPs identified as part of the land use planning application will be provided with them during that application process.

		As per your explanation I now understand that the "missing" annexures will be provided at a later stage of the PPP. So all good from our side for now on that score. <u>E-mail received 8 December 2025:</u> Thanks Amanda, appreciate the extension to accommodate our AGM. <u>E-mail received 8 December 2025:</u> Just to comment further on the "missing" annexures: I am by no means an expert on the process and am trying to understand why you are reluctant to provide the information. Regarding your comment that "the “missing” annexures do not form part of the PPP for the BAR - they are required for the separate land use planning application which follows on the NEMA (BAR) process, so I won’t be providing them to you", I would argue that if you have included any specialist report for review in the BAR process, then you must necessarily include the entire specialist report inclusive of its appendices – else it cannot be properly reviewed and commented on. Otherwise it’s effectively redacting parts of the report, and is likely to be sufficient grounds for a successful appeal.	I grant the IRRA extension until 15 January 2026 for submission of comments on this pre-application BAR process, based on the fact that your AGM is on 30 December 2025. EAP response: Please see my responses in red below Please do not hesitate to contact me should you require further assistance “Just to comment further on the "missing" annexures: I am by no means an expert on the process and am trying to understand why you are reluctant to provide the information. Regarding your comment that *"the “missing” annexures do not form part of the PPP for the BAR - they are required for the separate land use planning application which follows on the NEMA (BAR) process, so I won’t be providing them to you",* I would argue that if you have included any specialist report for review in the BAR process, then you must necessarily include the entire specialist report <u>inclusive of its appendices</u> – else it cannot be properly reviewed and commented

		Here is a list of some of the additional documents, annexures and appendices that were not included with the information made available on the website, but which are required for review and comment during the BAR process: G2 - Hydrogeological study o Appendix I: Hydrocensus data o Appendix II: Water Quality Data o Appendix III: Pumptesting Field Data o Appendix IV: FC Interpreted Pump Test Data G7A – Setback Line assessment o PBNS 2010 Erf 134, Infanta Development of setback Line. Pieter Badenhorst Sept. 2010 G9 – Botanical Impact assessment o Helme, N. 2005. Botanical Assessment of Erf 134, Infanta, Swellendam District G10 – Faunal Compliance statement o Burger M. 2011. Faunal scoping of north-eastern portion of Erf 134, Infanta. Sungazer report compiled for Doug Jeffery Environmental Consultants – May 2011	on. Otherwise it's effectively redacting parts of the report, and is likely to be sufficient grounds for a successful appeal." You are misunderstanding my response. The list of appendices you referred to were attached to the Planning Motivation report (Appendix G6 to the BAR) and form part of the planning application, which is a separate process to be completed only once the NEMA process has been completed. It does not form part of the NEMA application, is not a specialist report as identified by the DFFE screening report or the EAP, and is not a NEMA Appendix 6 requirement, therefor the appendices not included in Appendix G6 do not affect the ability of any I&AP to comment on the pre-application draft BAR. The Planning Motivation is included in the BAR as an annexure for the reader to understand the Town Planning context of the application. Annexure A, B, C, D & G to the Planning Motivation is administrative in nature. Like stated Annexure E & F is annexed to the BAR. And all the diagrams of Appendix G6 are included in the BAR, therefor the planning motivation report is in essence complete. "Here is a list of some of the additional documents, annexures and appendices that were not included with the information made available on the website, but which are required for review and comment during the BAR process: **G2 - Hydrogeological study** o Appendix I: Hydrocensus data o Appendix II: Water Quality Data o Appendix III: Pump Testing Field Data o Appendix IV: FC Interpreted Pump Test Data" The findings of these appendices are contained and summarised within the report and therefor does not affect the ability of any I&AP to comment on the report. **"G7A – Setback Line assessment**

		o Burger M. 2013. Faunal environmental impact assessment of the north-eastern portion of Erf 134, Infanta. Sungazer report compiled for Doug Jeffery Environmental Consultants – August 2013 o Burger M. 2017. Faunal specialist comments regarding layout amendments of the sub-division plan for erf 134, Infanta. Sungazer letter of comment compiled for Doug Jeffery Environmental Consultants – June 2017 o Burger M. 2019. CAPE INFANTA: Revised faunal Environmental Impact Assessment of the north-eastern portion of Erf 134. Sungazer Faunal Surveys report compiled for Doug Jeffery Environmental Consultants – November 2019 G11A – Heritage statement o Appendix A: Historical background information document (Harriet Clift) o Appendix B: Phase One Archaeological Assessment (ACO, UCT) in pack - NOT REQUIRED o Appendix C: Heritage Criteria o Appendix D: Terms of Reference (Doug Jeffery Environmental Consultants) - NOT REQUIRED G15 – Geohydrological assessment	o PBNS 2010 Erf 134, Infanta Development of setback Line. Pieter Badenhorst Sept. 2010" A setback line assessment was performed in 2010 by PBNS (PBNS 2010) at the request of Doug Jeffery Environmental Consultants (DJEC). Subsequently Geoff. Toms (Consultant) was requested to reappraise the setback line in terms of recently published standard methodologies (e.g. DEA&DP 2010), and this report is regarded as relevant to the application. This report provides an assessment of the setback line for the development on Erf134 in terms of these methodologies – it does not materially affect the ability of any I&AP to comment on the pre-application BAR. **"G9 – Botanical Impact assessment** o Helme, N. 2005. Botanical Assessment of Erf 134, Infanta, Swellendam District" This is the initial botanical study which was completed in 2005. It has been replaced by Appendix G9 an updated Botanical Report relevant to this BAR, though reference to it is included in order to create background and acknowledge previous work done in the area. The non-inclusion of it does not materially affect the ability of any I&AP to comment on the pre-application BAR. **"G10 – Faunal Compliance statement** o Burger M. 2011. Faunal scoping of north-eastern portion of Erf 134, Infanta. Sungazer report compiled for Doug Jeffery Environmental Consultants – May 2011 o Burger M. 2013. Faunal environmental impact assessment of the north-eastern portion of Erf 134, Infanta. Sungazer report compiled for Doug Jeffery Environmental Consultants – August 2013 o Burger M. 2017. Faunal specialist comments regarding layout amendments of the sub-division plan for erf 134, Infanta. Sungazer letter of comment compiled for Doug Jeffery Environmental Consultants – June 2017

		o Toens and Partners (1999) Overberg District Council – Cape Infanta Ground Water Investigation T&P report 990219 Please let me know if you are willing to provide these annexures, or do I need to approach the relevant authorities such as SWM and DEADP to request the same?	o Burger M. 2019. CAPE INFANTA: Revised faunal Environmental Impact Assessment of the north-eastern portion of Erf 134. Sungazer Faunal Surveys report compiled for Doug Jeffery Environmental Consultants – November 2019" These are old and outdated reports that have been replaced by Appendix G10 an updated Faunal report relevant to this BAR – their non-inclusion of it does not materially affect the ability of any I&AP to comment on the pre-application BAR. **"G11A – Heritage statement** o Appendix A: Historical background information document (Harriet Clift) o Appendix B: ~~Phase One Archaeological Assessment (ACO, UCT)~~ in pack - NOT REQUIRED o Appendix C: Heritage Criteria o Appendix D: ~~Terms of Reference (Doug Jeffery Environmental Consultants)~~ - NOT REQUIRED" These are old and outdated reports that have been replaced by Appendix G11, updated heritage studies relevant to this BAR – their non-inclusion of it does not materially affect the ability of any I&AP to comment on the pre-application BAR. **"G15 – Geohydrological assessment** o Toens and Partners (1999) Overberg District Council – Cape Infanta Ground Water Investigation T&P report 990219" This is an old and outdated report that have been replaced by Appendix G15 an updated report relevant to this BAR – the non-inclusion of it does not materially affect the ability of any I&AP to comment on the pre-application BAR. "Please let me know if you are willing to provide these annexures, or do I need to approach the relevant authorities such as SWM and DEADP to request the same?"

			Please provide comment on the documents with annexures provided. There have been previous reports with previous applications, which have been replaced by updated and reviewed reports, based on the latest data, research and legislation. The outdated report is no longer required to assess the development; it merely becomes reference reports if required. If you are unsure about the process, you are welcome to call me to discuss. Please note SLM is a commenting authority only. The competent authority is DEA&DP.
9	Hendrik Bruwer Trustee of trust owning erf 13 Infanta (Hoek Street), and manager of company owning erf 16/154 (unit 4) in Infanta Park. Trustee of the Infanta Park Body Corporate	<u>E-mail received 3 December 2025:</u> My first comment is that the area is NOT Cape Infanta, but Infanta. <u>Response 3 December 2025:</u> Thanks Amanda, I understand, thanks for clearing it up. <u>E-mail received 4 December 2025:</u> The owners at Infanta Park are having their Annual General Meeting on 29 December 2025. We hereby request the deadline 12 Dec 2025 to be extended to 15 January 2025, so we can meet and discuss the rezoning etc at the AGM so that the Body Corporate can respond as a single collective unit, formally mandated by its members. We hereby also then invite Amanda and the owners of the land to be present at said meeting.	EAP response: This is the correct email for comments. The development name is Erf 134 Infanta (Luz de Lua)– not the area. You will see in the yellow highlight below it is located in Infanta. Old references to Cape Infanta should be disregarded. EAP response: Please note the commenting period runs until COB on 12 December. I appreciate your invitation to your meeting; however our offices are closed from 15 December up until 12 January 2026, and I will not be able to attend. NOTE: This BAR it still within the pre-application phase and a further 30-day comment period will be provided to all registered IAPs within the statutory phase next year. I grant you extension for providing the response from the Infanta Park AGM until 15 January 2026.

		<u>E-mail received 4 December 2025:</u> I notice that for the Planning Motivation (App. G6) there are 7 Annexures and 13 Diagrams that were not included on the website. Did I just miss them, or are they absent? If they are absent, I request a deadline extension for 30 days after they have been made available.	EAP response: The list of diagrams and annexures you refer to are as below: **9. ANNEXURES** 9. 1 Annexure A - Power of Attorney 9. 2 Annexure B - Company Resolution 9. 3 Annexure C - Conveyancers Certificate 9. 4 Annexure D - Title Deed 9. 5 Annexure E - Architectural Design Guidelines 9. 6 Annexure F - Civil Engineering Report 9. 6 Annexure G - Application Form **10. DIAGRAMS** Diagram 1 - Regional Context Diagram 2 - Sub Regional Context Diagram 3 - Aerial Photo of Infanta Diagram 4 - Land Use Map Diagram 5 - Existing Zoning Diagram 6 - Infanta Spatial Development Framework A Diagram 7 – Growth Management Plan for Cape Infanta Diagram 8 - Urban Edge Diagram Diagram 9 - Key Design Informants Diagram 10 - Urban Design Informants Diagram 11 - Proposed Plan of Subdivision Diagram 12 - Proposed Zoning Map Diagram 13 - Proposed Landscape plan Of these the following are included in the documents circulated for comment: 9. ANNEXURES

			9. 5 Annexure E - Architectural Design Guidelines – refer Appendix G1 9. 6 Annexure F - Civil Engineering Report – refer Appendix G3 The rest of the annexures form part of the land use application to be submitted to the SLM after completion of the NEMA process and will not be provided as part of this round of PPP. They will be provided to IAPs as part of the land use application at the time it is lodged. It was included in the annexures to provide more explanation to IAPs when providing comment on the planning aspects of the proposed project. 10. DIAGRAMS Diagram 1 - Regional Context – refer Figure 1 and 2 Appendix A Diagram 2 - Sub Regional Context – refer Figure 3 Appendix A Diagram 3 - Aerial Photo of Infanta – refer Figure 4 Appendix A Diagram 4 - Land Use Map – refer Figure 13 to 15 Appendix G6 Diagram 5 - Existing Zoning – refer Figure 12 Appendix G6 Diagram 6 - Infanta Spatial Development Framework – refer Figure 18 Appendix G6 Diagram 7 – Growth Management Plan for Cape Infanta – refer Figure 20 Appendix G6 Diagram 8 - Urban Edge Diagram – refer Figure 19 Appendix G6

			Diagram 9 - Key Design Informants – refer Appendix G1 Diagram 10 - Urban Design Informants - refer Appendix G1 Diagram 11 - Proposed Plan of Subdivision - refer Figure 24 Appendix G6 Diagram 12 - Proposed Zoning Map - page 20 Appendix G1 Diagram 13 - Proposed Landscape plan - refer page 18 Appendix G1 Please note: this is a pre-application BAR and further comments will be sought from IAPs during the in-process BAR when another 30-day commenting period is allowed for. Based on the above an extension for submission of comments for the pre-application draft BAR is not granted.
10	Xavier Zylstra 5 Infanta Park	<u>E-mail received 5 December 2025:</u> Please register me as an Interested and Affected Party regarding the abovementioned application.	EAP response: I will do so.
11	Carien Pretorius Resident of Infanta Park	<u>E-mail received 7 December 2025:</u> Attached please find my formal objection to the proposed rezoning, subdivision and establishment of a residential development on Erf 134, Infanta, submitted for consideration under the following references:	EAP response: I acknowledge receipt of your email and the contents thereof.

		DEA&DP Reference: 16/3/3/6/7/1/E3/6/1456/25 DWS Reference: WU42464 Given the sensitivity of the surrounding environment and the unique nature of the Infanta community, I request that this objection be formally acknowledged and included in the public participation record. Please confirm receipt of this submission at your earliest convenience.	It will be included and responded to in the Comments and Responses report.
		<u>Letter received as part of e-mail on 7 December 2025:</u> FORMAL OBJECTION TO THE PROPOSED REZONING & SUBDIVISION OF A PORTION OF ERF 134, INFANTA DEA&DP Ref: 16/3/3/6/7/1/E3/6/1456/25 DWS Ref: WU42464 To: Director: Development Management Department of Environmental Affairs & Development Planning (DEA&DP) CC: Swellendam Municipality Department of Water & Sanitation (DWS) From: Carien Pretorius Resident of Infanta Park Nuwe Bank Street 52, Infanta Park, Infanta	

		[redacted] 7 December 2025 Re: Formal Objection to the Proposed Residential Development on Erf 134, Infanta I hereby submit my formal objection to the proposed rezoning, subdivision, and establishment of a residential development on Erf 134, Infanta. My objection is based on substantial environmental, social, hydrological, infrastructural, legislative, and heritage concerns arising from the Draft Basic Assessment Report (Draft BAR) and public participation process. Infanta is a uniquely small, environmentally sensitive, heritage-rich coastal village bordering the De Hoop Nature Reserve, an internationally recognised conservation area. Any development of this magnitude has profound and irreversible consequences for the natural environment and the community. 1. Misrepresentation and Underassessment of the True Construction Timeline The Draft BAR only references a 4–6-month bulk services phase, with no assessment of the overall construction period necessary to build 20 houses, roads, civil services, infrastructure connections, and landscaping. In reality, based on typical construction sequencing, Infanta will be subjected to 5–8 years of continuous construction	EAP response: Noted. Potential impacts associated with the proposed development were identified by specialists, assessed, and mitigation developed. This in turn informed the preferred alternative and the EMPr. 1. Applicant response: The 4–6-month timeframe relates specifically to the installation of bulk civil services. The construction programme for individual dwellings cannot be predetermined, as it will depend on property sales and individual purchasers' building programmes. Notwithstanding this uncertainty, the impacts associated with all phases of the development, including the construction of individual

		activity. This is a material omission and violates NEMA EIA Regulations requiring assessment of all phases of a development. 2. Failure to Assess Impacts on Community Character, Heritage Continuity & Social Fabric Infanta is a cohesive heritage community with homes passed down for generations in the same families. The Draft BAR makes no reference to: • the cultural heritage value of long-standing family ownership, • the community's conservation-driven identity, • the unique social cohesion of Infanta. NEMA defines environment as including cultural and social conditions. Omitting this is a serious flaw. The generic solution of limiting architectural designs completely misses the point. You can not copy and paste generic solutions and try to make it applicable to Infanta as Infanta is not a typical tourist driven coastal village.	dwellings, have been assessed, with applicable construction- and operational-phase mitigation measures included in the EMPr. EAP response: Impacts associated with all the phases of the proposed development were assessed, and mitigation developed. Refer to EMPr for construction and operational mitigation measures. This is in line with NEMA requirements. 2. EAP response: Assessment of socio-economic, heritage impacts were included in the specialist studies. Please note the applicant and his family are long standing generational residents of Infanta. At present Infanta Village and the caravan park exhibit a vast variety of architectural styles. No one style is evident or dominant. Two aspects of the existing built fabric have informed the architectural approach: 1) the tight urban form around the pathway leading to the Sebastine Point, reminiscent of the built fabric in the City of Cape Town Bungalow areas at Clifton 4th Beach area and Bakoven. 2) the emergence of 4/5 new buildings which display a bungalow feel evident in the use of horizontal planking usually fibre cement boards, 30degree pitched roofs and profiled metal roof sheeting.

			The architectural approach is based on this emerging trend and seeks to reinforce this by proposing that the new development enhance this architectural language and style. At the same time the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. It is felt that this approach could influence or set a positive example for further new buildings, additions and alterations to existing dwellings and any further interventions. A Heritage Impact Statement (Appendix G11A), Archaeological Impact Assessment (Appendix G12) and further heritage consultation with HWC was included in the pre-application draft BAR. Impact on sense of place, visual assessment of the proposed project and cultural heritage was included in these reports.
		3. No Social Impact Assessment (SIA) The development will introduce a large construction workforce and new residents whose environmental values may differ significantly. No SIA was performed, violating NEMA S2(4)(i).	3. EAP response: A SIA was included in the pre-application draft BAR as Appendix G13A, G13B and G13C. Social issues associated with the construction phase, especially with the presence of construction workers during this period, was assessed and mitigation developed. This was included in the EMPr.
		4. Absence of a Sense-of-Place, Visual, or Cultural Landscape Assessment	4. EAP response: Refer to answer point 2 above.

		No Visual Impact or Sense-of-Place assessment was conducted, despite the rural, conservation-adjacent character of Infanta. This omission is contrary to best EIA practice. I again stress the importance of understanding that the character of Infanta is much more than about building designs. A significant study should be done to understand the cohesive heritage community that is the heart and soul of Infanta. In a village as small and tightly knit as Infanta, social impacts are environmental impacts 5. Worker Accommodation Plan is Unrealistic, Unenforceable & Environmentally Counterproductive The Draft BAR proposes weekday-only worker accommodation and compulsory weekend removal. This increases traffic, dust, emissions, and extends the construction period, resulting in amplified impacts. The conclusion that the impact of the worksite is "low" is unrealistic and vague. Who/how will the removal of the workforce during weekends be enforced? How can the developer guarantee that the workers will not receive visitors (more traffic, more people to the area) There is no entertainment at Infanta. How/where will people spend their off time? Can the developer guarantee that his crew will abide by good neighborly conduct? 6. No Cumulative Impact Assessment (Legally Required)	5. Applicant response: Construction crews / staff is to be supervised and will be on-site during weekdays, accommodated on-site and will be removed off-site on weekends. EAP response: The requirement for construction workers to leave Infanta over weekends was raised by the residents of Infanta. The EMPr contains mitigation measures for management of construction staff, requirements for compliance and penalties for non-compliance. 6. EAP response: Refer to answer point 2 above. Impacts of groundwater abstraction was assessed in the Hydrogeological Study

		The BAR fails to evaluate multi-year construction effects, groundwater extraction, pressure on roads, ecological disturbance, or transformation of settlement character. This omission is a fatal flaw.	(Appendix G2). Impact of construction vehicles on local roads was assessed in the SIA (Appendix G13A). Ecological Impacts were assessed in the Terrestrial and Freshwater reports (Appendices G8, G9, G10). Transformation of settlement character - Refer to answer point 2 above. Assessment of cumulative impacts were included in the various reports.
		7. No Construction Phasing Plan No construction timeline, sequencing, or duration estimates were provided, preventing meaningful participation and violating NEMA transparency requirements.	7. Applicant response: The installation of bulk civil services will constitute the first phase and is anticipated to take approximately 4–6 months. The subsequent construction of individual dwellings will be phased according to property sales and purchasers' respective building programmes; therefore, a definitive overall construction timeline cannot presently be provided.
		8. Inadequate Assessment of Dust, Noise & Traffic Impacts The BAR offers generic mitigation with no modelling, measurements, or traffic counts. Infanta's single gravel road is highly vulnerable.	8. EAP response: Dust and noise were assessed and mitigation developed and included in the EMPr (Appendix H). Traffic Impacts were assessed in the TIS (Appendix G14A and G14B). Impact of construction vehicles on local roads were assessed as part of the SIA (Appendix G13A to G13C).
		9. Severe and Unassessed Pressure on Limited Public Infrastructure	9. EAP response: The SIA recognises the pressure on the Infanta Beach - *Due to the small size of the beach and few good swimming areas, the*

		Infanta has one beach, one slipway, minimal parking, and no municipal water or sewage systems. This development will overwhelm these resources. Conservatively estimating 60 – 80 more people will severely strain the use of the slipway and beach. 10. Inadequate Groundwater Assessment Infanta relies entirely on private boreholes. The BAR provides no current hydrological study and no saltwater intrusion risk assessment that measures the strain on these boreholes over the next few years – taking into account the current drought and foreseeable shortage of rain.	*slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.;* and includes previous comments from I&APs on the same concern. The SIA states: *While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable.* The proposed development includes services solutions for the lack of municipal water and sewage systems. 10. Lian Roos response: The Hydrogeological Report acknowledges the potential risk of seawater intrusion in the coastal aquifer and recommends ongoing groundwater level and quality monitoring.

		11. Impact on the De Hoop Nature Reserve Buffer Zone is Minimized. The Draft BAR underplays ecological disturbance and fails to meet ICMA and NEMA's avoidance requirements. 12. Transformation of Infanta into a Multi-Year Construction Zone The Draft BAR fails to acknowledge the existential change this development imposes: converting a quiet conservation village into an extended construction site. REQUEST: Given the substantial omissions, I request rejection of the application in its current form, or require a revised BAR with full specialist studies, cumulative assessments, a construction plan, and realistic mitigation. CONCLUSION: The proposal threatens environmental integrity, heritage continuity, groundwater security, social cohesion, sense of place, and the character of Infanta. I strongly oppose the development.	11. EAP response: The SIA considered the proximity to the De Hoop Nature Reserve. Ecological Impacts were assessed in the Terrestrial and Freshwater reports (Appendices G8, G9, G10). The pre-application draft BAR considers the mitigation hierarchy (Section I8). 12. Applicant response: The proposed development is located within the established urban edge of Infanta. Residential construction has occurred within the village over an extended period and will continue as properties are developed. Construction will commence once the necessary approvals have been obtained, and all construction-related impacts will be managed in accordance with the approved EMPr. EAP response: The pre-application BAR and appendices will be updated as needed and circulated for an additional 30-day PPP to all registered I&APs.
12	Gavin Cerff	<u>E-mail received 8 December 2025:</u> Do you have any contact details for the seller of the plots on erf134. I would like to purchase 1 for myself and 1 for my brother. In which case we will support the effort :)	EAP response: We are the independent EAP appointed for the NEMA process only. You are welcome to lodge comments / concerns regarding the proposed project, and I will register you as an I&AP.

13	John Bromley Owner Erf 107	<u>E-mail received 8 December 2025:</u> I received a copy of your circular of 12 November 2025 from the Infanta Residents and Ratepayers Association. Please would you register me and my brother and my sister, the owners of Erf 107 Infanta which has been in our family since 1949, as Interested and Affected Parties:	EAP response: I will register you as IAPs for the proposed project.
14	Tom Peacock Owner Erf 50	<u>E-mail received 9 December 2025:</u> I, the owner of ERF50 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: *The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these*	EAP response: Thank you for the comments received. They will be recorded and responded to in the Comments and Responses report that will be circulated to all IAPs during the next round of public participation

		unskilled workers are likely to be historically disadvantaged members of the community. *The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area.* Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity.	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste

			services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a
		The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year.	

		Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m^2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing	benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. The waste from the proposed development (general and recycling) will be collected at the waste transfer station and then collected by SLM during the normal waste collection run. It will not go to the dump so the capacity and operation of the dump is not affected by the proposed development. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather

		amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - *Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.;* and includes previous comments from I&APs on the same concern. The SIA states: *While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new*

		Infanta is a village with limited infrastructure, e.g. almost solely on ground water since there is no municipal water supply, which causes real concerns that the availability of the ground water supply in the aquifer will not cope with the increased demand. The limited infrastructure is part of the appeal and also the natural flora and fauna to live as it always has. I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1. This is something other residents have done to preserve the fabric of the community, local flora and fauna. This precedent should be followed.	*homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable.* EAP response: No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local residents' input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr and informed the preferred alternative. Lian Roos response: The Hydrogeological Report has demonstrated that the proposed abstraction volumes fall within the estimated sustainable yield of the aquifer. EAP response: The opinion of the I&AP that the selling of the remainder of Erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by

			specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
15	Tom Orpen (on behalf of Jane Orpen owner of Erf 70)	<u>E-mail received 9 December 2025:</u> Please see attached on behalf of my mother, Jane Orpen.	EAP response: Thank you for the letter and comments received. The contents will be recorded and responded to in the Comments and Responses report to be circulated to all IAPs in the next round of public participation
		<u>Letter attched to email of 9 December 2025:</u> I, the owner of ERF 70 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations:	

		The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. *The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area.* Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity.	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

			assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute
		The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can	

		handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m^2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks."	to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days,

		Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. I truly believe the character of the Infanta Village will be affected. Our Infanta community is one of very few townships to have not been materially expanded since it was laid out 100 years ago. As with Suurbraak, these undeveloped historic villages provide a unique quality to the greater Swellendam municipal area and should be preserved as such for all residents and visitors. Residents of Infanta Park already have problems with traffic related dust pollution and the increase in traffic will make this worse.	however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Odours – no odours form the proposed development are foreseen.

			Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that use to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number
		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of	

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			Applicant response: Remainder of property is not part of the application and will remain as is.
16	Janet Thompson (owner of Erf 100)	<u>E-mail received 9 December 2025:</u> I, the owner of ERF 100 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: *The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community.*	EAP response: Thank you for the comments received. They will be recorded and responded to in the Comments and Responses report to be circulated to all registered IAPs during the next round of public participation. EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development

		The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity.	will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not

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		key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc).	two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach – Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase

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		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA).

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17	Janet Thompson (owner erf 100)	<u>E-mail received 9 December 2025:</u> Please find objection attached. Please acknowledge receipt of this objection.	EAP response: Thank you for the comments received. They will be recorded and responded to in the Comments and Responses report to be circulated to all registered IAPs during the next round of public participation.

		Letter attached to e-mail of 9 December 2025: I, the owner of ERF 100 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

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		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of Erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the

			area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
18	Steve Tunley (owner erf 154)	<u>E-mail received 9 December 2025:</u> I, the owner of ERF 154 0/058 INFANTA, and an I&AP to the abovementioned development, hereby submit my comments as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: *The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these*	EAP response: Thank you for the comments. They will be recorded and responded to in the Comments and Responses report that will be circulated to all I&APs during the next round of public participation. EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the

		unskilled workers are likely to be historically disadvantaged members of the community. *The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area.* Comment: There are no benefits to the communities of Infanta, including Infanta Park and Kontiki. These communities will in fact be those that are negatively impacted the most by the increased pressure on infrastructure and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. Benefits for businesses in Swellendam and Bredasdorp are of little or no consequence to the local Infanta community, as they are towns far removed from the proposed development site. Short-term employment creation during construction is exactly what is states – SHORT TERM, and clearly not sustainable. The main benefit is to the developer. *The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of*	identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not

		Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. It is irrelevant that the proposed houses will be vacant for most of the year, what is of serious concern is that most houses will more than likely be full to capacity during the peak seasons and this is when the limited facilities will be impacted:- the slipway can handle a limited number of boats and swimmers, the town common can handle limited parking of cars and boat trailers, the beach can only handle a limited number of bathers. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on	rely solely on employment creation or regional economic benefits as justification for the proposal. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is

		existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns, notwithstanding the fact that there is a secondary holiday season towards the end of summer over the Easter period. In summary, the local community has no benefit to gain from this proposed development and they receive the full range of negative impacts of the development, both short term during the construction phase, and long term including additional solid waste, traffic, noise, odours, pressure on natural resources, especially limited ground water, as resource we are totally reliant on at present. There is no doubt that it will change the atmosphere of Infants and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable.

		As an owner of a property on the front road of Infanta Park, the increase in traffic during the construction phase will be significant and with the additional residents this will remain in the long term. As a resident of Infanta Park we already have problems with traffic related dust pollution and the increase in traffic will exacerbate this problem. In terms of the ambience and character of Infanta Village, the township is one of very few to have not been materially expanded since it was laid out 100 years ago. As with Suurbraak, these undeveloped historic villages provide a unique quality to the greater Swellendam municipal area and should be preserved as such for all residents and visitors.	Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely

		If this development is allowed to proceed the developer, as a minimum, should contribute towards the affected community of Infanta in some way to mitigate the negative impacts of the development. I fully support a suggestion that has been muted that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by

			specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
19	Nichola dos Santos (owner erf 58)	<u>E-mail received 9 December 2025:</u> I, the owner of ERF 58 INFANTA, and an I&AP to the above mentioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: *The total capital expenditure of the development will be in the region of R50 million. The construction of the housingcomponent has the potential to create in the region of 60-80 construction related employment opportunities per annum fora period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low*	EAP response: Thank you for the comments. They will be recorded and responded to in the comments and responses report which will be circulated to all registered I&APs during the next round of public participation. EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same

		skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. *The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam andBredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based inSwellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area.* Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity.	areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable

		The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven	infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump.

		than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development fromproceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns.	Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by

		In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. (Add a personal note here: how you and/or your property will be personally affected by the development. For example the front row properties between Rondeklip and the Slipway will have massively increased foot traffic past their houses as the new residents walk to the slip for a swim. You can also state how you believe the character of Infanta Village will be affected. Infanta Township is one of very few townships to have not been materially expanded since it was laid out 100 years ago. As with Suurbraak, these undeveloped historic villages provide a unique quality to the greater Swellendam municipal area and should be preserved as such for all residents and visitors. Residents of Infanta Park already have problems with traffic related dust pollution and the increase in traffic will make this worse. You can also mention that you rely almost solely on ground water since there is no municipal	swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified,

		water supply, and that you have real concerns that the availability of the ground water supply in the aquifer will not cope with the increased demand.)	assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. (This note seems to be directed at the I&AP by another I&AP but was left in for completeness.) The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or

		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1. My major concern is the rubbish " dump" and the size of our beach .	heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of Erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. The impacts post mitigation will be the same as if the land was not transferred to the ICC or another party. Therefor this solution is not sustainable. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land.

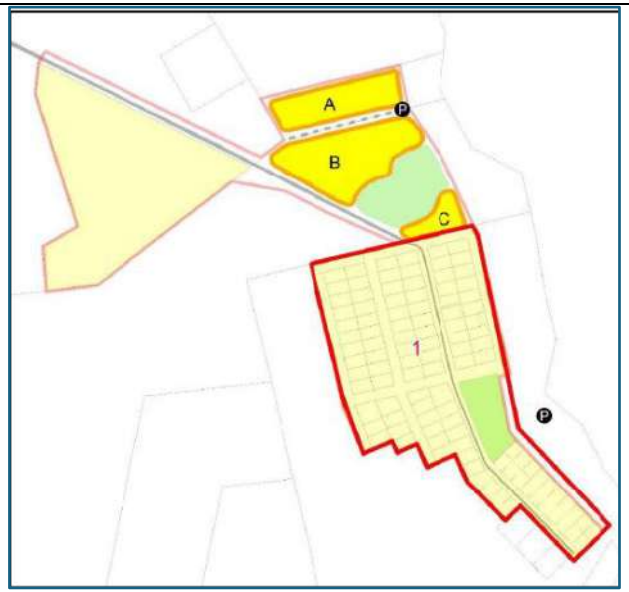
			Applicant response: The remainder of property is not part of the application and will remain as is. EAP Response: Solid waste facility - the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump.
20	Andrew Smith (for Charla Smith owner erf 59)	<u>E-mail received</u> Please see formal comments on the proposal to develop Erf 134 Infanta.	EAP response: Thank you for the comments received. They will be recorded and responded to in the Comments and Responses report which will be circulated to all registered I&APs in the next round of public participation
		<u>Letter to email received</u> As owner of Erf 59, Visser Street Infanta, I would like to comment on the above proposal. Infanta is a small village whose character has been carefully protected by owners, visitors and the broader community. Infanta Township is one of very few townships to have not been materially expanded since it was laid out 100 years ago. The addition of the above houses will significantly impact the character of the town and its historic significance.	Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or

		As with Suurbraak, these undeveloped historic villages provide a unique quality to the greater Swellendam municipal area and should be preserved as such for all residents and visitors. All of the current services to Infanta are under extreme strain during times of high occupancy - which are over significant periods of time. Extra houses, with smaller and more condensed footprints will put this system under further strain. Critically the commercial benefit of this development sits only with the developer. Local builders from the immediate area will not benefit. Typically the majority of building supplies are sourced further afield than even Swellendam and Bredasdorp where there is a wider choice and lower costs. I hope that the above points are taken into consideration. I hereby support a rejection of the current proposal.	heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape.
21	Tim Bashall	<u>E-mail received 9 December 2025:</u> I would like to register as an Interested and Affected Party regarding the above Infanta Property Development matter.	EAP response: I will register you as an IAP for the proposed project.
22	Sue Bashall	<u>E-mail received 9 December 2025:</u> I would like to register as an Interested and Affected Party regarding the above Infanta Property Development matter.	EAP response: I will register you as an I&AP for the proposed project.

23	Louis de Villiers	<u>E-mail received 9 December 2025:</u> Your correspondence of 12 November 2025 regarding the above and inviting comment on the pre-application draft Basic Assessment Report (DBAR) and on the draft Water Use License Technical Report (attached as Appendix M to the DBAR) refers. Please find attached my comment on the above documents. Kindly ensure, and confirm, that I am registered as an IAP for this project. Elkerine: Please note that my comment on the WUL application is included under paras 15-18 of the attached letter of comment.	EAP response: Thank you for the comments You are registered as an I&AP for the proposed project.
		<u>Letter received with email on 9 December 2025:</u> 1. Your email and letter of 12 November 2025 inviting comment on the pre-application Draft Basic Assessment Report (DBAR) dated 12 November 2025 and on the draft Water Use License Technical Report (attached as Appendix M to the DBAR) refer. 2. I have been a (non-permanent) resident of Infanta since the 1950s and am part of a family that owns a number of properties in Infanta. In addition, from 2000-2021 I was a Director of a NPC company, The Infanta Conservation Company (ICC) that manages a fund, the proceeds of which are for the benefit of the Infanta community. In 2017, the ICC acquired a ±64ha property, RE 107, which effectively 'surrounds'	EAP further responses: 1. Noted. 2. Noted.

		Infanta and which also abuts Erf 134 along portions of the southern and eastern boundaries of Erf 134. RE 107 was acquired by ICC for the specific purposes of protecting the biodiversity on RE 107 and for securing the property from development pressure by third parties – the title deed of RE 107, and its zoning, effectively protect RE 107 from further subdivision and development. 3. I note for the record that that I was a registered EAP (Registration No 2019/1389) and was a practising environmental consultant from 1988 until I retired in 2021, ie since before either the regulations under the Environment Conservation Act 73 of 1989 or the National Environmental Management Act 107 of 1998 (NEMA) came into effect, or indeed before NEMA itself came into effect. 4. I also note for the record that I was appointed to the integrated consulting team that was responsible for preparing: • the Infanta and Environs Local Spatial Development Framework 2005; • the Swellendam Spatial Development Framework 2009; • the Swellendam Spatial Development Framework 2013; I was a contributing author to these SDFs. I note further that, insofar as Infanta and its local environs are concerned, the development principles, findings, recommendations etc have been carried through virtually verbatim to the current Swellendam	3. Noted. 4. Noted.

		Spatial Development Framework 2020. Therefore, in effect, I was also a contributing author to this current SDF. 5. I note too that I was registered as an IAP in both previous NEMA applications for this proposed development. As I received formal notification from you regarding the current NEMA application and process, I presume that I am a registered as an IAP for the current application. In any event I trust I will be registered as an IAP for this application process. 6. I confirm that I have participated in the drafting of the comment to be submitted by the Infanta Ratepayers and Residents Association (IRRA), and that I agree with the IRRA comment in its entirety. You are therefore required to read and consider my comment in conjunction with that submitted by the IRRA. Some Detailed Comment 7. In view of my general comment on the quality and accuracy of information in the DBAR, given in the concluding remarks hereunder, I have for the time being limited my more detailed comments to only some aspects of the DBAR, as set out hereunder. Road access to the proposed development: 8. With reference to the diagram below (extracted from the Swellendam Spatial Development Framework 2020):	5. EAP response: you are a registered I&AP for the proposed project. 6. Noted. 7. Noted. 8 & 9. Dave Saunders response: Noted with thanks. The proposed public access point along the common boundary is conceptual and would require further engagement with the owners of Erf 201, together with the necessary land-use and legal approvals to rezone their portion of land that has been determined to be appropriate for

		 which diagram shows an access road between development portions "A" (Erf 201) and "B" (Erf 134), the purpose of which included the provision of a single access from the MR268 to serve both portions "A" and "B", thereby facilitating development of these portions with a limited impact on both pedestrian and vehicular traffic and the safety of same along the MR268. 9. From a reading of the DBAR and its appendices, the development as currently proposed has made some effort to address this issue. However, it is not apparent that there has been any communication with the adjacent landowner (Erf 201) that the proposed road alignment is acceptable to him/her – without an agreement between	rezoning to permit residential development. The current proposal does not presume any right of access over Erf 201. In its present form, the proposal provides a partial but viable resolution to the concept of public access along this common boundary. The land forming part of the proposed public access arrangement is intended to be ceded for public use. This proposal will not extinguish any existing registered rights-of-way or other lawful public access rights.

		the two landowners, this key principle of development is unlikely to be met. Biodiversity Information: 10. The biodiversity information in the DBAR is outdated and unduly limited in scope. 10.1. The Screening Tool identified the site as being of 'Medium Sensitivity' and of 'Very High' terrestrial biodiversity value.	10. EAP response: The Botanical IA (Appendix G9A) is dated March 2017; updated and amended 25 July 2021; and revised November 2023. Please also note that a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026), was commissioned and is included as Appendix G9B. 10.1 EAP response: The Screening tool report of 2021 (Appendix I) was updated in 2025. The 2021 Screening tool report identified the site as Very High terrestrial biodiversity value and Medium Plant species theme. The 2025 Screening tool report identified the site as Very High terrestrial biodiversity value and Medium to Low plant species theme. The BIA states: *The application of the National Web-based Environmental Screening Tool resulted in the determination of the sensitivity of Erf 134, Infanta as being mainly Medium for The Relative Plant Species Theme Sensitivity (Figure 23). In my opinion, the 'conservation area that has* *been proposed for setting aside has High sensitivity and the remaining part of the site has Low sensitivity. In the case of the biodiversity sensitivity (Figure 24), the erf is classified as having High sensitivity. I strongly disagree with this 'blanket treatment'. Once again, the*

		10.2. The Botanical Impact Assessment is severely outdated and must be revised: • Fieldwork was carried out in 2010 and 2012. • The report refers to the 2017 Western Cape Biodiversity Spatial Plan as having 'the most up-to-date maps of Critical Biodiversity Areas', neglecting that this WCBSP was updated in 2023 and officially adopted in 2024. • The botanical specialist report (Appendix G9, Section 8.1, prepared in 2023) and repeated in the WULA report (Appendix M), states that 'Neither Overberg Dune Strandveld nor De Hoop Limestone Fynbos is listed in the National List of Threatened Ecosystems (Government Gazette, 2022)'. This is incorrect. (However, the Conclusions section of the same report confirms that 'On a regional and national scale Overberg Dune Strandveld is considered Endangered'). • Notwithstanding the fact that reference is made to CBAs in the outdated WCBSP, the report fails to evaluate or provide recommendations on the development or management of those parts of the site categorised as Critical Biodiversity Areas in the Western Cape Biodiversity Spatial Plan – typically, these areas must be kept in a natural state.	*proposed 'conservation area' has High biodiversity sensitivity and the remainder of the site, Medium to Low biodiversity sensitivity.* 10.2 EAP response: The BIA was finalised in Nov 2023, at which time the WCBSP was not adopted yet. However, the concerns regarding the age of the previous Botanical Impact Assessment and the biodiversity information relied upon are acknowledged. Please note that a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026), was commissioned and is included as Appendix G9B. The new assessment is based on a new field survey undertaken on 17 and 18 March 2026 and was prepared in accordance with the applicable DFFE protocols for the Terrestrial Plant Species and Terrestrial Biodiversity Themes. It considers the SANBI 2024 National Vegetation Map, the 2023 Western Cape Biodiversity Spatial Plan adopted in 2024, updated conservation-planning datasets and current ecological information. The new assessment re-evaluates the vegetation types, ecosystem threat status, plant Species of Conservation Concern, Critical Biodiversity Areas, Ecological Support Areas and the potential impacts of both the residential development and its associated water infrastructure. It confirms that Overberg Dune Strandveld remains listed as Endangered under the currently published Revised National List of Ecosystems that are Threatened and in Need of Protection. The specialist further notes that the SANBI 2024 vegetation map has

		• With specific reference to Overberg Dune Strandveld, and despite noting that Alternative 3 would result in direct and cumulative impacts of Medium significance on an Endangered ecosystem, the Botanical Impact Report failed to address the need for a biodiversity offset to compensate for these impacts (see para 9.3 below).	replaced the mapped Overberg Dune Strandveld at the site with Southwestern Strandveld, which has been assessed as Least Threatened, although this change has not yet been incorporated into the published Revised National Ecosystem List. For the 3.89ha residential development site, the assessment finds that the affected mapped CBA1 and ESA1 areas are previously disturbed, transformed or heavily invaded and that no intact CBA or ESA habitat will be affected by the residential development footprint. The proposed layout avoids most of the confirmed Endangered plant species, *Erica oblongiflora*, and a substantial proportion of its suitable limestone-fynbos habitat. Subject to implementation of the prescribed mitigation, the residual impact on the plant Species of Conservation Concern is assessed as Low, while the residual impact on terrestrial biodiversity features associated with the residential site is assessed as Very Low. The associated water pipeline and reservoir were assessed separately. These components traverse natural vegetation mapped as CBA1, CBA2 and ESA1, including Endangered Albertinia Sand Fynbos, and three Vulnerable plant Species of Conservation Concern were confirmed along the pipeline route. However, the disturbance is narrow and localised, largely follows an existing disturbed boundary / access corridor / servitude and is not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity

			network. Subject to strict footprint control, pre-construction walk-through surveys, the necessary flora permits, rehabilitation and alien invasive vegetation management, the residual impacts of the water infrastructure on plant Species of Conservation Concern and terrestrial biodiversity are assessed as Low. The new assessment therefore supersedes the previous impact ratings relied upon in the 2023 Botanical Impact Assessment. As no Medium or High residual botanical or terrestrial biodiversity impacts are identified after mitigation, the new specialist assessment does not identify a biodiversity offset as being required. All prescribed avoidance, mitigation, rehabilitation, permitting and monitoring measures will be incorporated into the EMPr and relevant approval conditions. The new assessment will be made available to I&APs for review and comment during the subsequent public participation period.
		10.3. Overberg Dune Strandveld is an Endangered ecosystem. Parts of the development site include this ecosystem. This ecosystem type is clearly listed as Endangered1 in both the national List of Threatened Ecosystems and the Western Cape Biodiversity Spatial Plan 2023. According to Tables 1 and 2 in Appendix G9 (Botanical Impact Assessment), Alternative 3 (the preferred alternative) would result in 'Loss of…Overberg Dune Strandveld' in both the construction and operational phases. Alternative 3 presents a 'medium' risk of	10.3 EAP response: Comment noted. Please refer to the response under Item 10.2 and the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment included as Appendix G9B**.** The new assessment acknowledges that Overberg Dune Strandveld remains listed as Endangered in the currently gazetted Revised National List, notwithstanding that the SANBI 2024 National Vegetation Map now maps the relevant area as Southwestern Strandveld, which SANBI has assessed as Least Threatened.

		'irreplaceable loss of resources'; for the operational phase the impact is said to be 'irreversible' and its significance will be 'Medium negative'. The cumulative impacts of Alternative 3 on Overberg Dune Strandveld are also said to be of Medium negative significance. Any residual impacts of medium or high significance on this Endangered ecosystem type, require an offset with basic offset ratio of 10:1 (National Biodiversity Offset Guideline 20232). The requirements for offsetting must be addressed in the DBAR. 10.4. The faunal 'site sensitivity verification' only considered birds and invertebrate species flagged by the screening tool, as confirmed in the specialist report ('specialist assessment to confirm the current land use and environmental sensitivity of the proposed project areas as identified by the Screening Tool Report'). 10.5. The information ignores mammal fauna and is outdated: a number of mammals, including threatened (Red Listed) species, have	The March 2026 field survey confirmed that the Strandveld portions of the residential development site are disturbed, transformed or heavily invaded and that no intact CBA or ESA habitat will be affected by the residential development footprint. The new assessment consequently supersedes the previous Medium negative impact rating for the loss of Overberg Dune Strandveld. It assesses the residual impact on terrestrial biodiversity features as Very Low and the residual impact on the Endangered plant Species of Conservation Concern, *Erica oblongiflora*, as Low, subject to the prescribed mitigation measures. As no Medium or High residual botanical or terrestrial biodiversity impact is identified for the residential development site, the basis for the proposed 10:1 offset requirement no longer applies, and the new specialist assessment does not recommend a biodiversity offset. All prescribed avoidance, rehabilitation, alien invasive vegetation management and construction-footprint controls will be incorporated into the EMPr. 10.4 EAP response: The Faunal Site Sensitivity Verification and Terrestrial Animal Species Compliance Statement dated October 2024, complies to the screening tool requirements. 10.5 EAP response: The remainder of the property does not form part of the application area as is clearly outlined in the Faunal Site

		been recorded and observed on the remainder of the property in question. The Landmark Foundation has undertaken surveys at De Hoop and environs, using camera traps. It is essential that the Landmark Foundation is contacted in this regard, as well as CapeNature and the De Hoop Nature Reserve, given the potentially important extension of ranges of threatened species, and their use of the habitat of the remaining property. 10.6. Given the above, the remainder of the property not targeted by this development proposal must be rezoned as private open space, to be used for conservation in perpetuity. Leaving that area with an agriculture zoning opens the door for additional conversion of natural areas and erosion of important habitat for both vegetation, flora and fauna. Faunal Assessment: 11. The faunal 'site sensitivity verification' only considered bird and invertebrate species flagged by the screening tool, as confirmed in the specialist report. The specialist report has ignored mammal fauna and is therefore incomplete and outdated. A number of mammals, including threatened (Red Listed) species, have been recorded and observed in and around the general area of Infanta, including on Erf 134, eg leopard, caracal, genet, eland, baboons and bush pig. This information has been conveyed to the Landmark Foundation who has undertaken surveys at De Hoop and environs, using camera traps. It is essential that the	Sensitivity Verification and Terrestrial Animal Species Compliance Statement dated October 2024. 10.6 Dave Saunders response: Noted. Applicant response: Remainder of property is not part of the application and will remain as is. 11. EAP response: The Faunal Site Sensitivity Verification and Terrestrial Animal Species Compliance Statement dated October 2024, complies to the screening tool requirements. The remainder of the property does not form part of the application area as is clearly outlined in the Faunal Site Sensitivity Verification and Terrestrial Animal Species Compliance Statement dated October 2024.

		Landmark Foundation is contacted in this regard, as well as CapeNature and the De Hoop Nature Reserve, given the potentially important extension of ranges of threatened species, and their use of the habitat in the wider area, including on Erf 134. 12. The Landmark Foundation works collaboratively with CapeNature and De Hoop Nature Reserve, and is the scientific lead on a project to survey and monitor the leopard population within the De Hoop Nature Reserve. A key objective of the research is to understand how leopards use the De Hoop area as a crucial ecological corridor to connect with other leopard populations in the wider region, and how to mitigate human-wildlife conflict with local farmers and landowners. 13. In essence, the Landmark Foundation is focussed on providing scientific expertise and execution for the leopard monitoring, which is funded and supported by its partners to ensure the long-term survival of leopards and the broader ecosystem of De Hoop Nature Reserve. 14. The specialist consultant's report ('site sensitivity verification') should be updated after consultation with the Landmark Foundation so that the report includes, and accurately reflects, the status of mammalian presence in the general area of Infanta, inclusive of erf 134.	12. EAP response: Noted. 13. EAP response: Noted. 14. EAP response: The Botanical specialist report, Coastal setback report and site sensitivity verification reports were either updated or superseded by new up to date assessments and informed amendments to the draft BAR and EMPr in turn.

		Water Use Licence application: 15. It does not appear from the WUL application that predicted climate change effects have been considered in the calculations of water supply or yield. 16. There is conflicting information regarding the disposal of effluent from the sewerage treatment package plants: • Sections 4.5.1 and 5.5 of Appendix M state that effluent from the sewerage treatment plants "…can be recycled for non-potable use such as flushing toilets, with the remaining effluent being used for irrigation or being discharged underground to a soak-away." [This text is misleadingly included in the DBAR (p33) which states that "These systems will recycle treated wastewater for non-potable uses (e.g., irrigation) and safely discharge any remaining treated effluent underground".] • With regard to mitigation of potentially significant impacts, Table 7 on p19 and Section 7.1.2 of Appendix M state clearly that "Treated waste water should not be used for irrigation, but can be used for flushing of toilets". 17. Responsibilities for effective implementation are not clear: • Section 8 of Appendix M (p13) sets out actions and responsibilities for rehabilitation, alien and invasive species management, erosion control	15. Lian Roos response: Water demand was calculated using engineering services design assumptions. The WUL includes a review and amendment mechanism to adjust authorised supply if climate change affects water availability. Ongoing groundwater monitoring will identify trends in groundwater availability to inform adaptive management. 16. Lian Roos response: No irrigation of treated effluent is proposed for this development. Treated effluent is to discharged into soakaways, in line with the common practice for residences in the Infanta area. 17. Lian Roos response: It is the responsibility of the HOA to ensure the implementation of monitoring systems and environmental

		and fire management. The licence holder is responsible for all actions in the construction and operational phase, undertaking bi-annual monitoring, annual internal audits, as well as appointing an independent consultant to undertake external audits. • Mitigation of potential impacts on groundwater and surface water involves a wide range of measures including a groundwater monitoring system, recording of pumped volumes, recording of water levels in pumped boreholes, adhering to pumping cycles and yields, and recording rainfall readings, conducting a hydrocensus (1 km from the boundary) every two years, and maintaining an electronic data base of monitoring information. • According to the EMPr (11.3.1), the Home-Owners Association (HOA) would be responsible for seeing that the monitoring system proposed is implemented, appointing a geohydrological consultant (etc.) The monitoring system and data collected "would be checked during the operational audit". However, the only other mention of an operational audit is in 8.2.1 of the EMPr, which states that an Operational Audit is 'Not Applicable'. There is thus no assurance whatsoever that groundwater checks would be carried out and/ or that any of the recommendations of the geohydrological specialist would be implemented by the HOA. 18. There do not appear to be any contingency plans should the groundwater monitoring system identify over abstraction or	management measures, including rehabilitation, alien and invasive species control, erosion, and fire management, and to appoint qualified consultants where specialist input—such as the two-yearly hydrocensus—is required. Furthermore, in addition to the EMPr, the Water Use Licence conditions require that internal and external audits be conducted and submitted to the Department of Water and Sanitation for review. EAP response: The WULA would require its own audits (internal and external) as part of the authorisation conditions and the audit reports will be provided to BOCMA. The requirement will not form part of the EMPr at this stage, as these conditions only become known to the applicant once the WULA is authorised. 18. Lian Roos response: The Hydrogeological Report has demonstrated that the proposed abstraction volumes fall within the estimated sustainable yield of the aquifer.

		contamination, which would adversely impact other borehole users and the wider population of Infanta. Importantly, the NEMA includes the 'polluter or environmental degrader pays' principle, whereby the costs of remedying pollution or environmental degradation must be paid for by those responsible for harming the environment. Public participation process: 19. Section F of the DBAR indicates that certain requirements of public participation will be fulfilled, but does not provide proof that such requirements have been fulfilled – eg proof of site notice having been erected on site, proof of advertisement having been placed in a newspaper etc. The suggestion that such requirements will be fulfilled in the application stage is disingenuous – the nonfulfillment of these public participation requirements, and the lack of providing proof of same on the pre-application DBAR effectively renders the process non-transparent, and raises questions regarding the willingness of the applicant and the EAP to be fully transparent throughout the pre-application, application and public participation processes. 20. Appendix F of the DBAR is 'vacant' of any information relating to public participation, whereas it should at the very least have included a list of the parties (and any of their relevant details) to whom the notice inviting comment on the pre-application DBAR was sent – failure to do so negates transparency which is a fundamental principle of public participation processes.	19. EAP response: The pre-application BAR was circulated for comment from 12 November up to and inclusive of 12 December 2025, and the advert and site notice was placed the same time as required by NEMA regulations. Proof of the first round of PPP will only be included with the following PPP circulation period, and the final submission BAR will contain all proof. 20. EAP response: Proof of PPP completed o be completed for next round of PPP. No I&AP contact details will be provided to other I&APs in line with POPIA requirements.

		I am aware that at least one IAP has sought and been granted an extension of time on the commenting period. In the interests of reasonableness, fairness and equity, all IAPs should be granted an equivalent extension of time on the closing date for comment on the DBAR. 21. Effectively therefore, the public participation process to date has been uncoordinated and obfuscated and has resulted in confusion in the Infanta community about the details of the public participation process and closing date for comment on the DBA. Concluding Remarks: 22. As has been adequately demonstrated herein, and in the comment to be submitted by the IRRA, there are many, many inconsistencies in the DBAR, notably between the various layouts and the reports included therein. There are also many errors of fact, eg some of the legislation cited has been superseded, and there are important aspects associated with the proposed development that are not adequately addressed or have been missed in their entirety. 23. There has been inadequate attention to detail in compiling the DBAR, and in the coordination of all the specialist findings into the DBAR, thereby failing to render it cohesive and consistent throughout – that is, the DBAR is poorly compiled as it does not properly integrate all	The extension request was granted as requested. It is at the discretion of the EAP. 21. EAP response: There is no confusion in the Infanta community regarding the process or the closing date. The confusion may be with this I&AP only. Most I&APs submitted comments on or before the closing date. Where clarity was required, it was provided by the EAP. 22. EAP response: The comments by the IRRA are included in this report as comment number **60** and is fully responded to. Refer to answers provided. No detail provided by I&AP on which aspects not adequately addressed or missed in their entirety. No detail provided on the inconsistencies between layouts, superseded legislation. 23. EAP response: The comment is noted. No detail provided so difficult for EAP to respond.

		the complex aspects of the proposed development. In essence therefore, the DBAR in its current form has been sloppily compiled and is a careless, and to some extent, incoherent report. The DBAR under review here is a continuation of the equally shoddy DBARs previously tabled for comment by Doug Jeffery Environmental Consultants in 2014/2015 and 2021. In effect, therefore, the DBAR in its current form is rendered unreliable for decision-making. 24. I am aware of your emailed comment to the IRRA regarding the absence of certain annexures to various specialist reports forming part of the DBAR, in which you stated that "the “missing” annexures do not form part of the PPP for the BAR - they are required for the separate land use planning application which follows on the NEMA (BAR) process, so I won’t be providing them to you". That statement is an unacceptable position for an EAP to adopt. When an EAP attaches a specialist report to a BAR, that specialist report must necessarily have relevance to the application. Similarly, when a specialist attaches annexures to his/her report, that annexure must necessarily have relevance to the specialist’s findings, assessment etc. That being so, the EAP must necessarily include the entire specialist	The EAP cannot comment on previous submissions by another EAP. The pre-application draft BAR will be updated with information gained during the pre-application PPP phase and circulated for public comment during the statutory phase. 24. EAP response: The EAP has clarified this position elsewhere, and it was accepted by the I&AP it was directed at. This is misinterpretation of the EAP’s response at that time. The Land Use Planning report is not a specialist report. It forms part of the land use application process and will be amended before being submitted to SLM for decision making during the Land Use Planning application process, which will follow on the NEMA process. During the Land Use Planning process, the identified I&APs will be requested to provide comment.

		report for review in the BAR, inclusive of all its appendices – else it cannot be properly reviewed and commented on by IAPs. Effectively, by denying IAP access to information that is included in specialist or any other reports, you are redacting some information to which IAPs are rightfully entitled. Denying IAPs access to information to which they are rightfully entitled is sufficient grounds for a successful appeal a decision granting an environmental authorisation. 25. It is unreasonable to expect IAPs to work through such a shoddy piece of work and to point out all the inconsistencies, inaccuracies etc in the DBAR – that is the work of the EAP who should have done so before releasing the report for IAP comment. 26. The circumstances noted in paras 22-25 above make it very difficult for IAPs to provide meaningful comment on the DBAR. 27. I am also aware that you have granted at least two other IAPs an extension of the closing date for comment from 12 Dec 2025 to 15 Jan 2026. In this context, under the principles of NEMA, if an extension for public participation is granted to one IAP, it must generally be afforded to others to ensure fairness and equal opportunity – this is rooted in the constitutional principles of administrative justice, including the audi alteram partem rule (the right to be heard).	The misunderstanding regarding the procedural information requirements is noted. 25: EAP response: I&APs were requested to provide comment on the pre-application draft BAR and appendices within the timeline provided. All comments are recorded and considered and responded to by the EAP. 26. EAP response: The EAP appreciates and welcomes all comments received. 27. EAP response: The extension of comment period is at the discretion of the EAP. There is no blanket requirement for extension to all I&APs in terms of NEMA.

		It is therefore incumbent on the EAP to extend the closing date for comment to all the other IAPs. 28. For various reasons included in the Concluding Remarks above, and unless there is a proper and adequately detailed consideration of, at minimum, the issues raised by the comments herein, and of those raised by the IRRA in its comment, there are sufficient grounds to appeal a decision granting an environmental authorisation.	28. EAP response: The EAP takes note of the intention to appeal.
24	Frieda and Roderick Woollgar (Erf 88)	<u>E-mail received 9 December 2025:</u> I have attached my concerns and thoughts about the proposed development of Erf 184 at Infanta.	EAP response: Thank you for the comments. They will be recorded and responded to in the Comments and Responses report that will be circulated to all registered I&APs during the next round of public participation
		<u>Letter attached to email:</u> We have looked at your proposals and have the following thoughts and concerns. 1. We hope that the number of dwellings will be only on the sea side of the road and no more than 18 plots.	1. EAP response: The SDP illustrates the proposed development on the seaside of the MR268 only. An additional SDP to illustrate the western infrastructure elements has been included in the amended draft BAR for comment. 2. EAP response: This comment has been addressed.

		2. Our amenities are already under pressure at peak holiday times, bathing, beach space, slipway use at Infanta and at the river. 3. There is going to be a lot more activity on the dust road and we hope that the section from Infanta to the end of Infanta Park (the local urban edge) would be tarred. Walking on that section to Infanta Park will be more unpleasant with more dust created with building operations and heavy vehicles and more traffic in the future. We are also concerned about the entrance road to the proposed new section being in a good place with good visibility. We would like to see speed bumps from the edge of Infanta Park to calm the traffic as it is at Infanta. 4. We would not like to have a thoroughfare for cars in front of the houses on the seafront affecting the privacy of those houses. 5. We have a concern about the ground water as we rely on water from our borehole for 5 family houses in a cluster. We are in drought conditions at present and if this continues for some years there are boreholes that have had a reduced flow in some areas in previous drought years. 6. As we would be affected by having a lot more people around sharing our amenities we would like to have something in return. We	3. EAP response: The SIA considered the increase of traffic during the construction phase. The TIA considered the access and visibility. Mitigation proposed by specialists are included in the EMPr. The project scope does not include to tar the section from Infanta to the end of Infanta Park, neither does it include speed bumps from the edge of Infanta Park. 4. EAP response: there is no thoroughfare for cars in front of the houses on the seafront that could affect the privacy of those houses. 5. Lian Roos response: The Hydrogeological Report has demonstrated that the proposed abstraction volumes fall within the estimated sustainable yield of the aquifer.

		propose that the section above the road on Erf 134 be made into a private Open Space Area so that it and be enjoyed alongside Erf 107. This would also be to limit future development. 7. We do have a concern about a lot of building activity with a possible rise in crime and hope that construction crews would be well supervised and hopefully not be here overnight or start informal settlements. This is currently a low crime area and our insurance cover would be badly affected if crime increased. We do not have security alarms or burglar bars on most houses and those of us who live here are elderly and vulnerable. 8. Our hope is that when this development is eventually approved that the new area will become part of Infanta village and not a separate gated area with separate values. We would all need to participate in keeping our leisure areas in good order and co-operate and contribute to security measures and other activities. 9. We are not keen on having shops or garages in the village and would like to keep the place simple and child friendly.	6. EAP response: 20 additional houses do not constitute "a lot more people". The remainder of Erf 134 will remain Agricultural zoning and in the ownership of the current landowner. 7. Applicant response: Construction crews / staff is to be supervised and will be on-site during weekdays, accommodated on-site and will be removed off-site on weekends. Furthermore, the EMPr contains mitigation measures for management of construction staff, requirements for compliance and penalties for non-compliance. 8. EAP response: The proposed development is not gated, with public roads and public access. 9. EAP response: Shops and garages are not included in the scope of the proposed development.
25	Fiona Langham (erf 10)	<u>E-mail received 9 December 2025:</u> Please see attached correspondence.	EAP response: Thank you for the comments.

			They will be recorded and responded in the Comments and Responses report that will be circulated to all registered I&APs during the next round of public participation
		<u>Letter attached to email:</u> Infanta is a small community of approximately 100 houses and was proclaimed a township in the mid-1920s. The layout of its erven is little changed and it is well separated from Infanta Park. It is unique and, as such, offers a certain mystique to the Swellendam municipal area - not unlike the way the tiny towns of Suurbrak and Vermaaklikheid do. A development of the magnitude proposed does not benefit the people of Infanta. Infanta is bordered by farmland and wilderness. Property owners have partnered with Cape Nature to attempt to ensure the pristine nature of the area. The previous owner of Erf 107, which surrounds Infanta, deliberately purchased the land (approx. 65ha) in order to preserve it in its natural state. He then worked with the community and Swellendam Municipality to find the best way to do this. Finally, Swellendam Municipality approved a small extension to the Infanta Township with the insistence that the balance of Erf 107 be rezoned as "Private Open Space." This mitigates any further development and preserves the landscape in perpetuity. As such, the people of Infanta and visitors (including those from Swellendam) are able to enjoy the vistas of this landscape and are able to walk on its	EAP further response: The proposed development is within the urban edge which was expanded by SLM in 2020. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape.

		paths amongst pristine vegetation. The development of Erf 134 detracts from the natural environment and there is no benefit to the people of Infanta. Should any development be granted by Swellendam Municipality on this portion of Erf 134, the balance of Erf 134 should, similarly, be rezoned ad "Private Open Space." Your proposal makes mention that the construction phase will provide opportunities for previously disadvantaged persons. We have witnessed that, at Infanta, the majority of construction workers are from neighbouring countries and that many of the labourers are undocumented illegal migrants. The economy of the area, therefore, is not being enhanced. The risk of attracting a pool of migrant labour is that it will encourage informal settlements to spring up in the area. Particular impacts from the development of Erf 134 will be increased traffic down Tolmie Street, increased cars on the Common (the reality is that people drive if they live more than a ten-minute walk away) and there will be increased pressure on the slipway. Already, the slipway is dangerous as both swimmers and boat launchers use the area at the same time. Infanta is at capacity over all public holidays and the Christmas holiday season and cannot take the increased number of people from this proposed development.	The comment about the previous owner of Erf 107 is noted. The proposed development is located within the Infanta urban edge and an identified urban extension/growth area considered suitable for residential development in the Swellendam SDF. It represents planned infill development between existing residential areas and will provide 20 additional single residential erven. The proposal responds to municipal spatial planning while limiting development to a 3.89 ha portion of the larger Erf 134 (85.6 ha). Approximately 1.1ha of the development area (3.89 ha) will be retained as a conservation area and the specialist-informed layout further incorporates ecological corridors, open spaces, buffers and development setbacks. The Architectural Design Guidelines promote context-sensitive development, including the use of locally characteristic natural materials such as stone, reflecting the older Infanta village. The existing coastal footpath along Erf 134 will also be formalised through a wheelchair-friendly walkway, improving public access to the coastline. The assessed sustainable yield of borehole 134C is sufficient to supply most of the development's potable-water requirements, subject to the prescribed treatment, monitoring and management measures.

			Development and infrastructure costs will be borne by the developer, thereby limiting the burden on municipal services. Although employment will primarily arise during construction, the development will create work and procurement opportunities for labourers, contractors and suppliers within the local municipal area, principally from Bredasdorp and Swellendam. Once developed, the properties will contribute municipal rates and generate ongoing maintenance and service opportunities. Accordingly, the proposal provides residential, public-access and local economic benefits while incorporating environmental, engineering and architectural measures intended to retain the character and environmental qualities of Infanta. The opinion of the I&AP that the rezoning of the remainder of erf 134 as Private Open Space will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land.

			The procurement of labour and the concern of illegal migrants being used is noted. Applicant response: Local builders should be used from Swellendam and Bredasdorp as well as local labour. There will be limited staff accommodation on the remainder of erf 134. EAP response: The potential impacts on public amenities such as the slipway and the common, were assessed in the SIA.
26	Richard Champion (ERF16/154 ; BODY CORPORATE INFANTA PARK 11/62)	<u>E-mail received 10 December 2025:</u> Please find attached my objection to the proposed rezoning and subdivision of a portion of ERF 134.	EAP response: Thank you for the comments. They will be recorded and responded to in the Comments and Responses report that will be circulated to all registered I&APs during the next round of public participation.
		<u>Letter attached to email:</u> I, the owner of ERF16/154 BODY CORPORATE INFANTA PARK 11/62, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: *The total capital expenditure of the development will be in the region of R50*	

		million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum fora period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. *The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based inSwellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area.* Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity.	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

		The findings of the SIA indicate that the establishment of the residential units is unlikely per se to “destroy” the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m 2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller	assessed and will be able to supply most of the proposed development’s potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners’ association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute

		erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local	to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one

		community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. Infanta is a rare and historically significant village, and its character is defined precisely by the fact that it has remained materially unchanged for almost a century. Like Suurbraak, Infanta is one of the few remaining historic settlements within the greater Swellendam municipal area that has not undergone major expansion since its original layout. These places are an irreplaceable part of our regional heritage and contribute to the unique identity and appeal of the municipality for residents and visitors alike. Any development that threatens this fragile balance risks permanently altering what makes Infanta special. As a resident, I already experience traffic-related dust pollution , which significantly affects the quality of life in Infanta Park. An increase in traffic volumes—both during construction and after completion—will exacerbate this existing problem and further degrade the environment and peaceful character of the village. I am also extremely concerned	were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable.

		about water security . Infanta has no municipal water supply , and residents rely almost entirely on groundwater extracted from the local aquifer . This system is already under pressure, and I have real concerns that the aquifer will not be able to sustain the increased demand that a new development would impose. The long-term consequences of over-extraction could be severe, affecting not only residents but the surrounding natural environment as well. Infanta and its surrounding ecosystems are environmentally sensitive, comprising coastal fynbos, dune systems, wetlands, and habitats that support a variety of indigenous species. These systems are not resilient to disturbance. The proposed development threatens: ● Loss of natural vegetation ● Habitat disruption for local wildlife, including birds, small mammals, reptiles, and pollinators ● Increased erosion risk due to soil disturbance on coastal slopes and sandy soils ● Runoff and pollution impacts that may affect nearby wetlands, the estuary, and coastal waters ● Night-sky disturbance and noise pollution , altering conditions for sensitive fauna These impacts are not easily reversible and would materially change the environmental quality of the area.	Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the “character of the area” will be

		For these reasons—heritage preservation, environmental impact, groundwater risk, and deterioration of living conditions—I object to the proposed development and ask that the municipality consider the long-term implications for one of its most unique and historically important villages.	negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: • **Loss of natural vegetation:** Botanical impacts were assessed and mitigation measures incorporated into the EMPr. The preferred Alternative allows for the conservation of approximately 1.1ha of on site natural vegetation as part of the design and layout. The preferred layout avoids most *Erica oblongiflora* specimens and suitable habitat, with residual botanical impacts assessed as Low and terrestrial biodiversity impacts as Low.

			• **Faunal habitat disruption:** Potential impacts on fauna were assessed, with mitigation included in the EMPr. These include restricting disturbance to the authorised footprint, retaining open-space corridors and protecting fauna encountered during construction. • **Erosion:** The Stormwater Management Plan and EMPr require erosion and sediment controls, including phased clearing, silt screens, stabilised outlets and rehabilitation of disturbed areas. • **Runoff and pollution:** A 40m ecological corridor will protect the watercourse. The freshwater specialist concluded that the proposed stormwater system would adequately mitigate runoff-related impacts if fully implemented, with the residual stormwater impact assessed as Low. • **Lighting and noise:** Site lighting must be minimal, shielded and directed only where required; floodlights are prohibited. Construction is limited to prescribed working hours, noise-generating activities must be minimised, and equipment must comply with applicable noise-control requirements.
27	Dylan Dobson, Owner of Erf 75, Infanta Nkwazi Trust, Owner of Erf 74, Infanta (represented by Barrie Meadows)	<u>E-mail received 10 December 2025:</u> OBJECTION SET 1 – BASIC ASSESMENT REPORT 1.1 Outdated & invalid specialist reports used	EAP response: Thank you for the email and the comments attached They will be recorded and responded to in the Comments and Responses report that will be circulated to registered I&APs in the next round of public participation.

	Jukelyn Trust, Owner of Erf 30, Infanta (represented by Graham Maddock) Andrew Rudolph & James Craven, Owners of Erf 112, Infanta Mark Cockburn, Owner of Erf 7, Infanta Pudlo Pty Ltd, Owner of Erf 63, Infanta (Represented by Nicole De Freitas) David Viljoen, Emma Viljoen & Emma Viljoen Residents at Erf 239, Infanta Farm Props PTY Ltd, owner of portion 76 of farm 516, Potteberg Estate, Swellendam (represented by Mark Brownell) Farm props PTY Ltd, owner of portion 77 of farm 516, Potteberg estates, Swellendam (represented by Caryn Starey)	We object to the application on the grounds that the Basic Assessment relies on outdated specialist reports (Heritage 2010, Archaeology 2010, Traffic 2016, SIA 2015, Geohydrology 2007/2014, setback 2010). This contravenes NEMA EIA Regulation 13 requiring site-verified, current specialist information, and fundamentally undermines the integrity of the impact assessment process.	1.1 EAP response: The specialist information relied upon is not outdated. The original studies have either been updated or subsequently reviewed by the relevant specialists, or relate to site-specific heritage resources and investigations that do not require repetition merely because of their age. Please refer to the breakdown for clarity below: • **Heritage 2010** – Although the original Heritage Statement was prepared in September 2010, its findings have been followed by archaeological investigations, specialist reconsideration of subsequent layout amendments and repeated formal confirmation by Heritage Western Cape (HWC). Each material amendment was therefore considered within the established heritage approval process. The relevant chronology is as follows: • **September 2010 – Heritage Statement:** The assessment concluded that the site's heritage significance, excluding potential archaeological resources, was low. The principal considerations related to visual impacts, the coastal edge and possible archaeological resources. Mitigation included an approximately 8 m landscaped setback along the main access road, retention of natural open-space corridors and buffers, and further archaeological testing.

			• **2 December 2010 – HWC Final Comment:** HWC endorsed the findings and recommendations of the Heritage Statement and Archaeological Impact Assessment. HWC confirmed that the development could proceed, subject to Phase 2 archaeological work, monitoring of all bulk earthworks and submission of a monitoring report. • **13 June 2012 – HWC Decision:** Following archaeological excavations, HWC again confirmed that the development could proceed. Conditions included radiocarbon dating of material from sites CI03 and CI18, monitoring of all bulk earthworks and submission of a monitoring report. • **12 December 2012 – HWC Final Excavation Decision:** After considering the final excavation results, HWC confirmed that no further archaeological studies were required and that the archaeological mitigation requirements had been concluded, subject to the continuing monitoring and reporting requirements. • **21 April 2017 – HWC Confirmation of Amended Layout:** HWC assessed the reduction from 24 to 21 erven and the associated minor access amendments. HWC confirmed that its 2 December 2010 decision remained applicable, that the deviations would have no heritage impacts and that the development could continue, subject to the existing archaeological conditions. • **31 October 2024 – Heritage Specialist Confirmation:** The original heritage specialist reviewed the further revised layout, including

			changes to Erven 14–16, the internal road and footpath. The specialist confirmed that the applicable setbacks and protected areas remained unchanged and that the amendments would not affect identified heritage resources. • **9 March 2026 – Latest HWC Confirmation:** HWC reviewed the revised SDP and formally confirmed that it was substantially in accordance with its approvals dated 2 December 2010, 13 June 2012 and 21 April 2017. HWC concluded that no further action under section 38 of the NHRA was required at that time, subject to radiocarbon dating of material from CI03 and CI18, monitoring of all bulk earthworks and submission of the monitoring report. It should however be noted that the radiocarbon dating has been completed and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation related to this requirement will be requested from HWC during subsequent public consultation periods. Accordingly, the heritage process has remained transparent and iterative. The original assessment has not been relied upon in isolation: subsequent investigations, layout amendments and specialist inputs were repeatedly referred to HWC for consideration. HWC's latest confirmation, dated 9 March 2026, demonstrates that the current proposal remains substantially consistent with the previously assessed development and that no heritage-related fatal flaw has been

			identified. The outstanding archaeological monitoring and reporting requirements remain applicable and must be implemented. **Archaeology 2010 -** The Archaeological Impact Assessment is not considered outdated and does not require repetition. Archaeological assessments record the location, nature and significance of physical heritage resources identified through site surveys and excavations. These findings do not ordinarily become outdated with the passage of time, particularly where the identified sites have subsequently been investigated and mitigated under HWC's oversight. Any remaining risk associated with previously unidentified subsurface resources is addressed through construction monitoring and chance-find procedures. The archaeological process for Erf 134 was completed progressively as follows: • **August 2010 – Phase 1 Archaeological Assessment:** The site survey recorded archaeological occurrences across the property and identified three concentrations—CI03, CI16 and CI18—requiring further investigation. Shovel testing was recommended, together with procedures for managing any burials encountered during construction. • **2 December 2010 – HWC Final Comment:** HWC endorsed the findings and recommendations of the Heritage Statement and Phase 1 Archaeological Assessment. HWC required Phase 2 archaeological investigation, monitoring of all bulk earthworks

			and submission of a monitoring report, while confirming that the development could proceed. • **May 2011 – Test and Mitigation Excavations:** ACO Associates conducted permitted excavations at CI03, CI16 and CI18. The sites were tested, sampled and mitigated, with the archaeologist concluding that the fieldwork was sufficient. Monitoring remained necessary because buried archaeological material or unmarked burials could not be entirely excluded. • **13 June 2012 – HWC Decision:** HWC considered the excavation findings and confirmed that the development could proceed, subject to radiocarbon dating of material from CI03 and CI18, monitoring of all bulk earthworks and submission of a monitoring report. • **October 2012 - Final Archaeological Mitigation Report:** The excavated material was analysed and radiocarbon dates were obtained for CI03 and CI18. The report concluded the archaeological mitigation phase and confirmed that development could continue, subject to HWC's remaining monitoring requirements. • **12 December 2012 – HWC Final Excavation Decision:** HWC reviewed the final excavation findings and confirmed that no further archaeological studies were required. The archaeological

			mitigation requirements were considered concluded, subject to monitoring of bulk earthworks and submission of the monitoring report. • **21 April 2017 – HWC Confirmation of Amended Layout:** Following the reduction from 24 to 21 erven and amendments to the access arrangements, HWC confirmed that its 2010 decision remained applicable, the changes would have no heritage impacts and the development could continue. • **9 March 2026 – Latest HWC Confirmation:** HWC reviewed the revised SDP and confirmed that it remained substantially in accordance with the previous approvals. HWC determined that no further action under section 38 of the NHRA was required at that time, subject to the continuing archaeological conditions. Accordingly, the 2010 archaeological assessment has not been relied upon in isolation. Its recommendations were implemented through permitted field investigations, test excavations, mitigation, analysis and radiocarbon dating, followed by repeated consideration by HWC. As archaeological resources and completed excavation findings do not become outdated merely through the passage of time, a repeat assessment is not warranted. The residual archaeological risk will be managed through monitoring of all bulk earthworks, submission of a monitoring report to HWC and the applicable chance-find procedures.

			Traffic 2016 – The Traffic Impact Statement is not outdated. The original assessment (dated 12 December 2012) was revised on 4 May 2016 to consider the 20-erf development, revised access arrangements, traffic generation, road capacity, sight distances and public concerns regarding dust and road conditions. The traffic specialist subsequently reviewed the assessment in 2019 and again on 15 March 2023. Based on the site location, surrounding traffic conditions and updated project information, the specialist formally confirmed that the conclusions and recommendations of the 2016 Traffic Impact Statement remain applicable. Accordingly, the traffic assessment was reviewed and confirmed as current by the appointed traffic specialist in March 2023. **SIA 2015 -** The Social Impact Assessment is not outdated. The original March 2015 assessment was formally updated through an Addendum dated December 2023. The Addendum considered the current preferred 20-unit layout, updated the relevant policy and socio-economic information, reviewed comments received during the subsequent assessment process and reassessed the applicability of the original findings. The specialist confirmed that the preferred alternative is consistent in scale

			with the 20-unit alternative assessed in 2015 and that the layout amendments do not materially alter the original findings. Accordingly, the 2015 Social Impact Assessment, read together with the December 2023 Addendum, provides current and applicable specialist information for the proposed development. **Geohydrology 2007/2014 - T**he Geohydrological Assessment is dated May 2006. It remains relevant as a site-specific baseline assessment of the aquifer, groundwater flow, water quality and boreholes on Erf 134. The BAR records that borehole 134C was subsequently reassessed through a 72-hour pumping test in 2014, which considered its sustainable yield against the substantially reduced water demand of the current development. The proposal is also subject to water-use authorisation and ongoing groundwater abstraction, level and quality monitoring. Accordingly, the 2006 report remains relevant baseline information but must be read together with the subsequent 2014 borehole assessment and current water-use documentation. **Setback Line Report 2010 –** The Coastal Setback Assessment is not outdated. The original 2010 setback was reappraised in August 2012 using the applicable provincial coastal setback methodology and

			considering coastal flooding, erosion, storm-wave run-up and projected sea-level rise. On 5 April 2024, the coastal specialist undertook a further review of the latest documentation and legislation, including the amended Integrated Coastal Management Act and DEA&DP's 2019 Best Practice Guidelines. The specialist confirmed that the recommended setback remained unchanged and that Layout Alternative 3, updated on 23 January 2024, fully complied with the setback requirements, subject to pathways beyond the setback being raised on piles. Accordingly, the setback assessment was formally reviewed and confirmed as applicable to the current layout in April 2024. Thereafter, a new comprehensive, site-specific Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (Laurie Barwell & Associates), was completed on 13 July 2026. This latest assessment considered the rocky shoreline, site topography, the estimated 1:100-year flood line, coastal storm processes, climate change and a projected 1 m sea-level rise to 2100. It recommends an integrated development setback line combining the 1:100-year flood line and the 2100 sea-storm hazard line. The specialist concluded that this setback would position the proposed infrastructure beyond the anticipated reach of flooding and coastal processes, including the effects of climate change.

			Accordingly, the current proposal is supported by an new July 2026 Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment and does not rely solely on the earlier assessments. Please refer to Appendix G7C in this regard.
		1.2 Required studies omitted (VIA legally required) We object to the unlawful omission of a Visual Impact Assessment. The Screening Tool identifies high visual sensitivity, and the EIA Protocols require a VIA unless adequately motivated — which has not been done. The SIA cannot legally replace a VIA. This omission renders the BAR non-compliant with NEMA and the specialist protocol requirements. OBJECTION SET 2 — COASTAL SETBACK, CLIMATE RISK & FLOODLINE ISSUES	1.2 EAP response: The SIA incorporated assessment of visual, and states the developer intends to enforce context-appropriate architectural guidelines.
		2.1 Coastal setback line is outdated (2010) We object to the use of a 2010 coastal setback assessment, which does not incorporate updated sea-level rise, storm surge modelling, or climate risk projections required by the ICM Act and 2023 Coastal Hazard Guidelines. The reliance on obsolete modelling fatally compromises risk assessment and exposes future residents to unacceptable hazard.	2.1 EAP response: Comment noted. Please note that a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (Laurie Barwell & Associates, July 2026), was commissioned, which supersedes the previous 2010 setback assessment, as well as the amended 2024 Setback Line Letter. The new assessment incorporates a 39-year shoreline stability analysis (1984–2023), recent topographical surveys, current shoreline monitoring methodologies, projected storm hazard levels (2030, 2050 and 2100), climate change and sea level rise projections, and the latest Western Cape DEA&DP Coastal Management Lines. The recommended development setback

			line was established by combining the projected 2100 coastal storm hazard line with the mapped 1:100-year flood line. Accordingly, the application is supported by an up-to-date coastal engineering assessment and does not rely on the outdated 2010 study. Please refer to the new Specialist Coastal Engineering Report appended to the DBAR. 2.2 EAP response: Comment noted. The proposed development has been informed by a comprehensive Aquatic Biodiversity Specialist Assessment undertaken due to the site's Very High Aquatic Biodiversity Sensitivity, as identified by the DFFE Screening Tool. The assessment included delineation of the on-site watercourse, evaluation of its ecological condition and sensitivity, determination of an appropriate ecological buffer, and a detailed freshwater impact assessment. The specialist confirmed the ephemeral stream to be in a Category A (Natural) Present Ecological State with High Ecological Importance and Sensitivity and recommended a 20m ecological buffer (measured from the channel centreline), which has been incorporated within a 40m ecological corridor in the preferred layout. Potential freshwater impacts have been comprehensively assessed, with appropriate mitigation measures incorporated into the EMPr to ensure the continued protection and ecological functioning of the watercourse. Furthermore, the proposed development is also subject to a Water Use Licence Application (WULA), through which the
		2.2 Development within 32m of a watercourse (illegal unless authorised) We object to the placement of development infrastructure and houses within 32 m of a watercourse, which triggers NEMA Activities 12 and 19 irrespective of the 1:100 floodline. The BAR attempts to downplay this, but legally these activities require stringent assessment which has not been adequately conducted.	

			competent water authority will independently assess and authorise any applicable water uses in terms of the National Water Act, where required. Accordingly, the comment that the freshwater impacts have not been adequately assessed is not supported.
		2.3 Walkway within 100m of the HWM — triggers Activity 19A We object to the proposed walkway and associated infilling/excavation within 100 m of the high-water mark, which triggers Listing Notice 1 Activity 19A. The BAR's motivation is insufficient and fails to address cumulative impact or coastal dune disturbance.	2.3 EAP response: Comment noted. As mentioned in point 2.1, the proposed development has been informed by a new comprehensive Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment, which assessed shoreline stability, coastal processes, climate change, sea level rise, storm hazard modelling, the development setback line and the conceptual public walkway. The assessment concluded that the site comprises a predominantly rocky shoreline with only relict dunes and limited sediment availability, resulting in negligible potential for coastal dune disturbance. The proposed walkway is aligned with the existing informal pedestrian access route and located landward of the recommended development setback line. The report further confirms that infrastructure located in accordance with the recommended setback line will remain beyond the influence of foreseeable coastal hazards. Accordingly, the objection is not supported by the specialist findings.
		OBJECTION SET 3 — GROUNDWATER, HYDROLOGY & SEWAGE FAILURES 3.1 Groundwater is not potable — contradicts civil engineering claims	3.1 Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total

		We object on the basis that the groundwater quality fails SANS 241 drinking water standards (salinity, sodium, EC, TDS, coliform bacteria), yet the application claims it is suitable for domestic supply. This contradiction between specialist reports renders the water supply proposal non-credible and unsafe. 3.2 Septic tanks in porous, high-sensitivity dune environment We object to the reliance on septic tanks and soakaways in a sandy coastal aquifer with shallow groundwater. The combination of permeable soils, sensitive ecosystems, and drainage lines represents a high risk of contamination and is incompatible with sustainable development principles under NEMA. 3.3 Rainwater modelling flawed and misleading We object to the unrealistic water-balance assumptions used to justify onsite supply (430 mm rainfall, 80% collection efficiency, minimal storage). This modelling ignores drought cycles, evaporation losses, and seasonal deficits, rendering the water supply assessment unreliable. OBJECTION SET 4 — FRESHWATER & DRAINAGE LINE IMPACTS 4.1 Sensitive freshwater system acknowledged but downplayed	coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels. 3.2 Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area. 3.3 Lian Roos response: The proposed use of rainwater is intended for irrigation purposes only and does not impact the supply of water for drinking or sanitation, which will be sourced from the borehole. The water-balance assumptions are based on historical rainfall data and established collection efficiencies, which are standard practice when making such estimates. While some discrepancies may occur due to seasonal variations or drought cycles, these estimates provide a reasonable and accepted basis for planning and do not undermine the reliability of the potable water supply.

		We object to the minimization of freshwater sensitivity. The freshwater specialist identifies a functional drainage system requiring a 40 m ecological buffer, confirming high ecological value. This contradicts the BAR's attempt to classify impacts as low. 4.2 Infrastructure crossing watercourses We object to potable water and services pipelines crossing drainage lines, triggering NEMA watercourse activities. These disturbances will alter natural hydrological patterns and increase erosion risk. OBJECTION SET 5 — BIODIVERSITY, CBA/ESA, ENDANGERED ECOSYSTEMS 5.1 Development overlaps CBA1, CBA2 & ESA areas We object because the site falls within mapped Critical Biodiversity Areas (CBA1/CBA2) and Ecological Support Areas. These areas require strict protection under the Western Cape Biodiversity Spatial Plan. Residential transformation is explicitly incompatible.	4.1 EAP response: Impacts were assessed and rated by the specialist and then taken up in the BAR. The 40m buffer was incorporated into the SDP as part of mitigation. 4.2 EAP response: The potable line has to cross the drainage line in order to supply the southern section of the proposed development and application for it is included in the BAR and WULA. Impacts associated with the crossing were assessed by a specialist and mitigation developed. 5.1 EAP response: Comment noted. The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (Appendix G9B) confirms that the 3.89 ha residential development footprint is located mostly outside mapped Critical Biodiversity Areas and Ecological Support Areas. A narrow strip of CBA1 occurs along the coastal side of the site, largely outside the residential development footprint, while a small ESA1 area extends into the site from the North. No CBA2 areas are mapped within the residential development site. The affected mapped CBA1 and ESA1 areas within the residential development footprint are previously disturbed, transformed, modified or heavily invaded by alien vegetation. Based on the field

			verification and revised layout, the specialist concludes that no intact CBA or ESA habitat will be affected by the residential development footprint. The residual impact on terrestrial biodiversity features is assessed as Very Low, subject to the prescribed footprint controls, rehabilitation and alien invasive vegetation management measures. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H). 5.2 EAP response: Comment noted. The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (Appendix G9B) acknowledges that Overberg Dune Strandveld remains listed as Endangered in the currently gazetted Revised National List. However, the SANBI 2024 National Vegetation Map now maps the
		5.2 Endangered ecosystems present on site We object to the destruction of Overberg Dune Strandveld and De Hoop Limestone Fynbos, both endangered ecosystems. Their transformation	

		constitutes irreversible biodiversity loss and contravenes NEMBA ecosystem protection provisions.	relevant area as Southwestern Strandveld, which SANBI has assessed as Least Threatened, although this change has not yet been incorporated into the gazetted ecosystem list. Field verification confirmed that the Strandveld portions of the residential development site are disturbed, transformed or heavily invaded and that the original Strandveld vegetation has been lost through alien invasion. Remnant De Hoop Limestone Fynbos and 35 individuals of the Endangered plant Species of Conservation Concern, *Erica oblongiflora*, were confirmed on the site. The revised layout avoids most of these plants and a substantial proportion of the most suitable Limestone Fynbos habitat, and no confirmed *Erica oblongiflora* plants occur within the residential development footprint. The residual impact on this plant species is assessed as Low, while the residual impact on terrestrial biodiversity features is assessed as Very Low. The proposed development will therefore not result in the destruction of intact Overberg Dune Strandveld or significant irreversible loss of De Hoop Limestone Fynbos, subject to strict footprint control and implementation of the prescribed avoidance, rehabilitation and alien invasive vegetation management measures. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of

			the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H).
		5.3 Ecological corridors fragmented by roads and erven We object to the fragmentation of ecological corridors by internal road networks and plot layout. The proposed design disrupts ecological connectivity and undermines the corridor recommended by the botanical specialist.	5.3 EAP response: Comment noted. The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (Appendix G9B) considered the proposed roads and residential layout in relation to the site's biodiversity features and ecological connectivity. The layout avoids the drainage line, coastal slopes and a significant portion of the remaining Limestone Fynbos, while a 40 m ecological corridor, comprising 20 m on either side of the drainage line, will be retained as a no-go and conservation area. The affected areas within the residential footprint are predominantly degraded, transformed or heavily invaded, and the specialist concludes that no intact CBA or ESA habitat will be fragmented by the residential development footprint (3.89 ha). The internal roads and erven are therefore not expected to materially disrupt ecological connectivity, subject to development remaining

			within the assessed footprint. Alien invasive vegetation clearing, rehabilitation of disturbed and coastal areas, protection of the drainage-line corridor and avoidance of unnecessary barriers to faunal movement will further support ecological functioning. The specialist supports the proposed development subject to implementation of these and the remaining prescribed mitigation measures. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H).
		OBJECTION SET 6 — HERITAGE & ARCHAEOLOGY 6.1 Archaeological assessment from 2010 is invalid	6.1 EAP response: The Archaeological assessment from 2010 remains valid.

		We object to the reliance on a 2010 archaeological assessment, which no longer meets the 5-year validity requirement under NHRA protocols. A fresh Phase 1 archaeological survey is mandatory but missing. 6.2 Heritage features present — buffers inadequate We object because heritage-sensitive features (including middens and historic structures) require protection buffers far exceeding those proposed. The layout is inappropriate given confirmed archaeological and heritage importance. OBJECTION SET 7 — TRAFFIC & ACCESS 7.1 Traffic data from 2016 is obsolete We object to the use of 2016 traffic counts in 2024/2025. TRH17 and TMH16 require current traffic data. Seasonal tourism traffic, emergency access, and cumulative load have not been assessed. The TIS is invalid. 7.2 Access points not secured We object because the development depends on access arrangements that are "subject to municipal agreement," meaning access is not legally or practically secured. Applications cannot be approved with unresolved access rights.	6.2 EAP response: The on-site heritage mitigation includes an 8m landscape strip along the MR268. The HWC assessed the proposed SDP and provided a response, however, a new comment will be obtained during the formal in-application phase and will be included with the Final BAR submission. 7.1 EAP response: The traffic statement was re-assessed in 2023 and remains valid. 7.2 Dave Saunders response: This is a matter for the local authority to consider.

		OBJECTION SET 8 — STORMWATER & INFRASTRUCTURE 8.1 Stormwater design inconsistent with freshwater findings We object to the stormwater management plan, which proposes infiltration, soakaways, and discharge into drainage lines — directly contradicting the freshwater specialist's sensitivity mapping. This creates erosion and hydrological alteration risks. OBJECTION SET 9 — POLICY & SDF NON-COMPLIANCE 9.1 Misrepresentation of Swellendam SDF 2020 We object to the misrepresentation of the 2020 Swellendam SDF. Infanta is a constrained rural node with no designated urban expansion. The development contradicts SDF directives, which emphasise environmental protection over densification. 9.2 SPLUMA principles not met We object on the basis that SPLUMA principles are not met — especially sustainability, efficiency, and spatial resilience. Water security, environmental sensitivity, and infrastructure constraints prevent compliance with SPLUMA Section 7.	8.1 Gideon Pepler response: Stormwater will largely be harvested for human consumption. Depending on each household's water demand the number of tanks can be increased. Each owner will adjust in accordance with his requirement. Stormwater from road surfaces will drain to two exit points within the water course. Erosion protection will consist of 2 x (3x1x0,3) Reno Mattresses, at each outlet, that will act as energy dissipating structures and releasing stormwater over a three-meter-wide surface. The HOA will monitor and increase measures if required. 9.1 Dave Saunders response: A careful reading of the SDF will reveal that the portion of property in question has been deemed to be appropriate for limited development and falls within the defined Urban Edge. 9.2 Dave Saunders response: This comment is based on very wide principles contained within SPLUMA. The proposal is currently the subject of a very rigorous environmental process which includes specialist studies to address the principles mentioned above. The rezoning application that will follow will be informed by the specialist recommendations which will no doubt be guided by these principles.

		OBECTION SET 10 – PROPOSED WASTE WATER TREATMENT PLANTS 1. High-Risk Location for Ground & Surface Water Pollution According to the freshwater specialist, the watercourse running through the site is ephemeral and highly sensitive to hydrological change, and any alteration caused by treated effluent or stormwater contamination may cause habitat deterioration. Even they acknowledge that changes in stormwater and wastewater inputs could "change the nature of the system" and degrade the habitat quality (Freshwater study) . The site sits on porous limestone and dune sands. These soils offer minimal natural filtration, meaning that failure, leakage, or improper maintenance of one or more individual plants could rapidly lead to contamination of: • the watercourse within the site • the dune aquifer • downstream seepage toward the Breede River Estuary (a protected system) The hydrological baseline notes that the aquifer is already under pressure, with exceedances in water quality and susceptibility to seawater intrusion (Hydrogeology section) . Introducing a dense cluster	10.1 Lian Roos response: The groundwater in the area is currently under low stress, and the planned abstraction for the development falls well within sustainable and authorised limits; however, monitoring will still be required to assess impacts on surrounding groundwater users. For further details, refer to Sections 9.4 and 9.5 of the Hydrogeological Report.

		of 21 separate household treatment systems into such a sensitive groundwater environment magnifies the cumulative risk substantially. 2. No Centralised System – 21 Individual Plants = 21 Points of Failure The proposal avoids a central WWTW entirely and instead installs one small package plant per erf, treating ±640 L/day each (Engineering/Services Report) . This creates multiple unresolved problems: (a) No municipal oversight capacity Swellendam Municipality does not operate, monitor, or maintain such dispersed systems in remote coastal villages. Oversight will depend on individual homeowners—many of whom will be absent for most of the year.	10.2 Gideon Pepler response: This significantly reduces risk since if there is a failure with one system, it is a very limited amount of effluent that is compromised. Even in the unlikely and most extreme event where more than one system fails, there is no one central point of pollution. Central points of pollution are well documented about the disaster it creates downstream. The latest Green Drop reports speak volumes about this. (a) No municipality has oversight over the workings of septic tanks, or that conservancy tanks are not leaking / being punctured to save on the cost of pumping. There is no oversight on the pumping of conservancy tanks. The proposed wastewater treatment plants significantly reduce the risks, compared to septic systems or leaking and overflowing conservancy tanks. In addition to the above, Swellendam municipality does not have the capacity to service conservancy tanks either. This means that conservancy tanks will overflow, discharging raw sewage into the environment. (b) There had hardly been any loadshedding for 2 years now. Besides, the Fusion® system proposed in the Engineering / Services Report had

		(b) Package plants require constant power, maintenance & technical monitoring Individual household plants require: • constant electrical supply (loadshedding?) • specialist servicing • sludge removal • pump and aerator maintenance • chemical balancing Infanta is a remote village with limited service availability. The probability of homeowner neglect is extremely high.	been tested by the NSF to go for up to 24 hours without electricity and effluent still complied. Central systems also require specialized servicing. The Fusion® needs a service once every six months only, and the homeowners will enter an SLA with a service provider to do such. There are cases, however, where Fusions were in use for years without servicing and without failure. Sludge removal is also relevant for central treatment plants. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit. There are no pumps in the system and the aerator's diaphragms needs replacing only every 4 years, as part of the servicing. Again, any manmade machine will need maintenance, including that of a central system. Fusion®'s maintenance is the lowest of all systems on the market. There are no chemicals used in the system. This is a very subjective comment. The Fusion® system is equipped with and Early Warning System that monitors the workings of the plant. In the event of failure, the EWS will notify the user. Remote monitoring is available as an optional extra. No other system on the market comes standard with EWS.

		(c) Any malfunction can cause untreated or partially treated sewage discharge Given the high water table and porous sands, even a small failure would result in direct infiltration into the aquifer or watercourse. The freshwater specialist explicitly warns that mismanaged wastewater could pollute the watercourse(Freshwater report) . 3. Proposed Effluent Disposal Methods Are Incompatible with Site Sensitivity The developers state that treated effluent will be used for: • toilet flushing, and • irrigation, or •discharge into underground soak-aways (Engineering/Services Report). However: (a) Irrigation of dune fynbos with treated effluent is ecologically harmful Many indigenous fynbos species are intolerant of nutrient enrichment (nitrogen, phosphates). Even “clean” treated effluent contains enough nutrients to alter soil chemistry, favour alien vegetation, and degrade the conservation-worthy Limestone Fynbos—acknowledged as	(c) The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution. 10.3 Lian Roos response: a) No irrigation with treated effluent is proposed for this development. b) It is important to consider that the proposed soakaways will receive effluent from a wastewater package treatment plant, which treats sewage to standard limits before discharge. Gideon Pepler response: (a) It is not proposed to irrigate on Fynbos. A central system will create a problem with sufficient irrigation area. SLM can probably investigate, over the long run, to create an oxidation pond system or reedbeds for the larger Infanta. (b) These are no septic tanks. The Fusion® is not exceedingly sensitive to input changes. The comment is general and not relevant to the specific technology.

		irreplaceable and containing critically endangered species (Botanical Study) . (b) Soak-aways in porous limestone guarantee rapid infiltration Soak-aways are unacceptable in an area where: • groundwater already exceeds SANS drinking standards • boreholes are in use directly adjacent to the development • dune sands provide little attenuation The freshwater specialist emphasises that changes in hydrology or pollution would degrade the sensitive corridor ecosystem. 4. Flood Line Concerns: System Placement Risks Although the freshwater specialist notes that "septic tanks must be located outside of the 1:100-year flood line" (Freshwater report) , the layout places numerous erven immediately adjacent to the mapped watercourse, raising concerns that the minimum buffer is insufficient. Even a flood below 1:100 would spread contaminants downstream. 5. No Cumulative Impact Assessment for 21 WWTW Units The EIA appears to treat wastewater impacts as if arising from a single system. There is no cumulative modelling of: • total nutrient load	10. 4. Lian Roos response: The erven are all placed outside the 1:100 floodline. 10.5 Lian Roos response: It is important to consider that the proposed soakaways will receive effluent from a wastewater package treatment plant, which treats sewage to standard limits before discharge. Gideon Pepler response: This significantly reduces risk since if there is a failure with one system, it is a very limited amount of effluent that is

		• groundwater plume movement • combined effluent volumes from 21 plants • long-term effects during peak season population spikes The freshwater specialist repeatedly flags concerns about hydrological change and pollution, confirming that the system is exceedingly sensitive to input changes. 6. Wastewater Plan Fails to Consider Load-Shedding and Power Instability Package plants cannot operate without power—a frequent occurrence in this remote region. Power failure = untreated sewage. Untreated sewage in porous dune sands = immediate contamination. No backup power systems are specified, nor are they enforceable. 7. Inconsistency With "Precautionary Principle" Under NEMA Given the: • critically endangered flora • sensitive dune aquifer • proximity to the estuary	compromised. Even in the unlikely and most extreme event where more than one system fails, there is no one central point of pollution. Central points of pollution are well documented about the disaster it creates downstream. The latest Green Drop reports speak volumes about this. 10.6 Gideon Pepler response: Already covered above, as per NSF tests done. The system uses only 60 watts of power, which makes the supply of backup power extremely easy. The system can even run completely off solar power, as is the case at De Hoop Nature Reserve. This technology has been approved and are in use in the De Hoop-, Vrolijkheid-, Helderberg- Nature Reserves as well as the Harold Porter Botanical Gardens. EAP response: solar power is included in the proposed development. 10.7 EAP response: The Precautionary Principle requires, where scientific uncertainty exists, protective measures must be taken to prevent serious or irreversible environmental damage. Scientific uncertainty relates to specialist studies for the proposed development, impact assessment and mitigation development. There are no gaps in knowledge, uncertainties linked to specialist studies for

		• highly porous geology • known groundwater contamination issues • proliferation of individual mechanical systems CLAIMS WITHIN THE PROPOSAL WE OBJECT TO: 1. Draft Basic Assessment Report (Draft BAR, Nov 2025) 1.1 Significance ratings artificially reduced by "mitigation" Consultant claim: Many medium–high impacts (on groundwater, coastal processes, freshwater, heritage, sense of place) are rated low after mitigation, with the BAR relying heavily on generic EMPr measures. Comment for submission: The Draft BAR consistently downgrades potentially significant impacts (groundwater contamination, coastal processes, freshwater, heritage and landscape character) to "low" solely through the assumption that generic EMPr measures will be perfectly implemented. No evidence is provided that these mitigation measures are realistic, enforceable, or capable of addressing the high sensitivity context of Cape Infanta. In line with the NEMA precautionary principle and the DFFE Screening Tool's identification of very high sensitivity features, these impacts should remain at least medium (and in some cases high) significance even with	the proposed development, thus the precautionary principle has been applied adequately. The items listed by the I&AP (critically endangered flora; proximity to the estuary; sensitive dune aquifer) have been addressed by specialists or do not apply to the site (proliferation of individual mechanical systems) 1.1 EAP response: The statement by the I&AP is factually incorrect. Mitigation for identified impacts were developed for the site and incorporated into the SDP or EMPr. Mitigation is proposed by specialists. The comment re the NEMA precautionary principle has been addressed. The DFFE Screening Tool identifies siginficant features on site and specialist studies. These do not necessarily determine the impact rating post mitigation.

		mitigation, and the decision-maker should not accept speculative reductions in impact ratings. 1.2 Understatement of development density and character change Consultant claim: The BAR repeatedly frames the proposal as “limited”, “low-key” or “in keeping with the character” of Infanta. Comment: The BAR materially understates the intensity and permanence of the proposed change. A 21-unit estate style development with shared infrastructure, borehole abstraction and a formalised road system is a step-change from the current low-intensity, largely natural/agricultural setting. It will introduce permanent hardening, increased traffic, noise, lighting and visual clutter. The conclusion that this is a “low-key” development compatible with existing character is not supported by any rigorous visual or sense-of-place assessment and should be rejected. 1.3 Failure to consider a true “no development / down-scaled” alternative Consultant claim:	1.2 EAP response: The statement by the I&AP is factually incorrect. The impacts listed by the I&AP (borehole abstraction, road and transport, change in character of site, stormwater design, increased traffic, noise, lighting and visual clutter) were assessed by specialists and mitigaiton developed and incorporated into the EMPr or SDP. 1.3 EAP response: The statement by the I&AP is factually incorrect.

		The BAR presents Alternatives 1–3 as demonstrating reasonable consideration of options, then favours the "preferred layout". Comment: The alternatives assessment is procedurally inadequate. All three layouts assume a 21-unit development and differ only in internal configuration. There is no genuine consideration of a "no development" or substantially down-scaled option that would avoid, rather than simply "manage", impacts on groundwater, freshwater systems, and coastal processes. This contravenes the NEMA requirement to consider reasonable and feasible alternatives, including those that avoid impacts rather than relying on mitigation. 1.4 Cumulative impact with existing borehole abstraction and septic systems Consultant claim: The BAR treats the development as a largely self-contained scheme and implies cumulative impacts are acceptable. Comment: The cumulative assessment is superficial and fails to account for existing pressures from borehole abstraction, french drains/septic systems and holiday-home peak season usage in Infanta. The hydrogeological study and septic risk assessment themselves record saline and bacteriological contamination in local boreholes, indicating an already stressed aquifer	Four alternatives were assessed as part of the NEMA process (1st DBAR): Alternative 1 (rejected); Alternative 2 (rejected); Alternative 3 (Preferred); No Go Alternative. Refer Appendix J and draft BAR (1.6). A 5th alternative (Alternative 4 – New Preferred) is presented in the revised Draft BAR & Appendix B4. 1.4 EAP response: The statement by the I&AP is factually incorrect The existing house has an existing septic system that will remain in place. The 20 additional houses will make use of a MASKAM package plant per house. The borehole 134C was yield tested and the sustainable yield determined. The finding was the borehole 134C could provide for the proposed development and the existing house. As part of the geohydrological investigation the specialist completed a hydrocensus taking into account existing borehole within a 1km radius of the proposed abstraction borehole and existing use.

		system. Treating the proposed additional abstraction and 21 new septic systems as negligible is inconsistent with the specialist data and underestimates cumulative risk. 1.5 Reliance on outdated or context-mismatched specialist work Consultant claim: The BAR treats all supporting specialist studies as current and sufficient. Comment: Several key specialist inputs (heritage, social, earlier hydro reports) draw heavily on work originally undertaken many years ago, with only partial updates. Environmental context, legislative frameworks, climate risk and development pressure have changed significantly since those earlier baselines. It is not adequate to "recycle" older work and attach an addendum – particularly in a highly sensitive coastal setting. The decision-maker should require fully updated, site-specific specialist studies that reflect current conditions. 2. Planning Motivation Report – Nov 2025 (App G6) 2.1 Misinterpretation of spatial planning policy (SDF, coastal policies) Consultant claim: The development is said to be aligned with municipal SDF, coastal management and rural development policies, often by isolating general growth wording.	1.5 EAP response: The statement by the I&AP is factually incorrect Where required, specialist studies were updated or amended taking into account the Preferred Alternative. It is acceptable practice to review original work (for on-site conditions; new legislation or a new SDP) and to include an amendment if required. Based on CapeNature comments, the Botanical report was superseded in 2026 (refer Appendix G9B). The setback line assessment was also superseded and is included in Appendix G7C. 2.1 EAP response: The statement by the I&AP is factually incorrect The Planning Motivation report takes recent municipal planning, legislation and specialist findings into account.

		Comment: The Planning Motivation selectively quotes higher-order planning documents to suggest broad support for development, while downplaying explicit directives on protecting sensitive coastal environments, groundwater-dependent systems and agricultural landscapes. The Infanta site sits within a high-sensitivity coastal and groundwater context and directly adjacent to existing village infrastructure. The SDF and coastal policies emphasise restraint, consolidation and protection of ecological services in such locations, not new, intensive coastal edge development. The planning justification is therefore incomplete and misleading. 2.2 No justification for ignoring 100 m coastal setback guidance Consultant claim: Because a specialist setback line has been proposed, development within the 100m zone is presented as acceptable. Comment: The Planning Motivation treats the coastal specialist's derived setback as automatically superseding the standard 100 m guideline. This is not correct. In a high-sensitivity area, development within 100m of the HWM should be the exception and must be supported by compelling evidence that all risks (erosion, sea level rise, storm surge, ecosystem functioning) are negligible. No such robust climate-change coastal	It is unclear what "explicit directives on protecting sensitive coastal environments, groundwater-dependent systems and agricultural landscapes" is downplayed in the report. Dave Saunders: This is merely selective reference to certain aspects of the Swellendam Spatial Development Framework. The SDF is very clear about the proposed use of the property. The Growth Management Plan for Infanta, which is an area specific policy plan for the area determines the land to be inside the urban edge and appropriate to accommodate development, subject to more detailed studies. This process is the basis for this application. 2.2 EAP response: The statement by the I&AP is factually incorrect. In response to previous authority comments, a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was commissioned specifically to undertake a comprehensive coastal hazard and setback assessment for the site. The new study does not simply adopt a reduced setback in place of the generic 100m guideline; rather, it derives a site-specific Development Setback Line based on a detailed assessment of the physical coastal environment, long-term shoreline stability (39-year aerial and satellite analysis), coastal processes, projected climate change and sea level rise scenarios to 2100, storm surge and wave run-up modelling, topographical surveys, the 1:100-year flood line, and consideration of the Western Cape

		hazard assessment has been provided. The motivation therefore fails to justify deviation from standard coastal protection norms. 2.3 Downplaying of precedent and incremental urbanisation Consultant claim: The proposal is framed as a small, isolated development with little precedent risk. Comment: The planning report does not address precedent: approval of a 21-unit development on this property will inevitably be used to justify further applications on adjacent agricultural/coastal land, leading to incremental urbanisation along this sensitive shoreline. NEMA requires cumulative and long-term consequences to be considered. The failure to grapple with the precedent effect renders the planning motivation inadequate. 3. Risk Assessment of Septic Tanks & Soakaways (App G5)	DEA&DP Coastal Management Lines. The specialist concludes that the recommended Development Setback Line appropriately accommodates current and future coastal hazards, including climate change and sea level rise, and ensures that all proposed development is located beyond the reach of anticipated coastal processes. The updated specialist report therefore addresses the concerns previously raised regarding coastal hazards and provides the technical justification for the proposed setback. 2.3 EAP response: The setting of precedent by the proposed development is not supported. Any additional development would require amendment of the urban edge by the SLM. 3.1 EAP response: The statement by the I&AP is factually incorrect. A hydro census in July 2025 found seven (7) boreholes and two (2) springs within 1km radius of the site, with groundwater levels

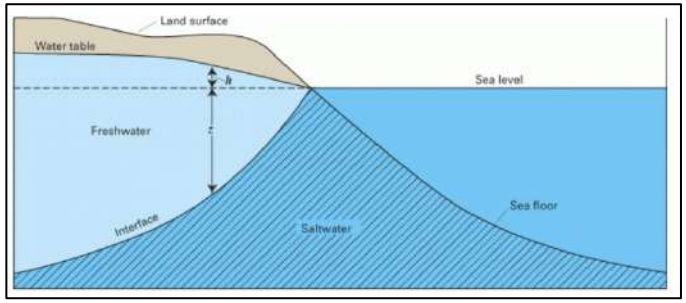
		3.1 Groundwater already fails SANS 241 aesthetic limits and has bacterial contamination Consultant claim: With “properly designed” septic tanks and soakaways the risk to groundwater is manageable. What their own data shows: The risk assessment notes that groundwater at nearby boreholes already exceeds SANS 241 limits for conductivity/TDS and has elevated sodium, chloride, total coliforms and E. coli. Comment: The risk assessment acknowledges that existing groundwater already exceeds SANS 241 aesthetic limits and that E. coli and coliforms are present, indicating faecal contamination. Despite this, the report concludes that adding 21 additional septic systems presents an “acceptable” risk. This conclusion contradicts its own baseline data and ignores the precautionary principle: in an already compromised aquifer, any additional source of nutrient and pathogen load is high risk and should not be authorised. 3.2 Over-reliance on theoretical separation distances & “proper maintenance”	averaging 4.35m below ground and flowing generally northeast toward the ocean. Water quality tests on three boreholes showed moderately saline conditions, with sodium and chloride above aesthetic limits. BH07 also had elevated iron and E. coli, while BH05 and BH07 showed high total coliform counts, likely from soil or nearby drainage. Overall, the groundwater is usable with treatment, but some localized bacterial contamination and salinity need to be managed. Borehole 134C Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination. The borehole can supply sufficient water for the development but requires treatment for potable use. Gideon Pepler response: These are no septic tanks. This significantly reduces risk since if there is a failure with one system, it is a very limited amount of effluent that is compromised. Even in the unlikely and most extreme event where more than one system fails, there is no one central point of pollution. Central points of pollution are well documented about the disaster it creates downstream. The latest Green Drop reports speak volumes about this. 3.2 Lian Roos response: The risk assessment reflects standard design, separation distances, and maintenance practices, which are widely accepted for residential developments. While variability in user

		Consultant claim: Risks are rated low based on assumed separation distances, design standards and regular maintenance. Comment: The risk ratings are based on idealised assumptions: perfect tank construction, installation exactly as designed, and ongoing inspection and maintenance by each private owner indefinitely. Experience across South Africa demonstrates that septic tanks and soakaways in small coastal settlements are rarely maintained at this standard. The assessment does not consider failure modes, ageing infrastructure, or poor user behaviour. It is therefore unrealistic, and its "low risk" conclusions are not robust. 3.3 No realistic contingency for failure, climate or cumulative loading Consultant claim: Mitigation via generic EMPr measures is sufficient. Comment: There is no realistic contingency plan for system failures, flooding of soakaways during extreme rainfall, or increased loading during peak holiday seasons. In a shallow, fractured, saline-prone aquifer discharging towards both the Breede estuary and the ocean, this is a serious omission. Until a reticulated, centralised wastewater system is provided, approving dense septic-based development here would be irresponsible.	behaviour and infrastructure ageing is possible, the systems are designed and installed to meet regulatory standards, and it is the responsibility of the HOA to ensure routine monitoring and maintenance to mitigate potential risks. Gideon Pepler response: The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution. 3.3 Gideon Pepler response: The Fusion® system is equipped with an Early Warning System that monitors the workings of the plant. In the event of failure, the EWS will notify the user. Remote monitoring is available as an optional extra. No other system on the market comes standard with EWS.

		4. Hydrogeological Study (App G2 + Geohydrological 2007 / Parsons reference) 4.1 Groundwater quality already unsuited for potable use without treatment Consultant claim: The planned use “falls within general authorisation” and groundwater abstraction is acceptable. What the report actually says: • Conductivity, TDS, sodium and chloride exceed SANS 241 aesthetic limits in all three hydrocensus boreholes. • E. coli exceeds acute health limits in BH07; coliforms exceed operational limits in BH05 & BH07. • The report explicitly states groundwater is not suitable as potable water without treatment and that exceedances are likely related to saline and faecal contamination. Comment: The hydrogeological report clearly shows that the local aquifer is already saline and bacterially contaminated, and explicitly states that the water is not potable without treatment. Despite this, the environmental application still proposes to rely on this resource for the new development. This is inconsistent with the specialist evidence and	4.1 Lian Roos response: The groundwater is not suitable for direct potable use, which is why point-of-use treatment is proposed in the units. Planned abstraction remains within the general authorisation volume and sustainable yield. EAP response: A hydrocensus in July 2025 found seven (7) boreholes and two (2) springs within 1 km radius of the site, with groundwater levels averaging 4.35 m below ground and flowing generally northeast toward the ocean. Water quality tests on three boreholes showed moderately saline conditions, with sodium and chloride above aesthetic limits. BH07 also had elevated iron and E. coli, while BH05 and BH07 showed high total coliform counts, likely from soil or nearby drainage. Overall, the groundwater is usable with treatment, but some localized bacterial contamination and salinity need to be managed. Borehole 134C Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination. The borehole can supply sufficient water for the development but requires treatment for potable use.

		fails to protect Schedule 1 water users and basic human needs, as required by the National Water Act. 4.2 Treating the aquifer as a "minor system" while acknowledging local dependence Consultant claim: Because the aquifer is classified as a "Minor Aquifer System" requiring only a "medium level" of protection, acceptable risk is implied. Comment: The "Minor Aquifer System" classification is being misused to downplay local reliance on groundwater. The hydrocensus itself records boreholes supplying Infanta Park and multiple domestic/garden users, and even water sold to the municipality. These are exactly the kinds of Schedule 1 users the National Water Act requires to be protected. A "medium" protection level is not compatible with authorising additional abstraction and pollution sources that the specialist already flags as problematic. 4.3 Margin between yield and demand is narrow and highly assumption-dependent Consultant claim: The sustainable yield of BH134C (approx. 32.4m³/day) is comfortably above the planned demand (~23m³/day). Comment:	4.2 EAP response: The statement on the consultant claim is factually incorrect. Lian Roos response: Although the aquifer is classified as a "Minor Aquifer System," this classification does not diminish its capacity to support local users. The proposed development's abstraction falls within the sustainable yield and general authorisation, and treated water will be provided for potable use where required. With monitoring and responsible management, additional abstraction and the use of soakaways are unlikely to adversely affect existing Schedule 1 users. 4.3 Lian Roos response: The proposed abstraction remains within the calculated sustainable yield of the borehole. The pumping regime and monitoring measures are designed to manage seasonal variability.

		The claimed “comfortable” margin between sustainable yield and demand depends on a specific pumping regime, idealised recharge assumptions and ignores climate change and drought risk. The same report notes the potential concern of seawater intrusion and recommends intensive monitoring and pump management. In this context, it is misleading to present the yield as unquestionably adequate. Any long-term over-abstraction or drought could compromise both the development supply and neighbouring users. 4.4 Evidence of saline intrusion and marine influence Consultant claim: With monitoring, seawater intrusion can be “managed”. Comment: The report notes that groundwater in the Bokkeveld Group at Cape Infanta is “moderately saline” and attributes this to possible marine influence; EC values of 133–222 mS/m are recorded. This is already close to or beyond acceptable thresholds. Authorising a new, centralised abstraction for 21 houses in this context is extremely risky. Once seawater intrusion progresses, it is effectively irreversible on human timescales.	4.4 Specialist response: We did not state that seawater intrusion can simply be “managed” through monitoring. Our recommendation acknowledges that seawater intrusion is a potential risk for any borehole located near the ocean and therefore should be monitored as a precautionary measure. Here is out statement in the recommendations: “Seawater intrusion may become a concern during extended abstraction periods and should be monitored.” The purpose of monitoring is early detection of conditions that can lead to saline intrusion. If any signs of are observed, appropriate mitigation measures can then be implemented based on the specific circumstances at the time. The monitoring referred to in our recommendation’s forms part of the broader monitoring network

			proposed earlier in the report, which includes boreholes located closer to the coastline within Infanta. Saltwater intrusion occurs when freshwater hydraulic heads decline below a critical level, allowing denser seawater to migrate inland, see image below for illustrative purposes. (That is why we proposed the water level monitoring in the monitoring network.) Preventing this requires maintaining a positive hydraulic gradient toward the sea. Boreholes located closer to the coastline generally present a higher potential risk for inducing intrusion than those situated further inland. In this context, the higher-risk boreholes would be those within the Infanta community itself, thereafter BH05 and BH06, as they are closer to the ocean than the proposed inland abstraction points.  Furthermore, the groundwater flow map indicates that the primary recharge areas of these boreholes are not directly aligned, which reduces the likelihood of cumulative drawdown effects between them, in line with the ocean.

			As a proactive management measure, a condition could be included requiring that a minimum hydraulic gradient be maintained at the abstraction borehole; for example, ensuring that drawdown does not reduce heads beyond a defined threshold, such as 10m above mean sea level. This type of condition could provide a clear, measurable safeguard against saline intrusion. A similar approach could be standardised across all community boreholes and maybe should. If Infanta Park's Water Use Licence (WUL) conditions for BH05 and BH06 are made available (and it has management safeguards against saline intrusion), consistent management protocols could potentially be aligned across both abstraction locations as well.
		5. Freshwater Specialist Report (App G8) 5.1 Under-recognition of ecological importance of drainage lines / seeps Consultant claim: Drainage features on the site are characterised as low-significance or easily mitigated with buffers and "no-go" areas. Comment: The freshwater report underestimates the importance of local drainage lines and seep areas that function as pathways between the site, the Breede estuary and the coastal environment. In a region where the Screening Tool and site sensitivity verification identify high to very high sensitivity for aquatic systems, a precautionary stance is required. Hard surfaces, roads, and septic systems in close proximity to these features	5.1 Lian Roos response: The ecological condition and sensitivity of the stream were assessed following the Department of Water and Sanitation's (DWS) Resource Directed Measures (RDM) and EcoClassification approaches. These methods evaluate the Present Ecological State (PES), which reflects the system's integrity compared to its natural condition, and the Ecological Importance and Sensitivity (EIS), which indicates its biodiversity value and vulnerability to disturbance. Results show that the stream is in a natural condition (PES Category A) for both instream (94%) and riparian (91%) habitats, indicating minimal human modification. Its ecological importance and sensitivity (EIS) are

		create a long-term risk of altered hydrology and contamination that simple buffer lines cannot fully mitigate.	rated as High (2.5), reflecting its sensitivity to changes in flow and water quality and its connection to the De Hoop Nature Reserve. The stream's ecological management class is B, meaning only minimal alteration should be permitted. Recommend ecological buffer: To protect the stream, a 20m ecological buffer is recommended on both sides, measured from the centreline of the watercourse due to the absence of a clearly defined channel. This buffer was determined using the MacFarlane and Bredin (2017) method and is based on the stream's PES and EIS results. The existing sparse, shrubby vegetation within the buffer provides some protection, although denser vegetation such as grasses or sedges would enhance sediment and pollutant filtration. Maintaining this buffer during both construction and operational phases is considered sufficient to safeguard the stream and prevent deterioration of its current ecological condition.
		5.2 No climate-change hydrological stress testing Consultant claim: Standard stormwater measures and buffers are sufficient. Comment: There is no climate-change sensitivity analysis of storm intensity, erosion risk or flood pathways. In a coastal catchment with shallow groundwater and sensitive estuarine receiving environments, not	5.2 EAP response: The draft BAR assesses the risk of climate change to influence the proposed activity or development and how the potential impacts of climate change been considered and addressed. A setback line for flooding and erosion has been established as 10m landward of the +6m MSL elevation contour for the site. This setback line has been taken into account in formulating the Preferred Alternative 3. The potential for extreme weather conditions (floods and drought) has also

		modelling future rainfall extremes is a significant omission. The decision-maker cannot accept assurances of “sufficient” mitigation in the absence of proper climate-robust design. 6. Botanical Impact Assessment (App G9) 6.1 Heavy reliance on older fieldwork and partial updates Consultant claim: Vegetation impacts are acceptable and can be mitigated within the footprint. Comment: The botanical assessment leans heavily on earlier surveys with only limited, targeted updates. Over a decade, coastal flora, invasive species dynamics and threatened species status can change materially. The report does not convincingly demonstrate that all red-listed and conservation-important species have been recently and comprehensively surveyed across the full development footprint and	been considered. The proposed development relies on groundwater with supplementary rainfall collection of roofs. Water efficient measures are included in the design (low flush toilets/ shower heads) and flushing toilets with treated effluent. In terms of floods (surface water) stormwater design included findings from a 1:100 floodline study with recommendations included in the design and layout. Increased fire risk associated with increased drought / lower rainfall periods has been considered and mitigation developed and incorporated into the EMPr. 6.1 EAP/ specialist response: Comment noted. The concern is acknowledged; however, it should be noted that the original botanical assessment has been superseded by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026). The new assessment is not reliant on historical fieldwork but is based on a comprehensive desktop review and dedicated field surveys undertaken across the site on 17–18 March 2026, specifically to verify current vegetation condition, habitat extent, species composition, invasive species distribution, and the occurrence of Species of Conservation Concern (SCC). The assessment included systematic meander surveys across the entire development area, active searches for all SCC identified by the DFFE Screening Tool, GPS

		alternative layouts. Without up-to-date field verification, any claim of "low" residual botanical impact is unsafe. 6.2 Fragmentation and edge effects brushed aside Consultant claim: By clustering units and conserving some open space, botanical impact is minimal. Comment: The assessment downplays the effect of habitat fragmentation, edge effects (trampling, garden escapees, pets, lighting) and permanent disturbance arising from 21 houses, gardens and pathways. In a coastal landscape, even relatively small developments can disproportionately disrupt ecological processes and corridors. These indirect impacts are barely analysed and are not reflected in the final significance ratings.	track logging, georeferenced photographic verification, historical aerial imagery analysis, and ground-truthing of all habitat types. The new assessment confirms the current ecological condition of the site, identifies and maps all remaining natural habitat, verifies the occurrence and distribution of Species of Conservation Concern, including the confirmed population of *Erica oblongiflora*, and demonstrates that the proposed development footprint has been designed to avoid the majority of sensitive habitat and SCC occurrences. The impact assessment and conclusions are therefore based on current site-specific field data rather than historical information and provide an up-to-date evaluation of botanical sensitivities and residual impacts. 6.2 EAP response: No such consultant claim was made, however, the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026) specifically considered the current ecological condition of the site, habitat fragmentation, ecological connectivity and indirect impacts as part of the impact assessment. The proposed layout has been designed to avoid the drainage corridor, coastal slopes and the majority of the remaining Limestone Fynbos and confirmed Species of Conservation Concern, while degraded areas will be rehabilitated through alien vegetation clearing and ecological restoration. The assessment concludes that, with implementation of the mitigation hierarchy and recommended

		7. Social Impact Assessment (2015 SIA, 2023 Addendum, Tables) 7.1 Outdated baseline and demographic context Consultant claim: The SIA remains valid with only minor updates and concludes overall positive socio-economic impact. Comment: The main SIA is based on a 2015 context, with only an addendum in 2023. Since then, there have been major socio-economic changes, evolving tourism patterns and increased awareness of climate and coastal risks. An SIA that largely recycles 2015 assumptions and does not engage with contemporary social vulnerabilities and equity concerns cannot be considered robust. The positive impact ratings are therefore questionable. 7.2 No serious consideration of distributional impacts and equity Consultant claim: Benefits (employment, municipal revenue) are presented as broadly shared. Comment: The SIA does not meaningfully address who benefits (largely non-resident holiday-home owners, consultants, contractors) versus who carries the long-term risk (local users dependent on groundwater,	management measures, residual botanical impacts remain of low significance, and the proposed development is supported. 7.1 EAP response: The findings of the original SIA (2015) were reviewed in December 2023 and remains valid. There is no detail provided on the major socio-economic changes, evolving tourism patterns referred to. Climate and coastal risks were considered in the BAR and specialist studies and informed the SDP and EMPr. Impacts were identified and assessed by a specialist and remain valid. 7.2 EAP response: *distributional impacts and equity* are considered in the SIA and its addendum and remain valid. There is no consultant claim made of *Benefits (employment, municipal revenue) are presented as broadly shared*. The SIA considers the impacts of the proposed development on the Infanta community and its amenities. At present Infanta is made up of 30% permanent residents, so claiming that benefits accrue to *largely*

		broader public who rely on intact coastal and estuarine ecosystems). Issues of environmental justice and equitable access to safe water and healthy ecosystems are not engaged with, contrary to NEMA principles. 7.3 Underplayed sense-of-place and tranquillity impacts Consultant claim: Impacts on "sense of place" are rated low to moderate. Comment: The SIA largely treats sense-of-place as a secondary concern, yet Infanta's value lies primarily in its natural, undeveloped character and rural tranquillity. A managed estate-style development with 21 units, formalised access, more vehicles and lighting will permanently alter this. The report's low significance rating ignores qualitative concerns expressed by I&APs and is not supported by a proper visual/landscape study.	*non-resident holiday-home owners* is in line with the occupation trend seen in Infanta at present. Consultants and contractors only benefit for services rendered. The NEMA and NWA processes followed for this application enacts environmental justice and allows all registered I&APs to participate. Comments received are considered and responded to or they inform the application. The hydrocensus as part of the geohydrological study, identified current use of groundwater and the yield test assessed the available sustainable yield. 7.3 EAP response: Impacts associated with the proposed development were identified and assessed by specialists, and mitigation developed as required. The proposed development is not access controlled. The traffic impacts were assessed by a specialist. Lighting was developed as a response to I&AP comments, with no overheard lighting included as part of the design.

		8. Traffic Impact Statement & Addendum (App G14A & G14B) + Roads Letters (App E2) 8.1 Capacity vs. character and safety of existing access roads Consultant claim: Traffic volumes generated are low and existing roads are adequate. Comment: The traffic work focuses mainly on numerical capacity and LOS, but neglects issues of road safety, road standard (narrow, gravel/sand, poor sight distances), pedestrian use, and the character of a small coastal settlement. “Low additional trips” can still be highly significant on fragile local roads not designed for frequent construction vehicles, service trucks and increased visitor traffic. The conclusion of “no significant impact” is therefore incomplete. 8.2 Construction traffic impacts under-assessed Consultant claim: Construction traffic is temporary and acceptable with generic measures. Comment: There is no quantified analysis of heavy-vehicle movements during construction, nor of potential road damage, dust, safety risks and noise along the full access route. In a small, environmentally sensitive settlement, extended construction can be extremely disruptive.	8.1 EAP response: The impacts associated with the proposed project were identified and assessed by specialists. It takes into account the current traffic, additional traffic due to the proposed project, access and current road layout and design, safety aspects, non-motorised transport and comments previously raised by I&APs. Significance ratings post mitigation is low negative. 8.2 EAP response: There is no consultant claim of *Construction traffic is temporary and acceptable with generic measures*. Traffic and transport impacts associated with the proposed development were identified, assessed and mitigation developed by specialists. This informed the EMPr and the SDP as applicable.

		Without proper construction traffic modelling and mitigation plans (including timing restrictions, road upgrades and rehabilitation guarantees), impacts cannot be considered low. 9. Civil / Services Engineering (G3, G4, E3, E4) 9.1 Over-optimistic assumptions about Eskom capacity and resilience Consultant claim: Letters from Eskom / electrical engineer suggest the network can accommodate the development. Comment: Capacity confirmation letters typically only state theoretical spare capacity at a point in time; they do not guarantee supply quality, resilience under peak demand, or protection from future load curtailment. In a remote coastal settlement with known supply challenges, the mere existence of spare capacity does not equate to environmental acceptability. The EIA should have considered the environmental implications of backup generators, battery systems or additional infrastructure that may become necessary. 9.2 Stormwater design not demonstrated at detailed, climate-robust level Consultant claim: Standard stormwater management will avoid erosion and pollution.	9.1 EAP response: a letter from Eskom confirming capacity is attached as Appendix E3. Supplementary energy will be from solar. No backup generators, battery systems or other additional infrastructure is planned at this stage. 9.2 Gideon Pepler response: Most of the roof water will be harvested for human consumption. The segmented paving road surfaces will partially absorb rainwater, and the balance will be channelled to the two outlet Reno Mattrasses structures. The effective post

		Comment: The civil report does not provide detailed stormwater modelling for extreme rainfall events under climate-change scenarios. Runoff concentration from roofs, paved areas and roads into sensitive drainage lines and towards the estuary is a critical risk. Without rigorous modelling, the claim that stormwater impacts are low is speculative. 9.3 Solid waste management letter too high-level Consultant claim: Municipal / private systems can easily handle additional waste. Comment: The solid waste letter is a broad statement of capacity and does not engage with practical realities: increased waste during peak holiday occupancy, risks of illegal dumping during construction, or the impacts of transporting waste along the existing road network. No binding commitments, monitoring or contingency measures are proposed. This is not sufficient for a high-sensitivity environment. 10. Heritage & Archaeology (G11A, G11B, G12 + HWC Letter) 10.1 Heavy reliance on dated surveys and incomplete field verification	development rainwater runoff is insignificantly small and do not justify a specific modelling exercise. 9.3 EAP response: the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Waste management during construction phase is stipulated in the EMPr and does not affect the capacity or the operation of the dump. 10.1 EAP response: The level of studies and surveys completed is satisfactory. The EMPr allows for Section 11.2.16. Protection of heritage resources.

		Consultant claim: All heritage resources have been adequately surveyed, with no fatal flaws. Comment: The heritage and archaeological studies rely in part on earlier surveys and rapid site inspections. In a coastal and estuarine context, where shell middens, burial sites and historical features can be obscured or newly exposed, this level of survey is insufficient. There is no indication of systematic test-pitting or detailed mapping across the full development footprint and service corridors. The conclusion that heritage risk is low is therefore not adequately supported. 10.2 Visual / sense-of-place heritage not properly integrated Consultant claim: Built-form guidelines will maintain heritage character. Comment: Heritage is treated largely in terms of physical archaeological artefacts, with limited attention to the broader cultural landscape, views, and sense of place that constitute heritage significance for Infanta. The architectural guidelines are not a substitute for a proper visual and landscape heritage assessment that demonstrates how 21 new dwellings and associated infrastructure will affect key views and the coastal cultural landscape.	10.2 EAP response: The statement that *Heritage is treated largely in terms of physical archaeological artefacts, with limited attention to the broader cultural landscape, views, and sense of place that constitute heritage significance for Infanta* is incorrect. The Heritage Statement considers the cultural landscape, sense of place and included an archaeological study. Mitigation (such as the 8m setback from the MR268) was developed and informed the SDP and EMPr as appropriate.

		11. EMPr (App H) 11.1 EMPr is generic and not enforceably linked to approvals Consultant claim: The EMPr will adequately manage all impacts. Comment: The EMPr is largely generic, with many “where possible”, “should” and “recommended” clauses rather than clear, binding, measurable conditions. There is also no clear mechanism linking EMPr obligations to the actual landowners and body corporate over the life of the development. Without enforceability, dedicated budgets and independent auditing, the EMPr cannot be relied upon to reduce impact significance. 11.2 No clear penalties or stop-work triggers Consultant claim: Monitoring and reporting will prevent serious environmental harm. Comment: The EMPr contains no specific stop-work triggers, penalty regimes or legally binding response actions if thresholds are exceeded (e.g. groundwater contamination, erosion, heritage finds). As a result, it functions more as guidance than a compliance instrument. In such a sensitive setting, robust compliance mechanisms are essential and are currently absent.	11.1 EAP response: The EMPr was informed by specialist recommendations and contains requirements for ECO monitoring and reporting, auditing and penalties post authorisation. 11.2 EAP response: The EMPr contains requirements for ECO monitoring and reporting, auditing and penalties post authorisation.

		12. Screening Tool, Sensitivity Verification & Setback (Apps I, K, D1, D2, G7A/B, WULA Summary M) 12.1 Ignoring the overall high sensitivity "flag" of the Screening Tool Consultant claim: Because site-specific studies were done, the high sensitivity ratings can effectively be downgraded. Comment: The DFFE Screening Tool and sensitivity overlays identify high to very high sensitivity for biodiversity, aquatic and coastal features on and around the site. The application treats specialist reports as if they conclusively negate these flags. In reality, several specialists confirm heightened sensitivity (e.g. saline, contaminated aquifer; fragile coastal environment; drainage features). The proper application of the Screening Tool is to heighten caution and scrutiny, not to provide a tick-box to down-rate sensitivity. 12.2 Coastal setback arguments not integrating climate-change and extreme events Consultant claim: A site-specific setback line is adequate and safe. Comment: The setback reports and letters do not demonstrate robust modelling of sea level rise, erosion, storm surge and estuarine dynamics under	12.1 EAP response: The screening tool generates ratings which then indicates requirements for specialist reports. 12.2 EAP response: Comment noted. A new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was commissioned to undertake a comprehensive, site-specific coastal hazard assessment. The assessment included a 39-year shoreline stability analysis (1984–2023), recent site inspections and topographical surveys, evaluation of coastal processes, projected 2030, 2050 and 2100 climate change and sea level rise scenarios, storm surge and wave run-up modelling, and consideration

		climate-change scenarios. In the absence of such analysis, any claim that permanent structures closer than 100 m to the HWM are safe is speculative. The precautionary principle, coupled with the Screening Tool's high sensitivity flags, supports maintaining (or increasing) the standard setback, not relaxing it. AREAS OF NON COMPLIANCE WITHIN THE PROPOSAL: ANNEXURE A – NEMA & NEMA EIA REGULATIONS A1. NEMA Section 2 – Precautionary Principle & Duty of Care Law / Principle: NEMA s2(4)(a)(vii) – where there is risk of serious or irreversible damage, lack of full scientific certainty may not be used as a reason for postponing measures to prevent environmental degradation. Evidence from reports: • Hydrogeological study records saline, bacterially contaminated groundwater (EC/TDS exceed SANS limits, coliforms and E. coli present). • Septic tank risk report still recommends 21 septic tanks in a shallow coastal aquifer, relying on "proper design and maintenance" and historic anecdote. • Freshwater & BAR acknowledge sensitive drainage lines and a need for 40 m ecological corridors, yet roads and services still dissect the system.	of the 100-year flood line and Western Cape Coastal Management Lines. Based on these investigations, a site-specific Development Setback Line was derived by combining the projected 2100 sea storm hazard line with the 100-year flood line. The specialist concluded that development located landward of the recommended setback line will remain beyond the influence of foreseeable coastal hazards, including the effects of climate change and sea level rise. The new assessment therefore directly addresses the concerns raised regarding coastal hazards and setback determination. A1. EAP response: This comment is a repeat and has been addressed. The proposal includes a Maskam package plant per house, and not septic tanks. Gideon Pepler response: These are no septic tanks.

		How this shows non-compliance: The specialist reports together show a high-risk groundwater and freshwater environment that is already marginal and contaminated, but the application proceeds on optimistic assumptions that all systems will work perfectly and that mitigation will be sufficient. This is the opposite of a precautionary approach. In terms of NEMA Section 2, the decision-maker must refuse authorisation where significant risk to groundwater, estuarine and coastal ecosystems is evident and cannot be removed with certainty. A2. NEMA EIA Regs – Regulation 13 (Current, Site-Specific Information) Law: Reg 13 requires that specialist reports be based on current information and conditions. Evidence: • Septic risk assessment letter: 11 September 2020, relying heavily on 1990s literature. • Hydrogeology references multiple older studies (1999, 2006, 2012), with only partial 2024/25 updating. • SIA 2015 + addendum; traffic 2016; archaeology 2010; coastal setback 2010/2012 – all older baseline work reused in a 2025 application. Non-compliance statement:	A2. EAP response: This is a repeat of a previous comment and has been addressed.

		The application relies on specialist inputs that are 5–15 years out of date for key themes (social, traffic, archaeology, coastal hazard, early hydro work). Under Regulation 13, these cannot be treated as current, site-specific baselines for a 2025 decision. The use of outdated studies is a procedural and substantive defect that alone justifies refusal or at minimum a directive to redo the assessment with current data. A3. NEMA – Inadequate Alternatives Assessment (Reg 19 & NEMA s2(4)(b)) Law: Reasonable and feasible alternatives, including the "no development" alternative, must be considered. Evidence: • BAR presents layout Alternatives 1–3 – all with 21 erven; only road and erf arrangement differ. Non-compliance: The BAR does not consider a lower-density alternative, a conservation servitude option, or a genuine "no development" scenario that would avoid impacts. This is not a compliant alternatives process under the EIA Regulations and NEMA's requirements to first avoid, then minimise impacts. ANNEXURE B – NATIONAL WATER ACT (NWA) B1. Section 19 – Duty of Care to Prevent Water Pollution Law:	A3. EAP response: This is a repeat of a previous comment and has been addressed. B1. EAP response: The proposal includes a Maskam package plant per house and not septic tanks. The applicant is not responsible for the current water quality in boreholes included in the hydrocensus.

		Any person who causes, has caused or may cause pollution of a water resource must take all reasonable measures to prevent such pollution. Evidence: • Hydrogeological study: groundwater in local boreholes fails SANS 241 aesthetic and microbiological standards (salinity, EC/TDS, coliforms, E. coli). • Septic risk report nonetheless motivates septic tanks with soakaways for 21 erven. Non-compliance: Proceeding with 21 septic tanks in a shallow, already compromised aquifer cannot be reconciled with the NWA Section 19 duty of care. The reports themselves show existing pollution; adding further point sources is contrary to this duty. B2. Section 21(c), (g) & (i) – Water Uses Requiring Authorisation Law: • s21(c): impeding or diverting the flow of water in a watercourse • s21(g): disposing of waste that may detrimentally impact a water resource • s21(i): altering the bed/banks/character of a watercourse Evidence:	B2. EAP response: This is a repeat of a previous comment and has been addressed. All water uses identified for the proposed development will be included for authorisation in the WULA.

		• Freshwater and BAR confirm a mapped stream/drainage line crossing the site; water and sewer services and roads traverse this system. • Septic systems and diffuse stormwater flows are acknowledged as potential sources of contamination. Non-compliance: The combination of septic tanks, roads, trenching and stormwater infrastructure across a mapped watercourse clearly triggers Section 21(c), (g) and (i) water uses. The WULA summary does not convincingly demonstrate that these uses can be authorised without violating the NWA's objectives of resource protection, especially given the already degraded groundwater. ANNEXURE C – INTEGRATED COASTAL MANAGEMENT ACT (ICM ACT) C1. Coastal Protection Zone & Setback (Sections 16, 17, 56) Law: CPZ must protect dynamic coastal processes; setback lines must prevent risky development near the shoreline. Evidence: • Coastal/setback assessment reuses 2010–2012 work and does not present updated climate-risk modelling. • BAR admits infrastructure and walkways within 100 m of the high-water mark and within coastal dune systems.	C1. EAP response: Comment noted. The concern is acknowledged; however, the application no longer relies on the 2010–2012 coastal assessment. A new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was undertaken to comprehensively assess the site's coastal environment and define a site-specific Development Setback Line. The new assessment includes a 39-year shoreline stability analysis (1984–2023), recent site surveys, coastal process evaluation, projected 2030, 2050 and 2100 climate change and sea level rise scenarios, storm surge and wave run-up modelling, the 100-year flood line, and consideration of the Western Cape Coastal Management Lines. The recommended Development

		Non-compliance: Approving new residential units and infrastructure within the CPZ, in the absence of modern sea-level rise, erosion and storm-surge modelling, would be inconsistent with the ICM Act's objectives. Reliance on 2010-era work in 2025 does not satisfy the legal duty to manage coastal risks prudently. C2. Protection of Coastal Public Property Law: Coastal public property must be protected from adverse effects of upcatchment activities (ICM Act s7, s25). Evidence: • Septic risk and hydro studies acknowledge that groundwater flow is towards the coast and/or estuary and that contaminated groundwater could discharge below the high-water mark. Non-compliance: Accepting a development design where effluent-contaminated groundwater may emerge in the coastal zone is incompatible with the duty to safeguard coastal public property and marine-related ecosystem services. ANNEXURE D – NEM: BIODIVERSITY ACT & WCBSP D1. Threatened Ecosystems & CBAs Law:	Setback Line combines the projected 2100 sea storm hazard line with the 100-year flood line, ensuring that all proposed permanent development is located beyond the influence of foreseeable coastal hazards while maintaining the objectives of the National Environmental Management: Integrated Coastal Management Act. C2. EAP response: There is no septic tank design for the new houses in the proposed development. D1. EAP response: Comment noted. The reference to GN 1002 of 2011 is outdated and has been superseded by the Revised National List of

		Threatened ecosystem protection (GN 1002 of 2011); provincial policy that CBA1/CBA2 might not be further transformed. Evidence: • Botanical assessment and biodiversity overlays show the site includes CBA and ESA categories and endangered ecosystems (Overberg Dune Strandveld, De Hoop Limestone Fynbos). Non-compliance: Transforming endangered ecosystems within CBA1/CBA2 for a luxury coastal development is directly contrary to the Biodiversity Act's conservation objectives and the Western Cape Biodiversity Spatial Plan, which requires strict avoidance of further loss in these areas.	Ecosystems that are Threatened and in Need of Protection, published under GN 2747 in Government Gazette 47526 of 18 November 2022. The application has been informed by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026, prepared in accordance with the applicable DFFE specialist protocols. The assessment confirms that the 3.89 ha residential development site is located mostly outside mapped CBA and ESA areas. A narrow strip of CBA1 and a small area of ESA1 occur on the site; however, the affected areas are previously disturbed, transformed, modified or heavily invaded, while the primary coastal CBA1 area is largely excluded from the residential development footprint. No CBA2 area is mapped within the residential development site. The assessment acknowledges that Overberg Dune Strandveld remains listed as Endangered under the currently gazetted Revised National List. It further notes that the SANBI 2024 National Vegetation Map now maps the relevant area as Southwestern Strandveld, assessed by SANBI as Least Threatened, although this revision has not yet been incorporated into the gazetted ecosystem list. Field verification confirmed that the Strandveld portions of the residential site are disturbed, transformed or heavily invaded and that no intact CBA or ESA habitat will be affected by the residential development footprint.

			Remnant De Hoop Limestone Fynbos and the confirmed *Erica oblongiflora* population are largely avoided by the revised layout. The associated water pipeline and reservoir traverse natural CBA1, CBA2 and ESA1 habitat and were assessed separately. Their impacts are narrow and localised and, subject to strict footprint control, rehabilitation and the prescribed mitigation measures, the residual terrestrial biodiversity impact is assessed as Low. The specialist therefore supports the proposal subject to implementation of all avoidance, mitigation, rehabilitation and management requirements. Accordingly, the available specialist evidence does not support the conclusion that the proposal is inherently non-compliant with NEMBA or the WCBSP merely because mapped biodiversity categories overlap certain components of the project.
		D2. Alien Invasive Species (AIS) Risk Law: AIS Regulations under NEM:BA require proactive prevention and control. Evidence: • Botanical work recognises that disturbance (roads, trenching, gardens) will create conditions favouring alien invasion; long-term management is vaguely left to a future HOA.	D2. EAP response: The eradication and management of alien invasive vegetation is included in the EMPr.

		Non-compliance: The development design knowingly creates conditions ideal for alien invasion without any binding AIS management plan or funding mechanism. This contravenes the obligation under NEM:BA to prevent and control alien invasive species. ANNEXURE E – NATIONAL HERITAGE RESOURCES ACT (NHRA) E1. Section 38 – Heritage Impact & Validity of Studies Law: Developments above certain thresholds or in sensitive areas require appropriate, current heritage assessments and must follow HWC processes. Evidence: • Archaeological/heritage assessment originates around 2010; no full, updated Phase 1 incorporating the latest footprint and all service corridors is presented. • Known heritage features (middens, possible graves/structures) are acknowledged in older reports but not revisited with modern intensity. Non-compliance: Reliance on 10–15-year-old heritage fieldwork in an area known for coastal archaeological sensitivity does not meet NHRA practice requirements. A fresh Phase 1 HIA is warranted; proceeding without it is procedurally non-compliant.	E1. EAP response: Noted, updated inputs & comments will be requested during the forthcoming formal in-process PPP.

		ANNEXURE F – LUPA & SWELLENDAM MUNICIPAL PLANNING BY-LAW F1. Spatial Sustainability & Desirability (LUPA & By-Law "Desirability" tests) Law: Applications must demonstrate spatial sustainability, suitability of land, adequate services, environmental compatibility and desirability. Evidence: • Hydrogeology: groundwater not potable without treatment and already stressed. • Septic risk: acknowledges long-standing septic use but cannot prove no impact; aquifer already degraded. • Freshwater/coastal/botanical: all confirm sensitive receiving environment. Non-compliance: The combination of marginal water resources, sensitive ecosystems, and infrastructure constraints shows that the site is not suitable for intensification. Approving rezoning and subdivision would fail the statutory "desirability" test under Swellendam's Municipal Planning By-Law and undermine LUPA's aim of spatial sustainability. F2. Compatibility with Existing Character Law:	F1. Dave Saunders response: The planning application will deal with these considerations. EAP response: There is no septic tank installation for the proposed development. The preferred method for sewage treatment is the Maskam Package plant. The proposed development entails treatment of the groundwater abstracted at point of use in each house. Sensitive biological features have been mapped by specialists and included in the preferred SDP. F2. Dave Saunders response: This has been addressed in the application. The objector simply ignores the fact that the portion of property in question has been deemed to be appropriate in the

		Municipal by-law requires consistency with the nature and scale of the surrounding area. Evidence: • BAR + planning motivation repeatedly portray the area as low-density, rural, character defined by natural landscape. Non-compliance: A 21-unit estate-type project with centralised borehole supply, 21 septic systems, new internal roads and formalised access represents a step change from the existing rural village pattern and agricultural land. This is not compatible in character and thus fails the municipal compatibility test. ANNEXURE G – SWELLENDAM SDF 2020 G1. No Designation as a Growth Node Law / Policy: SDF identifies where urban growth is desired and where environmental constraints dominate. Evidence: • Planning Motivation implicitly admits the site is outside formal urban edge, relying instead on “infill between Infanta and Infanta Park”. Non-compliance:	Swellendam Spatial Development Framework, with is a statutory document aimed at informing decision making. The issue of compliance has been addressed above. G1. Dave Saunders response: Factually incorrect. The application makes it very clear that the application lies entirely withing the proclaimed urban edge.

		The SDF does not designate this property as a preferred expansion area, and the environmental constraints identified by biodiversity, hydro, freshwater and coastal specialists confirm why. Approving this development would be inconsistent with the SDF's spatial logic and erode the credibility of the municipality's own planning instruments. ANNEXURE H – EMPr & Compliance Mechanisms H1. Lack of Enforceability & Long-Term Legal Mechanisms Law / Principle: NEMA, LUPA and the municipal by-law all assume that mitigation commitments are enforceable over time. Evidence: • EMPr is generic, filled with "should", "where possible", "recommended", with no explicit penalties or independent audits. • Septic & borehole management is deferred to HOAs and individual owners with no clear linkage to municipal enforcement. Non-compliance: Without legally binding, funded, and auditable mechanisms, the EMPr and related "mitigation" cannot be assumed to reduce impacts to low significance. Approving the application on the basis of such soft instruments is contrary to NEMA's effective environmental governance requirement.	H1. EAP response: The EMPr includes recommendations and mitigation developed by specialists based on the assessment of the proposed site and the proposed development. EAP response: This is a repeat of previous comments which have all been addressed. There are no septic tanks included in the proposed development. Sensitive biophysical elements have been considered in the proposed development and are based on specialist input.

		CLOSING SUMMARY: The cumulative evidence from all specialist studies, planning documents and statutory frameworks demonstrates that the proposed development on Erf 134, Infanta poses significant, long-term and unmitigable risks to groundwater, freshwater systems, endangered ecosystems, coastal processes, heritage resources, public infrastructure, and the rural character of Infanta. Specialist findings show that: • Groundwater quality already fails SANS 241 standards, with exceedances in salinity, sodium, chloride, EC/TDS, and microbiological contamination (including E. coli and coliforms). • The proposal seeks to introduce 21 septic tanks into a shallow, fractured coastal aquifer that is already contaminated, in direct conflict with the National Water Act's duty of care. • Freshwater drainage lines and seep systems are highly sensitive and directly linked to the estuary and coastal zone, making the proposed disturbance inappropriate and high-risk. • The site contains Critically Endangered and irreplaceable ecosystems, with the botanical specialist confirming High Negative impacts that cannot be offset or reduced to acceptable levels.	Areas of botanical and freshwater sensitivity have been assessed and included in the proposed preferred SDP. Specialist studies are up to date and remain relevant. Botanical and setback line assessments were updated/superseded as per departmental request. Mitigation is developed by the EAP or the specialist. The EMPr becomes enforceable with the EA once authorised. As per NEMA, the applicant must appoint and pay for all specialist studies. Specialists are independent and objective. No mitigation is assumed perfect and cost free. No sensitive environmental features are minimised, risks repeatedly downplayed and no outdated data is used. The NEMA and WULA processes are independent, unbiased and comply with the regulations.

		• Heritage and archaeological work is outdated, incomplete, and non-compliant with Section 38 of the NHRA. • Traffic, coastal, social and hydrogeological inputs rely on older baseline studies (5–15 years outdated), contravening Regulation 13's requirement for current, site-verified information. • Mitigation is speculative, unenforceable, heavily dependent on voluntary HOA management, and inconsistent with the sensitivity of the receiving environment. The studies are not independent and are financially linked to the developer. It must be placed on record that all specialist studies were commissioned, instructed and paid for by the developer. In South African EIA practice, while this is common, it also raises an unavoidable concern: • These reports cannot be considered independent or unbiased, • they cannot be treated as neutral assessments, and • their conclusions inherently reflect the interests of the party funding the assessments, who seeks project approval. In this case, the pattern across the documents is clear: • Risks are repeatedly downplayed,	This is a repeat of a previous comment and has been addressed.

		• outdated data is reused, • mitigation is assumed to be perfect and cost-free, • sensitive environmental features are minimised, and • impacts are downgraded on paper without adequate justification. This trend strongly suggests confirmation bias and highlights the need for the competent authority to apply heightened scrutiny, caution and the NEMA precautionary principle. All benefits are private — all risks and costs are public The application provides no meaningful or measurable public benefit. All cited “benefits” are short-term or speculative, while the financial gain flows exclusively to the landowner and consultants. Meanwhile: • Environmental degradation, • groundwater risk, • septic pollution, • infrastructure burden, • stormwater impacts, • ecological loss, • coastal hazard exposure, and	

		• long-term management responsibilities are shifted onto the public, the municipality, neighbouring residents, downstream users, and future landowners. This violates NEMA's principles of fairness, equity and environmental justice. Given the: • outdated and developer-funded specialist reports, • high-sensitivity receiving environment, • documented environmental and groundwater risks, • clear policy and legal non-compliance, • lack of any real public benefit, and • overwhelming pattern of downplayed or misrepresented impacts, THE PROPOSED REZONING AND SUBDIVISION OF A PORTION OF ERF 134 FOR THE ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT, INFANTA MUST BE REFUSED IN ITS ENTIRETY.	
		<u>Letter attached to email:</u> OBJECTION POINTS: OBJECTION SET 1 – BASIC ASSESMENT REPORT 1.1 Outdated & invalid specialist reports used (fatal flaw)	1.1 EAP response: This is a repeat of a previous comment and has been addressed.

		Weobject to the application on the grounds that the Basic Assessment relies on outdated specialist reports (Heritage 2010, Archaeology 2010, Traffic 2016, SIA 2015, Geohydrology 2007/2014, setback 2010). This contravenes NEMA EIA Regulation 13 requiring site-verified, current specialist information, and fundamentally undermines the integrity of the impact assessment process. 1.2 Required studies omitted (VIA legally required) We object to the unlawful omission of a Visual Impact Assessment. The Screening Tool identifies high visual sensitivity, and the EIA Protocols require a VIA unless adequately motivated — which has not been done. The SIA cannot legally replace a VIA. This omission renders the BAR non-compliant with NEMA and the specialist protocol requirements. OBJECTION SET 2 — COASTAL SETBACK, CLIMATE RISK & FLOODLINE ISSUES	1.2 EAP response: The 2021 screening tool did not list Visual as a Proposed Development Area Environmental Sensitivity but did identify it as a specialist assessment. The same was found for the updated 2025 screening tool report. The impact of the sense of place was assessed as part of the social impact assessment report. Further the architectural guidelines document has made specific recommendations with relation to the building styles. The EAP is of the opinion that a visual impact assessment is not required in this instance. In addition, the Heritage specialist proposed the following for the Preferred Alternative - *The provision of a landscaped strip adjacent to the main access road of approximately 8m with guidelines to ensure appropriate boundary wall treatment and to ensure that the immediately adjacent even do not present their rear elevations to the main access road to the village.* 2.1 EAP response: A setback line assessment was performed in 2010 by PBNS (PBNS 2010). Subsequently Geoff Toms (Consultant) was

		2.1 Coastal setback line is outdated (2010) We object to the use of a 2010 coastal setback assessment, which does not incorporate updated sealevel rise, storm surge modelling, or climate risk projections required by the ICM Act and 2023 Coastal Hazard Guidelines. The reliance on obsolete modelling fatally compromises risk assessment and exposes future residents to unacceptable hazard.	requested to reappraise the setback line in terms of recently published standard methodologies. Geoff Toms conducted a thorough review of latest documents and legislation (including but not limited to Amendment Act 36 (of 2014) to the NEM Integrated Coastal Management Act 24 (of 2008) as well as DEA&DP Best Practice Activity Guidelines (October 2019) and confirmed that the setback line (as recommended in the report 6 August 2012) remains unchanged. Refer Appendices G7A and G7B. In addition to the above, a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment was prepared by Laurie Barwell & Associates (Pty) Ltd and finalised in July 2026. Although the new assessment considers the previous 2010 and 2012 setback studies, it independently re-evaluates the current and future coastal risks applicable to Erf 134. The new study includes an analysis of shoreline stability over the 39-year period from 1984 to 2023, a site-specific topographical survey undertaken on 27 April 2026, the applicable DEA&DP Coastal Management Lines and projected coastal hazard conditions for 2030, 2050 and 2100. It considers sea-level rise, extreme inshore water levels, storm surge, wave run-up, coastal erosion and the combined effects of coastal storms and flooding. Projected sea-level-rise allowances of 0.17 m by 2030, 0.35 m by 2050 and 1.0 m by 2100 were applied, with the latter representing the assessed mid-range scenario.

			The specialist found that the rocky shoreline has shown little to no erosional or accretional trend over the assessed period and that rapid landward retreat is unlikely. The potential for increased storm-wave run-up and surge, particularly at the drainage-line outlet, was nevertheless incorporated into the hazard assessment. The recommended development setback line consequently combines the 2100 sea-storm hazard line, including projected sea-level rise, with the 1:100-year flood line. The specialist concludes that locating the proposed infrastructure landward of the recommended development setback line will place it beyond the assessed reach of river flooding and coastal processes, including the influence of climate change and sea-level rise. The final development layout will comply with the specialist-recommended setback and any applicable Coastal Management Line or additional requirements imposed by the competent authorities. The objection that the application continues to rely on outdated 2010 modelling has therefore been addressed. Please refer to Appendix G7C for the new Specialist Coastal Engineering Report / Coastal Setback Line Assessment.
		2.2 Development within 32m of a watercourse (illegal unless authorised)	2.2 EAP response: Listed activities dealing with the proposed development within 32m of a drainage line, are included in the pre-

		We object to the placement of development infrastructure and houses within 32 m of a watercourse, which triggers NEMA Activities 12 and 19 irrespective of the 1:100 floodline. The BAR attempts to downplay this, but legally these activities require stringent assessment which has not been adequately conducted. 2.3 Walkway within 100m of the HWM — triggers Activity 19A We object to the proposed walkway and associated infilling/excavation within 100 m of the high-water mark, which triggers Listing Notice 1 Activity 19A. The BAR's motivation is insufficient and fails to address cumulative impact or coastal dune disturbance. OBJECTION SET 3 — GROUNDWATER, HYDROLOGY & SEWAGE FAILURES 3.1 Groundwater is not potable — contradicts civil engineering claims We object on the basis that the groundwater quality fails SANS 241 drinking water standards (salinity, sodium, EC, TDS, coliform bacteria), yet the application claims it is suitable for domestic supply. This contradiction between specialist reports renders the water supply proposal non-credible and unsafe. 3.2 Septic tanks in porous, high-sensitivity dune environment	application draft BAR. It will form part of the application of authorisation to DEA&DP. 2.3 EAP response: Listed activities dealing with the proposed development within 100m of the high-water mark of the sea, are included in the pre-application draft BAR. It will form part of the application of authorisation to DEA&DP. 3.1 Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels.

		We object to the reliance on septic tanks and soakaways in a sandy coastal aquifer with shallow groundwater. The combination of permeable soils, sensitive ecosystems, and drainage lines represents a high risk of contamination and is incompatible with sustainable development principles under NEMA. 3.3 Rainwater modelling flawed and misleading We object to the unrealistic water-balance assumptions used to justify onsite supply (430 mm rainfall, 80% collection efficiency, minimal storage). This modelling ignores drought cycles, evaporation losses, and seasonal deficits, rendering the water supply assessment unreliable. OBJECTION SET 4 — FRESHWATER & DRAINAGE LINE IMPACTS 4.1 Sensitive freshwater system acknowledged but downplayed We object to the minimization of freshwater sensitivity. The freshwater specialist identifies a functional drainage system requiring a 40m ecological buffer, confirming high ecological value. This contradicts the BAR's attempt to classify impacts as low.	3.2 Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area. 3.3 Lian Roos response: The proposed use of rainwater is intended for irrigation purposes only and does not impact the supply of water for drinking or sanitation, which will be sourced from the borehole. The water-balance assumptions are based on historical rainfall data and established collection efficiencies, which are standard practice when making such estimates. While some discrepancies may occur due to seasonal variations or drought cycles, these estimates provide a reasonable and accepted basis for planning and do not undermine the reliability of the potable water supply. 4.1 EAP response: The assessment of the Freshwater baseline environment, potential impacts, development of mitigation was conducted by an independent specialist as required by NEMA. Impacts displayed in the BAR were obtained from the specialist, based on the specialist's assessment of the impact level.

		4.2 Infrastructure crossing watercourses We object to potable water and services pipelines crossing drainage lines, triggering NEMA watercourse activities. These disturbances will alter natural hydrological patterns and increase erosion risk. OBJECTION SET 5 — BIODIVERSITY, CBA/ESA, ENDANGERED ECOSYSTEMS 5.1 Development overlaps CBA1, CBA2 & ESA areas We object because the site falls within mapped Critical Biodiversity Areas (CBA1/CBA2) and Ecological Support Areas. These areas require strict protection under the Western Cape Biodiversity Spatial Plan. Residential transformation is explicitly incompatible.	4.2 EAP response: There is no services pipeline in addition to the potable line. Listed activities dealing with the proposed development within 32m of a drainage line, are included in the pre-application draft BAR. It will eventually form part of the application of authorisation to DEA&DP. Potential impacts on hydrological patterns and increased erosion risk were considered by the specialist. 5.1 EAP response: The comment is noted. The site was assessed and mapped by a specialist and the occurrence of CBA and ESA areas recorded. CBAs are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. The management objective for this CBA is as follows: Maintain in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate. The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (Appendix G9B) confirms that the 3.89 ha residential development site is located mostly outside mapped CBA and ESA areas. A narrow CBA1 strip occurs along the coastal side of the site and a small ESA1 area extends into the site from the North; no CBA2 area is mapped within the residential site. The affected CBA1 and ESA1 areas are previously disturbed, transformed or heavily invaded, while the primary coastal CBA1 area is largely excluded from the

		5.2 Endangered ecosystems present on site We object to the destruction of Overberg Dune Strandveld and De Hoop Limestone Fynbos, both endangered ecosystems. Their transformation constitutes irreversible biodiversity loss and contravenes NEMBA ecosystem protection provisions. 5.3 Ecological corridors fragmented by roads and erven	development footprint. The specialist concludes that no intact CBA or ESA habitat will be affected by the residential footprint and assesses the residual terrestrial biodiversity impact as Very Low. The associated pipeline and reservoir traverse natural CBA1, CBA2 and ESA1 habitat but were assessed separately, with a Low residual impact after mitigation. 5.2 EAP response: The new assessment acknowledges that Overberg Dune Strandveld remains legally listed as Endangered. However, the SANBI 2024 vegetation map now maps the relevant area as Southwestern Strandveld, assessed by SANBI as Least Threatened, although this revision has not yet been incorporated into the gazetted ecosystem list. Field verification found that the original Strandveld vegetation within the residential site has been lost through transformation and alien invasion. Remnant De Hoop Limestone Fynbos and 35 individuals of the Endangered plant species *Erica oblongiflora* occur on the site; however, the layout avoids most of these plants and a substantial proportion of the suitable habitat. The residual impact on the plant species is assessed as Low and the residual terrestrial biodiversity impact as Very Low, subject to the prescribed mitigation. The specialist findings therefore do not support the conclusion that the proposal will result in significant irreversible destruction of these ecosystems.

		We object to the fragmentation of ecological corridors by internal road networks and plot layout. The proposed design disrupts ecological connectivity and undermines the corridor recommended by the botanical specialist. OBJECTION SET 6 — HERITAGE & ARCHAEOLOGY 6.1 Archaeological assessment from 2010 is invalid We object to the reliance on a 2010 archaeological assessment, which no longer meets the 5-year validity requirement under NHRA protocols. A fresh Phase 1 archaeological survey is mandatory but missing. 6.2 Heritage features present — buffers inadequate We object because heritage-sensitive features (including middens and historic structures) require protection buffers far exceeding those proposed. The layout is inappropriate given confirmed archaeological and heritage importance.	5.3 EAP response: The potential effects of hardening and loss of open space on ecological connectivity are acknowledged. The revised layout avoids the drainage line, coastal slopes and a significant portion of the remaining Limestone Fynbos. A 40 m ecological corridor, extending 20 m on either side of the drainage line, will be retained as a no-go area, together with open spaces in the North-Western portion of the site. Although connectivity between these areas is constrained by a relatively narrow corridor along the Western boundary, the retained corridor and open spaces, avoidance of unnecessary barriers to faunal movement, alien clearing and rehabilitation will reduce fragmentation and support ecological functioning. Development must remain within the assessed footprint and all specialist mitigation measures must be implemented. 6.1 EAP response: The Archaeological assessment from 2010 remains valid. Management and mitigation is included in the EMPr. 6.2 EAP response: Please note that HWC has confirmed their support on the proposed development, as well as recommended buffers. Refer to the below chronological events & inputs from HWC to date: • **September 2010 – Heritage Statement:** The assessment concluded that the site's heritage significance, excluding potential

			archaeological resources, was low. The principal considerations related to visual impacts, the coastal edge and possible archaeological resources. Mitigation included an approximately 8 m landscaped setback along the main access road, retention of natural open-space corridors and buffers, and further archaeological testing. • **2 December 2010 – HWC Final Comment:** HWC endorsed the findings and recommendations of the Heritage Statement and Archaeological Impact Assessment. HWC confirmed that the development could proceed, subject to Phase 2 archaeological work, monitoring of all bulk earthworks and submission of a monitoring report. • **13 June 2012 – HWC Decision:** Following archaeological excavations, HWC again confirmed that the development could proceed. Conditions included radiocarbon dating of material from sites CI03 and CI18, monitoring of all bulk earthworks and submission of a monitoring report. • **12 December 2012 – HWC Final Excavation Decision:** After considering the final excavation results, HWC confirmed that no further archaeological studies were required and that the archaeological mitigation requirements had been concluded, subject to the continuing monitoring and reporting requirements.

			• **21 April 2017 – HWC Confirmation of Amended Layout:** HWC assessed the reduction from 24 to 21 erven and the associated minor access amendments. HWC confirmed that its 2 December 2010 decision remained applicable, that the deviations would have no heritage impacts and that the development could continue, subject to the existing archaeological conditions. • **31 October 2024 – Heritage Specialist Confirmation:** The original heritage specialist reviewed the further revised layout, including changes to Erven 14–16, the internal road and footpath. The specialist confirmed that the applicable setbacks and protected areas remained unchanged and that the amendments would not affect identified heritage resources. • **9 March 2026 – Latest HWC Confirmation:** HWC reviewed the revised SDP and formally confirmed that it was substantially in accordance with its approvals dated 2 December 2010, 13 June 2012 and 21 April 2017. HWC concluded that no further action under section 38 of the NHRA was required at that time, subject to radiocarbon dating of material from CI03 and CI18, monitoring of all bulk earthworks and submission of the monitoring report. It should however be noted that the radiocarbon dating has been completed and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation

			related to this requirement will be requested from HWC during subsequent public consultation periods. Accordingly, the heritage process has remained transparent and iterative. The original assessment has not been relied upon in isolation: subsequent investigations, layout amendments and specialist inputs were repeatedly referred to HWC for consideration. HWC's latest confirmation, dated 9 March 2026, demonstrates that the current proposal remains substantially consistent with the previously assessed development and that no heritage-related fatal flaw has been identified.
		OBJECTION SET 7 — TRAFFIC & ACCESS 7.1 Traffic data from 2016 is obsolete We object to the use of 2016 traffic counts in 2024/2025. TRH17 and TMH16 require current traffic data. Seasonal tourism traffic, emergency access, and cumulative load have not been assessed. The TIS is invalid.	7.1 EAP response: The specialist was queried on the need for an updated TIA in 2019 and 2023. The addendum to the TIA (dated 14 March 2023) concluded: *Based on the location of the subject property, the traffic and activity in the vicinity thereof, and the information received, it is the opinion that the Conclusions and Recommendations made in the latest TIS for the proposed residential development on the subject property (prepared by this company, Ref: iCE/B/960, 4 May 2016) remains applicable.*
		7.2 Access points not secured	7.2 EAP response: The municipal approval process is ongoing and will be finalised only once the NEMA process has been concluded.

		We object because the development depends on access arrangements that are “subject to municipal agreement,” meaning access is not legally or practically secured. Applications cannot be approved with unresolved access rights. OBJECTION SET 8 — STORMWATER & INFRASTRUCTURE 8.1 Stormwater design inconsistent with freshwater findings We object to the stormwater management plan, which proposes infiltration, soakaways, and discharge into drainage lines — directly contradicting the freshwater specialist’s sensitivity mapping. This creates erosion and hydrological alteration risks. OBJECTION SET 9 — POLICY & SDF NON-COMPLIANCE 9.1 Misrepresentation of Swellendam SDF 2020 We object to the misrepresentation of the 2020 Swellendam SDF. Infanta is a constrained rural node with no designated urban expansion. The development contradicts SDF directives, which emphasise environmental protection over densification. 9.2 SPLUMA principles not met	8.1 Gideon Pepler response: The only expected deviation, from the existing status quo, is the segmented paving road surface. The area currently drains into the existing drainage lines. The Reno Mattresses will serve as an energy dissipating structure as well as to spread stormwater flow over a 3m wide area thus preventing/minimizing erosion. 9.1 Dave Saunders response: Factually incorrect. The proposal is aligned with the SDF.

		We object on the basis that SPLUMA principles are not met — especially sustainability, efficiency, and spatial resilience. Water security, environmental sensitivity, and infrastructure constraints prevent compliance with SPLUMA Section 7. OBECTION SET 10 – PROPOSED WASTE WATER TREATMENT PLANTS 1. High-Risk Location for Ground & Surface Water Pollution According to the freshwater specialist, the watercourse running through the site is ephemeral and highly sensitive to hydrological change, and any alteration caused by treated effluent or stormwater contamination may cause habitat deterioration. Even they acknowledge that changes in stormwater and wastewater inputs could "change the nature of the system" and degrade the habitat quality (Freshwater study) . The site sits on porous limestone and dune sands. These soils offer minimal natural filtration, meaning that failure, leakage, or improper maintenance of one or more individual plants could rapidly lead to contamination of: • the watercourse within the site • the dune aquifer	9.2 Dave Saunders response: The objector provides no indication as to why they believe that principles of SPLUMA have not been met. The statement is therefore incorrect. 10.1 Lian Roos response: The groundwater in the area is currently under low stress, and the planned abstraction for the development falls well within sustainable and authorised limits; however, monitoring will still be required to assess impacts on surrounding groundwater users. For further details, refer to Sections 9.4 and 9.5 of the Hydrogeological Report.

		• downstream seepage toward the Breede River Estuary (a protected system) The hydrological baseline notes that the aquifer is already under pressure, with exceedances in water quality and susceptibility to seawater intrusion (Hydrogeology section). Introducing a dense cluster of 21 separate household treatment systems into such a sensitive groundwater environment magnifies the cumulative risk substantially. 2. No Centralised System – 21 Individual Plants = 21 Points of Failure The proposal avoids a central WWTW entirely and instead installs one small package plant per erf, treating ±640L/day each (Engineering/Services Report) . This creates multiple unresolved problems: (a) No municipal oversight capacity Swellendam Municipality does not operate, monitor, or maintain such dispersed systems in remote coastal villages. Oversight will depend on individual homeowners—many of whom will be absent for most of the year. (b) Package plants require constant power, maintenance & technical monitoring Individual household plants require:	10.2 Gideon Pepler response: This significantly reduces risk since if there is a failure with one system, it is a very limited amount of effluent that is compromised. Even in the unlikely and most extreme event where more than one system fails, there is no one central point of pollution. Central points of pollution are well documented about the disaster it creates downstream. The latest Green Drop reports speak volumes about this. (a) No municipality has oversight over the workings of septic tanks, or that conservancy tanks are not leaking / being punctured to save on the cost of pumping. There is no oversight on the pumping of conservancy tanks. The proposed wastewater treatment plants significantly reduce the risks, compared to septic systems or leaking and overflowing conservancy tanks. In addition to the above, Swellendam municipality does not have the capacity to service conservancy tanks either. This means that

		• constant electrical supply (loadshedding?) • specialist servicing • sludge removal • pump and aerator maintenance • chemical balancing Infanta is a remote village with limited service availability. The probability of homeowner neglect is extremely high.	conservancy tanks will overflow, discharging raw sewage into the environment. (b) There had hardly been any loadshedding for 2 years now. Besides, the Fusion® system proposed in the Engineering / Services Report had been tested by the NSF to go for up to 24 hours without electricity and effluent still complied. Central systems also require specialized servicing. The Fusion® needs a service once every six months only, and the homeowners will enter an SLA with a service provider to do such. There are cases, however, where Fusions were in use for years without servicing and without failure. Sludge removal is also relevant for central treatment plants. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit. There are no pumps in the system and the aerator's diaphragms needs replacing only every 4 years, as part of the servicing. Again, any manmade machine will need maintenance, including that of a central system. Fusion®'s maintenance is the lowest of all systems on the market. There are no chemicals used in the system.

			The Fusion® system is equipped with and Early Warning System that monitors the workings of the plant. In the event of failure, the EWS will notify the user. Remote monitoring is available as an optional extra. No other system on the market comes standard with EWS.
		(c) Any malfunction can cause untreated or partially treated sewage discharge Given the high water table and porous sands, even a small failure would result in direct infiltration into the aquifer or watercourse. The freshwater specialist explicitly warns that mismanaged wastewater could pollute the watercourse(Freshwater report) .	(c) The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution.
		3. Proposed Effluent Disposal Methods Are Incompatible with Site Sensitivity The developers state that treated effluent will be used for: • toilet flushing, and • irrigation, or • discharge into underground soak-aways (Engineering/Services Report) . However: (a) Irrigation of dune fynbos with treated effluent is ecologically harmful	10.3 Lian Roos response: a) No irrigation with treated effluent is proposed for this development b) It is important to consider that the proposed soakaways will receive effluent from a wastewater package treatment plant, which treats sewage to standard limits before discharge. Gideon Pepler response: (a) It is not proposed to irrigate on Fynbos. The effluent will be enough to irrigate a 150m² patch of grass. A central system will create a problem with sufficient irrigation area. SLM can probably investigate, over the long run, to create an oxidation pond system or reedbeds for the larger Infanta

		Many indigenous fynbos species are intolerant of nutrient enrichment (nitrogen, phosphates). Even “clean” treated effluent contains enough nutrients to alter soil chemistry, favour alien vegetation, and degrade the conservation-worthy Limestone Fynbos—acknowledged as irreplaceable and containing critically endangered species (Botanical Study) . (b) Soak-aways in porous limestone guarantee rapid infiltration Soak-aways are unacceptable in an area where: • groundwater already exceeds SANS drinking standards • boreholes are in use directly adjacent to the development • dune sands provide little attenuation The freshwater specialist emphasises that changes in hydrology or pollution would degrade the sensitive corridor ecosystem. 4. Flood Line Concerns: System Placement Risks Although the freshwater specialist notes that “septic tanks must be located outside of the 1:100-year flood line” (Freshwater report) , the layout places numerous erven immediately adjacent to the mapped watercourse, raising concerns that the minimum buffer is insufficient. Even a flood below 1:100 would spread contaminants downstream.	10.4 Gideon Pepler response: These are no septic tanks.

		5. No Cumulative Impact Assessment for 21 WWTW Units The EIA appears to treat wastewater impacts as if arising from a single system. There is no cumulative modelling of: • total nutrient load • groundwater plume movement • combined effluent volumes from 21 plants • long-term effects during peak season population spikes The freshwater specialist repeatedly flags concerns about hydrological change and pollution, confirming that the system is exceedingly sensitive to input changes. 6. Wastewater Plan Fails to Consider Load-Shedding and Power Instability Package plants cannot operate without power—a frequent occurrence in this remote region. Power failure = untreated sewage. Untreated sewage in porous dune sands = immediate contamination. No backup power systems are specified, nor are they enforceable.	10.5 EAP response: There are 20 planned Maskam package plants as part of the preferred Alternative. The existing house has an existing septic tank system. This comment is a repeat and has been previously addressed. 10.6 Gideon Pepler response: There has hardly been any loadshedding for 2 years now. Besides, the Fusion® system proposed in the Engineering / Services Report had been tested by the NSF to go for up to 24 hours without electricity and effluent still complied. There are no pumps in the system and the aerator's diaphragms needs replacing only every 4 years, as part of the servicing. Again, any manmade machine will need maintenance, including that of a central system. Fusion®'s maintenance is the lowest of all systems on the market. The system uses only 60 watts of power, which makes the supply of backup

			power extremely easy. The system can even run completely off solar power, as is the case at De Hoop Nature Reserve.
		7. Inconsistency With “Precautionary Principle” Under NEMA Given the: • critically endangered flora • sensitive dune aquifer • proximity to the estuary • highly porous geology • known groundwater contamination issues • proliferation of individual mechanical systems	10.7 EAP response: The Precautionary Principle requires, where scientific uncertainty exists, protective measures must be taken to prevent serious or irreversible environmental damage. Scientific uncertainty relates to specialist studies for the proposed development, impact assessment and mitigation development. There are no gaps in knowledge, uncertainties linked to specialist studies for the proposed development, thus the precautionary principle has been applied adequately.
		CLAIMS WITHIN THE PROPOSAL WE OBJECT TO: 1. Draft Basic Assessment Report (Draft BAR, Nov 2025) 1.1 Significance ratings artificially reduced by “mitigation” Consultant claim: Many medium–high impacts (on groundwater, coastal processes, freshwater, heritage, sense of place) are rated low after mitigation, with the BAR relying heavily on generic EMPr measures.	1.1 EAP response: Potential impacts are identified and assessed by specialist input, mitigation developed and the mitigation included in the EMPr. Ratings per impact are re-assessed post mitigation. Implementation of EMPr mitigation is not assumed. The EMPr allows for ECO and external audit oversight to ensure implementation of mitigation and corrective measures where required.

		Comment for submission: The Draft BAR consistently downgrades potentially significant impacts (groundwater contamination, coastal processes, freshwater, heritage and landscape character) to "low" solely through the assumption that generic EMPr measures will be perfectly implemented. No evidence is provided that these mitigation measures are realistic, enforceable, or capable of addressing the high sensitivity context of Cape Infanta. In line with the NEMA precautionary principle and the DFFE Screening Tool's identification of very high sensitivity features, these impacts should remain at least medium (and in some cases high) significance even with mitigation, and the decision-maker should not accept speculative reductions in impact ratings. 1.2 Understatement of development density and character change Consultant claim: The BAR repeatedly frames the proposal as "limited", "low-key" or "in keeping with the character" of Infanta. Comment: The BAR materially understates the intensity and permanence of the proposed change. A 21-unit estate style development with shared infrastructure, borehole abstraction and a formalised road system is a step-change from the current low-intensity, largely natural/agricultural	Development of mitigation measures is based on specialist expertise and experience, industry best practice, EAP experience and expertise. There is no requirement under the NEMA precautionary principle and the DFFE screening tool that significance rating should remain or be at a certain level. That is the reason specialists are brought in to assess pre- and post-mitigation. The EAP will present the final proposal with associated impacts ratings and mitigation (EMPr) to DEA&DP for decision making. 1.2 EAP response: No such claim of "limited" or "low-key" or "in keeping with the character" is made in the draft BAR.

		setting. It will introduce permanent hardening, increased traffic, noise, lighting and visual clutter. The conclusion that this is a "low-key" development compatible with existing character is not supported by any rigorous visual or sense-of-place assessment and should be rejected. 1.3 Failure to consider a true "no development / down-scaled" alternative Consultant claim: The BAR presents Alternatives 1–3 as demonstrating reasonable consideration of options, then favours the "preferred layout". Comment: The alternatives assessment is procedurally inadequate. All three layouts assume a 21-unit development and differ only in internal configuration. There is no genuine consideration of a "no development" or substantially down-scaled option that would avoid, rather than simply "manage", impacts on groundwater, freshwater systems, and coastal processes. This contravenes the NEMA requirement to consider reasonable and feasible alternatives, including those that avoid impacts rather than relying on mitigation. 1.4 Cumulative impact with existing borehole abstraction and septic systems	1.3 EAP response: Only reasonable and feasible alternatives are presented for consideration. The No Go alternative represents the no development alternative and is also assessed in the BAR. 1.4 EAP response: The groundwater assessment includes a hydrocensus which considers existing use from existing boreholes in the area.

		Consultant claim: The BAR treats the development as a largely self-contained scheme and implies cumulative impacts are acceptable. Comment: The cumulative assessment is superficial and fails to account for existing pressures from borehole abstraction, french drains/septic systems and holiday-home peak season usage in Infanta. The hydrogeological study and septic risk assessment themselves record saline and bacteriological contamination in local boreholes, indicating an already stressed aquifer system. Treating the proposed additional abstraction and 21 new septic systems as negligible is inconsistent with the specialist data and underestimates cumulative risk.	The misunderstanding that 21 septic tanks are planned should be noted. The possible use of septic systems such as in Infanta, was assessed in Appendix G5, however the proposed development will include 20 new package plants (one per house) as per the Civil Engineering report (Appendix G3). The geohydrological study (Appendix G2) states: *The quaternary catchments in which the study area falls is classified as category B which indicates low levels of stress in terms of abstraction/recharge (respectively). The resource is unstressed or slightly stressed. At this stage Classification is not directly linked to potential abstraction but is only indicative of the current situation.* The exceedances of Na and Cl are indicative of saline water which is associated with the Bokkeveld Group – which is a natural phenomenon and does not indicate contamination. The hydrocensus recorded E. coli in BH07 exceeds the acute health limit, and the Total coliform counts in BH05 and BH07 exceed operational limits. BH07 is located in Infanta (refer Appendix G2 Figure 4).

		1.5 Reliance on outdated or context-mismatched specialist work Consultant claim: The BAR treats all supporting specialist studies as current and sufficient. Comment: Several key specialist inputs (heritage, social, earlier hydro reports) draw heavily on work originally undertaken many years ago, with only partial updates. Environmental context, legislative frameworks, climate risk and development pressure have changed significantly since those earlier baselines. It is not adequate to “recycle” older work and attach an addendum – particularly in a highly sensitive coastal setting. The	 1.5 EAP response: Previous specialist reports were updated through amendments or specialist opinions on the preferred Alternative and the validity of their findings. Where required additional mitigation was proposed. Legislation changes over time were considered. It is acceptable to use older studies where they remain valid and not redo studies with the same findings or outcome and associated wasteful expenditure.

		decision-maker should require fully updated, site-specific specialist studies that reflect current conditions. 2. Planning Motivation Report – Nov 2025 (App G6) 2.1 Misinterpretation of spatial planning policy (SDF, coastal policies) Consultant claim: The development is said to be aligned with municipal SDF, coastal management and rural development policies, often by isolating general growth wording. Comment: The Planning Motivation selectively quotes higher-order planning documents to suggest broad support for development, while downplaying explicit directives on protecting sensitive coastal environments, groundwater-dependent systems and agricultural landscapes. The Infanta site sits within a highsensitivity coastal and groundwater context and directly adjacent to existing village infrastructure. The SDF and coastal policies emphasise restraint, consolidation and protection of ecological services in such locations, not new, intensive coastal edge development. The planning justification is therefore incomplete and misleading. 2.2 No justification for ignoring 100m coastal setback guidance	2.1 EAP response: The statement by the I&AP is factually incorrect The Planning Motivation report takes recent municipal planning, legislation and specialist findings into account. It is unclear what "explicit directives on protecting sensitive coastal environments, groundwater-dependent systems and agricultural landscapes" is downplayed in the report. Dave Saunders response: This is merely selective reference to certain aspect of the Swellemdam Spatial Spatial Development Framework. The SDF is very clear about the proposed use of the property. The Growth Management Plan for Infanta, which is an area specific policy plan for the area determines the land to be inside the urban edge and appropriate to accommondate development, subject to more detailed studies. This process is the basis for this application and these issues have been addressed in the numerous specialist studies that were undertaken as part of the EIA process. 2.2 EAP response:. The statement by the I&AP is factually incorrect. A new Coastal Setback Line Assessment / Specialist Coastal

		Consultant claim: Because a specialist setback line has been proposed, development within the 100 m zone is presented as acceptable. Comment: The Planning Motivation treats the coastal specialist's derived setback as automatically superseding the standard 100 m guideline. This is not correct. In a high-sensitivity area, development within 100 m of the HWM should be the exception and must be supported by compelling evidence that all risks (erosion, sea level rise, storm surge, ecosystem functioning) are negligible. No such robust climate-change coastal hazard assessment has been provided. The motivation therefore fails to justify deviation from standard coastal protection norms. 2.3 Downplaying of precedent and incremental urbanisation Consultant claim: The proposal is framed as a small, isolated development with little precedent risk. Comment: The planning report does not address precedent: approval of a 21-unit development on this property will inevitably be used to justify further	Engineering Assessment (July 2026) was commissioned specifically to undertake a comprehensive coastal hazard and setback assessment for the site. The new study does not simply adopt a reduced setback in place of the generic 100 m guideline; rather, it derives a site-specific Development Setback Line based on a detailed assessment of the physical coastal environment, long-term shoreline stability (39-year aerial and satellite analysis), coastal processes, projected climate change and sea level rise scenarios to 2100, storm surge and wave run-up modelling, topographical surveys, the 1:100-year flood line, and consideration of the Western Cape DEA&DP Coastal Management Lines. The specialist concludes that the recommended Development Setback Line appropriately accommodates current and future coastal hazards, including climate change and sea level rise, and ensures that all proposed development is located beyond the reach of anticipated coastal processes. The new specialist report therefore addresses the concerns previously raised regarding coastal hazards and provides the technical justification for the proposed setback. 2.3 Dave Saunders response: Precedent should not be a consideration in refusing an application. There is good precedent and there is bad precedent. The application must be considered on its own merits. Sight should not be lost of the fact that the SDF defines the proposed portion of land as appropriate for limited development.

		applications on adjacent agricultural/coastal land, leading to incremental urbanisation along this sensitive shoreline. NEMA requires cumulative and long-term consequences to be considered. The failure to grapple with the precedent effect renders the planning motivation inadequate. 3. Risk Assessment of Septic Tanks & Soakaways (App G5) 3.1 Groundwater already fails SANS 241 aesthetic limits and has bacterial contamination Consultant claim: With "properly designed" septic tanks and soakaways the risk to groundwater is manageable. What their own data shows: The risk assessment notes that groundwater at nearby boreholes already exceeds SANS 241 limits for conductivity/TDS and has elevated sodium, chloride, total coliforms and E. coli. Comment: The risk assessment acknowledges that existing groundwater already exceeds SANS 241 aesthetic limits and that E. coli and coliforms are present, indicating faecal contamination. Despite this, the report concludes that adding 21 additional septic systems presents an "acceptable" risk. This conclusion contradicts its own baseline data and ignores the precautionary principle: in an already compromised aquifer, any additional source of nutrient and pathogen load is high risk and should not be authorised.	3.1 Gideon Pepler response: These are not septic tanks. The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy/septic tanks will cause pollution.

		3.2 Over-reliance on theoretical separation distances & “proper maintenance” Consultant claim: Risks are rated low based on assumed separation distances, design standards and regular maintenance. Comment: The risk ratings are based on idealised assumptions: perfect tank construction, installation exactly as designed, and ongoing inspection and maintenance by each private owner indefinitely. Experience across South Africa demonstrates that septic tanks and soakaways in small coastal settlements are rarely maintained at this standard. The assessment does not consider failure modes, ageing infrastructure, or poor user behaviour. It is therefore unrealistic, and its “low risk” conclusions are not robust. 3.3 No realistic contingency for failure, climate or cumulative loading Consultant claim: Mitigation via generic EMPr measures is sufficient. Comment: There is no realistic contingency plan for system failures, flooding of soakaways during extreme rainfall, or increased loading during peak holiday seasons. In a shallow, fractured, saline-prone aquifer discharging towards both the Breede estuary and the ocean, this is a serious omission. Until a reticulated, centralised wastewater system is provided, approving dense septic-based development here would be irresponsible.	3.2 Gideon Pepler response: These are no septic tanks. The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy/septic tanks will cause pollution. 3.3 Gideon Pepler response: A centralised system will not reduce the risk of a failure. If there is a failure with one system, it is a very limited amount of effluent that is compromised. Even in the unlikely and most extreme event where more than one system fails, there is no one central point of pollution. Central points of pollution are well documented about the disaster it creates downstream. The latest Green Drop reports speak volumes about this.

		4. Hydrogeological Study (App G2 + Geohydrological 2007 / Parsons reference) 4.1 Groundwater quality already unsuited for potable use without treatment Consultant claim: The planned use “falls within general authorisation” and groundwater abstraction is acceptable. What the report actually says: • Conductivity, TDS, sodium and chloride exceed SANS 241 aesthetic limits in all three hydrocensus boreholes. • E. coli exceeds acute health limits in BH07; coliforms exceed operational limits in BH05 & BH07. • The report explicitly states groundwater is not suitable as potable water without treatment and that exceedances are likely related to saline and faecal contamination. Comment: The hydrogeological report clearly shows that the local aquifer is already saline and bacterially contaminated, and explicitly states that the water is not potable without treatment. Despite this, the environmental application still proposes to rely on this resource for the new development. This is inconsistent with the specialist evidence and fails to protect Schedule 1 water users and basic human needs, as required by the National Water Act.	4.1 Lian Roos response: The groundwater is not suitable for direct potable use, which is why point-of-use treatment is proposed in the units. Planned abstraction remains within the general authorisation and sustainable yield.

		4.2 Treating the aquifer as a “minor system” while acknowledging local dependence Consultant claim: Because the aquifer is classified as a “Minor Aquifer System” requiring only a “medium level” of protection, acceptable risk is implied. Comment: The “Minor Aquifer System” classification is being misused to downplay local reliance on groundwater. The hydrocensus itself records boreholes supplying Infanta Park and multiple domestic/garden users, and even water sold to the municipality. These are exactly the kinds of Schedule 1 users the National Water Act requires to be protected. A “medium” protection level is not compatible with authorising additional abstraction and pollution sources that the specialist already flags as problematic. 4.3 Margin between yield and demand is narrow and highly assumption-dependent Consultant claim: The sustainable yield of BH134C (approx. 32.4 m^3/day) is comfortably above the planned demand (~23m^3/day). Comment: The claimed “comfortable” margin between sustainable yield and demand depends on a specific pumping regime, idealised recharge assumptions and ignores climate change and drought risk. The same report notes the potential concern of seawater intrusion and	4.2 Lian Roos response: Although the aquifer is classified as a “Minor Aquifer System,” this classification does not diminish its capacity to support local users. The proposed development’s abstraction falls within the sustainable yield and general authorisation, and treated water will be provided for potable use where required. With monitoring and responsible management, additional abstraction and the use of soakaways are unlikely to adversely affect existing Schedule 1 users. The supply of domestic water to the proposed development is Schedule 1 under the NWA, and is a protected right, and the volume falls within the ambit of a GA. 4.3 Lian Roos response: The proposed abstraction remains within the calculated sustainable yield of the borehole. The pumping regime and monitoring measures are designed to manage seasonal variability.

		recommends intensive monitoring and pump management. In this context, it is misleading to present the yield as unquestionably adequate. Any long-term over-abstraction or drought could compromise both the development supply and neighbouring users. 4.4 Evidence of saline intrusion and marine influence Consultant claim: With monitoring, seawater intrusion can be "managed". Comment: The report notes that groundwater in the Bokkeveld Group at Cape Infanta is "moderately saline" and attributes this to possible marine influence; EC values of 133–222 mS/m are recorded. This is already close to or beyond acceptable thresholds. Authorising a new, centralised abstraction for 21 houses in this context is extremely risky. Once seawater intrusion progresses, it is effectively irreversible on human timescales. 5. Freshwater Specialist Report (App G8) 5.1 Under-recognition of ecological importance of drainage lines / seeps Consultant claim: Drainage features on the site are characterised as low-significance or easily mitigated with buffers and "no-go" areas. Comment: The freshwater report underestimates the importance of local drainage lines and seep areas that function as pathways between the site, the Breede estuary and the coastal environment. In a region	4.4 Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels. 5.1 EAP response: This statement is incorrect. The consultant never makes this statement. The preferred alternative makes provision for a 40m ecological corridor (20m both side of the drainage line) catering for the watercourse and surrounding Overberg Dune Strandveld. The freshwater ecological report was compiled by a specialist with mitigation developed and incorporated into the EMPr.

		where the Screening Tool and site sensitivity verification identify high to very high sensitivity for aquatic systems, a precautionary stance is required. Hard surfaces, roads, and septic systems in close proximity to these features create a long-term risk of altered hydrology and contamination that simple buffer lines cannot fully mitigate. 5.2 No climate-change hydrological stress testing Consultant claim: Standard stormwater measures and buffers are sufficient. Comment: There is no climate-change sensitivity analysis of storm intensity, erosion risk or flood pathways. In a coastal catchment with shallow groundwater and sensitive estuarine receiving environments, not modelling future rainfall extremes is a significant omission. The decision-maker cannot accept assurances of "sufficient" mitigation in the absence of proper climate-robust design. 6. Botanical Impact Assessment (App G9) 6.1 Heavy reliance on older fieldwork and partial updates Consultant claim: Vegetation impacts are acceptable and can be mitigated within the footprint. Comment: The botanical assessment leans heavily on earlier surveys with only limited, targeted updates. Over a decade, coastal flora,	The increase of hard surfaces, the package plants on site, were considered by the specialist. 5.2 Lian Roos response: All the erven are situated outside the 1:100-year floodline. 6.1 EAP response: Comment noted. The previous Botanical Impact Assessment has been superseded by the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026 (Appendix G9B). The new assessment is based on a desktop review and a new site-specific field survey undertaken on 17 and 18 March 2026 to verify the current vegetation condition, habitat

		invasive species dynamics and threatened species status can change materially. The report does not convincingly demonstrate that all red-listed and conservation-important species have been recently and comprehensively surveyed across the full development footprint and alternative layouts. Without up-to-date field verification, any claim of "low" residual botanical impact is unsafe.	extent, species composition, alien invasive vegetation and occurrence of plant Species of Conservation Concern. The fieldwork included meander searches across the site, targeted searches within suitable habitats, GPS recording of identified sensitive species, georeferenced photographs, analysis of current and historical aerial imagery and ground-truthing of the habitat variability present. All plant species identified by the DFFE Screening Tool were assessed for their probability of occurrence, and 35 individuals of the Endangered species *Erica oblongiflora* were recorded. The specialist considers the survey timing suitable and confirms a high level of confidence in the identification and condition of the vegetation and sensitive species habitat. The updated impact ratings are therefore based on current field-verified conditions and the preferred development layout and associated water infrastructure, rather than reliance on the 2010 and 2012 surveys.
		6.2 Fragmentation and edge effects brushed aside Consultant claim: By clustering units and conserving some open space, botanical impact is minimal.	6.2 EAP response: No such consultant claim is made. The proposed layout is informed by specialist studies and design guidelines, and the botanical impact was assessed by a specialist and mitigation developed. This mitigation informed the SDP and the EMPr.

		Comment: The assessment downplays the effect of habitat fragmentation, edge effects (trampling, garden escapees, pets, lighting) and permanent disturbance arising from 21 houses, gardens and pathways. In a coastal landscape, even relatively small developments can disproportionately disrupt ecological processes and corridors. These indirect impacts are barely analysed and are not reflected in the final significance ratings. 7. Social Impact Assessment (2015 SIA, 2023 Addendum, Tables) 7.1 Outdated baseline and demographic context Consultant claim: The SIA remains valid with only minor updates and concludes overall positive socio-economic impact. Comment: The main SIA is based on a 2015 context, with only an addendum in 2023. Since then, there have been major socio-economic changes, evolving tourism patterns and increased awareness of climate and coastal risks. An SIA that largely recycles 2015 assumptions and does not engage with contemporary social vulnerabilities and equity concerns cannot be considered robust. The positive impact ratings are therefore questionable. 7.2 No serious consideration of distributional impacts and equity Consultant claim: Benefits (employment, municipal revenue) are presented as broadly shared.	7.1 EAP response: No such consultant claim is made. The SIA assessed the potential impacts associated with the proposed project, both positive and negative. 7.2 EAP response: This is a repeat of a previous comment and has been addressed.

		Comment: The SIA does not meaningfully address who benefits (largely non-resident holiday-home owners, consultants, contractors) versus who carries the long-term risk (local users dependent on groundwater, broader public who rely on intact coastal and estuarine ecosystems). Issues of environmental justice and equitable access to safe water and healthy ecosystems are not engaged with, contrary to NEMA principles. 7.3 Underplayed sense-of-place and tranquillity impacts Consultant claim: Impacts on "sense of place" are rated low to moderate. Comment: The SIA largely treats sense-of-place as a secondary concern, yet Infanta's value lies primarily in its natural, undeveloped character and rural tranquillity. A managed estate-style development with 21 units, formalised access, more vehicles and lighting will permanently alter this. The report's low significance rating ignores qualitative concerns expressed by I&APs and is not supported by a proper visual/landscape study.	7.3 EAP response: It is unlikely that the development will have significant visual impacts. Only 5 of the units will be double storey. Further no property has a right of view over another property. The units will be constructed in accordance with architectural guidelines and will not be contravening the sense of place of Infanta. Further, the SIA did assess the impact on the area's character and sense of place and provided recommendations. It should also be noted that although the current undeveloped sense of place associated with the site will change, the site is located within the urban edge in an area identified for future urban development.

		8. Traffic Impact Statement & Addendum (App G14A & G14B) + Roads Letters (App E2) 8.1 Capacity vs. character and safety of existing access roads Consultant claim: Traffic volumes generated are low and existing roads are adequate. Comment: The traffic work focuses mainly on numerical capacity and LOS, but neglects issues of road safety, road standard (narrow, gravel/sand, poor sight distances), pedestrian use, and the character of a small coastal settlement. "Low additional trips" can still be highly significant on fragile local roads not designed for frequent construction vehicles, service trucks and increased visitor traffic. The conclusion of "no significant impact" is therefore incomplete. 8.2 Construction traffic impacts under-assessed Consultant claim: Construction traffic is temporary and acceptable with generic measures. Comment: There is no quantified analysis of heavy-vehicle movements during construction, nor of potential road damage, dust, safety risks and noise along the full access route. In a small, environmentally sensitive settlement, extended construction can be extremely disruptive. Without proper construction traffic modelling and mitigation plans (including timing restrictions, road upgrades and rehabilitation guarantees), impacts cannot be considered low.	8.1 EAP response: The TIA assessed the road infrastructure, the current and projected traffic attributed to the proposed development, and proposed mitigation which was included in the EMPr. 8.2 EAP response: The SIA assessed the potential noise, dust and safety impacts associated with construction vehicles. Construction traffic is associated with the construction phase. Mitigation developed was incorporated in the EMPr.

		9. Civil / Services Engineering (G3, G4, E3, E4) 9.1 Over-optimistic assumptions about Eskom capacity and resilience Consultant claim: Letters from Eskom / electrical engineer suggest the network can accommodate the development. Comment: Capacity confirmation letters typically only state theoretical spare capacity at a point in time; they do not guarantee supply quality, resilience under peak demand, or protection from future load curtailment. In a remote coastal settlement with known supply challenges, the mere existence of spare capacity does not equate to environmental acceptability. The EIA should have considered the environmental implications of backup generators, battery systems or additional infrastructure that may become necessary. 9.2 Stormwater design not demonstrated at detailed, climate-robust level Consultant claim: Standard stormwater management will avoid erosion and pollution. Comment: The civil report does not provide detailed stormwater modelling for extreme rainfall events under climate-change scenarios. Runoff concentration from roofs, paved areas and roads into sensitive	9.1 EAP response: capacity letter from Eskom attached as Appendix E3. Additional energy supply proposed from solar panels. 9.2 Gideon Pepler response: Most of the roof water will be harvested for human consumption. The segmented paving road surfaces will partially absorb rainwater, and the balance will be channelled to the two outlet Reno Mattrasses structures. The effective post development rainwater runoff is insignificant small and do not justify a specific modelling exercise.

		drainage lines and towards the estuary is a critical risk. Without rigorous modelling, the claim that stormwater impacts are low is speculative. 9.3 Solid waste management letter too high-level Consultant claim: Municipal / private systems can easily handle additional waste. Comment: The solid waste letter is a broad statement of capacity and does not engage with practical realities: increased waste during peak holiday occupancy, risks of illegal dumping during construction, or the impacts of transporting waste along the existing road network. No binding commitments, monitoring or contingency measures are proposed. This is not sufficient for a high-sensitivity environment. 10. Heritage & Archaeology (G11A, G11B, G12 + HWC Letter) 10.1 Heavy reliance on dated surveys and incomplete field verification Consultant claim: All heritage resources have been adequately surveyed, with no fatal flaws. Comment: The heritage and archaeological studies rely in part on earlier surveys and rapid site inspections. In a coastal and estuarine context, where shell middens, burial sites and historical features can be obscured or newly exposed, this level of survey is insufficient. There is	9.3 Gideon Pepler response: The development is required to create a waste station. If the existing municipal waste station does not have sufficient capacity a SLA must be agreed between the HOA and SLM for collection at the development's waste station. 10.1 EAP response: The "consultant claim" is incorrect. The specialist conducted test excavations on Erf 134. An earlier survey revealed a number of similar sites with three of those discovered appearing to merit further examination. The 2011 report describes the further work and makes recommendations towards the EMPr. The requirement for Radiocarbon dating for material from CI03 and CI08, was included as condition of approval in the Draft BAR. This

		no indication of systematic test-pitting or detailed mapping across the full development footprint and service corridors. The conclusion that heritage risk is low is therefore not adequately supported. 10.2 Visual / sense-of-place heritage not properly integrated Consultant claim: Built-form guidelines will maintain heritage character. Comment: Heritage is treated largely in terms of physical archaeological artefacts, with limited attention to the broader cultural landscape, views, and sense of place that constitute heritage significance for Infanta. The architectural guidelines are not a substitute for a proper visual and landscape heritage assessment that demonstrates how 21 new dwellings and associated infrastructure will affect key views and the coastal cultural landscape. 11. EMPr (App H) 11.1 EMPr is generic and not enforceably linked to approvals Consultant claim: The EMPr will adequately manage all impacts. Comment: The EMPr is largely generic, with many “where possible”, “should” and “recommended” clauses rather than clear, binding, measurable conditions. There is also no clear mechanism linking EMPr obligations to the actual landowners and body corporate over the life of the development. Without enforceability, dedicated budgets and	requirement was completed in 2012 and is contained in Appendix G12 under the 2012 Addendum. 10.2 EAP response: This is a repeat of a previous comment that has been addressed. Note the proposed development is for 20 new houses. There is an existing house on site that will remain. 11.1 EAP response: The “consultant claim” is incorrect. The EMPr is designed to manage and mitigate impacts associated with the proposed project. It is based on input from specialists and the EAP and is not generic. It allows for ECO / ESO and external independent audits, and oversight by the CA.

		independent auditing, the EMPr cannot be relied upon to reduce impact significance. 11.2 No clear penalties or stop-work triggers Consultant claim: Monitoring and reporting will prevent serious environmental harm. Comment: The EMPr contains no specific stop-work triggers, penalty regimes or legally binding response actions if thresholds are exceeded (e.g. groundwater contamination, erosion, heritage finds). As a result, it functions more as guidance than a compliance instrument. In such a sensitive setting, robust compliance mechanisms are essential and are currently absent. 12. Screening Tool, Sensitivity Verification & Setback (Apps I, K, D1, D2, G7A/B, WULA Summary M) 12.1 Ignoring the overall high sensitivity "flag" of the Screening Tool Consultant claim: Because site-specific studies were done, the high sensitivity ratings can effectively be downgraded. Comment: The DFFE Screening Tool and sensitivity overlays identify high to very high sensitivity for biodiversity, aquatic and coastal features on and around the site. The application treats specialist reports as if they conclusively negate these flags. In reality, several specialists	An EMPr is authorised as part of the project proposal and is enforceable over the construction and operational phases of the proposed project. 11.2 EAP response: The "consultant claim" is incorrect. Section 12 of the EMPr deals with Compliance with Environmental Requirements. It indicates possible offences and penalties associated with it. The EMPr allows for stop work orders by the ESO and ER should there be any contraventions with the EMPr. 12.1 EAP response: The "consultant claim" is incorrect. The DFFE screening tool (2025) indicates very high sensitivity for Aquatic Biodiversity Theme and Terrestrial Biodiversity Theme. There is no theme for coastal features. Specialist reports were identified and completed, assessing possible impacts and developing mitigation.

		confirm heightened sensitivity (e.g. saline, contaminated aquifer; fragile coastal environment; drainage features). The proper application of the Screening Tool is to heighten caution and scrutiny, not to provide a tick-box to down-rate sensitivity. 12.2 Coastal setback arguments not integrating climate-change and extreme events Consultant claim: A site-specific setback line is adequate and safe. Comment: The setback reports and letters do not demonstrate robust modelling of sea level rise, erosion, storm surge and estuarine dynamics under climate-change scenarios. In the absence of such analysis, any claim that permanent structures closer than 100m to the HWM are safe is speculative. The precautionary principle, coupled with the Screening Tool's high sensitivity flags, supports maintaining (or increasing) the standard setback, not relaxing it. AREAS OF NON COMPLIANCE WITHIN THE PROPOSAL: ANNEXURE A – NEMA & NEMA EIA REGULATIONS A1. NEMA Section 2 – Precautionary Principle & Duty of Care Law / Principle:	All recommendations or mitigation by specialists informed the application in various ways, through design, through inclusion as an authorisation condition or in the EMPr. 12.2 EAP response: The "consultant claim" is incorrect. The setback line was designed and reviewed by a specialist with industry knowledge, industry acceptable modelling techniques, full knowledge of legislative requirements and with the precautionary principle in mind. This then informed the design and application. A1. EAP response: This statement is incorrect. The application is based on assessment of potential risk, mitigation of those impacts, influence on design and development of an EMPr (construction and operational phases). - the hydrological study identified these elements as part of the hydrocensus. It does not affect the proposed development.

		NEMA s2(4)(a)(vii) – where there is risk of serious or irreversible damage, lack of full scientific certainty may not be used as a reason for postponing measures to prevent environmental degradation. Evidence from reports: • Hydrogeological study records saline, bacterially contaminated groundwater (EC/TDS exceed SANS limits, coliforms and E. coli present). • Septic tank risk report still recommends 21 septic tanks in a shallow coastal aquifer, relying on "proper design and maintenance" and historic anecdote. • Freshwater & BAR acknowledge sensitive drainage lines and a need for 40 m ecological corridors, yet roads and services still dissect the system. How this shows non-compliance: The specialist reports together show a high-risk groundwater and freshwater environment that is already marginal and contaminated, but the application proceeds on optimistic assumptions that all systems will work perfectly and that mitigation will be sufficient. This is the opposite of a precautionary approach. In terms of NEMA Section 2, the decision-maker must refuse authorisation where significant risk to groundwater, estuarine and coastal ecosystems is evident and cannot be removed with certainty. A2. NEMA EIA Regs – Regulation 13 (Current, Site-Specific Information) Law:	- the preferred sewage treatment option is the installation of 20 package plants. The existing house will remain on a septic tank. - no roads dissect the 40m buffer for the drainage line. The potable line is within the regulated area and forms part of the WULA. The walkway is within the regulated area of the drainage line and forms part of the WULA. The precautionary principle has been applied in the design and placement of all elements within the regulated area of the drainage line and the 40m buffer zone. The misconception re the precautionary approach is noted. The precautionary approach does not necessarily require the avoidance of development – it requires the assessment of the potential impacts and the development of the proposal with the least possible remaining impacts post mitigation. A2. EAP response: This is a repeat of a previous comment that has been addressed.

		Reg 13 requires that specialist reports be based on current information and conditions. Evidence: • Septic risk assessment letter: 11 September 2020, relying heavily on 1990s literature. • Hydrogeology references multiple older studies (1999, 2006, 2012), with only partial 2024/25 updating. • SIA 2015 + addendum; traffic 2016; archaeology 2010; coastal setback 2010/2012 – all older baseline work reused in a 2025 application. Non-compliance statement: The application relies on specialist inputs that are 5–15 years out of date for key themes (social, traffic, archaeology, coastal hazard, early hydro work). Under Regulation 13, these cannot be treated as current, site-specific baselines for a 2025 decision. The use of outdated studies is a procedural and substantive defect that alone justifies refusal or at minimum a directive to redo the assessment with current data. A3. NEMA – Inadequate Alternatives Assessment (Reg 19 & NEMA s2(4)(b)) Law: Reasonable and feasible alternatives, including the “no development” alternative, must be considered.	A3. EAP response: This is a repeat of a previous comment and has been addressed. Please refer to Section H of the Draft BAR for alternatives discussion & layout evolution. The key changes between Alternative 3 (the preferred alternative presented in the first DBAR) and Alternative

		Evidence: • BAR presents layout Alternatives 1–3 – all with 21 erven; only road and erf arrangement differ. Non-compliance: The BAR does not consider a lower-density alternative, a conservation servitude option, or a genuine “no development” scenario that would avoid impacts. This is not a compliant alternatives process under the EIA Regulations and NEMA’s requirements to first avoid, then minimise impacts.	4 (the new preferred alternative presented in the second DBAR) are as follows: Alternative 4 retains the 21 residential erven proposed under Alternative 3 but introduces minor revisions to the internal road network, erf sizes and potable-water pipeline route. BOCMA requested that the pipeline remain outside the MR268 servitude area to prevent road maintenance activities from damaging the pipeline. The pipeline alignment was therefore shifted to accommodate this request. The two access roads remain largely unchanged. Most of the residential erven have been enlarged, with their combined area increasing from approximately 11 305m² to 13 406m². The preferred layout also formalises approximately 1.1ha of Natural Environment Zone, refines the ecological corridor and more clearly depicts and responds to the updated coastal development setback, the Coastal Management Line and the high-water mark. The public open-space area and proposed disabled-friendly coastal walkway are also depicted in greater detail. In addition, the stormwater outlet structures within the 40m freshwater ecological corridor have been added to the layout. The existing gross density of the town is approximately 10 units/ha. Proposed gross density of the development is 5,4 units/ha. The development is considered medium density, not high density. The No

			go alternative is assessed as part of the BAR. Approximately 1.1ha of the 3.89ha development will be set aside for conservation.
		ANNEXURE B – NATIONAL WATER ACT (NWA) B1. Section 19 – Duty of Care to Prevent Water Pollution Law: Any person who causes, has caused or may cause pollution of a water resource must take all reasonable measures to prevent such pollution. Evidence: • Hydrogeological study: groundwater in local boreholes fails SANS 241 aesthetic and microbiological standards (salinity, EC/TDS, coliforms, E. coli). • Septic risk report nonetheless motivates septic tanks with soakaways for 21 erven. Non-compliance: Proceeding with 21 septic tanks in a shallow, already compromised aquifer cannot be reconciled with the NWA Section 19 duty of care. The reports themselves show existing pollution; adding further point sources is contrary to this duty.	B1. EAP response: Section 19 of the NWA is noted. The person who owns, controls, occupies or uses the land in question is responsible for taking measures to prevent pollution of water resources. Potential pollution sources (on surface and subsurface) were identified as part of specialist studies. The proposed SDP includes a buffer zone for the drainage line inside which no package plant may be placed. Discharge of treated effluent from package plants must comply with GA standards and be authorised with BOCMA, who has oversight. The EMPr includes measures to manage and mitigate waste and other possible pollution sources. The groundwater quality referred to in these boreholes is not caused by the proposed development. It is water quality that was tested, as part of the hydrocensus, in some boreholes within 1km of the proposed development. The proposed sewage management system is package plants and not septic tanks. There is one existing septic tank at the existing house, and this will remain. Each of the 20 new houses will have a package plant. This is a repeat of a previous comment that has been addressed.

		B2. Section 21(c), (g) & (i) – Water Uses Requiring Authorisation Law: • s21(c): impeding or diverting the flow of water in a watercourse • s21(g): disposing of waste that may detrimentally impact a water resource • s21(i): altering the bed/banks/character of a watercourse Evidence: • Freshwater and BAR confirm a mapped stream/drainage line crossing the site; water and sewer services and roads traverse this system. • Septic systems and diffuse stormwater flows are acknowledged as potential sources of contamination. Non-compliance: The combination of septic tanks, roads, trenching and stormwater infrastructure across a mapped watercourse clearly triggers Section 21(c), (g) and (i) water uses. The WULA summary does not convincingly demonstrate that these uses can be authorised without violating the NWA's objectives of resource protection, especially given the already degraded groundwater. ANNEXURE C – INTEGRATED COASTAL MANAGEMENT ACT (ICM ACT)	B2. EAP response: The WULA includes application for these water uses. The design, the amended route of the potable line, and mitigation provided are aimed at resource protection, which is in line with the objectives of the NWA. The design does not include septic tanks for the new houses. There is one existing septic tank at the existing house, and this will remain.

		C1. Coastal Protection Zone & Setback (Sections 16, 17, 56) Law: CPZ must protect dynamic coastal processes; setback lines must prevent risky development near the shoreline. Evidence: • Coastal/setback assessment reuses 2010–2012 work and does not present updated climate-risk modelling. • BAR admits infrastructure and walkways within 100m of the high-water mark and within coastal dune systems. Non-compliance: Approving new residential units and infrastructure within the CPZ, in the absence of modern sea-level rise, erosion and storm-surge modelling, would be inconsistent with the ICM Act's objectives. Reliance on 2010-era work in 2025 does not satisfy the legal duty to manage coastal risks prudently. C2. Protection of Coastal Public Property Law: Coastal public property must be protected from adverse effects of upcatchment activities (ICM Act s7, s25). Evidence:	C1. EAP response: Comment noted. The concern is acknowledged; however, the application no longer relies on the 2010–2012 coastal assessment or 2024 Amended Setback Line Letter. A new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was undertaken to comprehensively assess the site's coastal environment and define a site-specific Development Setback Line. The new assessment includes a 39-year shoreline stability analysis (1984–2023), recent site surveys, coastal process evaluation, projected 2030, 2050 and 2100 climate change and sea level rise scenarios, storm surge and wave run-up modelling, the 100-year flood line, and consideration of the Western Cape Coastal Management Lines. The recommended Development Setback Line combines the projected 2100 sea storm hazard line with the 100-year flood line, ensuring that all proposed permanent development is located beyond the influence of foreseeable coastal hazards while maintaining the objectives of the National Environmental Management: Integrated Coastal Management Act. C2. EAP response: There is no septic tank design for the new houses in the proposed development.

		• Septic risk and hydro studies acknowledge that groundwater flow is towards the coast and/or estuary and that contaminated groundwater could discharge below the high-water mark. Non-compliance: Accepting a development design where effluent-contaminated groundwater may emerge in the coastal zone is incompatible with the duty to safeguard coastal public property and marine-related ecosystem services. ANNEXURE D – NEM: BIODIVERSITY ACT & WCBSP D1. Threatened Ecosystems & CBAs Law: Threatened ecosystem protection (GN 1002 of 2011); provincial policy that CBA1/CBA2 might not be further transformed. Evidence: • Botanical assessment and biodiversity overlays show the site includes CBA and ESA categories and endangered ecosystems (Overberg Dune Strandveld, De Hoop Limestone Fynbos). Non-compliance: Transforming endangered ecosystems within CBA1/CBA2 for a luxury coastal development is directly contrary to the Biodiversity Act's conservation objectives and the Western Cape Biodiversity Spatial Plan, which requires strict avoidance of further loss in these areas.	D1. EAP response: Comment noted. The reference to GN 1002 of 2011 is outdated and has been superseded by the Revised National List of Ecosystems that are Threatened and in Need of Protection, published under GN 2747 in Government Gazette 47526 of 18 November 2022. The application has been informed by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026, prepared in accordance with the applicable DFFE specialist protocols. The assessment confirms that the 3.89 ha residential development site is located mostly outside mapped CBA and ESA areas. A narrow strip of CBA1 and a small area of ESA1 occur on the site; however, the affected areas are previously disturbed, transformed, modified or heavily invaded, while the primary coastal CBA1 area is largely excluded from the residential development

			footprint. No CBA2 area is mapped within the residential development site. The assessment acknowledges that Overberg Dune Strandveld remains listed as Endangered under the currently gazetted Revised National List. It further notes that the SANBI 2024 National Vegetation Map now maps the relevant area as Southwestern Strandveld, assessed by SANBI as Least Threatened, although this revision has not yet been incorporated into the gazetted ecosystem list. Field verification confirmed that the Strandveld portions of the residential site are disturbed, transformed or heavily invaded and that no intact CBA or ESA habitat will be affected by the residential development footprint. Remnant De Hoop Limestone Fynbos and the confirmed *Erica oblongiflora* population are largely avoided by the revised layout. The associated water pipeline and reservoir traverse natural CBA1, CBA2 and ESA1 habitat and were assessed separately. Their impacts are narrow and localised and, subject to strict footprint control, rehabilitation and the prescribed mitigation measures, the residual terrestrial biodiversity impact is assessed as Low. The specialist therefore supports the proposal subject to implementation of all avoidance, mitigation, rehabilitation and management requirements. Accordingly, the available specialist evidence does not support the conclusion that the proposal is inherently non-compliant with NEMBA

			or the WCBSP merely because mapped biodiversity categories overlap certain components of the project.
		D2. Alien Invasive Species (AIS) Risk Law: AIS Regulations under NEM:BA require proactive prevention and control. Evidence: • Botanical work recognises that disturbance (roads, trenching, gardens) will create conditions favouring alien invasion; long-term management is vaguely left to a future HOA. Non-compliance: The development design knowingly creates conditions ideal for alien invasion without any binding AIS management plan or funding mechanism. This contravenes the obligation under NEM:BA to prevent and control alien invasive species.	D2. EAP response: Alien vegetation management and control forms part of the EMPr (Construction and operational). The statement "*The development design knowingly creates conditions ideal for alien invasion without any binding AIS management plan or funding mechanism"* fails to recognise the EMPr which will become a binding legal document with the EA once authorised.
		ANNEXURE E – NATIONAL HERITAGE RESOURCES ACT (NHRA) E1. Section 38 – Heritage Impact & Validity of Studies Law: Developments above certain thresholds or in sensitive areas require appropriate, current heritage assessments and must follow HWC processes. Evidence:	E1. EAP response: This is a repeat of a previous comment that has been addressed. Refer letter from HWC in Appendix E1D.

		• Archaeological/heritage assessment originates around 2010; no full, updated Phase 1 incorporating the latest footprint and all service corridors is presented. • Known heritage features (middens, possible graves/structures) are acknowledged in older reports but not revisited with modern intensity. Non-compliance: Reliance on 10–15-year-old heritage fieldwork in an area known for coastal archaeological sensitivity does not meet NHRA practice requirements. A fresh Phase 1 HIA is warranted; proceeding without it is procedurally non-compliant. ANNEXURE F – LUPA & SWELLENDAM MUNICIPAL PLANNING BY-LAW F1. Spatial Sustainability & Desirability (LUPA & By-Law "Desirability" tests) Law: Applications must demonstrate spatial sustainability, suitability of land, adequate services, environmental compatibility and desirability. Evidence: • Hydrogeology: groundwater not potable without treatment and already stressed.	F1. Dave Saunders response: Noted. The proposed development is considered spatially sustainable and desirable. The site is located within the Infanta urban edge and is identified in the Swellendam SDF as an urban extension area suitable for residential development, subject to the environmental assessment process. The layout has been informed by the applicable specialist studies and incorporates conservation areas, open spaces, ecological corridors and development setbacks. Adequate water supply, wastewater treatment and stormwater-management measures have also been assessed and incorporated into the proposal. Accordingly, the identified constraints do not render the site unsuitable for development, provided that the

		• Septic risk: acknowledges long-standing septic use but cannot prove no impact; aquifer already degraded. • Freshwater/coastal/botanical: all confirm sensitive receiving environment. Non-compliance: The combination of marginal water resources, sensitive ecosystems, and infrastructure constraints shows that the site is not suitable for intensification. Approving rezoning and subdivision would fail the statutory "desirability" test under Swellendam's Municipal Planning By-Law and undermine LUPA's aim of spatial sustainability. F2. Compatibility with Existing Character Law: Municipal by-law requires consistency with the nature and scale of the surrounding area. Evidence: • BAR + planning motivation repeatedly portray the area as low-density, rural, character defined by natural landscape. Non-compliance: A 21-unit estate-type project with centralised borehole supply, 21 septic systems, new internal roads and formalised access represents a step change from the existing rural village pattern and agricultural land.	prescribed mitigation measures and approval conditions are implemented. F2. EAP response: The proposal is compatible with the surrounding settlement pattern. The site falls within the Infanta urban edge and an identified growth/urban extension area, where residential development is contemplated by the Swellendam SDF and Growth Management Plan. The proposed gross density of approximately 5.4 units / ha (previously recorded as 6.9 units/ha in 1st DBAR) is lower than the approximately 10 units/ha recorded for Infanta Village, while the proposed erf sizes are generally comparable with the existing settlement. The layout, setbacks and Architectural Design Guidelines were developed to retain the low-density character and respond to the natural landscape. Furthermore, individual package treatment plants—not septic systems—are proposed. Accordingly, the

		This is not compatible in character and thus fails the municipal compatibility test.	development does not constitute an incompatible change in scale or character. In addition to the above, it should also be noted that Heritage Western Cape (HWC) has previously assessed the proposed development and subsequent amendments to the layout. Based on the HWC correspondence included in the BAR, the development was supported from a heritage perspective, subject to the specified archaeological monitoring and reporting requirements. The relevant chronological events & subsequent decisions are summarised below: • **September 2010 – Heritage Statement:** The assessment concluded that the site's heritage significance, excluding potential archaeological resources, was low. The principal considerations related to visual impacts, the coastal edge and possible archaeological resources. Mitigation included an approximately 8 m landscaped setback along the main access road, retention of natural open-space corridors and buffers, and further archaeological testing. • **2 December 2010 – HWC Final Comment:** HWC endorsed the findings and recommendations of the Heritage Statement and Archaeological Impact Assessment. HWC confirmed that the development could proceed, subject to Phase 2 archaeological

			work, monitoring of all bulk earthworks and submission of a monitoring report. • **13 June 2012 – HWC Decision:** Following archaeological excavations, HWC again confirmed that the development could proceed. Conditions included radiocarbon dating of material from sites CI03 and CI18, monitoring of all bulk earthworks and submission of a monitoring report. • **12 December 2012 – HWC Final Excavation Decision:** After considering the final excavation results, HWC confirmed that no further archaeological studies were required and that the archaeological mitigation requirements had been concluded, subject to the continuing monitoring and reporting requirements. • **21 April 2017 – HWC Confirmation of Amended Layout:** HWC assessed the reduction from 24 to 21 erven and the associated minor access amendments. HWC confirmed that its 2 December 2010 decision remained applicable, that the deviations would have no heritage impacts and that the development could continue, subject to the existing archaeological conditions. • **31 October 2024 – Heritage Specialist Confirmation:** The original heritage specialist reviewed the further revised layout, including changes to Erven 14–16, the internal road and footpath. The specialist confirmed that the applicable setbacks and protected

			areas remained unchanged and that the amendments would not affect identified heritage resources. • **9 March 2026 – Latest HWC Confirmation:** HWC reviewed the revised SDP and formally confirmed that it was substantially in accordance with its approvals dated 2 December 2010, 13 June 2012 and 21 April 2017. HWC concluded that no further action under section 38 of the NHRA was required at that time, subject to radiocarbon dating of material from CI03 and CI18, monitoring of all bulk earthworks and submission of the monitoring report. It should however be noted that the radiocarbon dating has been completed and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation related to this requirement will be requested from HWC during subsequent public consultation periods. Accordingly, the heritage process has remained transparent and iterative. The original assessment has not been relied upon in isolation: subsequent investigations, layout amendments and specialist inputs were repeatedly referred to HWC for consideration. HWC's latest confirmation, dated 9 March 2026, demonstrates that the current proposal remains substantially consistent with the previously assessed development and that no heritage-related fatal flaw has been identified. The outstanding archaeological monitoring and reporting requirements remain applicable and must be implemented.

		ANNEXURE G – SWELLENDAM SDF 2020 G1. No Designation as a Growth Node Law / Policy: SDF identifies where urban growth is desired and where environmental constraints dominate. Evidence: • Planning Motivation implicitly admits the site is outside formal urban edge, relying instead on “infill between Infanta and Infanta Park”. Non-compliance: The SDF does not designate this property as a preferred expansion area, and the environmental constraints identified by biodiversity, hydro, freshwater and coastal specialists confirm why. Approving this development would be inconsistent with the SDF’s spatial logic and erode the credibility of the municipality’s own planning instruments. ANNEXURE H – EMPr & Compliance Mechanisms H1. Lack of Enforceability & Long-Term Legal Mechanisms Law / Principle: NEMA, LUPA and the municipal by-law all assume that mitigation commitments are enforceable over time.	G1. Dave Saunders response: The local authority will no doubt attach any conditions deemed necessary to any approval given. H1. EAP response: This is a repeat of a previous comment and has been addressed.

		Evidence: • EMPr is generic, filled with “should”, “where possible”, “recommended”, with no explicit penalties or independent audits. • Septic & borehole management is deferred to HOAs and individual owners with no clear linkage to municipal enforcement. Non-compliance: Without legally binding, funded, and auditable mechanisms, the EMPr and related “mitigation” cannot be assumed to reduce impacts to low significance. Approving the application on the basis of such soft instruments is contrary to NEMA’s effective environmental governance requirement. CLOSING SUMMARY: The cumulative evidence from all specialist studies, planning documents and statutory frameworks demonstrates that the proposed development on Erf 134, Infanta poses significant, long-term and unmitigable risks to groundwater, freshwater systems, endangered ecosystems, coastal processes, heritage resources, public infrastructure, and the rural character of Infanta. Specialist findings show that:	The EMPr contains penalties, independent audits and is not generic, but rather based on specialist input, best practice and legislative requirements. No septic tanks are planned for the proposed development. EAP response: The statement is incorrect. The specialist studies assessed potential impacts, proposed mitigation / design amendment and mitigated / managed the risk through the Design or EMPr. The proposed development includes treatment of groundwater to potable standard. There is no requirement for groundwater to meet potable standard in order to be fit for use.

		• Groundwater quality already fails SANS 241 standards, with exceedances in salinity, sodium, chloride, EC/TDS, and microbiological contamination (including E. coli and coliforms). • The proposal seeks to introduce 21 septic tanks into a shallow, fractured coastal aquifer that is already contaminated, in direct conflict with the National Water Act's duty of care. • Freshwater drainage lines and seep systems are highly sensitive and directly linked to the estuary and coastal zone, making the proposed disturbance inappropriate and high-risk. • The site contains Critically Endangered and irreplaceable ecosystems, with the botanical specialist confirming High Negative impacts that cannot be offset or reduced to acceptable levels. • Heritage and archaeological work is outdated, incomplete, and non-compliant with Section 38 of the NHRA. • Traffic, coastal, social and hydrogeological inputs rely on older baseline studies (5–15 years outdated), contravening Regulation 13's requirement for current, site-verified information. • Mitigation is speculative, unenforceable, heavily dependent on voluntary HOA management, and inconsistent with the sensitivity of the receiving environment.	There is no proposal for 21 septic tanks. The Freshwater specialist assessed the potential impacts and developed mitigation, which was incorporated into the design and the EMPr. The botanical areas of conservation included in the Preferred Alternative takes into account botanical sensitivities. Mitigation included in the EMPr is enforceable through the lifetime of the proposed project, and implementation is not voluntary.

		The studies are not independent and are financially linked to the developer It must be placed on record that all specialist studies were commissioned, instructed and paid for by the developer. In South African EIA practice, while this is common, it also raises an unavoidable concern: • These reports cannot be considered independent or unbiased, • they cannot be treated as neutral assessments, and • their conclusions inherently reflect the interests of the party funding the assessments, who seeks project approval. In this case, the pattern across the documents is clear: • Risks are repeatedly downplayed, • outdated data is reused, • mitigation is assumed to be perfect and cost-free, • sensitive environmental features are minimised, and • impacts are downgraded on paper without adequate justification. This trend strongly suggests confirmation bias and highlights the need for the competent authority to apply heightened scrutiny, caution and the NEMA precautionary principle.	It is a NEMA requirement that the Applicant should fund the specialist studies, which condition has been complied with. Specialists include a signed declaration of independence with their reports, which holds them to an unbiased and independent assessment of the proposed development and its potential impacts. The statement is generalist and ignores the development of mitigation based on assessed risk and inclusion in the EMPr. There is no assumption made by the EAP or any of the specialists *that "mitigation is assumed to be perfect and cost-free"*. All costs are borne by the development, the Applicant and future homeowners. There is no clarity on which sensitive environmental features are minimised, so it is difficult to address this generalist statement.

		All benefits are private — all risks and costs are public The application provides no meaningful or measurable public benefit. All cited “benefits” are short-term or speculative, while the financial gain flows exclusively to the landowner and consultants. Meanwhile: • Environmental degradation, • groundwater risk, • septic pollution, • infrastructure burden, • stormwater impacts, • ecological loss, • coastal hazard exposure, and • long-term management responsibilities are shifted onto the public, the municipality, neighbouring residents, downstream users, and future landowners. This violates NEMA’s principles of fairness, equity and environmental justice. Final Position Given the:	Risk and cost of the proposed project is not all public and not all benefits are private. The development provides identifiable benefits. It is situated within the Infanta urban edge and an identified urban extension/growth area, thereby giving effect to municipal spatial planning. The estimated capital expenditure is substantial, with anticipated construction employment, expenditure through contractors and suppliers of the local municipality, ongoing maintenance opportunities and additional municipal rates. Development and service costs will principally be borne by the developer, while conservation areas, ecological corridors and open spaces will be retained and managed through the development and Homeowners’ Association. Potential environmental and infrastructure risks have been assessed and informed the layout, engineering design and mitigation measures. Individual package treatment plants—not septic systems—are proposed, while water supply, stormwater, freshwater, botanical, faunal, heritage and coastal considerations have been addressed through specialist input. Long-term management responsibilities will be assigned through the applicable approvals, EMPr and Homeowners’ Association arrangements. Accordingly, the EAP does not agree that the development provides only private benefit, transfers all risks to the public, or warrants refusal on the grounds stated. The competent authority will determine the

		• outdated and developer-funded specialist reports, • high-sensitivity receiving environment, • documented environmental and groundwater risks, • clear policy and legal non-compliance, • lack of any real public benefit, and • overwhelming pattern of downplayed or misrepresented impacts, THE PROPOSED REZONING AND SUBDIVISION OF A PORTION OF ERF 134 FOR THE ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT, INFANTA MUST BE REFUSED IN ITS ENTIRETY.	application after considering the complete assessment record, public comments, specialist findings and applicable NEMA principles. The consultants obtain no financial gain outside of charging for their professional services. Financial gain to the landowner is acknowledged, but there are also costs for the proposed development that are only borne by the Landowner. This is the nature of trade and business. This comment is generalist and unfortunately does not provide detail on what is meant by the individual bullet points. The EAP has responded to previous comments on groundwater risk, septic pollution, environmental degradation, ecological loss and long-term management responsibilities. The impact on future use of Infanta infrastructure is assessed in the SIA. A coastal setback line has been developed by a specialist. Stormwater impacts were acknowledged and incorporated into the design of the proposed development. Noted. These items have been addressed. Noted.
28	Ian Moodie (Grootvadersbosch Farm) (Erf 2)	<u>E-mail received 10 December 2025:</u> Please see attached for your attention.	EAP response: Thank you for the email.

		Letter attached to email: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and

		site, and short-term employment creation during construction. However, the main benefit is to the developer. There are no benefits to the Infanta, Infanta Park and Kontiki communities, on the contrary, these communities will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. Also, the development is envisaged to take place over a period up to 8 years with noise, dust and disruption to existing residents that it will entail. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m^2 and for the ERF134 development to stay in keeping with the existing character of the area	cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality.

		it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks'. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. It should also be noted that residents have access to common natural areas of Infanta.	The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather

		The heavy pedestrian traffic takes place at the time of the year that these areas are at their most vulnerable. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. The owners / residents of these additional properties will need to use the same recreational facilities that are already overcrowded at peak times of the year. Boats and swimmers need to use the same facilities (apparently unique to Infanta). It was noted that there are quiet times of the year when there is minimal usage of facilities. This is correct, but in most cases, residents can only take leave at peak holiday times. The landowners in and around Infanta in general appreciate the nature of and wish to preserve the character of Infanta and its surroundings.	that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent

			the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that use to have single families now accommodate multiple generations of families over holiday periods as families grow over time.
		Should this proposal meet with approval, there is incentive for further expansion of the town. In order to mitigate against this threat, we insist that the developer should have to contribute towards the affected Infanta communities.	

		We suggest that a condition for approval of this development be that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1. This will remove the risk of yet another phase of development taking place on Erf 134 at some time in the future.	Dave Saunders response: Firstly, the Infanta settlement has expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment.

			Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
29	Jane Moodie (erf 144)	<u>E-mail received 10 December 2025:</u> Please see attached for your attention	EAP response: Thank you for the email and comments.
		<u>Letter attached to email:</u> The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found

		potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. However, the main benefit is to the developer. There are no benefits to the Infanta, Infanta Park and Kontiki communities, on the contrary, these communities will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. Also, the development is envisaged to take place over a period up to 8 years with noise, dust and disruption to existing residents that it will entail. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of	in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution

		Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m^2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over	of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional

		the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks'. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. It should also be noted that residents have access to common natural areas of Infanta. The heavy pedestrian traffic takes place at the time of the year that these areas are at their most vulnerable. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural	two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase

		environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. The owners / residents of these additional properties will need to use the same recreational facilities that are already overcrowded at peak times of the year. Boats and swimmers need to use the same facilities (apparently unique to Infanta). It was noted that there are quiet times of the year when there is minimal usage of facilities. This is correct, but in most cases, residents can only take leave at peak holiday times.	in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr.

			The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time.
		The landowners in and around Infanta in general appreciate the nature of and wish to preserve the character of Infanta and its surroundings. Should this proposal meet with approval, there is incentive for further expansion of the town. In order to mitigate against this threat, we insist that the developer should have to contribute towards the affected Infanta communities. We suggest that a condition for approval of this development be that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1. This will remove the risk of yet another phase of development taking place on Erf 134 at some time in the future.	Dave Saunders response: Firstly, the Infanta settlement has expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H).

			Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: The remainder of property is not part of the application and will remain as is.
30	Andrew Langham (erf 107)	<u>E-mail received 10 December 2025:</u> Please find attached the comments and objections from the Infanta Conservation Company NPC, the owner of Erf 107.	EAP response: Thank you for the email and comments attached.
		<u>Letter attached to email:</u> Comments and Objections from the ICC – proposed development on Erf 134, Infanta	EAP response: Noted.

		Basic Assessment Report (April 2024) With DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 And DWS Reference Number: WU42464 I am writing on behalf of the board of directors of the Infanta Conservation Company NPC (ICC). This company owns Erf 107, which is approximately 65 hectares in extent and almost completely surrounds Infanta Township. Erf 107 is zoned Private Open Space. The Objectives of the company, as registered with the CIPC, are: • to preserve Erf 107, Infanta, Swellendam in its natural state for the people of Infanta in perpetuity • to promote the conservation of the fauna and flora in the Infanta vicinity • to limit the impact of development or the impact of human activities on the natural environment in the Infanta vicinity Approximately two thirds of the property owners of Infanta Township have elected to become Members of this not-for-profit company, while the company is funded by the Infanta Residents and Ratepayers Association (IRRA), of which nearly all Infanta Township property owners are members.	

		The ICC supports the comments and objections lodged by the IRRA with regard to the proposed development, however the primary stance of the ICC is around conservation aspects related thereto. The ICC does not support the proposed rezoning and development of a portion of Erf 134 as the proposed development is in conflict with the objectives of the ICC. Should the development be made smaller (fewer units) and the balance of Erf 134 rezoned as Private Open Space then the ICC could be persuaded to reconsider its position. We especially refer SWM to their letter (dated18 February 2016) approving a minor development in which it was specifically set-down by SWM that the balance of Erf 107 be transferred to a non-profit organisation free of consideration and that it be rezoned Private Open Space. The main comments and objections from the ICC are listed below, this list not being exhaustive: 1. Any development or increase in human activity in the Infanta vicinity will negatively impact on the natural environment in the Infanta	EAP response: Noted. Dave Saunders response: The ICC has not taken into consideration the findings of all the specialist studies which have been undertaken by various experts in their own fields. Furthermore, the ICC fails to acknowledge that the SDF, which is a statutory document defines the portion of land in question as suitable of limited development. The remainder of erf 134 is not part of the application and therefore falls outside the procedure being followed. The owner of the land is under no legal obligation to give this piece of land away. It will remain agricultural and in a naturally vegetated state. The law does not permit any party to forcibly rezone and transfer a portion of property without proper compensation. For easy reference, I refer to section 25 of Constitution in that regard. Applicant response: The balance of Erf 134 is not part of this application. 1. EAP response: The comment is noted. The potential impacts of the proposed development have been assessed and mitigation developed where avoidance of impacts is not possible.

		vicinity and will undoubtedly have negative consequences to the conservation of fauna and flora in the Infanta vicinity. 2. Erf 107 has a registered 8m wide title deed servitude across the coastal boundary of Erf 134. The supporting diagrams etc make no reference to this servitude. This is an exclusive servitude and must not run congruently with any other walkway proposed by the developer. 3. Erf 107 has been in discussion with owners, whose properties are situated along the mouth of the Breede River estuary, to provide them with a fresh water supply. The affected properties' current water supplies are precarious for a number of reasons. Erf 107 has the right, per its title deeds, to construct pipelines and related infrastructure over Erf 134 to support the supply of fresh water to the coastal properties. Plans have already been formulated including draft layouts of the required infrastructure. Any development on Erf 134 must take account of these planned water pipelines, reservoirs and pumping stations. 4. The ICC, through its ownership of Erf 107, provides many benefits to the residents of the greater Swellendam Municipality (SWM). Access to walking trails across Erf 107 are unhindered and many Swellendam residents and tourists to the Swellendam area enjoy hiking thereon as well as seasonal whale-watching from the cliffs. Fisherman from across society access their favourite fishing spots by crossing over Erf 107. The "public" parking area at the southern end of Retief Street	2. EAP response: The registered servitude is 25ft wide, which translates to 7.87m. It has been indicated on the SDP. 3. EAP response: Reservoirs, pipelines and pumping stations may require NEMA / NWA authorisation, despite what the title deed says. The landowner will comment during the required authorisation process. 4. EAP response: The benefits obtained by the public from the use of Erf 107 is noted.

		is located on Erf 107. Hoek Street's alignment from Tolmie Street to Dunn Street is mostly on Erf 107. The ICC allowed the transfer from Erf 107 to SWM of the "road" (now Erf 233) for no charge. The ICC wishes to maintain an excellent relationship with SWM but believe that SWM must ensure that any development is congruent with the Objectives of the ICC. 5. The ICC transferred the "road" (now Erf 233), comprising 2728 sqm, in good faith to SWM for no charge. It is noteworthy that land in Infanta changes hands for between R4000 and R16000 a sqm. The ICC considers it abhorrent that the proposed development on Erf 134 is intending to use this road as an access and that the developer will now be making a profit from the ICC's gratuitous land transfer to SWM – the ICC being a non-profit conservation focussed company. 6. The ICC considers that there are few gains to be had from the proposed development but many negatives. Positives: • the developer gains financially • a few Swellendam and Bredasdorp businesses may gain from providing some supplies during the construction phase	5. EAP response: the comment is noted. Public access via road MR268 to Infanta is over Erf 134. This section of Erf 134 will be ceded to SLM. Further to the above, the access road that the ICC transferred to SLM (now erf 233) is a public road. 6. EAP response: The concerns regarding construction- and operational-phase impacts are acknowledged and have been assessed in the BAR and relevant specialist studies. Mitigation measures addressing noise, dust, litter, traffic, road use, lighting, fauna, flora, visual impacts and sense of place are included in the EMPr and specialist recommendations. It should also be noted that dust along the main road (dirt road) is an existing impact, whether the development continues or not. The proposed development is not expected to result directly in increased slipway use, fishing, bait

		Negatives: • the proposed development is a big negative to the fauna and flora on the Infanta vicinity • the residents of Infanta will be greatly affected (noise, dust, litter, road deterioration, crime) during the proposed very long construction phase • after construction, the residents will again be negatively affected from more foot traffic past existing properties (Hoek Street); vehicle traffic along Retief/Tolmie/Dunn streets; congestion on the slipway (especially increased dangers between swimmers and launching boats – probably requiring SWM to revise the slipway management plan); boat trailer and vehicle parking congestion on the common; dust on the main Swellendam road (especially past Infanta Park); deteriorating road conditions on the main Swellendam road; litter; late-night noise from party-goers on the slipway and on the bottletop/common; light pollution; inhibited views; ever reducing river and sea bait and fish stocks; a general loss of a sense of place. The development proposal states that a positive is that the Infanta beauty will be shared with owners of the new erven – the scale of new enjoyment, simply does not balance with disadvantages inflicted on current Infanta residents.	collection, crime or antisocial behaviour; these matters remain subject to applicable municipal by-laws and management controls. It should further be noted that the slipway management plan should perhaps be revised regardless of development, as many residents have brought this up, and that is without the proposed development, therefore an existing impact. It is also deemed unfair to attribute late-night noise from party-goers on the slipway and on the bottletop/common, to potential new homeowners if its already an issue. The development also provides broader benefits beyond the applicant's financial return. It is located within the Infanta urban edge and an identified urban extension/growth area, thereby implementing municipal spatial planning. Development investments is expected to support construction employment, local contractors and suppliers from Bredasdorp & Swellendam, ongoing maintenance opportunities and additional municipal rates. The layout further provides for conservation areas, ecological corridors and open spaces, including a new wheelchair friendly walkway for public access to the coastline. Accordingly, the need and desirability assessment considers both positive and negative consequences. With implementation of the prescribed mitigation and management measures, the identified impacts are not considered sufficient to render the development undesirable.

		• SWM will incur very high additional service costs to deal with waste, sewerage, litter, road up-keep, local infrastructure (eg slipway maintenance), by-law policing, and fire prevention/fire-fighting • SWM will lose its special appeal to all residents in the municipality and to tourists who value wild spaces and villages that have not changed in layout for over 100 years (eg Infanta, Suurbraak,etc) • there is also very little benefit at any stage to poorer South Africans. During construction, most contractors that operate in the vicinity employ foreign nationals and not South Africans. Post construction, there is very little domestic or other work available and, in any case, there is no reasonable accommodation available for domestic workers in the Infanta vicinity. • post construction, there is little benefit to businesses in Swellendam. Most properties will be owned by Capetonians who arrive with their vehicles full of goods and produce bought in Cape Town Further reference to point 1. above: - Natural Environment: The area around Infanta is synonymous with a general feeling of a wild and undeveloped area: • much of the land remains agricultural zoning but the erven are uneconomic to farm and therefore they have been left in their	Generalist viewpoint that properties will be owned by Capetonians. There is no shop in Infanta so all residents source their food and supplies from outside Infanta in any case. EAP response: The partial development of Erf 134 will not prevent ongoing conservation in the area. EAP response: Noted. Any leopard that crossed erf 134 to erf 107 would have done so over the westerly section of erf 134, which does not form part of this

		natural state. Some of the land is used as game farms, a number are under Cape Nature stewardship, while Erf 107 is under the ownership and control of the residents of Infanta Township. There is an active programme on Erf 107 to eradicate all alien vegetation and fully restore the land to its natural state. Any further development will detract from the efforts of surrounding land-owners to ensure that nature is protected and encouraged to flourish in the vicinity. • de Hoop Nature Reserve is a close neighbour and animals including leopard, caracal, civet, baboons, porcupine, honey badgers, bat-eared foxes, snakes, jackal, various hares, tortoises, snakes and many small antelope roam free between Infanta and the reserve. The Cape Leopard Trust has recently captured by camera a number of leopard on Erf 107 – these animals have crossed over Erf 134 to Erf 107. Unfortunately, it is already too frequent that animals are killed because they become habituated eg baboons; or because they disturb gardens eg procupines; or they are hit by cars at dusk eg eland; stolen as pets eg tortoises; or killed because they are a perceived risk eg snakes. Any increase in the developed area and human population will negatively on the wildlife. • The Breede River estuary is used by many birds as a feeding and resting place, including summer migratory birds (from as far afield a Siberia and northern Scandinavia), as well as deep-ocean pelagic	development proposal. The proposed development will not prevent this from happening again in future. EAP response: The broader ecological importance of the De Hoop–Infanta–Breede River area and the occurrence of wildlife moving through the wider landscape are acknowledged. However, the application relates to a 3.89 ha portion of Erf 134 within the Infanta urban edge. The July 2023 site verification concluded that the site is unlikely to support the identified bird and invertebrate Species of Conservation Concern to any meaningful extent and classified the site as having Low sensitivity for these species. The preferred layout retains 1.1 ha of ecological open-space areas and a 40 m watercourse corridor, while the EMPr prohibits hunting, trapping, poisoning, feeding or disturbance of fauna and requires the safe management of animals encountered during construction. No internal fences are proposed between dwellings, thereby supporting movement through the site. The concerns regarding fishing, bait collection and depletion of marine resources are acknowledged; however, these activities are regulated independently of this residential development. The proposed development does not authorise fishing, bait collection or any activity

		birds. Again, any increase in development and human activity will negatively impact on birdlife. • The floral diversity of the land between the Potberg mountains, the sea and the Breede River provides home to much birdlife whose feeding opportunities and nesting sites are easily disturbed by human activity. • The Breede River, its estuary and the whole of San Sebastian Bay is home to many kinds of aquatic animals, including those collected for bait and those fished. Pictures from 50 to 100 years ago show not only the abundance but the sheer size of the fish caught. Such quantities and sizes of fish are no longer available due to over-fishing – this despite bordering on the de Hoop marine reserve. Fishing licences are not only abused but also are perhaps not restricted enough considering the depletion of bait and fish stocks in the Breede River and at sea. • The Infanta vicinity has a high level of biodiversity with many unique species of flora. Increased human activity is a threat through the introduction of invasive alien plants. Rooikrans and Port Jackson are already a major threat, but further highly invasive threats are continually being introduced eg kikuyu grass for lawns and manatoka trees for shade. Increased human activity also significantly increases the risk of more regular, run-away veld fires.	within the Breede River Estuary, San Sebastian Bay or De Hoop Marine Protected Area. Not very resident will be an avid commercial fisherman. Compliance with applicable conservation legislation and permit requirements remains mandatory. EAP response: Noted. Alien invasive management and Fire management form part of EMPr for the proposed development. Applicant response: Proposed development area is isolated by roads. Firebreaks need to be cut on northern boundary. Neighbouring properties need to abide by these rules as well, if not then you will not be able to contain the spread of invasive vegetation.

		• Invasive alien vegetation growth on Erf 134 is rife. Despite it being a requirement, no plan exists or attempts have been made by the current owner to control and reduce the amount of invasive alien vegetation on Erf 134. Without a at least a change of zoning the degradation of the balance of Erf 134 is likely to continue and at the same time undermine the efforts of neighbouring property owners. The ICC has an active programme to eliminate invasive alien vegetation on Erf 107 and the ICC is willing to assume stewardship of the balance of Erf 134. We trust that the developers and Swellendam Municipality will take heed of the ICC's concerns and conclude that the Infanta vicinity should be protected for future generations to enjoy in its natural state.	
31	James Prichard (erf 33)	<u>E-mail received</u> I, the owner of ERF 33 Infanta, and an I&AP to the abovementioned development, wish to submit my comments as follows: Infant is a unique place, one of a kind. My grandson is the fourth generation in my lineage to enjoy my property and the beautiful nature and see life that Infanta shares with us. This is my life time experience of Infanta. The reason why I share this is to state that I understand the very sensitive waterecosystom of Infanta, the beautiful nature and sea life that it provides and much more.	EAP response: Thank you for the comments raised. EAP further response: Noted.

		1. Water supply/ water table Over my 72 years at Infanta we have experienced many dry seasons such as the current one, rain water at Infanta supplies the underwater tabel. Access to household water consists of rain water or bore hole water. Over periods like these dry seasons the water level drops tremendously and boreholes dry up. Over the last 3 generations the shortage of water is a regular occurrence. This is due to Infanta's sensitive ecco rain system, Proceeding with the proposed development of ERF 134 will have a tremendous impact on the water supply of Infanta and Infanta park and this will not be to our benefit as residents at all. 2. Sewage How will the sewage system function without putting unnecessary traffic on the gravel road, and without polluting our very sensitive underwater supply? I as an Infanta resident finds no benefit in either of these two matters for us as a community. 3. Space on the beach and parking	1. Lian Roos response: If the application is approved, then the abstraction of groundwater will only take place from BH134C. The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users. 2. Gideon Pepler response: Sludge removal is also relevant for central treatment plants. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit. 3. EAP response: Slipway management plan should be revised by SLM. The SIA assessed the impact of the use of existing amenities and infrastructure, such as the slipway and the beach at Infanta.

		Our very unique swimming beach at Infanta already bursts at the seams during our holidays. Leaving very little space for everyone currently to enjoy a day at the beach. This is a true concerne our little beach will not be able to handle more people. Again it will change our whole holiday dynamics and have no benefit for us as a community. Thus being the reason why we choose Infanta as it is small and intamate.	
32	DEA&DP	<u>E-mail received 11 December 2025:</u> 1. The electronic copy of the pre-application Draft BAR received by this Department's Directorate: Development Management, Region 1 ("this Directorate") on 12 November 2025 and this Directorate's acknowledgement thereof issued on 28 November 2025, refer. 2. Following the review of the information submitted to this Directorate, the following is noted: • The proposed residential development on a Portion of Erf No. 134, Cape Infanta will consist of 20 additional free standing single residential units, 15 of them will be single storey and 5 will be double storey. The existing dwelling on the site will be incorporated into the development. • A raised walkway will be constructed along the current fence line for public use.	EAP response: Noted. Note the correction to the name of the application. Erf 134 Infanta and not Cape Infanta.

		• The proposed development will have a development footprint of 3.04ha. • The proposed development falls inside the 100m coastal setback line, the coastal management line and the coastal protection zone. The proposed development will be outside the established development setback line. • According to the available mapping resources a watercourse is present on the site and indigenous vegetation namely endangered Overberg Dune Strandveld vegetation and least threatened De Hoop Limestone Fynbos vegetation. • The site is divided into two sections by a 40m wide ecological corridor. • A critical biodiversity area has been identified to the western corner of the site, while the ecological corridor is classified as an ecological support area. • The western corner of the site has been demarcated as a Limestone Fynbos Conservation area and will be demarcated as a "no-go" area. • Water will be sourced from a dual source of both rainwater and borehole water. A reservoir will be constructed near borehole 134A with a storage capacity of 130m³ and an underground pipeline will be installed from the reservoir to the proposed development.	EAP response: The position of the reservoir will be close to borehole 134C (refer SDP in Appendix B4B).

		• The site is zoned Agricultural Zone 1 and is located outside the urban area of Cape Infanta. 3. This Directorate's comments are as follow: 3.1 As indicated in this Directorate's letter dated 28 November 2025, the following must be addressed in the BAR: 3.1.1 The lawfulness of the existing house and associated infrastructure must be confirmed. A timeline must be provided as to when the house and associated infrastructure was developed on the site. 3.1.2 It is noted that the site is located within 100 metres of the high-water mark of the sea. However, the listed activities relating to development within 100 metres of the high-water mark have not been applied for. 3.1.3 A portion of the site has also been mapped as a Critical Biodiversity Area. Clarity must be provided whether Activity 14 of Listing Notice 3 is applicable to the proposed development. 3.1.4 The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process. 3.1.5 It is noted that water will be obtained from groundwater abstraction. Please note that the water use license for the abstraction of groundwater must be obtained and included in the final report.	3.1. 1 Applicant response: There was an old house existing on site in 1980 already, with the existing house built around 1987/ 1988. EAP response: Refer to Appendix N for historical photos & infrastructure timeline. 3.1.2 EAP response: Noted. Additional listed activities associated with development within 100 metres of the high-water mark have been included in the updated draft BAR & AEA. 3.1.3 EAP response: This comment has been responded to in this report. The site lies within the urban edge, which is an exclusion for this listed activity. 3.1.4 EAP response: Noted. 3.1.5 EAP response: Proof of the submission of WULA is attached to Appendix M. The WULA process is run concurrent with the NEMA process.

		3.1.6 It is noted that electricity will be obtained from Eskom. Confirmation must be obtained from Eskom that they have sufficient, spare, unallocated capacity to provide the proposed development with electricity. 3.1.7 It is noted that a package plant will be developed for each dwelling and various alternatives have been identified to treat effluent. Please note that the preferred method must be reported on in subsequent documents. 3.1.8 Confirmation is required from the local authority that sufficient, spare, unallocated capacity is available for solid waste management. 3.2 Confirmation is required from the Swellendam Municipality if the proposed development is in line with Municipal Spatial Development Framework.	3.1.6 EAP response: Eskom confirmed on 6 January 2026 that the development falls within its licensed supply area and that the Heidelberg Farmers 3 feeder and upstream network have sufficient capacity to accommodate the required electrical load of 115 kVA ADMD. The updated supply letter is attached as Appendix E3 to the BAR. 3.1.7 EAP response: Noted. 3.1.8 EAP response: Noted. 3.2 EAP response: Confirmation from SM with regards to the alignment with the Municipal Spatial Development Framework will be provided prior to the Final BAR submission. It should be noted that the development intends to align with the SMSDF. The proposed development is located within the Infanta urban edge and an identified urban extension/growth area considered suitable for residential development in the Swellendam SDF. It represents planned infill development between existing residential areas and will provide 20 additional single residential erven. The proposal responds to municipal spatial planning while limiting development to a 3.89 ha portion of the

			larger Erf 134 (85.6 ha). This GMP indicates the land being inside the Urban Edge and in very general terms (by mean of bubbles) identifies the land as having areas worthy of conservation and areas suitable new for residential development. It is felt that the proposed development aligns with the intention Growth Management Plan, and therefor by deduction, with the Swellendam SDF.
		3.3 Activity description 3.3.1 It is noted that the proposed development will include stormwater and water pipelines, a reservoir, sewage package plants, a raised walkway and an access road. However, no details of the length of the pipelines, the footprint of the reservoir and sewage package plants, the width and length of the raised walkway and the length of the access road have been provided.	3.3.1 EAP response: The length of the potable pipeline, the footprint of the reservoir, the location of the sewage package plants, the width and length of the raised walkway and detail on the access roads have been included in the amended draft BAR. These details are summarised below for ease of reference: **Potable water pipeline:** Approximately 1 090m long and 125mm in diameter, following an existing disturbed boundary/access corridor outside the MR268 road servitude. A 6m-wide pipeline servitude is proposed. The approximately 760mm-wide installation trench will result in a temporary disturbance footprint of approximately 828.4m². **Reservoir:** A 140m³ reservoir with a footprint of approximately 144m² is proposed near BH134C on the Western portion of Erf 134, providing storage for domestic supply and firefighting. **Sewage package plants:** One underground package plant and associated soakaway will be installed on each of the 20 new residential

			erven. Each plant will occupy approximately 2.42m², resulting in a combined footprint of approximately 48.4m². The existing dwelling will retain its septic tank. **Raised coastal walkway:** The wheelchair-accessible walkway on stilts will be approximately 2m wide and 195m long, with a footprint of approximately 390m², along the Eastern coastal frontage within the proposed Public Open Space. **Access roads:** The existing MR268 entrance will serve the Northern section, while a new entrance from Hoek Street will serve the five Southern erven. Access and internal roads will comprise 4.5m-wide paved surfaces within 8m-wide road reserves. Streets 1, 2 and 3 will be approximately 242.49m, 46.42m and 31.76m long, respectively, with corresponding road-reserve footprints of approximately 1 939.92m², 371.36m² and 254.08m².
		3.3.2 The BAR stipulates that the treatment of water will be required. However, no details have been provided whether a water treatment plant will be required. 3.3.3 Please note that the activity description must be updated to include details of the above.	3.3.2 Lian Roos response: Refer to the Water Use Licence Application Summary Report and its appendices (Appendix M). Therein details are provided regarding the proposed development. 3.3.3 EAP response: Noted and has been amended.

		3.3.4 Furthermore, the start, middle and end coordinates of the walkway, access road and pipelines must be included in the BAR. 3.4 Alternatives 3.4.1 The BAR indicates that effluent will be either used for flushing toilets, discharge into a soak away or used for irrigation. The preferred alternative must be confirmed in the final BAR and included in the activity description. 3.4.2 The BAR further indicates that two possible road options were investigated to gain access to the 5 units. It is also noted that two water pipeline routes were considered. However, no details of what these alternatives entails have been included in the section on alternatives in the BAR. 3.4.3 The section on alternatives must be updated to include a description of all the alternatives that were investigated with a motivation as to which alternative is preferred. 3.4.4 Please ensure that the BAR includes an assessment of all the reasonable and feasible alternatives considered. 3.5 Comment from commenting authorities 3.5.1 It is noted that the access road will now run through an area that is of high botanical sensitivity and earmarked as a conservation area. Furthermore, the water pipeline will run along the area earmarked as a conservation area. Comment must be obtained from CapeNature	3.3.4 EAP response: The start, middle and end coordinates of the coastal walkway and bulk potable water pipeline have been included in Sections 3.6 and 3.7 of the amended Draft BAR, respectively. 3.4.1 EAP response: Noted. The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area. 3.4.2 EAP response: Noted – this section has been updated in the draft BAR. 3.4.3 EAP response: Noted. 3.4.4. EAP response: Noted. 3.5.1 EAP response: CapeNature commented on 11 December 2025 and supported the preferred alternative 3, subject to mitigation. The access road is an existing pre-NEMA road; only limited upgrading and interlocking paving are proposed, thereby minimising additional disturbance. CapeNature recommended an updated botanical survey,

		regarding this matter and whether they are in support of the preferred pipeline and road route. 3.5.2 The proposed development will be located below the coastal management line and within the coastal protection zone. In addition to the above, a setback line has been determined for the development. Comment must be obtained from this Department's Directorate Coastal Management regarding development below the coastal management line, within the coastal protection zone and whether they are in support of the setback line. 3.5.3 An updated comment must be obtained from Heritage Western Cape regarding the revised layout.	which was subsequently conducted on 17–18 March 2026 and incorporated into the new Botanical Assessment (Appendix G9B) dated August 2026. The preferred pipeline follows an existing disturbed boundary/access corridor and has a low residual impact, subject to strict footprint control and prescribed mitigation. CapeNature will be consulted during the in-process PPP for revised inputs, and confirmation regarding this matter and whether they are in support of the preferred pipeline and road route. 3.5.2 EAP response: Formal comment was obtained from the Sub-directorate: Coastal Management on 11 December 2025. The Directorate did not support the proposal in its then-current form and requested that the layout and setback assessment properly consider the Overberg District Coastal Management Line and DEA&DP Circular 0004/2021. In response, a new Coastal Setback Assessment / Coastal Engineering Assessment dated 13 July 2026 was prepared, addressing the Coastal Management Line, Coastal Protection Zone, coastal risk areas and future sea-level rise. The updated information will be submitted to the Directorate for further consideration and confirmation of its position. This report is available for review in Appendix G7C. 3.5.3 EAP response: An updated comment was obtained from Heritage Western Cape on 9 March 2026. HWC confirmed that the revised Site Development Plan is substantially in accordance with its previous

		3.5.4 Since the proposed development will be located within and within 32m of a watercourse, comment must be obtained from the relevant water authority regarding the development within and within 32m of a watercourse. 3.5.5 In addition to the above, comment must be obtained from the following authorities: • Department of Agriculture; • DEADP: Pollution and Chemicals Management • DEADP: Waste Management • Relevant road authority. 3.6 Please ensure that the faunal compliance statement includes an assessment of all the fauna found on the site.	approvals dated 2 December 2010, 13 June 2012 and 21 April 2017, and that no further action under section 38 of the NHRA is required at this stage. Please refer to Appendix E1A-D. 3.5.4 EAP response: The location of the development within the regulated area of a watercourse is in terms of S21c and I of the NWA and forms part of the WULA. Refer to water uses being applied for in WULA technical report. 3.5.5.EAP response: Noted. The I&AP database will be updated to include the following authorities: • Department of Agriculture (comment obtained i.e. Comment 73); • DEADP: Pollution and Chemicals Management • DEADP: Waste Management • Relevant road authority. 3.6 EAP response: The Faunal Compliance Statement considers the previous baseline and impact assessments, desktop data and the July 2023 field survey. It assesses the faunal habitat and all relevant species identified by the Screening Tool, including birds and invertebrate species of conservation concern. No species requiring a detailed Terrestrial Animal Species Specialist Assessment were identified, and the site was verified as having Low sensitivity.

		3.7 The Environmental Management Programme must be updated to include all the mitigation measures stipulated by the specialists. 3.8 Since Activities 19 and 19A of Listing Notice 1 is triggered by the proposed development, it is recommended that a Maintenance Management Plan ("MMP") be prepared for the potential maintenance activities that may be required in future for the affected encroaching structures and/or infrastructure. Should the Department agree to the proposed MMP, future maintenance work specified within the MMP would not require an Environmental Authorisation prior to the undertaking thereof. 3.9 You are reminded that the Public Participation Process must comply with the requirements of Regulation 41 of the NEMA EIA Regulations, 2014, and proof of compliance with all the steps undertaken must be included in the Final BAR. 3.10 Please note that a comprehensive Comments and Response Report that includes all the comments received and the responses thereto must be included in the BAR. In addition, please ensure that copies of all the comments received are attached to the BAR. 3.11 Please be advised that the signed and dated applicant declaration is required to be submitted with the final BAR to this Department for decision-making. It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making.	3.7 EAP response: Noted. The EMPr includes all mitigation measures recommended by specialists. 3.8 EAP response: No Maintenance Management Plan will form part of the application at this point. 3.9 EAP response: Noted and will be complied with. 3.10 EAP response: The C&R is a true reflection of all comments and responses to date. Copies of all comments received will be attached to the final BAR for decision making. 3.11 EAP response: Noted and will be complied with.

		Furthermore, through signing this declaration, the applicant is making a commitment that they are both willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application. 3.12 In addition to the above, please ensure that the signed and dated Environmental Assessment Practitioner ("EAP") and Specialist declarations are also submitted with the final BAR for decision-making. 3.13 General 3.13.1 Please ensure that all the components of the proposed development are depicted on a Site Development Plan ("SDP"). A bubble map that shows the "no-go" areas, conservation areas and development areas. 3.13.2 Please use thicker lines to depict the pipelines and the boardwalk on the SDP, as they are difficult to identify on the maps included in the BAR. 3.13.3 Page 55 of the BAR indicates that the vegetation type Overberg Dune Strandveld is least threatened. This must be updated to reflect the correct ecosystem status. 3.13.4 Section F, points 3, 4 and 5 were not adequately completed. Please ensure that all sections of the BAR are fully and accurately completed.	3.12 EAP response: Noted and will be complied with. 3.13.1 EAP response: The SDP has been amended and is included as Alternative 4 (preferred). 3.13.2 EAP response: The SDP has been amended and is included as Alternative 4 (preferred). 3.13.3 EAP response: Noted. 3.13.4 EAP response: The draft BAR has been amended.

		4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application. 5. Please 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 the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will 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. 6. This Directorate reserves the right to revise or withdraw initial comments or request further information from you based on any information received.	4. EAP response: Noted 5. EAP response: Noted 6. EAP response: Noted.
33	Oliver Marr	<u>E-mail received on 11 December 2025:</u> I would like to register as an Interested and Affected Party regarding the above Infanta Property Development matter.	EAP response: You will be registered as an I&AP for the proposed project.
		<u>Email received 15 January 2026:</u> Please see the attached document regarding the above.	EAP response: Thank you for the email received. Please note the commenting period was from 12 November up to and inclusive of 12 December 2025.

		<u>Letter attached to email:</u> I am writing regarding the Pre-Application Basic Assessment Report ("Pre-App BAR) for the establishment of a residential development on Erf 134 in Infanta ("Proposed Development"). I have family ties to infanta that go back as far as the 1960s and I have been coming to Infanta for the past 22 years. I am a designated beneficiary of The Marr Family Trust which owns ERF 94. Accordingly, I am an Interested & Affected Party From a professional perspective, I have an undergraduate degree in Chemical Engineering from the university of Cape Town and a Masters in Engineering for Sustainable Development from Cambridge University where my research focussed on sustainable drainage and minimising the impacts of development in urban fringe areas. I now work as a Policy Advisor for the Department of Environment Food and Rural Affairs (DEFRA) in the UK where I focus on policy to prevent exposure of harmful chemicals to humans and the environment. I am not opposed to development in general, provided any development is sustainable and holistically beneficial for the wider Infanta community. A good example of holistically beneficial and sustainable development can be found in the development of ERF 107, on which an initially proposed development of 11 units was reduced to three. The rest of the land was gifted to the Infanta community with the	EAP further responses: Noted. Noted. Noted.

		view to regenerate the fynbos and remove the alien vegetation. So far this has been received well by the Infanta residents and the fynbos regeneration has been successful. As a member of the Infanta community, I value the natural beauty of this area and the values of caring for nature and promoting the protection of biodiversity – values I believe are shared by the wider Infanta community. From my reading of the documentation relating to the Proposed Development, I believe there are some key outstanding questions which would need to be answered in order to insure that the development of ERF 134 is both sustainable and holistically beneficial for the Infanta community. 1. Housing density and realistically available land for development a. In my view, there is a maximum of 1.8 hectares of buildable land available for development. This is because neither the greenbelt nor the heritage site in area C can be developed. As it is also not possible to develop on the 800m2 of limestone in area C, the area that is realistically available for development is further reduced to 1 hectare. b. Given the small area of land (1 hectare) that is realistically available for development, the units in the original proposal and the additional paved surfaces that will be required for access will remove a significant proportion of permeable ground in the area being developed. This will	Noted. Noted. 1. a. Dave Saunders response: The proposed number of houses has been determined by a rigorous planning exercise which has been informed the receiving landscape, constraints and opportunities and the work contained in the specialist studies undertaken

		lead to runoff onto limestone and sensitive dune systems, both of which are already highly susceptible to erosion. c. If multiple units were to be developed at the same time, especially at the high density in the original proposal, the development activity could destroy much of the vegetation that currently supports the dune system. This would further add to the risk of erosion. d. Given the information in paragraphs 1.b. and 1.c. (above), the sensitive dune systems in the proposed development area, the fragile limestone in area c, and the erosion already present in the coastal erosion zone, there is no evidence in the original proposal documents to show how the increased risk of erosion to an already sensitive area will be mitigated. e.How can the developers ensure that all additional erosion from the proposed development (including building activity and runoff once the units and paved areas are in place) will be mitigated? 2. Impacts on environmental and human health from sewage and effluent a. The building works and the use of the developed units once finished will result in effluent released into the river and the sea. Building waste and household wastewater can contain persistent environmental chemicals harmful to wildlife and humans.	b. Applicant response: The studies have identified the limestone as ecologically sensitive and has been set aside with the greenbelt (stream area). c. Applicant response: Road Stormwater swales have been provided for runoff. d. Applicant response: Will be dealt with in stormwater management system. e. Applicant response: The positioning of units has been done by Istvan Goztola Architects, taking this into account. 2. a. Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area.

		b. Additionally, the septic tanks described in the original development are not suitable for such porous soil as is present in the dune systems of the proposed development. There is therefore a risk of sewage leakage into the groundwater (used by the existing Infanta community), into the river that flows through the property, and into the sea. c. Given the risk of sewage release and the release of toxic household and building site effluent, it is important to highlight that the development site is: i. at the intersection of several fragile ecosystems (riverbed, dunes, estuary, shoreline); ii. within close proximity to a marine protected area; iii. adjacent to marine environment ecosystems that include highly protected marine species such as abalone and whales, particularly as 40% of the global Southern Right Whale population use St Helena bay as a breeding ground; and iv. directly in front of a popular surf break used by many Infanta inhabitants, including young children and pregnant women. d. The Integrated Coastal Management Act of 2008 ("ICMA") provides a framework for the management of effluent into the sea, and controls developments that may harm the coastal environment. In my opinion, the developers have not provided sufficient evidence to show how the	b. EAP response: the proposal includes package plants and not septic tanks. c. Gideon Pepler response: Even in the unlikely and most extreme event where more than one system fails, there is no one central point of pollution. Central points of pollution are well documented about the disaster it creates downstream. The latest Green Drop reports speak volumes about this. No municipality has oversight over the workings of septic tanks, or that conservancy tanks are not leaking / being punctured to save on the cost of pumping. There is no oversight on the pumping of conservancy tanks. The proposed wastewater treatment plants significantly reduce the risks, compared to septic systems or leaking and overflowing conservancy tanks. In addition to the above, Swellendam municipality does not have the capacity to service conservancy tanks either. This means that conservancy tanks will overflow, discharging raw sewage into the environment. d. EAP response: Potential impacts from the proposed development were identified, assessed and mitigation developed by specialists. No further unidentified impacts exist.

		Proposed Development will prevent negative impacts to the coastal environment or prevent exposure of toxic waste in household and building effluent to humans via the environment. e. Specifically addressing each point in paragraph 2.c., can the developers provide evidence to demonstrate hom impacts to the coastal environment and human health will be mitigated, and how the sewage from each unit will be dealt with in a manner that is more compatible with the porous soil and limestone to prevent any release to the environment and exposure to humans? 3. Water Scarcity a. As I write this letter, it has come to my attention that the borehole supplying Visser Street at the back of Infanta Village has run dry. Water availability is a continues issue for the inhabitants of Infanta and its surrounds. In my opinion, there is insufficient evidence in the documentation refering to the Proposed Development to support that there is insufficient water to supply any additional developments. Additionally, I believe there is insufficient evidence to show what impact any additional water demands will have on the supply for the existing properties of the Infanta Village and the Infanta Park. b. Given the above, can the developer produce further evidence to demonstrate that any additional boreholes will not impact the water availability for the current Infanta community?	e. Gideon Pepler response: See (c) The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution. 3. a. Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users. The general authorisation volume for the area is calculated at 12 975 m^3/year, while the planned water demand is 6 132 m^3/year. Therefore, it can be concluded that the proposed demand falls within the scope of a general authorisation. If the maximum volume that can be abstracted, according to the sustainable yield calculations (Section 7.2 of the Hydrogeological Report) of 32.4 m^3/day or 11 826 m^3/year, is applied for, this volume still remains within the general authorisation allowance. b. EAP response: this comment has been addressed.

		4. Assumptions around feasible unit density a. According to the original proposal documents, the housing density for the development of ERF 134 was taken from the combined housing densities of Infanta Village and Infanta Park. b. It is important to note that both areas are built on comparatively flat ground that is mostly above the coastal erosion zone and does not include sensitive dune systems. In comparison, the Proposed Development is on two hills (i.e. it is not flat) which comprise mostly of sandstone and dune systems. The hills form a valley through which a river flows. Additionally, a significant portion of the development zone is below the coastal erosion line and, as highlighted in paragraph 1, due to the heritage site, the limestone, and the greenbelt, there is only 1 hectare of land that can feasibly be built on. c. Given this information, and the marked difference between the type of land of the existing Infanta properties and the area of the Proposed Development, the housing density of Infanta Village and Infanta Park should not be used as a benchmark to determine a feasible housing density for the Proposed Development. d. Furthermore, while housing density is one unit of measurement, it is important to consider how roads, access ways and other paved areas (e.g. car parks) will add to the amount of land being altered from its natural state. A more suitable unit to understand both the visual and	4. a & b. Dave Saunders response: The proposed number of houses has been determined by a rigorous planning exercise which has been informed the receiving landscape, constraints and opportunities and the work contained in the specialist studies undertaken. c. Dave Saunders response: It has not been used as a benchmark. The process requires us to acknowledge existing densities in the planning process. A number of planning factors have been taken into consideration to determine the position, size and layout of the proposed erven. d. Dave Saunders response: The total development footprint, including dwellings, roads, accessways, parking areas and associated infrastructure, has been considered in the assessment of the potential visual and environmental impacts.

		environmental impacts would be the density of developed surface (e.g. houses, roads, sidewalks, parking areas etc.) e. In my opinion, there is insufficient evidence in the proposal documentation to show that the number of houses or the area of developed surface is linked to the ecological and geological constraints of the actual area available for development. f. Can the developers produce a plan that shows how the housing density and location, including roads and other paved surfaces, is informed by the ecological and geological constraints of the actual land available for development and, in doing so, include a more detailed ecological impact assessment, an erosion risk assessment (for the limestone and the dune system), and a 3D render that maps each unit and its access ways onto the development area? 5. Sense of place, ecological services, and ability to experience natural beauty a. Once again, it must be emphasised that I am not against development in general, provided the development is sustainable and holistically beneficial for the wider Infanta community. This includes minimising impacts on the sense of place and the natural beauty enjoyed by the broader Infanta community, and particularly the properties on the border of the proposed development (e.g. ERF 94). Currently, these properties enjoy uninhibited views of the sea and a sense of wildness and natural beauty due to the lack of surrounding developments. It is	e. Dave Saunders response: The number of houses has been determined by a rigorous planning exercise which has informed the number and position of the housing opportunities proposed. f. EAP response: The proposed development is overlain on environmental sensitivities in Appendix D2. Potential impacts from the proposed development were identified, assessed and mitigation developed by specialists. No further unidentified impacts exist. 5.a.EAP response: The area of Erf 134 proposed for development is within the urban edge as determined by SLM. Views taken over another property cannot be guaranteed. Erf 94 does not have direct sea views as Erf 95 sits in front of it. Views are over Erf 134. There is no rezoning application in process at the moment. It will commence once the NEMA process is concluded.

		also worth noting that when these properties were purchased, it was with the knowledge that the ERF 134 was zoned as rural land. I am also led to believe that the application for rezoning from rural to urban was submitted by the developers without timeously informing the wider Infanta community. b. As it stands, the Proposed Development provides inadequate evidence to demonstrate how it aims to preserve a sense of place for the existing Infanta community and, in particular, for the properties on the border of the development that will experience the negative impacts most acutely. In the original proposal for the development of ERF 134, there is an entrance on the south side of the property, directly opposite ERF 94. This will dramatically increase the thoroughfare and traffic going past ERF 94 and will have significant negative impact on our sense of place. c. Below is a photograph showing how close the proposed parking area is to ERF 94. Note how in figure 1, below, which was taken from the property line of the proposed parking site on ERF 134, it is possible to look into the main bedroom of ERF 94 from the parking space.	Rezoning of this section of erf 134 will be from agricultural. This application will follow on the NEMA process and will involve further public consultation at that stage. b. EAP response: Potential impacts from the proposed development were identified, assessed and mitigation developed by specialists. No further unidentified impacts exist. The proposed entrance for the south section is for 5 houses only. c. EAP response: Noted. It is roughly 17m from the northern edge of the road to the edge of Erf 94. Applicant response: We will screen the parking area with a timber trellis 2.1m along the boundary along this part of the site.

		 Figure 1: View of ERF 94 from the boundary line of ERF 134 at the proposed parking area d. Given the main road into the Village of Infanta runs through Erf 134, can it be clarified why it is possible, and indeed more effective in preserving a "sense of place", to rather use the existing entrance off the main road into the proposed development and use a small eco-sensitive bridge across the river into area C, rather than directly in front of existing Infanta properties on the south side of the proposed development? e. Furthermore, there is insufficient evidence in the Proposed Development to suggest that the sense of place and ecological services (e.g. the ability to experience natural beauty) will be preserved by	d. EAP response: The northern section of the proposed development takes access off an existing entrance. The avoidance of the buffer area of the drainage line led to the development of the proposed southern access which takes access off the existing Hoek street. Applicant response: Not possible to cut across the dry waterbed. e. EAP response: this comment on views has been addressed.

		carefully positioning any new units so that they do not obstruct the view of existing Infanta properties. f. Considering this lack of evidence, can the developers produce: i. a 3D render that maps each unit and its access ways onto the development area and ii. a visual impact assessment to show how the view for each of the existing Infanta properties that border the development will be affected? 6. Historical track record of environmental management of ERF 134 a. As shown in figure 2 and figure 3, below, over the last 20 years the alien vegetation (Rooikrans) has grown out of control. Because of the density and flammable nature of this particular alien vegetation its presence is a significant fire risk to the area. b. Rooikrans has a deep and wide root structure, and to be removed effectively, it cannot simply be bulldozed out. The reasons for this include: i. If the roots aren't removed properly, they can sprout new growth and the plant will remain where it is and spread. ii. If all the plants are removed with enough force to pull out the whole root system, and if all of the Rooikrans on the Proposed Development site is aggressively bulldozed simultaneously, prior to building works,	Applicant response: The positioning of units has been done by Gotzola Architects, taking this into account. Architect has designed and placed homes to minimise erven. f. i. EAP response: Potential impacts from the proposed development were identified, assessed and mitigation developed by specialists. No further unidentified impacts exist. There is no need for a view assessment or a 3D render map of each unit. ii. EAP response: The comment on views has been addressed. 6. a. Applicant response: A firebreak has been cut around the Eastern portion over the last 30 years as well as firebreaks against Infanta Park for the last 25 years. b. EAP response: Noted.

		there will no longer be vegetation to hold the dune system in place and the risk of erosion will increase dramatically. c. For the reasons listed above, and to ensure that the erosion risk to the sensitive dune systems does not further increase, any Rooikrans removed from the site must be done by hand in parallel with a regeneration programme. d. Can the developer produce a plan to show how the alien vegetation will be removed from the site of the proposed development, and how the alien vegetation on the rest of Erf 134 will be managed, which I understand is a legal requirement?  *Figure 2: Satellite photograph of Development site from 2003 with well controlled alien vegetation*	c. EAP response: The EMPr contains guidance and requirements on alien vegetation removal. d. EAP response: alien vegetation management and removal will be according to the EMPr.

		 *Figure 3: Satellite photograph of Development site from 2024 with uncontrolled alien vegetation* 7. Conclusion a. Given the points presented in this document, as well as my experience in engineering, sustainable development and policy work, it is my professional opinion that there is a lack of sufficient evidence: i. linking the number of proposed units to the actual ecological and geological limitations of the land available for development; ii. to show how erosion and pollutions from effluent runoff from such a development would be prevented; iii. to show how sewage contamination into Infanta drinking water, into the river, and into the sea will be prevented;	7. a. i. Applicant response: Package plants have been recommended by relevant Specialist including Swellendam Municipality. ii. Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area. iii. Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area.

		iv. to show how the groundwater supply of Infanta will be impacted;	iv. Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users.
		v. to show how the alien vegetation will be managed with out threatening the structure of the sensitive dune systems; and	v. EAP response: this comment has been addressed. Applicant response: Alien vegetation will be removed on proposed development site and managed during construction.
		vi. demonstrating how the Proposed Development would preserve or add to the sense of place and the natural beauty of the wider Infanta community and, in particular, the properties bordering the proposed site of development.	vi. EAP response: an 8m landscape strip on MR268 forms part of the SDP. The SDP allows for the conservation of botanical areas, the drainage line and its buffer area, allows for formalised coastal access to the wheelchair friendly walkway.
		b. Overall, a development of this scale would have irreversible negative impacts on the broader Infanta community, including harm to human health, harm to the health of protected coastal and marine wildlife, harm to the sensitive dune systems, accelerated coastal erosion, and negative impacts on the existing sense of place and ecological services including the ability of current Infanta inhabitants to experience natural beauty.	b. EAP response: The comment is noted.
		c. On this basis, and in order to properly demonstrate that any development on ERF 134 is sustainable and holistically beneficial for the wider Infanta community, I respectfully request that all questions in this	c. EAP response: Potential impacts from the proposed development were identified, assessed and mitigation developed by specialists. No further unidentified impacts exist.

		document should be thoroughly investigated, and an alternative proposal should be presented with a number of units that is supported by evidence linked to the actual ecological and geological constraints of ERF 134 and the surrounds, and which supports the preservation of 'sense of place' and ability to continue to benefit from the ecological services of Infanta and its surrounds, including the ability to experience natural beauty.	
34	Hanre Streicher (Erf 5 and 23)	<u>E-mail received 11 December 2025:</u> As requested, find attached a letter with comments on behalf of the Streicher families from Erf 5 and Erf 23 at Infanta.	EAP response: Thank you for the email and the comments received.
		<u>Letter attached to email:</u> I am writing to formally express my objection to the proposed development of 21 new stands bordering the existing town of Infanta. This coastal holiday town, situated along a remote stretch of the South African coast and bordering the De Hoop marine and nature reserve, is cherished for its tranquility and natural beauty. The proposal raises several significant concerns that warrant serious consideration. Firstly, the addition of 21 new residential stands will place further pressure on the already limited access road, which is an unpaved, 80 km single track. Increased traffic could compromise the safety and accessibility of a road that supports both residents and visitors, particularly during peak holiday seasons. Moreover, each stand currently relies on individual	EAP response: Note – the proposed development entails 20 new houses. There is an existing house on site that will remain. The SIA assessed the use of the existing access road as an impact of the proposed development.

		boreholes and septic tanks for water and sanitation services. The proposed development could negatively impact the existing underground water supply. The potential for over-extraction may adversely affect current residents and their ability to sustain their properties. The slipway, constructed approximately 70 years ago for recreational fishing, poses considerable safety concerns as it is the only access point for launching boats. The increase in boat and swimmer activity in this confined (20 meter wide) area is alarming. Without a constructed groin for protection, launching boats in heavy seas can be hazardous. The mixing of swimmers and boats poses significant risks, and adding more recreational traffic during peak times can lead to more dangerous scenarios for both boaters and swimmers. Additionally, the local natural marine resources are vital for bait collecting and fishing, activities that bring enjoyment to many property owners and visitors alike. The potential overuse of these resources due to increased population density must be critically assessed to ensure the sustainability of our coastal ecosystem. I urge the municipality to thoroughly review these concerns before proceeding with any approvals for the proposed development. Infanta thrives on its natural environment and limited commercial activities, and it is crucial to preserve the integrity of our community for future generations. Thank you for considering my objections.	The current use of boreholes in relation to the proposed use (and potential risk of over abstraction) from borehole 134C has been assessed in the Hydrogeological report (Appendix G2). No installation of septic tanks is planned. Each new unit will have a package plant. The current house has a septic tank which will remain in place. The current challenges with the current slipway (such as the constructed groin) falls outside the scope of this application. The EAP has made the proposal that the slipway management plan should be reviewed by the SLM. The potential increase in recreational use of the slipway in relation as an impact of the proposed project has been assessed in the SIA. The additional concern relating to potential overuse of local marine resources is noted.

35	Mercia Liddle Environmental Officer: Coastal Management Department of Environmental Affairs and Development Planning	<u>E-mail received 11 December 2025:</u> Please find attached the sub-Directorate: Coastal Management's comments on the subject matter as well as the Departmental Circular DEA&DP 0004/2021.	EAP response: The Departmental Circular DEA&DP 0004/2021 is attached as Annexure D to this report. The proposed development's alignment with the guidelines for low risk zones and low risk rural zones, as outlined in Departmental Circular DEA&DP 0004/2021, is addressed in Section 3.5 of the revised BAR.
		<u>Letter attached to email:</u> Your request for comment from the Sub-directorate: Coastal Management on the above-mentioned draft basic assessment report received on 18 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".	1.1 EAP response: Noted

		1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request. 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. 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC: PCMP 2022-2027. The 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	1.2 EAP response: Noted. 1.3 EAP response: Noted. 1.4 EAP response: Noted. The proposed walkway that forms part of the project provides formal access to the coastline of Erf 134.

		hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request. 2. COMMENT 2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary: 2.1.1. The proposal entails the rezoning of a 3.04ha portion of Erf 134 from Agricultural Zone to Subdivisional Area in terms of Section 15(2) of the Swellendam Municipal Planning Bylaw of November 2020. Furthermore, the following zonings are proposed for various portions of the site: Natural Resource Zone, Private Open Space and Transport Zone in terms of Section 3 of the Swellendam Municipal Integrated Zoning Scheme, June 2020, to permit the construction of additional 20 single dwelling units. More than 53% of the subject property will remain in its natural form.	2.1.1 EAP response: Noted. Please note that the proposal has been revised and the SDP was amended. The revised proposal entails the rezoning and subdivision of an approximately 3.89ha portion of Erf 134 (85.6ha), Infanta, to facilitate a residential development. Please also note that the erf sizes have all been changed. All the erven are now on or over 500m^2 with seven being over 600m^2 in size. Under the updated Preferred Alternative 4, the 20 new residential erven have a combined area of approximately 11 795m², resulting in an average erf size of approximately 590m². Including the existing homestead erf, the combined area of all 21 residential erven is approximately 13 377m², with an average of approximately 637m², which is relatively close to the average erf size at Infanta Village (650sqm). Please refer to the revised Draft BAR in this regard, as well as the below table for

ease of reference in terms of the erf size changes between Alternative 3 and 4.

	Alternative 3 (m^2)	Alternative 4 (m^2)
Plot no. 1	351 m^2	608 m^2
Plot no. 2	483 m^2	583 m^2
Plot no. 3	409 m^2	508 m^2
Plot no. 4	441 m^2	508 m^2
Plot no. 5	498 m^2	592 m^2
Plot no. 6	437 m^2	675 m^2
Plot no. 7	465 m^2	551 m^2
Plot no. 8	429 m^2	643 m^2
Plot no. 9	1468 m^2	1582 m^2
Plot no. 10	596 m^2	595 m^2
Plot no. 11	551 m^2	583 m^2
Plot no. 12	542 m^2	579 m^2
Plot no. 13	661 m^2	715 m^2
Plot no. 14	324 m^2	571 m^2
Plot no. 15	412 m^2	547 m^2
Plot no. 16	548 m^2	502 m^2
Plot no. 17	458 m^2	500 m^2
Plot no. 18	500 m^2	507 m^2
Plot no. 19	849 m^2	907 m^2
Plot no. 20	379 m^2	520 m^2
Plot no. 21	504 m^2	630 m^2

		2.1.1.1. Proposal is to subdivide the site into 21 separate erven (20 vacant erven for new dwellings and an erf for the existing house). Erf sizes vary between 321m2 and 81582m2 with 14 of the plots being larger than 460m2.	2.1.1.1 EAP response: Noted. As explained in 1.1.1 above, the Erf sizes have changed and will vary between between 500m² and 1582m², with fourteen of the plots larger than 550m², and six larger than 630m². All the erven are now on or over 500m^{2,} with seven being over 600m^2 in size.
		2.1.1.2. The gross density of the land to be rezoned will be 6,9 units per hectare. This compares favourably with the existing patterns of development in Infanta. 15 units will be single storey and 5 will be double storey.	2.1.1.2 EAP response: Noted. As discussed above, the SDP has been revised, and Erf sizes have changed. The gross density of the land to be rezoned will be 5,4 units per hectare, which still compares very favourably with the existing patterns of development in Infanta. The Spatial Development Framework lists the following development parameters pertaining to erf sizes: • The existing gross density of the town is approximately 10 units/ha. <u>Proposed gross density of the development is 5,4 units/ha.</u> • Average Plot size of the town is 600m².<u>Proposed development's average plot size will be 637m^2</u>.

		2.1.1.3. The existing dwelling, garage, braai place, waste collection room and grave on site will remain.	2.1.1.3 EAP response: The existing waste collection room/ storage room and garage will be removed, as they fall on new erven.
		2.1.1.4. The proposal also includes a public walkway along the eastern edge of the residential erven. This walkway is said to provide safe and defined public pedestrian access along the coastline. Construction of the walkway will be undertaken by the developer, and the maintenance of the walkway will be the responsibility of the Homeowner's Association.	2.1.1.4 EAP response: Noted. A 2m-wide and approximately 195m-long raised, wheelchair-accessible coastal walkway on stilts, is proposed with an estimated footprint of approximately 390m². Details pertaining to the proposed walkway are outlined in the revised Draft BAR.
		2.1.2. The applicant has considered all critical biodiversity and ecological support areas in accordance with the to the Western Cape Biodiversity Spatial Plan (2023).	2.1.2 EAP response: Noted.
		2.1.3. The applicant has considered the Breede River Estuary Management Plan and highlighted the EMP's management objectives applicable to the proposal. The SD: CM confirms that the subject property is not located within the Estuarine Function Zone ('EFZ'). Notwithstanding, due to the proximity of the proposed development to	2.1.3 EAP response: Noted. The property falls outside the Estuarine Functional Zone. Potential spill-over impacts have nevertheless been considered in the BAR and specialist studies. The new Coastal Setback Assessment / Coastal Engineering Assessment incorporates the 100-

		the Breede estuary as well as the private nature reserve and De Hoop nature reserve, spill over impacts from the proposed development on the estuary and the natural corridors from the nature reserve to the coast must be carefully considered. 2.1.4. The SD: CM notes that the 1:100-year floodline delineation was incorporated and the proposed development is confined outside this zone thus minimising risks of flooding and erosion. It is also noted from the DBAR that a coastal setback line was created to ensure that no encroachment onto the dynamic Littoral Active Zone would occur. 2.1.5. The applicant accurately noted Erf 134 within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA. The purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the NEMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ. As such, Section 63 should be considered by local authorities for land use decision making. 2.1.6. Erf 134 is partially located seaward of the Overberg District's Coastal Management Line ("CML"). The technical delineation of the	year floodline, the projected 2100 coastal hazard line and a 40m-wide ecological corridor along the watercourse. The development footprint avoids these areas, while the EMPr includes measures to control stormwater, pollution, vegetation disturbance and impacts on ecological connectivity to manage spill over impacts. 2.1.4 EAP response: The coastal setback line has been recalculated and is included in the amended SDP. 2.1.5 EAP response: Noted.

		CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, inter alia and was delineated in conjunction with and supported by organs of state. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and pro-active planning for future development. Although the CML is mentioned in the DBAR, the applicant failed to submit any alternative layouts that take into account the position of the CML for the proposed development. 2.1.7. The SD: CM notes from the DBAR that a setback line assessment was performed to guide the proposed development and a coastal erosion setback line has been identified as 10m landward of the +6m MSL elevation contour for Erf 134. However, the layouts for the proposed development does not align with the position of the Departmental CML. The mentioned assessment states that consideration was made in terms of how far the development can be extended towards the coast but did not consider the position of the	2.1.6 EAP response: Noted. A new site-specific Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment dated 13 July 2026 was undertaken specifically considering the Departmental CML, coastal risk lines, 100-year floodline, projected storm hazards and sea-level rise to 2100. These constraints informed an integrated development setback line and the reassessment of the layout alternatives. The specialist concluded that the proposed infrastructure can be positioned landward of this setback and beyond the projected effects of flooding and coastal processes, including climate-change-related sea-level rise. Full recognition of the WC DEA&DP coastal management lines and beach access audit is provided in recommending design parameters for the development setback line and a wheel-chair friendly walkway within the coastal strip between the proposed development and the high-water mark (HWM) at the relevant portion of Erf 134, Luz de Lua. 2.1.7 EAP response: The previous 2012 Setback Line Assessment and subsequent 2024 Letter from Geoff Toms, has been superseded by a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026), commissioned to reassess the proposed development using current data and coastal engineering methodologies. The new assessment includes a detailed site

		CML and thus failed to use the CML as a guide for the location of the proposed development. 2.1.8. Be advised that item 3.5. on page 36 of the DBAR was not answered – this relates to how the modelled coastal risk zones, the coastal protection zone, littoral active zone and estuarine functional zone, have influenced the proposed development. The applicant reiterates their own coastal setback line but does not refer to the proposed development in relation to the Departmental coastal risk zones which is publicly available. 2.1.9. In terms of the Departmental Circular, DEA&DP 0004/2021, regarding 'The consideration of coastal risk in land use decisions as well as the way forward with respect to the establishment and implementation of Coastal Management Lines in terms of the NEM: ICMA', a precautionary approach must be adopted with respect to land use decisions within risk areas.	inspection and topographical survey undertaken in 2026, a 39-year shoreline stability assessment (1984–2023) using historical aerial imagery and satellite data, an evaluation of present-day coastal processes, updated climate change and sea level rise projections for 2030, 2050 and 2100, projected storm hazard levels, consideration of the 100-year floodline, and an assessment of the current Western Cape Coastal Management Lines. Based on these new investigations, a revised development setback line has been determined by combining the projected coastal hazard line and the 100-year floodline. The specialist concludes that the recommended setback line will ensure that the proposed development is located beyond the reach of current and future coastal processes, including the projected effects of climate change and sea level rise. Please refer to Appendix G7C**.** 2.1.8 EAP response: Item 3.5 in the draft BAR has been completed. 2.1.9 EAP response: Noted. The new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment applies a precautionary approach by considering the Departmental CML, 100-year floodline, projected storm hazards and sea-level rise to 2100. These constraints

		2.1.10. In terms of the proposed pedestrian walkway – any proposed walkways may not extend beyond the property boundary through the littoral active zone. The proposed walkway is not clearly defined in the proposed alternative layouts – the applicant needs to illustrate the proposed walkway on the layout design properly. 2.1.11. Based on the information provided, the SD: CM does not support the application in its current form and advises the applicant to submit an alternative layout proposal that takes into account the Departmental coastal management line for the Overberg District (which is explained in item 2.1.6. above) as well as the DEA&DP Circular 0004/2021. 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.	informed the integrated development setback, landward of which the proposed infrastructure will be positioned. 2.1.10 EAP response: The walkway is proposed as a public walkway on the coastal side of the proposed development, providing formal public access to the coastline, and incorporating seating and wheelchair access. It is within the current property boundary. 2.1.11 EAP response: Noted. The SDP has been amended and will be circulated for comment during the next round of public participation. 3. EAP response: Noted. The applicant acknowledges the duties imposed by section 28(1) of NEMA and section 58 of the NEM:ICMA. The new Coastal Setback Report determines an integrated setback line incorporating the 100-year floodline and projected coastal hazards, including sea-level rise to 2100. All development infrastructure will be located landward of this setback, where the specialist considers it to be beyond the anticipated influence of flooding and coastal processes. No development infrastructure is proposed to extend onto the beach.

		4. The SD: CM reserves the right to revise or withdraw its comments and request further information from you based on any information that may be received.	4. EAP response: Noted. The SDP has been amended and will be circulated for comment during the next round of public participation.
36	Marda Norris (erf 56)	<u>Letter received by email 11 December 2025:</u> Section I Findings, Impact Management and Mitigation Measures Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction	EAP response: Thank you for the comment received. EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners'

		site, and short-term employment creation during construction. However, the main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be	association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then

		vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m^2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on	be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the

		existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks'. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr.

		We as a family who love and enjoy the tranquility and safety of Infanta feel that this is likely to all change. The extra traffic in and around the village will definitely impact on the childrens safety, they have experienced up until now, a wonderful feeling of freedom and security. We also belive that the character of Infanta Village will be affected. Infanta Township is one of very few townships to have not been materially expanded since it was laid out 100 years ago. As with Suurbraak these undeveloped historic villages provide a unique character to the greater Swellendam Municipal area and should be preserved as such for all visitors and residents. Residents of Infanta Park already have problems with traffic related dust pollution and the increase in traffic will make this worse.	Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, the Infanta settlement has expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape.

		We also rely almost solely on groundwater since there is no municipal water supply and we have real concerns that the availability of the groundwater supply in the aquifer will not cope with the increased demand. I insist that the developer should contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of Erf 134 to the West of the main gravel road, MR 268, be zoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	EAP Response: The proposed development will be reliant on rainwater and groundwater as is the case with other houses in the Infanta area. The viability and sustainability of this use was assessed as part of the pre-application draft BAR. The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further.. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land.

			Applicant response: Remainder of property is not part of the application and will remain as is.
37	Bridgit Wale (erf 6)	<u>E-mail received 11 December 2025:</u> High electrical conductivity (EC) / total dissolved solids (TDS) and high Sodium and Chloride concentrations indicate saltwater intrusion influence from the ocean, as outlined in the hydrogeological report. This means that all pumping at Erf 134 will further impact this saltwater intrusion, whereby the high saline groundwater, that is proximal to the sea, will be pulled further inland, increasing the groundwater salinity both below and around Erf 134. With some 2 dozen houses being built, there will be a significant water demand which would be met either through high abstractions from a few boreholes, or lesser abstractions from many boreholes, but either way this is a known root cause of drawing in the high saline boundary, impacting not only the Erf 134 boreholes but all the surrounding erven's boreholes too. Once this saline groundwater has been pulled inland, the impact is the typically irrevocable, which is alluded to in the hydrogeological report's risk assessment, where the duration of such consequences would likely last between 10 and 60 years. Such impacts would likely be catastrophic for the infanta and infanta park villages.	EAP response: Thank you for the comments received. EAP further response: The proposed development includes additional 20 houses. The proposed abstraction from borehole 134C meets the sustainable yield of the borehole. Additional rainwater harvesting will augment water needs on site.

		The fact that the Basic Assessment Report suggests that the groundwater's high salinity (EC and TDS levels) would require treatment implies that desalination would be required to make the water potable. This has not been factored into the design nor the environmental impact assessment. Desalination is a complicated process with significant maintenance required. The discharge of desalination waste products (brine) would undoubtedly disrupt the surrounding ecology, and there are large energy requirements to run desalination processes, which would either necessitate heavily polluting and noisy generators or further burden the already struggling electrical supply network.	Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels. Lian Roos response: The groundwater's elevated salinity does not require full-scale desalination; potable use will be achieved through point-of-use treatment within the units.
		Furthermore, high levels of E. coli in the observation boreholes indicate excessive faecal matter discharge into the environment, which is more likely to be a result of human development (French drains, septic tanks, etc.) rather than warm blooded animals given the developed locality surrounding the boreholes. This means that (a) tapping into this aquifer for the supply of drinking water will expose any users to faecal pathogens which is a severe public health risk to those users and any of the other infanta and infanta park residents, and (b) there is evidently a transmission pathway between the surface and the aquifer which is allowing the contamination of the aquifer by the human (and/or animal) activities, which indicates that all wastewater effluent should be expected to further contaminate the aquifer.	Lian Roos response: The presence of E. coli in the observation boreholes highlights the importance of treating groundwater before potable use. The proposed development addresses this through point-of-use treatment within the units, ensuring that drinking water is safe for residents.

		The civil engineering services report proposes decentralised activated sludge sewage treatment processes for each property, which is wholly inappropriate as a wastewater management solution. Activated sludge processes pose notorious biological risks to nearby human activities, with aerated biosolids inevitably becoming liberated throughout the treatment process, with prevailing winds spreading microbial bacteria among the surrounding communities. Diarrhoea is one of the most significant public health concerns among children and activated sludge treatment processes are notorious for their foul odours and spread of disease regardless of mitigations. Furthermore, activated sludge process are complex operations that require significant operational oversight and management rather than just setup and left to run as is implied. The promised "maintenance provider" being "dependent upon geographical location" is deliberately vague and would no doubt With the proposed Maskam water solution, there is no proof for their effectiveness operating in such challenging environment which is so far away from the nearest town, in a place with no public water network, by the sea, and in a holiday location where the faecal load will fluctuate hugely throughout the year. For example, England uses activated sludge processes almost exclusively, but the waste water treatment plants in Cornwall are notoriously troublesome because of the high levels of flow rate fluctuation that occurs from holiday makers throughout the year, whereby the bacteria process that cultivates during the off-season can	Gideon Pepler response: No municipality has oversight over the workings of septic tanks, or that conservancy tanks are not leaking / being punctured to save on the cost of pumping. There is no oversight on the pumping of conservancy tanks. The proposed wastewater treatment plants significantly reduce the risks, compared to septic systems or leaking and overflowing conservancy tanks. In addition to the above, Swellendam municipality does not have the capacity to service conservancy tanks either. This means that conservancy tanks will overflow, discharging raw sewage into the environment. Sludge removal is also relevant for central treatment plants. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit. There are no pumps in the system and the aerator's diaphragms needs replacing only every 4 years, as part of the servicing. Again, any manmade machine will need maintenance, including that of a central system. Fusion®'s maintenance is the lowest of all systems on the market. The Fusion® system is equipped with an Early Warning System that monitors the workings of the plant. In the event of failure, the EWS will

		never cope with the sharp increase in population that occurs when holiday makers arrive, resulting in masses of untreated sewage being discharged into the ocean each summer. Despite the Maskam unit being a promising silver bullet, it does not consider the nuanced use case that would be the case by the Infanta holiday makers, and the system cannot simply be turned off and on again when the holiday makers return to their primary homes, and any resultant failures would result in catastrophic environmental and public health consequences. Furthermore, the energy required for aerating the activated sludge, which is the integral component of an activated sludge process, will result in a significant increased load on the already overstressed electrical system. Furthermore, there is still no due consideration of the flood risk in proposed development area, as the local topography is in a high-risk flood zone. This means that in addition to the damage caused to properties, all wastewater generated from the development would escape and spread throughout the village, which is a significant risk factor for many sanitation related communicable diseases.	notify the user. Remote monitoring is available as an optional extra. No other system on the market comes standard with EWS. Gideon Pepler response: The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution.

		The electrical engineering report is outdated, from 2020, and it does not consider the more recently suggested technological developments such as desalination and decentralised activated sludge treatment processes. Infanta's electrical distribution network is already overloaded as is, with frequent blackouts, an unfortunate reality that is not considered in the report. But the added load that would come from introducing high-tech processes such as desalination and activated sludge processes would further worsen the problem.	Gideon Pepler response: The system uses only 60 watts of power, which makes the supply of backup power extremely easy. The system can even run completely off solar power, as is the case at De Hoop Nature Reserve.
38	Kate Christowitz (Erf 53)	<u>E-mail received 11 December 2025:</u> I am emailing on behalf of ERF 53 which is owned by myself and my brother, Nicholas Christowitz. See the attached Objection to the Proposed Rezoning and Subdivision of a Portion of Erf 134, Infanta for The Establishment of a Residential Development, Infanta. Please confirm receipt of this email and attached objection letter. We would also like to request that the full Growth Management Plan for Infanta - as referenced by them in the BAR pages 25 - 27, is shared with us. We would expect to be kept informed of all future communications regarding this matter.	EAP response: Thank you for the comments received. Dave Saunders response: The Growth Management Plan is part of the Spatial Development Framework, a copy of which is readily available to the public on the Swellendam Municipality Website i.e. https://www.swellendam.gov.za/wp-content/uploads/2021/11/SDF-May2020.pdf

		<u>Letter attached to email:</u> The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: Paragraph in BAR: "The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

		building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area" Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. Paragraph in BAR: "The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year." Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town	assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute

		common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m² and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. Paragraph in BAR: "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks."	to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway on Cape Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days,

		Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks.' With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, and more. There is no doubt that it will change the sense of place and experience of existing homeowners and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then

			be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr.
		SECTION E: PLANNING CONTEXT AND NEED AND DESIRABILITY Point 6. Explain how the Western Cape Biodiversity Spatial Plan (including the guidelines in the handbook) has influenced the proposed development: Paragraph in BAR: "Figure 6 below indicates the CBAs that were identified for the study area. A portion of the development will fall within a Critical Biodiversity Area and an Ecological Support Area. A botanical and freshwater specialist was approached to identify sensitive vegetation on site. NOTE: According to the October 2025 Screening tool report a critical biodiversity area has been identified for the eastern section of the site, while the western corner of the site is indicated as	SECTION E 6. EAP response: Comment noted. The BAR has been updated to reflect the findings of the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026), which supersedes the previous Botanical Impact Assessment. The new assessment considered the adopted 2023 Western Cape Biodiversity Spatial Plan (2024) and associated guidelines, together with current site conditions. The assessment confirms that the mapped CBA1 within the property is largely confined to the coastal edge and consists of areas that are either already modified or heavily invaded by *Acacia cyclops*, while the small ESA1 overlap similarly occurs outside the proposed development footprint. The proposed layout has therefore

		ecological support area – refer Figure 7. The Botanical Impact Assessment for the site confirmed the mapping in Figure 6 rather than the updated Screening tool Figure 7. CBAs are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. The management objective for this CBA is as follows: Maintain in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate. It should be noted that only a small corner of the CBA overlaps the proposed development where most of the area has already been cleared. The remainder of the CBA area will be conserved." Comment: Despite a Critical Biodiversity Area and an Ecological Support Area being identified within the proposed area for development, no mitigation of this has been suggested. It states that only a small corner of the CBA overlaps where most of the area has already been cleared. This clearly indicates the current occupants disregard for the precious coastal environment Infanta cherishes. Instead of writing this intentionally degraded area off, the area should be rehabilitated in line with the proposed rehabilitation for the rest of the project development site. 7. Explain how the proposed development is in line with the intention/purpose of the relevant zones as defined in the ICMA.	been informed by the WCBSP and avoids intact CBA and ESA features, with development confined to previously disturbed or transformed areas as far as practicable. In addition, the specialist recommends rehabilitation of all temporary construction disturbance areas and the control of invasive alien vegetation. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H). 7. EAP response: Comment noted. The previous 2012 Setback Line Assessment has been superseded by a new Coastal Setback Line

		Paragraph in BAR: "The development falls inside the 100m coastal setback line, the coastal management line, and the coastal protection zone - refer Figure 9. However, a setback line assessment was performed to guide the development. A coastal erosion setback line has been identified as 10m landward of the +6m MSL elevation contour for the site – refer Figure 10. For further details on the development setback line assessment refer to Appendix G7A and Appendix G7B." Comment: The Setback Line Study for Erf 134 Cape Infanta (dated 6 August 2012) is materially outdated. Despite figure 9 in the BAR referencing the Coastal Management Line and the 100m buffer, the assessment was conducted in 2012. Appendix G7B asserts that the 2012 study remains valid. Considering the Western Cape High Court Judgement in Sea Front for All v MEC: Environmental & Development Planning (Case No. 15974/07) held that decision-makers may not rely on substantially outdated specialist information when assessing coastal developments. We contend that this constitutes a material error, as it: • Predates the promulgation of the coastal management lines • Proposed development within the coastal management lines as well as the 100m buffer zone, • Does not include climate risk assessments for the Overberg region including flood increases;	Assessment / Specialist Coastal Engineering Assessment (July 2026), commissioned to reassess the proposed development using current data and coastal engineering methodologies. The new assessment includes a detailed site inspection and topographical survey undertaken in 2026, a 39-year shoreline stability assessment (1984–2023) using historical aerial imagery and satellite data, an evaluation of present-day coastal processes, updated climate change and sea level rise projections for 2030, 2050 and 2100, projected storm hazard levels, consideration of the 100-year floodline, and an assessment of the current Western Cape Coastal Management Lines. Based on these new investigations, a revised development setback line has been determined by combining the projected coastal hazard line and the 100-year floodline. The specialist concludes that the recommended setback line will ensure that the proposed development is located beyond the reach of current and future coastal processes, including the projected effects of climate change and sea level rise. Please refer to Appendix G7C**.**

		• Does not include the current provincial coastal protection framework. The proposal must be reassessed using current data and municipal policies. Additional General Objections: Objection 1: Failure to assess the “no-go” alternative In terms of the EIA Regulations, a Basic Assessment Report (BAR) must provide the competent authority with: • A description of the need and desirability of the proposed activity; and • An assessment of reasonable alternatives, including the no-go option. The High Court’s judgment in Sea Front for All v MEC (15974/07) reiterates that the no-go option is mandatory, especially in coastal development where environmental sensitivity is high. The BAR provides three variations of the development layout but fails to include the no-go option, which is a fatal procedural omission. Without a no-go alternative, the competent authority cannot satisfy its statutory obligation to weigh whether the project should occur at all, given:	Objection 1 - EAP response: The No Go option is assessed om the pre-application draft BAR section 1.6 onwards. Impact assessment for the no go option is included in Appendix J.

		• Its location inside the coastal management line; • Its long-term cumulative impacts (as required under NEMA); • The sensitivity of Infanta's coastal environment. The absence of a no-go assessment renders the BAR non-compliant with NEMA principles. Objection 2: Absence of Climate Change Considerations One of the most serious omissions in the BAR is the complete absence of climate change considerations. The Overberg District Coastal Management Plan identifies nine priority objectives, including: • Climate change adaptation • Dynamic coastal processes • Building resilient communities The plan explicitly requires alignment with the Overberg Climate Change Response Framework (CCRF) (2017). Infanta's coastline is classified as medium risk, with expected impacts on: • Disaster Management • Coastal erosion and storm surge intensity	Objection 2 - EAP response: The determination by the specialist of a Setback line in 2012 and the verification of that line by another specialist in 2024 takes climate change adaptation into consideration. In addition, it should be noted that a new, site-specific Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment was completed on 13 July 2026 to replace and update the earlier coastal-risk information, of which the Overberg Coastal Setback Line forms part of the assessment. The assessment expressly considers climate change, projected sea-level rise, coastal storm surges, wave run-up and shoreline stability for the 2030, 2050 and 2100 planning horizons. It applies a projected sea-level rise of 1.0m by 2100 and incorporates the resulting 2100 coastal hazard line together with the 100-year floodline into an integrated development setback line. The specialist concluded that infrastructure located landward of this setback would be beyond the projected influence of flooding and coastal processes, including climate-change-related sea-level rise. The BAR has been

		• Human Settlements • Infrastructure stability Given that the proposed development is inside the coastal management line, directly adjacent to the shoreline, the absence of climate change analysis is: • Scientifically indefensible, • A fatal flaw in the environmental assessment process. Climate change considerations are required under: • NEMA Section 2 (sustainable development and risk avoidance), • ICMA (coastal protection and climate-resilient planning), • The Western Cape Climate Change Response Strategy, • The Overberg CCRF. The omission is especially concerning because: a) The development site is vulnerable to sea-level rise and storm surge; b) The BAR relies on 2012 data, predating all relevant climate models and policy frameworks; c) No disaster risk assessment accompanies the climate risk.	updated accordingly; therefore, climate-change and coastal-disaster risks have been assessed and the objection does not constitute a fatal flaw. **<u>Alignment with the Western Cape Climate Change Response Strategy</u>** The proposed development responds to the *Western Cape Climate Change Response Strategy: Vision 2050* (2023) principally through climate-risk avoidance, resource efficiency and long-term resilience measures: • **Climate-resilient built environment:** Development is limited to the approximately 3.89 ha portion of Erf 134 located within the Infanta urban edge. The layout incorporates specialist-informed coastal, flood-related, freshwater and ecological setbacks, with buildings and infrastructure positioned outside identified no-go and unacceptable-risk areas. • **Coastal-risk management:** The new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment assesses coastal conditions for the 2030, 2050 and 2100 planning horizons, including storm surge, wave run-up and projected sea-level rise of 1 m by 2100. The 2100 sea-storm hazard line and 1:100-year flood line were combined to determine the development setback. The applicable DEA&DP Coastal Management Lines and site-specific

			topography and shoreline characteristics were also considered. The proposed coastal walkway will be raised and designed to avoid unnecessary vegetation clearance and accommodate coastal processes. • **Ecosystem-based adaptation:** Designated conservation areas, coastal vegetation and a 40 m-wide ecological corridor along the drainage line will be retained and managed as ecological infrastructure. Construction will be confined to approved footprints, disturbed areas will be rehabilitated, and alien invasive vegetation will be removed and subject to ongoing control. • **Water and drought resilience:** Water supply will combine managed abstraction from BH134C with rainwater harvesting. Abstraction will remain within authorised limits and will be subject to groundwater-level, water-quality and abstraction monitoring. Water-efficient fittings, leakage control, water-wise landscaping, reduced irrigation and drought-related restrictions will further limit demand. • **Flood, erosion and stormwater resilience:** Stormwater will be managed through infiltration and controlled discharge in accordance with applicable engineering standards. Natural vegetation, permeable areas and the drainage-line buffer will be retained to support infiltration and reduce erosion. Disturbed soils

			will be stabilised and rehabilitated, and stormwater infrastructure will be inspected and maintained following major storm events. • **Wildfire and disaster resilience:** Alien invasive vegetation and firebreaks will be managed, while safe emergency access, firefighting equipment, hydrants and access to fire water from the reservoir and proposed bowser will support emergency response. Climate-related risks and emergency procedures will be incorporated into the operational management arrangements. • **Lower-carbon and waste measures:** Construction materials will be sourced from Swellendam, Bredasdorp and the surrounding region where feasible. Construction and operational waste will be separated, reused or recycled where practicable, and no waste may be burnt or disposed of within the conservation areas, drainage line, coastal environment or elsewhere on the site. • **Long-term implementation:** Applicable climate-response measures will be incorporated into the final design and EMPr. The homeowners' association will assume long-term responsibility for groundwater monitoring, stormwater maintenance, conservation areas, alien invasive vegetation, wastewater oversight and emergency planning. These measures will be reviewed and adapted following major droughts, storms, fires or other climate-related events.

			EAP response: The pre-application draft BAR incorporates specialist and I&AP input previously obtained. The possible impacts of increased dust from construction and ongoing traffic on the gravel road was assessed as part of the SIA. The management of increased fire risk during construction was assessed and mitigation included in the EMPr. Security concerns from construction workers on site was assessed as part of the SIA. Note: the applicant is a current and generational landowner in the Infanta area.
		OUR PERSONAL CONCERNS The Basic Assessment Report pays lip service to the concerns of permanent residents, yet it is precisely these residents who will bear the daily burden of this development. Our mother has lived permanently at Erf 53 for many years. She, and other elderly permanent residents of Infanta and Infanta Park, will face increased dust from construction and ongoing traffic on the gravel road, heightened fire risk from construction activity and a larger number of households, and security concerns associated with increased transient populations. These are not hypothetical impacts to be experienced for "2-3 weeks"	EAP response: The concerns are noted. The EMPr provides mitigation and management for dust, increased fire risk due to construction activities and security concerns of residents.

		during peak season — they are daily realities that will affect vulnerable permanent residents year-round. Our property overlooks the river mouth and the pristine fynbos leading up to ocean. The proposed development will destroy this outlook entirely — replacing natural beauty with years of construction activity, followed by a cramped cluster of cookie-cutter houses that will sit vacant for most of the year. This is not a minor inconvenience; it is a fundamental degradation of the qualities that this area embodies.	The area earmarked for the proposed development lies within the SLM declared urban edge. As such views over another property can never be guaranteed in an urban setting.
		We have serious concerns about groundwater. Our borehole draws from the same aquifer that will be expected to supply 21 additional households. There is no municipal water supply in Infanta — the community relies entirely on this limited groundwater resource. The risk that this development poses to existing water users has not been adequately addressed. We don't agree with the assessor's method of averaging water usage out over the year instead of addressing the massive seasonal strain it will put on the ground supply.	Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users.
		The existing waste disposal site is already at capacity, and the gravel road already suffers significant wear and damage. These are not speculative concerns — they are well-documented issues known to the community, many of whom have owned properties here for decades. The proposed development will worsen both problems considerably, and it is the permanent residents who will live with the consequences.	EAP response: The waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump.

		In essence, this development seeks to commodify the natural, untouched beauty of Infanta for the sole financial benefit of one developer who clearly derives little pleasure from the beauty of infanta and the small community. The costs — environmental degradation, infrastructure strain, diminished quality of life, and the loss of a sense of place that has remained largely unchanged for decades — will be borne entirely by the people who call Infanta home. This is fundamentally unfair, and we object to it in the strongest possible terms.	EAP response: The applicant and his father has been a landowner in the area over a long period, and the existing house will be retained and used by the applicant and his family. The Need and Desirability of the proposed development is included in the draft BAR for comment.
		REQUIRED MITIGATION We insist that the developer be required to contribute meaningfully towards the affected Infanta communities in a way that addresses this imbalance. We support the proposal that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	EAP response: The opinion of the I&AP that the selling of the remainder of Erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. The impacts post mitigation will be the same as if the land was not transferred to the ICC or another party. Therefor this solution is not sustainable. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as

			part of the Infanta community. The landowner wishes to retain ownership of the land.
39	Shaun Dunlop (erf 66)	E-mail received 11 December 2025: Please find attached our comment on the proposed rezoning and subdividing of a portion of ERF 134, INFANTA.	EAP response: Thank you for the comments received.
		Letter attached to email: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community.	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners'

		The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can	association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is

		handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks."	therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome.

		Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. As an owner in Infanta, I am deeply concerned about the direct impact this proposed development will have on both my property and the unique character of the village. Our home sits in a quiet part of Infanta where the charm and value lie in its seclusion, its low foot-traffic, and the sense of an untouched coastal hamlet that has remained largely unchanged for almost a century. Any material increase in population density will inevitably bring significant foot traffic past the front row of houses between Rondeklip and the Slipway, fundamentally altering the	There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not

		privacy and tranquillity we currently enjoy. Beyond this, Infanta Park residents already struggle with dust pollution caused by passing vehicles – an issue that will only intensify with higher traffic volumes. Like most residents, we rely almost entirely on groundwater, and I have genuine concerns that the aquifer cannot sustain further extraction without compromising long-term water security. Infanta Township, much like Suurbraak, is one of the very few historically laid-out villages in the Swellendam municipal area that has not been meaningfully expanded in 100 years. Its unspoilt, low-impact character is precisely what makes it valuable to residents and visitors alike, and I believe it must be protected rather than eroded through inappropriate densification.	regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework.

			The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, the Infanta settlement has expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust associated with the development itself were assessed – mitigation developed and incorporated in the EMPr (Appendix H) for stringent implementation & monitoring. In addition, please note that MR268 is a dirt road, and always have been, therefore dust impacts

		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	associated with the road is considered as existing impacts regardless of the development. Traffic impacts are assessed in the TIS (Appendix G14A & B) EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
40	Bridgid Thomson (erf 50)	<u>E-mail received 11 December 2025:</u> The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings:	EAP response: Thank you for the comments received.

		SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta,	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

		Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacitywith both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built	assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute

		houses from 20 to 15. The current proposal will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns.	to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the

		In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. Infanta is a village with limited infrastructure, e.g. almost solely on ground water since there is no municipal water supply, which causes real concerns that the availability of the ground water supply in the aquifer will not cope with the increased demand. The limited infrastructure is part of the appeal and also the natural flora and fauna to live as it always has.	Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable.

			Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Traffic impacts are assessed in the TIS (Appendix G14A & B).
		I insist that the developer should have to contribute towards the affected Infanta communitiesin a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and	The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment.

		sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1. This is something other residents have done to preserve the fabric of the community, local flora and fauna. This precedent should be followed.	Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
41	Kate Rivett-Carnac (erf 35)	<u>E-mail received 11 December 2025:</u> The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of	EAP response: Thank you for the comments received. EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need

		these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year.	and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not

		Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m^2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing	rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump.

		amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. As a family, we have been enjoying Infanta's quiet and peaceful nature for many years. It's pretty unique in its smallness and sense of place. While it's inevitable that small seaside town grow as families expand, the intrinsic quality of the place, and what sets it apart, will be affected	Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess

		by more developments. Not only this but I am very concerned that the infrastructure services will be put under more pressure, groundwater in particular.	development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then

			be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B)

		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
42	Matthew Marr	<u>E-mail received 11 December 2025:</u> I would like to register as an Interested and Affected Party regarding the above Infanta Property Development matter.	EAP response: I will register you as an I&AP for the proposed project as requested.
43	Mike Viljoen	<u>E-mail received 11 December 2025:</u> Whilst supporting the objections submitted by Mr Dillon Dobson and others please consider the following:	EAP response: Thank you for the comments received. Dave Saunders response: The application is based on the current SDF

		• the previous 2005 SDF has expired and no subsequent SDF, as was required, has yet been promulgated.	
		• The road lying to the SW of the erf lies on Erf 107 and permission to use it for access to the erven across the watercourse is unlikely to be granted as it would require a public participation process. • pedestrian traffic in front of Infanta sea front properties lies on erf 107 and may also be refused. • Crossing the watercourse has environmental implications and is unlikely to be granted.	Dave Saunders response: This road is a public road. Access cannot be denied from a public road. Dave Saunders response: This matter has been addressed in the application. EAP response: The impacts associated with the drainage line were assessed by a specialist and mitigation developed. It forms part of the NEMA and WULA applications.
		• The Erf sizes are too small compared to the majority of those of 595 sqm as at Infanta. • Dust issues arising both for the Park and the nearby Infanta properties given the increased traffic and the 'tunnel' effect of their seafront houses.	Dave Saunders response: The objector has offered no reason as to why the proposed erf sizes could be deemed to be undesirable. Please also note that the erf sizes have all been changed. All the erven are now on or over 500m^2 with seven being over 600m^2 in size. Under the updated Preferred Alternative 4, the 20 new residential erven have a combined area of approximately 11 795m², resulting in an average erf size of approximately 590m². Including the existing homestead erf, the combined area of all 21 residential erven is approximately 13 377m², with an average of approximately 637m², which is relatively close to

			the average erf size at Infanta Village (650sqm). Please refer to the revised Draft BAR in this regard, as well as the below table for ease of reference in terms of the erf size changes between Alternative 3 and 4. See table below.

	Alternative 3 (m^2)	Alternative 4 (m^2)
Plot no. 1	351 m^2	608 m^2
Plot no. 2	483 m^2	583 m^2
Plot no. 3	409 m^2	508 m^2
Plot no. 4	441 m^2	508 m^2
Plot no. 5	498 m^2	592 m^2
Plot no. 6	437 m^2	675 m^2
Plot no. 7	465 m^2	551 m^2
Plot no. 8	429 m^2	643 m^2
Plot no. 9	1468 m^2	1582 m^2
Plot no. 10	596 m^2	595 m^2
Plot no. 11	551 m^2	583 m^2
Plot no. 12	542 m^2	579 m^2
Plot no. 13	661 m^2	715 m^2
Plot no. 14	324 m^2	571 m^2
Plot no. 15	412 m^2	547 m^2
Plot no. 16	548 m^2	502 m^2
Plot no. 17	458 m^2	500 m^2
Plot no. 18	500 m^2	507 m^2
Plot no. 19	849 m^2	907 m^2
Plot no. 20	379 m^2	520 m^2
Plot no. 21	504 m^2	630 m^2

			EAP response: Impacts associated with dust were assessed and mitigation developed and incorporated into the EMPr.
		• That road needs to be tarred in front of Infanta Park up to the entrance to Infanta village. • The roads at 3m wide are too narrow compared with those within Infanta at 15.74m. There is also no place to park and with no pedestrian pavements • All erven to have the required 2 on-site parking areas ito of the zoning scheme?	EAP response: The request is noted. Dave Saunders response: The roads are 8m wide. Dave Saunders response: All the erven have space for two motor vehicles.
		• Houses to be Single storey only. (My suggestion only). • The planned refuse area will result in unpleasant smells affecting the wider urban area. They should pay for weekly refuse removal given the required wider roads and places to turn.	Dave Saunders response: There is no logical reason whatsoever to limit house to one storey as none of the other properties in Infanta have such a heigh limitation. Gideon Pepler response: Will be covered in a LSA with SLM.
		• They should provide a common meeting area within the development to take pressure off the Infanta common.	EAP response: Noted.

		• Adherence to one-way roads and no parking area on the Infanta common reserved for trailer rigs of boats at sea during all holiday periods as per the gazetted Infanta SMP. • Infanta property owners to be given rights of first refusal to buy erven. • The proposed development would be measured against the provisions of the current integrated zoning scheme bylaw, in terms of building lines, setbacks etc. The requirements in terms of the Integrated Coastal Management Act would also apply and secondary access to the erf from the untarred road from the N2 would require WCG Infrastructure (Roads) approval. • Finally the conflicting setback lines as set out by the Swellendam Municipality and the ODM would need to be addressed.	EAP response: the management of the Infanta common area and slipway is the mandate of the SLM and falls outside this application. Dave Saunders response: It would be constitutionally illegal to limit the sale of land to only one defined group. EAP response: The WCG roads department is a commenting authority on the proposed project. EAP response: Please note that a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was completed to confirm the applicable coastal setback line for the development. The assessment supersedes the previous reliance on the 2010/2012 setback line study. The 2012 CML determination was tabletop, not ground truthed and based on the latest datasets available. It is therefore outdated and not suitable for determination of coastal development. The new assessment included a detailed site inspection, supplementary topographical survey, a 39-year shoreline stability assessment (1984–2023), evaluation of current coastal processes, projected climate change and sea level rise scenarios (2030, 2050 and 2100), projected storm hazard levels, consideration of the Western Cape DEA&DP Coastal Management Lines and integration of the 100-

			year floodline. Based on these investigations, a revised development setback line has been established by combining the projected 2100 sea storm hazard line with the 100-year floodline, thereby ensuring that the proposed development is positioned beyond the reach of current and future coastal processes, including the effects of climate change and sea level rise. The amended Site Development Plan has been informed by the specialist's recommended setback line, and the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment has been included in the BAR for consideration by the Department of Environmental Affairs and Development Planning (DEA&DP): Coastal Management, Overberg District Municipality and the Swellendam Municipality during their review of the application. Please refer to Appendix G7C.
		Achieving full compliance with a reduced number of erven would most probably be economically infeasible.	EAP response: the statement is noted.
44	Richard Moffatt (on behalf of Somerset Trust Erf 29)	<u>E-mail received 11 December 2025:</u> We attach our letter dated 11 December 2025, for your attention.	EAP response: Thank you for your comment.
		<u>Letter attached to email:</u> SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam.

		Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and	The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect

		resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. During the seasonal influx in Infanta, the	existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta.

		existing erven at Infanta are mostly unable to accommodate the vehicles and boats of the seasonal occupants which clog up the streets and the village common, and with the smaller erven of the proposed development this problem will be exacerbated. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In addition, the only road access into	Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome.

		Infanta, which also serves Malgas and all farms and properties for the entire length of the Breede River from Swellendam, which is Main Road MR268 is already proving inadequate for the heavy seasonal traffic flow and despite continous maitenance by the Western Cape Province deteriorates rapidly and becomes dangerous and almost impassable in places. The development of Erf 134 will add massively to the general traffic flow and especially in season and render the road much more dangerous contribute greatly to its deterioration. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. Erf 29 which is in Retief street just behind the Village green being the Boy Louw plein will be adversely affected by the additional number of vehicles and boats/ trailers which will be parked in the village green is well used by Infanta community for recreational and sporting activities. Already the parking of vehicles and boat trailers on the green is causing a serious problem in season and the development of Erf 134 as	There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase

		proposed will cause a significant increase in this problem. There is no municipal water There is no municipal water supply to Infanta. Erf 29 Infanta as is the case with the majority of properties in Infanta relies almost exclusively on groundwater and the development of erf 134 Infanta as envisaged will only serve to deplete the current available groundwater. A comprehensive study should be undertaken on the quantity and availability of groundwater in Infanta and surrounds before any further developments of the nature of what is proposed on erf 134 should be considered.	in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. EAP Response: The proposed development will be reliant on rainwater and groundwater as is the case with other houses in the Infanta area.

			The viability and sustainability of this use was assessed as part of the pre-application draft BAR. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B).
		The developer should have to contribute towards the affected infanta communities in a way that mitigates these negative impacts mentioned above. If the development of erf 134 Infanta is to be allowed at all the development should be restricted to that portion of erf 134 which lies to the north east of MR268 i.e. between MR268 and the sea and the balance of erf 134 Infanta to the West of MR268 should be rezoned to private open space and be sold and transferred for a nominal sum of R1 to the Infanta Conservation Company NPC which manages the land surrounding Infanta village on behalf of the community, as was the case when application was made for further subdivisions of remainder of 107 Infanta. If this is not done then when any development of erf 134 Infanta is approved the developer will in all probability launch a further application for the development of the remainder of 134 Infanta until the entire erf 134 has been developed. With the previous application for the development of erf 134 Infanta made by this same applicant this	The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Only the eastern section of Erf 134 is within the urban edge, therefor the applicant is highly unlikely to launch a further application for the remainder of Erf 134.

		compromise solution was offered to the developer but it was turned down by the developer, from which it is very clear that the intention of the developer is ultimately to develop the entire erf 134 for maximum profit and with no benefit to the Infanta community.	Applicant response: Remainder of property is not part of the application and will remain as is.
45	Peter Silbernagl Erf 159	<u>E-mail received 11 December 2025:</u> Herewith our response to your invitation of 12 November 2025 for comments on the documents made available on your website for the above proposed development. Could you please confirm that I and my wife, Suzette Silbernagl, are registered as I&APs for these applications.	EAP response: Thank you for the comments received You and your wife are registered I&APs for the proposed project
		<u>Letter attached to email:</u> Herewith our response to your invitation of 12 November 2025 for comments on the documents made available on your website for the above proposed development. 1. The project proposals hold no benefit for the recipient community (whether flora, fauna or human) of Infanta. They present only increased exploitation of their world and a deterioration of their environment, with many unquantifiable risks. We could not find a single reason why anybody in the recipient community would support these proposals. As such, the proposals do not pass the test for Need and Desirability.	1. EAP response: Noted. The site is located within the Infanta urban edge and an area identified in the Swellendam SDF for residential growth. It therefore represents planned infill development rather than expansion beyond the settlement boundary. The proposal will provide 20 additional residential erven, formalised public coastal access via new wheelchair friendly walkway, additional municipal rates revenue, and construction and procurement opportunities for labour, suppliers

			and contractors principally from Swellendam and Bredasdorp, consistent with existing sourcing practices in Infanta. Approximately 1.1ha of the 3.89 ha development area will be conserved, with specialist-informed ecological buffers, conservation areas and coastal setbacks incorporated into the layout. Development and infrastructure costs will be borne by the developer, while potential environmental and social impacts have been assessed and mitigation incorporated into the EMPr. Need and desirability are determined by balancing the proposal's planning context, benefits, impacts and mitigation, and not solely by whether all members of the surrounding community support it.
		2. The documentation and the project proposals, including the project descriptions, are all over the show and seriously conflicting. They need to be updated and co-ordinated. 3. Some of the studies are well out of date (more than 10 years old) and we doubt their relevance and accuracy. 4. Some of the assessments were made on superseded layouts and development proposals, leading to questionable assessments or technical proposals. 5. No Declarations of Independence could be found for	2. EAP response: Noted. 3. EAP response: The issue of older reports being used and amended or updated has been suitably addressed in this report. 4. EAP response: Older reports may have been based on original and now outdated layouts but were updated / amended based on the latest proposed alternative. 5. EAP response: a. No declaration of independence is required.

		a. Gosztola Architecture, who also describe themselves as Gosztola Architects (App. G1) b. Hessequa Consulting Engineers (App. G3) c. BDE Consulting Engineers (App. 4) d. Parsons and Associates x2 (App. G5 Septic tank statement and App. G15 Geohydrology) e. Geoff. Toms (App. G7) f. Nicholas Baumann (App. G11) g. ACO – David Halkett and Jayson Orton (App. G12) h. iCE Consulting Engineers (App.G14) 6. For the Planning Motivation (App. G6) there are no names of the author(s) or the name of the Planner; neither is there a Declaration of Independence. The Planning Motivation makes many statements and interpretations about environmental issues (including social and economic ones) and needs to be seen as an integral part of the DBAR application. Yet, the appendices for that report were not available. 7. Nowhere (not in the DBAR or elsewhere) is the role of Doug Jeffrey explained, yet most of the reports are addressed to Doug Jeffery	b. No declaration of independence is required. c. No declaration of independence is required. d. No declaration of independence is required for Appendix G5 or Appendix G15. The Geohydrological Impact Assessment conducted in September 2025 by Geo Pollution Technologies (Pty) Ltd (GPT) is attached as Appendix A to the WULA technical report (Appendix M), and does contain a declaration of independence. e. No declaration of independence is required. f. No declaration of independence is required. g. No declaration of independence is required. h. No declaration of independence is required. 6. Dave Saunders response: A comprehensive planning application will be lodged in good time. 7. EAP response: Doug Jeffrey is the name of the previous environmental consultant who headed up the NEMA process. They

		Environmental Consultants. There are also reports addressed to Mark de Agrella, some to Westerhelling and some to Nicholas Baumann. The implication is therefore that PHS Consulting has had no input to the terms of reference for many of the specialist consultants, thereby compounding the serious issues raised in the foregoing paragraphs – the further implication being that PHS Consulting has neither directed nor coordinated the work, assessments, technical proposals, etc that are required for this project. 8. The impression is left of an orchestra without a conductor, while the instruments have not been tuned and are being played to different score sheets. 9. The letter of 12 November 2025 refers to an "Application for a Water Use Licence in terms of S21 (a), (c) & (g) of the National Water Act, for the following activities: abstraction of water from borehole for potable supply; potable line [presumably a potable water pipeline] within the regulated area of a drainage line; installation of package plants (one per house) for the treatment of sewage." This description does not match that given in App. M - WULA Summary. Neither the WULA Summary nor the said description includes the stormwater disposal structures (reinforced concrete) within the "regulated area" or the raised walkway on piles that crosses the "regulated area", as are proposed in some of the documents, including in App. B3 - Preferred Layout, App. G3 Civil	have subsequently handed over to PHS Consulting for the NEMA process, but are still heading up the WULA process. Mark the Agrella is the Applicant representative on behalf of Westerhelling Investments. It is acceptable that some reports that relate to the heritage component of the project be addressed to the Heritage specialist at that time- N Baumann. PHS Consulting reviewed the scope of the proposed project and the specialist reports provided before launching the pre-application draft BAR. 8. EAP response: Noted. 9. Lian Roos: The WULA technical report and water uses being applied for will be amended and will be included in the draft BAR for comment.

		Engineering Services report , App. G7A and App.G7B Setback Line Assessment. Could you please facilitate this outstanding documentation, as well as updated reports and assessments/technical proposals, once the team has agreed and consolidated on some sensible and coherent project description and project alternatives. Please ensure that the revised project proposals also include some benefit for the recipient community (flora, fauna and human) at Infanta. Kindly acknowledge receipt of this letter and also register me and my wife Suzette Silbernagl ([redacted], permanent resident and property owner at Infanta) as I&APs for the current DBAR and WULA and subsequent processes.	EAP response: The required acknowledgement and registration of additional I&APs was conducted. The pre-application draft BAR will be amended with additional I&AP, specialist and technical input and re-circulated during the statutory phase to all registered I&APs for additional comment.
		<u>E-mail received 12 December 2025:</u> We understand that there was a meeting yesterday of some of the members of your professional team with officials of Swellendam Municipality to discuss the above proposed development. Would you be able to please share with us the minutes or notes from the meeting?	EAP response: There are at present no formal minutes for the meeting. The notes from the meeting may be shared with registered I&APs as part of stakeholder engagement within the next round of public participation. NOTE: the meeting was found to be for information purposes only, and no formal minutes were compiled and signed off by all parties.
46	Rhett Smart CapeNature	<u>E-mail received 11 December 2025:</u> Background	EAP response: The previous application process never went beyond pre-application phase so no AEA was submitted to DEA&DP.

		This is the third application for the same/similar development proposal on the property whereby the process was halted in the previous cases. It is assumed that the current environmental assessment practitioner has access to the comments provided by CapeNature for the previous two processes, as these remain relevant. The current preferred development layout is a slight variation on the previous preferred development layout, however the development footprint for both is more or less identical (but needs to be verified), with the variations consisting of internal amendments to roads and erven boundaries. The alignment of the potable water pipeline however differs from the previous alternative. The two other alternatives are the same as previously. Desktop Information The 2023 Western Cape Biodiversity Spatial Plan (BSP) is the current relevant version whereas the 2017 BSP would have been the current version for the previous application. In the 2023 BSP, there is Critical Biodiversity Area 1 (CBA) in a strip along the coastline, otherwise the relevant portion of the property north-east of the public road is mapped as No Natural apart from a patch in the west which is Ecological Support Area 1 (ESA). In the 2017 BSP, the areas above mapped as CBA and ESA are CBA 1 joined by a CBA 1 connection and the watercourse buffer is mapped as ESA 2. The correct version of the BSP is reflected in Appendix D but not in the botanical impact assessment.	CapeNature would have been requested to comment during these pre-application phases. The current EAP has access to the 2021 comments by CapeNature. They are included – with responses – as Annexure E to this report. EAP response: Alternative 3 differs from Alternative 2 on the following: Alternative 3 retains the 21 residential erven proposed under Alternative 2 but introduces revisions to the positions and sizes of the erven, the internal road network, both access points and the potable-water pipeline route. These changes were primarily undertaken in response to the relevant roads authority indicating that it did not support the access points proposed under Alternative 2. The principal vehicular entrance serving the majority of the development (16 residential units) was consequently repositioned to utilise the existing access point from the MR268. From this entrance, the proposed internal road follows the existing vehicular route leading to the existing dwelling on the property. The secondary entrance serving the five Southern residential erven was also repositioned. The internal roads, erf configuration and potable-water pipeline route were subsequently realigned to accommodate the revised access arrangements. A new preferred alternative (Alternative 4) has been developed based on specialist and I&AP input. Please refer to the revised BAR and

		The 2018 National Vegetation Map (NVM) is the official version for both the current and previous applications, in which the western (inland) part of the relevant portion is mapped as De Hoop Limestone Fynbos, listed as least concern and the eastern (coastal) part is mapped as Overberg Dune Strandveld, listed as endangered. The current threat status was gazetted in November 2022 after the previous application, however a draft version was available at the time. A draft beta 2024 version of the NVM is currently available in which Overberg Dune Strandveld has been incorporated within Southwestern Strandveld, as has Blombos Strandveld east of the Breede River. As it is a new vegetation type the threat status has not yet been determined. The screening tool report indicates very high sensitivity for terrestrial biodiversity and aquatic biodiversity and medium sensitivity for animal species and plant species. The site sensitivity verification report indicates that the above four biodiversity-related themes are addressed in specialist studies which are updates from the specialist studies from the previous applications. Botanical Assessment The botanical assessment is a second update from the original application in 2012. As the botanical assessment is an update from the original report and not a new report, the terms of reference do not refer to the protocols, however it can broadly be interpreted that the report addresses the terrestrial biodiversity and plant species themes. It is	provide inputs if required. Alternative 4 (the new preferred alternative presented in the 2nd DBAR) differs from Alternative 3 (presented as preferred alternative in 1st DBAR): Alternative 4 retains the 21 residential erven proposed under Alternative 3 but introduces minor revisions to the internal road network, erf sizes and potable-water pipeline route. BOCMA requested that the pipeline remain outside the MR268 servitude area to prevent road maintenance activities from damaging the pipeline. The pipeline alignment was therefore shifted to accommodate this request. The two access roads remain largely unchanged, while the 50 m-radius buffer circles have been removed from the layout for ease of reference. Most of the residential erven have been enlarged, with their combined area increasing from approximately 11 305m² to 13 406m². The preferred layout also formalises approximately 1.1ha of Natural Environment Zone, refines the ecological corridor and more clearly depicts and responds to the updated coastal development setback, Coastal Management Line and high-water mark. The public open-space area and proposed disabled-friendly coastal walkway are also depicted in greater detail. In addition, the stormwater outlet structures within the 40 m freshwater ecological corridor have been added to the layout.

		however important to note that there have been no additional site assessment since 2011 and 2012. The mapping of the vegetation types on site concurs with the NVM mapping of De Hoop Limestone Fynbos and Overberg Dune Strandveld, although the boundary between the vegetation types is slightly different. It should be noted that the mapping of the boundary between De Hoop Limestone Fynbos and Southwestern Strandveld in the draft 2024 NVM is a close match. The description of the two vegetation types indicates that the De Hoop Limestone Fynbos present on site is relatively intact with alien invasive species present, however the Overberg Dune Strandveld is heavily invaded by alien invasive species and potentially not restorable. The threat status for Overberg Dune Strandveld and Southwestern Strandveld is not relevant in this case due to the highly degraded condition. The disturbance regime for the site is discussed and an important consideration. Historical Google Earth imagery provides evidence that there was clearing of a dense infestation of alien invasive species in 2003 with very large stacks of cleared vegetation visible. The 2005 Helme study was undertaken shortly after this. As mentioned, the fieldwork for the current study was undertaken in 2011 and 2012 whereby it was reported that the strandveld areas had become reinfested and that although the fynbos areas had recovered, the aliens	EAP response: Noted. A new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment was completed (August 2026), based on a site-specific field survey undertaken on 17–18 March 2026. The 2023 Western Cape Biodiversity Spatial Plan (BSP) is referenced in the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026). The updated SANBI National Vegetation Map (2024) reclassifies much of the area previously mapped as Overberg Dune Strandveld as South Western Strandveld. As this is a newly delineated vegetation unit, it has not yet been assigned a formal ecosystem threat status under the National List of Threatened Ecosystems. Accordingly, the new assessment relies on current vegetation mapping together with site-specific field verification and ecological condition, rather than threat status alone, to determine the ecological sensitivity of the site. EAP response: The SSV and the Screening tool have been updated – refer Appendix I and K. A new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment was completed (Appendix G9B).

		were starting to reinvade. The aerial imagery provides evidence that the level of alien infestation currently is worse than in 2011 and 2012. There is no evidence of any further events of clearing alien invasive species after the 2003 event. With the existing seedbanks and lack of clearing, increased levels of alien infestation is not unexpected. Landowners are required to manage listed alien invasive species on their property in accordance with the Conservation of Agricultural Resources Act (CARA) and the National Environmental Management: Biodiversity Act (NEM:BA) Alien and Invasive Species Regulations. With regards to the degradation of the property since 2003 due to the lack of managing alien invasive species, we do not support degradation of a property in order to reduce the conservation value to enhance development rights. With regards to the above, we wish to note Section 24C(11) of the National Environmental Management Act (NEMA) as amended by the National Environmental Management Laws Amendment Act (Act 2 of 2022): "A person who requires an environmental authorisation which also involves an activity that requires a licence or permit in terms of any of the specific environmental management Acts, must simultaneously submit those applications to the relevant competent authority or licensing authority, as the case may be, indicating in each application all other licences, authorisations and permits applied for." NEM:BA is a specific environmental management act (SEMA).	EAP response: Comment noted. The previous Botanical Impact Assessment has been superseded by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026). Unlike the previous assessment, the new report includes a new field survey undertaken in March 2026, together with updated desktop analyses using the adopted 2023 Western Cape Biodiversity Spatial Plan (2024) and the latest available SANBI National Vegetation Map (2024). The assessment confirms that the development site contains small mapped areas of CBA1 and ESA1, but that the affected areas are previously disturbed, transformed or heavily invaded; no intact CBA or ESA habitat will be affected. An Endangered plant species, *Erica oblongiflora*, was confirmed within the Limestone Fynbos, but the layout avoids most individuals and suitable habitat. Residual impacts are assessed as Low for plant species of conservation concern and Very Low for terrestrial biodiversity. The pipeline traverses mapped CBA1, CBA2 and ESA areas but follows an existing disturbed boundary/access corridor. Its residual botanical and terrestrial biodiversity impacts are assessed as Low, subject to strict footprint control, rehabilitation, alien vegetation management and the required flora permits. The new assessment supports the development and water infrastructure subject to implementation of the prescribed mitigation.

		While a new fieldwork site visit should be undertaken as the length of time that has elapsed since the previous site assessment is 13 years, we support that the condition of the habitat on site as observed on the 2005, 2011 and 2012 site visits should be used as the reference condition of the site if it had been appropriately managed with regular clearing of alien invasive species. A number of plant species of conservation concern (SCCs) were recorded in the De Hoop Limestone Fynbos but not the Overberg Dune Strandveld. We wish to note the following species as listed in Section 6.2 are also currently SCCs based on the online SANBI Red List: Leucadendron meridianum (near threatened), Leucadendron muirii (near threatened) and Metalasia calcicola (near threatened). The presence of critically endangered Erica oblongiflora is however of significance as discussed in the botanical assessment, as well as the management requirements for continued persistence of the species on site, including management of aliens and fire. The impact ratings for the preferred development layout during construction is high negative prior to mitigation and as low negative after mitigation. The residual impact is therefore below the threshold which requires a biodiversity offset. We do however wish to note that the reduction in significance after mitigation is considerable. The proposed mitigation consists of management of the remainder of the study area for conservation including ensuring that alien invasive	EAP response: Please note that the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026 states that alien vegetation, particularly *Acacia cyclops* (rooikrans), must be actively managed. It recommends that: • An Alien Invasive Species Management Plan be developed and implemented before construction and maintained during and after construction. • Alien vegetation be controlled within the remaining Limestone Fynbos, coastal slopes and drainage valley. • The drainage valley be rehabilitated primarily through alien clearing, which is expected to facilitate natural regeneration by indigenous species. • Heavily invaded coastal slopes within the mapped CBA1 area be cleared and rehabilitated to restore natural ecological functioning. • Temporary disturbance along the pipeline corridor be rehabilitated using appropriate topsoil handling and alien vegetation management. • Post-construction alien vegetation management be maintained. • The report identifies alien control as an important mitigation and ecological rehabilitation measure should the development be authorised. It further notes that broader alien control along the

		species are controlled. We do however wish to note that clearing of alien invasive species is a legal requirement and has not been taking place to date as described above. It is noted that the significance prior to mitigation is low negative for the alternative which fully avoids the limestone fynbos and high negative for the alternative which encroaches on the limestone fynbos. The alternative which fully avoids the limestone fynbos is not feasible as the road access is not safe. However, for the current alternative, the access road through the limestone fynbos already exists. Further information should be provided regarding the extent to which the road will need to be widened if at all, however the additional disturbance could be reduced to minimal to none. The road is proposed to surfaced with interlocking paving which is supported. We therefore wish to query the discrepancy between the impact significance prior to mitigation for the alternative which will avoids the limestone fynbos (Alternative 2) and the preferred alternative (Alternative 3). Nonetheless implementation of the preferred alternative with mitigation is supported. The impacts associated with the new bulk water supply pipeline to the development has been assessed separately, and is aligned along the northern boundary linking off from the main road. The impacts are rated as medium negative before mitigation and low negative after mitigation, and is the preferred alignment compared to the other	coastline would require a community-wide initiative beyond the responsibility of a single landowner. Applicant response: Development site will be cleared of invasive vegetation. It should also be noted that the property is completely surrounded by alien invasive species. EAP response: The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026 confirms that a CapeNature flora permit must be obtained before any listed plant SCC is damaged, destroyed or removed, where required by applicable provincial legislation. The permit must be obtained before site clearance or construction affecting such plants commences and is required independently of the Environmental Authorisation. EAP response: Regarding the extent to which the road will need to be widened, please note that the exsitng road is currently 3-3.5m wide, and will be widened to 8m.

		alternative along the public road but within the property boundary impacting on the proposed conservation area. It should be noted that the botanical assessment does not fully comply with the protocols for terrestrial biodiversity and plant species themes. For example, the site ecological importance (SEI) should be calculated for the confirmed presence of SCCs on the study area in terms of the Species Environmental Assessment Guideline, among other requirements (SANBI 2020). However, considering that the report is an update of the previous botanical assessment we are satisfied that the terrestrial biodiversity and plant species themes have been adequately addressed (apart from the above queries),	EAP response: The previous Botanical Impact Assessment has been superseded by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026. The new assessment included a field survey undertaken on 17–18 March 2026 and updated desktop analysis using the latest available biodiversity information. The survey recorded *Erica oblongiflora* (Endangered), *Leucadendron meridianum* (Near Threatened), *Leucadendron muirii* (Near Threatened) and *Metalasia calcicola* (Near Threatened) within the remnant Limestone Fynbos on the property. A total of 35 *Erica oblongiflora* plants were recorded. The proposed layout avoids most of these plants and a large proportion of their suitable habitat, although small areas of Limestone Fynbos extend into the development footprint. The remaining development footprint comprises predominantly transformed, modified, degraded or heavily invaded habitat. The assessment addresses both the residential development footprint and the proposed pipeline and reservoir:

			• **Residential development:** Impacts on plant SCCs are rated Low before and after mitigation. Impacts on mapped CBA/ESA areas are rated Very Low before and after mitigation, as the affected areas are predominantly transformed, degraded or heavily invaded and no intact CBA/ESA habitat will be affected. • **Pipeline and reservoir:** Impacts on plant SCCs are rated Low before and after mitigation. The localised loss and disturbance of CBA/ESA habitat is rated Moderate before mitigation and Low after mitigation. The preferred pipeline follows an existing disturbed boundary/access corridor and is not expected to fragment the CBA network, sever ecological connectivity or materially compromise its ecological functioning. The proposed footprint is narrow and is expected to affect only a small number of individuals of the confirmed SCC. The loss of these individuals is not expected to affect the persistence or population viability of any of the species. Required mitigation includes retaining the preferred pipeline alignment; restricting all activities to the approved footprint; undertaking a pre-construction botanical walk-through; demarcating the construction corridor and nearby SCCs; preventing unnecessary clearing, vehicle movement and stockpiling outside the corridor; retaining topsoil separately; rehabilitating temporary disturbance; controlling and monitoring alien vegetation; implementing an Alien

			Invasive Species Management Plan before, during and after construction; and obtaining the required CapeNature flora permit before any listed SCC is damaged, destroyed or removed. EAP response: A Botanical conservation area (1.1ha) forms part of the proposed SDP. The remainder of Erf 134 (to the West of the MR268) will remain agricultural zoning with alien vegetation removal as per the EMPr. EAP response: As mentioned before, the previous assessments has been superseded by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026, based on a field survey undertaken on 17–18 March 2026. The new assessment was prepared in accordance with the applicable Terrestrial Plant Species and Terrestrial Biodiversity Protocols. This includes calculation of Site Ecological Importance for habitats supporting confirmed SCCs, updated sensitivity verification, SCC mapping, field-verification evidence, impact assessment and prescribed mitigation. The applicable terrestrial biodiversity and plant species themes have therefore been comprehensively addressed. EAP response: The support for Alternative 3 is noted. Alternative 3 has been refined to incorporate inputs from specialists and I&APs and is

			presented as the new Preferred Alternative (Alternative 4) for comment during the statutory phase. EAP response: The route of the bulk potable supply remains valid. The potable line between the northern and southern section has been amended based on BOCMA request for the pipeline to run inside the property boundary where it crosses the stream. This should lessen the risk of damage to the pipeline during maintenance of the MR268. Please refer to the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026, contained in Appendix G9B.
		Inland Aquatic Ecosystems and Biodiversity Assessment The inland aquatic ecosystems and biodiversity assessment is also an update from the previous applications. With regards to the updates since the previous assessment, the report addresses the new proposed sewage system and the water pipeline which traverses the stream and buffer. The ephemeral stream in the south of the study area is described and assessed, with a recommended delineated 40m buffer which has been used to inform the preferred development layout. The habitat integrity	EAP response: Noted

		of the stream is rated category A (natural) and the ecological importance and sensitivity as high. A number of impacts are identified and assessed with the impact significance rating after mitigation of low-medium or lower for all the impacts. Several mitigation measures are recommended for each of the impacts which all need to be included in the Environmental Management Programme to reduce the impacts. The alignment of the potable water pipeline has changed, and a small section now traverses the stream buffer area. The impact is considered low-medium negative prior to mitigation and low after mitigation, however we wish to query if re-alignment to avoid the stream buffer is possible. The recommended trenching methodology will however significantly reduce the impact. The volumes of potable water, which will be sourced from rainwater tanks and a borehole, are considered low and will not have much impact. The proposed sewage provision has been changed from septic tanks to a small-scale package plant which is supported. We recommend that the proposed end use of the effluent should be identified within the application process. The water use license summary report is included as an appendix and addresses the water uses for the proposed development as discussed	Lian Roos response: During the site visit with BOCMA it was agreed that the drinking water treatment pipeline would follow the watercourse rather than the road reserve to avoid potential infrastructure damage during road maintenance by the District Municipality. A small section now traverses the stream buffer, with impacts considered low-medium negative before mitigation and low after mitigation. The recommended trenching methodology will significantly reduce this impact, and the volumes of potable water sourced from rainwater tanks and the borehole are low, with minimal overall effect. EAP response: the alignment is as proposed by BOCMA. Lian Roos response: Treated effluent will be discharged underground via soakaways.

		above, which includes the abstraction from the borehole and transport to the development and the sewage provision. As mentioned, these impacts are adequately addressed in the inland aquatic ecosystems and biodiversity assessment. We wish to note that the National Water Act is also a SEMA, with reference to the discussion above.	EAP response: no irrigation with treated effluent is included in the application. The WULA technical report has been amended for comment.
		Terrestrial Animal Species Compliance Statement The faunal impact assessment compiled for the previous application was prior to the development of the screening tool and protocols and therefore does not refer to it. The results from the screening tool for the entire Erf 134 are presented in the terrestrial animal species compliance statement, which flags many more species than the study area north-east of the road as included in Appendix I, which only includes a grasshopper species as medium sensitivity. The specialist study has been fully revised to comply with the protocols. In addition to the list of species flagged in the screening tool, a list of all bird species recorded for the pentad for the South African Bird Atlas Project (SABAP) was referenced. The likelihood of the bird and invertebrate SCCs listed in these data sources occurring on site was assessed. Many of the bird species are marine species. The likelihood for all the bird and invertebrate species occurring is low or zero apart from the Agulhas Long-Billed Lark (Certhilauda brevirostrus) which is medium likelihood. The conclusion is therefore that the proposed	EAP response: Noted. EAP response: Noted.

		development is unlikely to have any significant impacts on any animal SCCs.	
		Coastal Setback The primary concern raised for the two previous applications for the proposed development is that most of the proposed development is located in front of the coastal management line (CML) which has been delineated for the Overberg district in terms of the National Environmental Management: Integrated Coastal Management Act (NEM:ICMA). NEM:ICMA is also a SEMA as referred to above. A coastal setback line study was undertaken for the original application and has been used for the subsequent applications, including the current one. The recommended setback from the specialist study has been used as a constraint to inform the current development proposal. The current intention for the implementation of the CML in the Western Cape is to imbed it within the municipal planning by-laws. It is therefore essential that comment is obtained from the Department of Environmental Affairs and Development Planning (DEA&DP): Coastal Management component and the Swellendam Municipality with regards the delineation of the CML and the proposed development layout. We wish to note with regards to previous comments, that this aspect was viewed as a potential fatal flaw that needed to be addressed before the other impacts could be addressed.	EAP response: Comment noted. Please note that a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was completed to confirm the applicable coastal setback line for the development. The assessment supersedes the previous reliance on the 2010/2012 setback line study. The new assessment included a detailed site inspection, supplementary topographical survey, a 39-year shoreline stability assessment (1984–2023), evaluation of current coastal processes, projected climate change and sea level rise scenarios (2030, 2050 and 2100), projected storm hazard levels, consideration of the Western Cape DEA&DP Coastal Management Lines and integration of the 100-year floodline. Based on these investigations, a revised development setback line has been established by combining the projected 2100 sea storm hazard line with the 100-year floodline, thereby ensuring that the proposed development is positioned beyond the reach of current and future coastal processes, including the effects of climate change and sea level rise. The amended Site Development Plan has been informed by the specialist's recommended setback line, and the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment has been included in the BAR for consideration by the Department of Environmental Affairs and Development Planning (DEA&DP): Coastal

			Management and the Swellendam Municipality during their review of the application. It should also be noted that DEA&DP and the Swellendam Municipality provided comments on the application during the previous public participation process.
		Landscape Context CapeNature has in previous comments referred to conservation of the remainder of Erf 134 and initiatives for establishing a Protected Environment which incorporates this property. We wish to recommend that the entire Erf 134 needs to be taken into consideration with regards to potential mitigation measures and appropriate management of habitat, particularly for terrestrial biodiversity. We recommend that an integrated alien invasive species and fire management plan is compiled for the entire extent of Erf 134 both north and south of the public road. An initial clearing and burn should be undertaken across the property prior to the commencement of any construction activities. Formal conservation can be considered in which regard CapeNature can be consulted. The Swellendam Municipality Spatial Development Framework (SDF) includes the study area (i.e. Erf 134 north-east of the public road) within the urban edge and is proposed for medium density residential development, apart from an open space corridor aligning to the ephemeral stream buffer. The proposed development is therefore	EAP response: The comment regarding the conservation of the remainder of Erf 134 is noted. The landowner wished to retain ownership and the agricultural zoning. The alien vegetation removal included in the EMPr extends to the entire Erf 134 and not only to the development area. The EMPr includes alien invasive management, removal and fire management. The remainder of Erf 134 does not form part of this application. The EMPr will be updated with the requirement for an initial clearing and burn. The proposed development is compatible with the SDF.

		compatible with the SDF. We wish to note that biodiversity constraints are incorporated in the SDFs through cross-matching of the spatial planning categories (SPCs) with the categories of the BSP and through comments from CapeNature.	
		Conclusion In conclusion, CapeNature recommends that the concerns raised need to be addressed before the application can be considered further: • The CML must be taken into account in the development layout, which should be amended as required in accordance with recommendations from DEA&DP and the Swellendam Municipality regarding the CML. • An integrated alien invasive species and fire management plan should be compiled for the entire extent of Erf 134, which meets the requirements of NEM:BA and other legislation and should be considered essential mitigation. • Avoidance of the stream buffer by the water pipeline should be investigated.	EAP response: The concerns raised have been addressed through additional specialist input, and the commissioning of new Botanical and Setback line specialist reports. EAP response: Please note that a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was completed to confirm the applicable coastal setback line for the development. The assessment supersedes the previous reliance on the 2010/2012 setback line study. The 2012 CML determination was tabletop, not ground truthed and based on the latest datasets available. It is therefore outdated and not suitable for determination of coastal development. The new assessment included a detailed site inspection, supplementary topographical survey, a 39-year shoreline stability assessment (1984–2023), evaluation of current coastal processes, projected climate change and sea level rise scenarios (2030, 2050 and 2100), projected storm hazard levels, consideration of the Western Cape DEA&DP Coastal Management Lines and integration of the 100-year floodline. Based on these investigations, a revised development setback line has been established by combining the projected 2100 sea storm hazard line with the 100-year floodline, thereby ensuring that

			the proposed development is positioned beyond the reach of current and future coastal processes, including the effects of climate change and sea level rise. The amended Site Development Plan has been informed by the specialist's recommended setback line, and the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment has been included in the BAR for consideration by the Department of Environmental Affairs and Development Planning (DEA&DP): Coastal Management, Overberg District Municipality and the Swellendam Municipality during their review of the application. EAP response: The management of alien invasive species and fire for the entire Erf 134 is included in the EMPr. EAP response: The potable line route is as per BOCMA request.
		CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	EAP response: Noted.
47	Gavin Mitchell (erf 71)	<u>E-mail received 11 December 2025:</u> I, the Trustee of the owner of ERF 71 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows:[I was on the IAP list in previous rounds but my email has changed, please note the new email- [redacted]	EAP response: Thank you for the comments received. The I&AP register will be amended with the new email address.

		The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has certain findings: I, the Trustee of the owner of ERF 71 INFANTA, the JSDJ Trust and an I&AP to the abovementioned development, wish to submit my comment as follows: • This development has no benefit for the Local residents and holidaymakers in Infanta and will definitely have a negative effect on the already overcrowded infrastructure. This is specifically related to the very limited slipway, swimming area and the possibility of danger in this area. • The comment that this is only for a few weeks per year, completely misses the point as this is the crunch period at Infanta. Adding a further 150- 200 people, boats etc to an already very overcrowded infrastructure will be exceptionally detrimental.	EAP response: Noted, however, in terms of the need & desirability, please take note of the following. The site is located within the Infanta urban edge and an area identified in the Swellendam SDF for residential growth. It therefore represents planned infill development rather than expansion beyond the settlement boundary. The proposal will provide 20 additional residential erven, formalised public coastal access via a new wheelchair friendly walkway, additional municipal rates revenue, and construction and procurement opportunities for labour, suppliers and contractors principally from Swellendam and Bredasdorp, consistent with existing sourcing practices in Infanta. Approximately 1.1ha (28%) of the 3.89ha development area will be conserved, with specialist-informed ecological buffers, conservation areas and coastal setbacks incorporated into the layout. Development and infrastructure costs will be borne by the developer, while potential environmental and social impacts have been assessed and mitigation incorporated into the EMPr. Need and desirability are determined by balancing the proposal's planning context, benefits, impacts and

			mitigation, and not solely by whether all members of the surrounding community support it. EAP response: Additional 150 – 200 people over 20 houses equate to 7.5 to 10 people per house, which is an overestimation.
		• The groundwater in Infanta is under pressure, and this is very obvious to the people who have been residents for years. During the summer, when there is little rain, boreholes are significantly reduced. I believe that this development should not occur at all, however if the development is limited to a maximum of 10 units and the balance of the land is handed to the Infanta community, as has been suggested, I might be persuaded to support the development.	Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users. EAP response: The requirement for a decrease from 20 to 10 new units and the balance of the land handed to the Infanta community in order for this I&AP to support the proposed development is noted. It is not based on any scientific or policy reasoning.
48	Jade McKinnon (erf 97)	<u>E-mail received 11 December 2025:</u> I, a resident of ERF 97 INFANTA, and an I&AP to the above mentioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: The findings of the SIA indicate that the establishment of the residential units is unlikely per se to “destroy” the current charm and character of	EAP response: Thank you for the comments received. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional

		Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year	two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill.
		Comment: The developer's focus on low annual occupancy rates is misleading, as the impact must be assessed during peak holiday periods when all 21 units will be occupied to capacity. This influx will severely stress the village's finite resources, leading to verifiable capacity constraints on the limited slipway and swimming areas, and causing excessive vehicle and boat trailer parking congestion on the small Infanta town common. Finally, this over-densification will have a huge impact on the sensitive coastal environment. The increased volume of	EAP response: solid waste - the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by

		traffic, footfall, and resultant waste, particularly during peak season, will place an unsustainable burden on the fragile dune systems and adjacent marine ecosystems, compromising the long-term ecological health of the area that defines Infanta's unique natural setting. The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks."	swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Privacy is already affected for the front row houses as all current Infanta and Infanta Park residents living to the west of this I&AP will walk along this route to get to the swimming area. All current residents who walk the beach path to the north and return also pass this way at present.
		Comment: The proposal's density and resultant traffic flow will have an immediate and severely detrimental impact on the quality of life for long-standing residents, particularly those fronting the seaside. As a resident whose property is located in the front row along the seaside, I must highlight that the proposed increase in human traffic will directly impact my privacy and create unacceptable levels of disturbance. This	EAP response: The proposed development is within the approved urban edge and is considered medium density and not high density. Potential impacts on habitat, wildlife and other biophysical considerations have been assessed as part of the pre-application draft BAR.

		disturbance is not theoretical; it is a guaranteed consequence of over-densification in a small, low-traffic environment. The current proposal also poses an undeniable threat to the highly sensitive coastal ecosystem adjacent to the front-row properties. The increased volume of traffic, footfall, and occupation directly correlates with increased litter and general waste, which will inevitably be discarded into the pristine front-row vegetation. This area supports critically important ecological assets, including pristine fynbos and a rich array of birdlife. The environment here is already severely impacted during the peak season; the addition of traffic and occupation from this proposed development will dramatically worsen this existing degradation. Furthermore, the site and surrounding properties serve as a habitat for protected and indigenous wildlife. We have observed endangered tortoise species in the vicinity, alongside other wildlife that are slowly habituating to the relative tranquility of the area, and the area is utilised for birding. The influx of new residents and guests associated with this high-density proposal will lead to habitat disruption, increased human-wildlife conflict, and a significant reduction in the viability of this area as a natural sanctuary, severely impacting the conservation value that defines Infanta.	EAP response: Waste management on site is included in the EMPr. Impacts on fauna and flora and other sensitive features associated with the receiving environment were identified and assessed by specialists. Mitigation was developed and included in the amended SDP, EMPr.

		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
49	Matt Stanford (Erf 97)	<u>E-mail received 11 December 2025:</u> I, a permanent resident at ERF 97 Infanta, and an I&AP to the above mentioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES	EAP response: Thank you for the comment received. EAP Response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same

		Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housingcomponent has the potential to create in the region of 60-80 construction related employment opportunities per annum fora period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam andBredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based inSwellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities	areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable

		and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven	infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. EAP response: Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump.

		than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development fromproceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns.	Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the

		In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. As a resident, the prospect of this development directly affects my property and the lifestyle I value here. For front-row properties between Rondeklip and the Slipway, like mine, the massively increased foot traffic as new residents walk to the slipway for a swim is a real concern, fundamentally changing the nature of our road and property access.	slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. EAP response: Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Noise impacts are assessed and mitigation included in the EMPr. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr.

			Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. The proposed development is within the urban edge as delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or
		Furthermore, I have grave concerns that the unique, historic character of Infanta Village will be irretrievably harmed. Infanta Township is one of the very few historic townships that has not been materially expanded since it was laid out 100 years ago. As with Suurbraak, these undeveloped historic villages offer a unique quality to the greater Swellendam municipal area and should be preserved as such for all residents and visitors. I believe the assessment underestimates the impact on biodiversity. Developing ERF134 means losing natural habitat directly and fragmenting critical ecological corridors. Increased density, traffic, and general human activity will put severe pressure on the surrounding natural areas and the river. Critically, our reliance on the aquifer poses	

		an indirect, but significant, threat to the Fynbos ecosystem, which depends on current water table levels. The cumulative effect of habitat loss and altered water resources will degrade the unique biodiversity of the Infanta area, and this concern has been insufficiently addressed. Residents of Infanta Park already have problems with traffic-related dust pollution, and the inevitable increase in traffic from 21 new houses will unquestionably make this worse, affecting air quality and quality of life. Finally, a fundamental concern for our community is water. We rely almost solely on groundwater since there is no municipal water supply. I have real concerns that the availability of the groundwater supply in the aquifer will not cope with the significantly increased demand from 21 new households, which presents a serious threat to the sustainability of the entire village. I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that	heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: Infanta Park is built adjacent to a gravel road, with a natural consequence from any dirt road usage being the generation of dust. The use at present is from existing Infanta Village residents. Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users. EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and

		manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	transfer of this piece of land will not mitigate the impacts further. The impacts post mitigation will be the same as if the land was not transferred to the ICC or another party. Therefor this solution is not sustainable. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
50	Oliver Sedgwick (erf 138)	<u>E-mail received 11 December 2025:</u> Please see attached my interested and affected party document for the proposed rezoning of ERF 134.	EAP response: Thank you for the email and the comments attached.
		<u>Letter attached to email:</u> This application seeks to benefit the developer financially to the detriment of the Infanta community There are no benefits to the existing community. It will put already limited resources under further stress, the costs of which, should this be approved, will ultimately be shouldered by the existing community through increased rates and taxes. Examples:	EAP response: The proposal is a private residential development and commercial benefit to the developer is acknowledged; however, this does not mean that the development provides no broader benefit. The site lies within the Infanta urban edge and an area identified in the Swellendam SDF for residential growth, thereby representing planned infill development. Community and municipal benefits include formalised public coastal access through the introduction of a new wheelchair friendly walkway, construction and procurement opportunities for labour, contractors

		The Overberg District Municipality has repeatedly informed us that the MR268 from the N2 to Infanta is not a priority gravel road ear marked for regravelling. A deteriorating gravel road with increased traffic of supply trucks and contractors will damage the road further. Limited public toilets and services provided by the Swellendam municipality will also be under stress. These in time, would need to be upgraded to handle the increased volume of visitors. The Infanta dump site barely copes throughout the year. The garden waste section fills quickly, the builder's rubble section is almost at capacity and the refuse containers barely make it through a busy long weekend. Increased human occupation will also lead to human animal conflict in the area. As in many rural towns baboons are common, as so, in Infanta. Roosting seabirds such as the Swift tern and black oyster catcher on the adjacent rocks to the proposed development will also be disturbed. It's a great pity that a landowner in such a beautiful part of our country would put profit before the environment and the wishes of the community. I strongly object to the proposed development and register as an Interested and Affected party.	and suppliers principally from Swellendam and Bredasdorp, and additional municipal rates revenue. Development and infrastructure costs will be borne by the developer, not the local municpality. Approximately 1.1ha (28%) of the 3.89 ha development area will also be conserved, with ecological buffers and coastal setbacks incorporated into the layout. Potential environmental and social impacts have been assessed, and mitigation is included in the EMPr. Need and desirability are determined by balancing the proposal's planning context, benefits, impacts and mitigation, and not solely by whether all members of the surrounding community support it. EAP response: The 20 additional houses will be contributing to rates and taxes. EAP response: The impacts of the road usage and construction activities was assessed in the SIA. EAP response: solid waste - the waste (general and recycling) from the proposed development will be collected at the waste transfer station

			and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. According to the CapeNature comment it has been confirmed that there will be no impact on sea life or birds outside of the proposed development site.
51	Elizabeth Penn (erf 25 & 26)	E-mail received 11 December 2025: I, (Infanta Property Trust) the owner of ERF 25&26 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of	EAP response: Thank you for the comment received. EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same

		these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to “destroy” the current charm and character of Infanta. The proposed development is located in an area that has been	areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners’ association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal’s need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development’s potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners’ association will be responsible for the reasonable

		identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year.	infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump.

		Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing	Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by

		amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified,

		I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1. Please note that I wish to remain an Interested and Affected Party to this matter.	assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. EAP Response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: remainder of property is not part of the application and will remain as is. The I&AP will remain as a registered I&AP for the proposed project.
52	Cath Magrath (erf 34)	<u>E-mail received 11 December 2025:</u>	EAP response: Thank you for the comments received.

		Please find attached our letter of objection.	
		<u>Letter attached to email:</u> On behalf of The Eva Jasper Family Trust, represented by Quintin and Catherine Magrath, the owners of ERF34 – Visser Street, INFANTA, and an I&AP to the abovementioned development, wish to submit our comments as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: The Road: Infanta is a small community at the end of a notorious dust road. This road services the houses along the Breede river as well as farmers in the area and lastly Infanta. The road already needs constant grading and is at capacity with the present usage of vehicles. Any additional traffic on this road would cause increased danger to all already traveling along this route. The erosion, exposed bedrock and pot holes already need continuous maintenance. To add additional traffic to this road would be absolute negligence and gross irresponsibility on anyone holding this decision. The Dumpsite:	EAP response: The concerns regarding the existing condition and maintenance of MR268 are noted. These conditions predate the proposed development and should be referred to the responsible roads authority or SLM for attention, irrespective of the application. The Traffic Impact Statement concluded that the existing road network has sufficient capacity to accommodate the anticipated additional traffic. Accordingly, it would not be reasonable to assign responsibility for the general upgrading and ongoing maintenance of MR268 to the developer, beyond any project-specific requirements imposed by the relevant roads authority.

		Our dumpsite is running at maximum load with careful management by residents. The dumpsite is also located on private land leased to Swellendam Municipality. This relationship and lease agreement is based on the existing number of houses, anything more would disable its ability to run. Houses along the river as well as residents as far as Malgas are already using our dumpsite due to their own dumpsites no longer functioning efficiently and at full utilisation. The Beach: We have a very small beach which even out of season can barely cope with the number of bathers. The slipway in the middle of the beach has constant boat traffic and this is already tricky to manage safely with the present amount of bathers and beach recreational activity.	Gideon Pepler response: The development is required to create a waste station. If the existing municipal waste station do not have sufficient capacity an SLA must be agreed between the HOA and SLM for collection at the development's waste station. EAP response: The SIA assessed the use of the beach and other public infrastructure in Infanta, and found: *While the concerns are noted, the provision of safe, un-crowed beaches and swimming areas, and uncongested slips ways cannot be taken as a given. Many of the beaches and slip ways at popular holiday coastal towns become crowed over peak holiday times, such as Easter and Christmas. Some people are happy to share a crowed beach, while others time their visit to avoid the crowds. The same applies to the use of slip ways. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks. Objecting to the proposed development on the grounds that it would place addition pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying*

		Water: At Infanta, we rely almost solely on ground water since there is no municipal water supply, we do also collect rainwater but this is unreliable and seasonal. Increased demand on our ground water will create unrealistic and unsustainable demands to the supply in the aquifer which will not cope with this increased demand. Thank you for considering our objections. We trust that all our objections will be given careful attention and we look forward to your response and further engagement. We will back any and all communication that is stated by the IRRA on the matter.	*Infanta during off-peak times of the year. This is not regarded as socially equitable.* Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users.
53	Tim Bashall (erf 94)	<u>E-mail received 12 December 2025:</u> Attached please find our letter containing comments on the Basic Assessment Report referred to in the heading to this email, together with Annexure A, which we refer to in our letter.	EAP response: Thank you for the comments received.
		<u>Letter attached to email:</u> Comments on Basic Assessment Report (April 2024) with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 and DWS	EAP response: Annexure A referred to by IAP is attached as Annexure F to this report. Please note that the responses provided below took the 2021 letter references and the current comment into consideration.

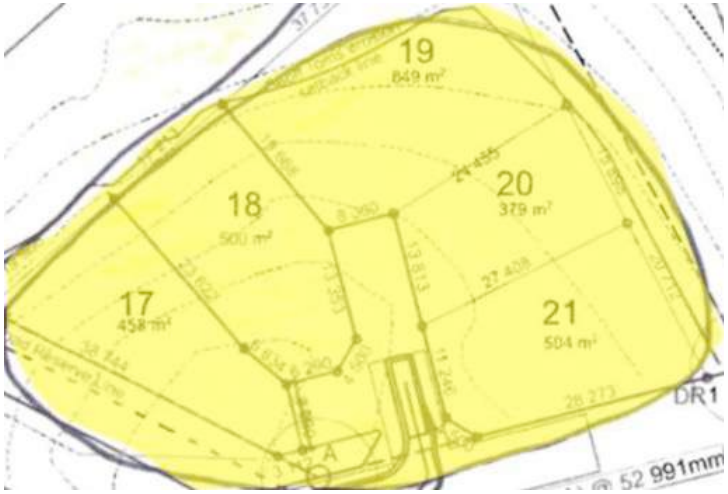
		Reference Number: WU42464 regarding the proposed establishment of a residential development on a portion of Erf 134, Cape Infanta 1. Introduction 1.1. We refer to the above Pre-Application Basic Assessment Report ("Pre-App BAR") for the establishment of a residential development on Erf 134, Cape Infanta ("Proposed Development"). 1.2. We are Trustees of The Marr Family Trust ("the Trust"), which owns Erf 94, and whose beneficiaries are Mrs Sue Bashall (previously Marr) and her three children, Oliver Marr, Jean Tate and Matthew Marr. 1.3. Erf 94 is located adjacent (directly south) of the site of the Proposed Development, where, as retirees, we spend considerable time each year. 1.4. The Marr family have been Infanta property owners since 2003, and we envisage Erf 94 as a holiday home for our extended family for generations to come. 1.5. We are therefore concerned with the very long term environmental and other impacts that the Proposed Development may have, both in general on Infanta itself and/or the Infanta community broadly defined, and more specifically on the beneficiaries of the Trust, particularly considering our proximity to the Proposed Development.	1.1 EAP response: Noted. 1.2 Noted. 1.3 EAP response: Noted. 1.4 EAP response: Noted. 1.5 EAP response: Noted.

		1.6. Accordingly, we are both Interested and Affected Parties ("I&AP") in relation to the Proposed Development. 1.7. Although we are not opposed to the development of Erf 134 in and of itself, we are opposed to unsustainable development which negatively impacts on the environment and the people of Infanta. 1.8. As in the past, we have liaised with various experts, practitioners, and specialists to help us understand the Proposed Development and the environmental and legal processes, and the impacts thereof. We believe that they have provided us with independent and objective input which we have used to form our view of the Proposed Development. 2. Summary of previous requests and contained in our letter of 24 November 2021 2.1 We note on page 1 of the Pre-App BAR, that: "The proposed project was previously circulated for pre-application public participation – this draft preapplication BAR incorporates redesign, input from specialists and comments by I&APs following initial consultation." 2.2 Whilst we appreciate that several of the comments made in our submission dated 24 November 2021 have been considered, it does	1.6 EAP response: All contacts listed have been included in the I&AP register for the proposed project. 1.7 EAP response: Noted. 1.8 EAP response: Noted. 2.1 EAP response: Noted. The proposed project was previously circulated for comment in pre-application phase only and not submitted for authorisation to DEA&DP. Various specialist reports, the preferred Alternative layout and design and technology alternatives (the package plant) were informed by previous round of PPP. 2.2 EAP response: This concern is noted.

		appear to us that many of our comments and requests have either not been properly considered or have been simply ignored. 2.3 Both for completeness and ease of reference, we attach, as Annexure A, our 24 November 2021 letter containing all our previous comments, and have indicated in 2.4 below, in brackets, the relevant paragraph in that Annexed letter, noting that each referenced paragraph is preceded by the underlying rational for our comment/s and related request. 2.4 In light of our opinion expressed in 2.2 above, we deem it prudent and appropriate to summarise below all our requests, and a few of our disagreements/notes/opinions, contained in that letter: - Our request for a full and proper Visual Impact Assessment ("VIA") (para 2.11). - Our request that the heritage specialist re-assess the development (para 2.12). - Our request for an economic assessment (para 3.5). - Our disagreement with the Botanical Impact Assessment ("BIA"), stating that the no-go alternative will result in the ongoing growth and spread of Rooikrans, as this would be illegal (para 4.2).	2.3 EAP response: The letter attached is included in this document as Annexure F. Please note that the responses provided below took the 2021 letter references and the current comment into consideration. 2.4 EAP response: The impact of Visual was assessed in the SIA and there is no need at this stage for an individual VIA. A view over someone else's property is not a guarantee in perpetuity. HWC has confirmed no further assessments are required – refer Appendix E1A-D. No economic assessment will be completed for the proposed project. Erf 134 was included in the urban development edge. This process included public participation by the SLM. The Botanical report and the Coastal setback report were replaced by new studies, please refer to Appendix G7C & G9B. The drainage line has been surveyed and adequately delineated, including the 40m buffer.

		- Our request that the BIA be revised to reflect the Overberg Dune Strandveld as Endangered (para 4.4) and our related request for an assessment of dune integrity (para 6.8). - Our request for a proper and accurate (ie ground-truthed) delineation of the river (para 5.5). - Our request that the Freshwater Ecosystems Environmental Impact Assessment be updated to include a detailed assessment of the future impact of the septic tanks (para 5.8). - Our request that the extent of "developable" land is correctly indicated in the development proposals or in the Swellendam Spatial Development Framework ("SSDF") and that this must be clarified prior to detailed planning (para 7.11). - We note that all properties in the current layout fall within 100m inland of the CPZ High Water Mark of the sea and express the opinion that the Setback Line Assessment ("SLA") fails to assess the impact of the development on the coastal environment specifically in the context of climate change and relevant legislation (para 8.8). - Our request for further information about the raised walkway or "coastal path" (para 9.2). - Our request for further details of the proposed pipeline to provide water from the northern portion of the development to the southern	No septic tanks are planned for the proposed development. The preferred technology is a package plant per house. This was stated in the pre-application draft BAR but has been made clearer in the amended draft BAR. Dave Saunders response: The portion of land in question lies entirely within the area defined in the SDF to be inside the urban edge. The development proposal gives meaning to the conceptual development proposal contained in the SDF. EAP response: The coastal setback line study was redone and the SDP amended to include the recommendations. The amended coastal setback line study takes into consideration the effect of climate change on the site and the relevant current legislation. Impacts associated with the potable line have been assessed and mitigation developed. The pipeline route is demarcated on the Preferred Alternative 4 (Appendix B4A & B4B). The proposed wheelchair friendly walkway is included in the amended SDP and a full description in Section C (7.4) of the amended draft BAR.

		portion, including an assessment of both the construction and operation of the pipeline (para 9.4). - Our request for confirmation that permits and licenses for the abstraction and use of borehole water have been obtained from the relevant authority (para 9.6). - Our request that all reports be updated to only assess the no-go alternative, preferred alternative and a feasible alternative (para 10.4). 2.5 For the purposes of our submission this year, we have chosen to restrict our comments on the Pre-App BAR to the three areas we feel most strongly about, namely: - visual impacts - dune impacts; and - development layout, number of units and alternatives. 3. Our comments on the Pre-App BAR and accompanying Appendices 3.1 We have reviewed the information contained in the Pre-App BAR and Appendices and build on the points made in 2 above by presenting our comments in relation to the Proposed Development hereunder. Visual Impacts	The route and description of the potable pipeline has been included in the amended SDP and the amended draft BAR. The application for the use from the borehole forms part of the WULA, which is run concurrent with the NEMA process as required by the One Environmental Management system. The draft BAR assesses the amended alternative, the no-go and previous alternative layouts. 2.5 EAP response: Noted. 3. EAP responses: 3.1 Noted.

		3.2 We note that the Screening Tool Report requires a VIA and that none has been provided. 3.3 We see that there has been no change in opinion on the Heritage and therefore the comment in point 5.1 of Annexure G11A to retain "the high point of the site, at the southern tip" remains relevant – ie should not be excavated and cleared for access roads, parking and/or new houses.  	3.2 The screening report makes the recommendation that a visual impact assessment be conducted. The impact of the sense of place was assessed as part of the social impact assessment report. Further the architectural guidelines document has made specific recommendations with relation to the building styles. The EAP is of the opinion that a visual impact assessment is not required in this instance. An 8m landscaped setback line is also allowed for in the design. 3.3 Dave Saunders response: The area depicted in the diagram is not the high point of the property. The recommended 8m landscaped strip & heritage set back will be implemented.

		3.4 In this regard, we note that the preferred alternative has a sizeable exposed area carved out for the entrance off Hoek Street, on the south side of the Proposed Development, to the five intended homes on that side of the river, which, as the photo below illustrates, is directly opposite our main bedroom, in which we spend considerable time, particularly during the day in winter due to it being north-facing.  3.5 We disagree with several of the comments made in paragraph one under the heading "Impact on character and sense of place" on page 62 of the Social Impact Assessment ("SIA") Appendix G13A. We believe that the preferred option of 20 additional houses, 5 of which will be double story and a 15% increase on the current Infanta total, is significant for a "quiet, undeveloped, children friendly coastal town" and will impact the "small, quiet, coastal holiday town" character of Infanta. And, as said last time, we are of the opinion that the vacancy of the new dwellings has little to do with the impact on the sense of place	3.4 Dave Saunders response: The house is oriented towards the sea. No primary views will be affected by the development. Issues of view are not a NEMA consideration. This may however be something that could be considered during the rezoning process. 3.5 EAP response: Noted. The impacts on sense of place were assessed by specialists in the SIA and the Heritage Statement. Mitigation was developed and informed the design, the EMPr and the BAR.

		associated with 20 additional houses per the preferred alternative as they are permanent structures in the environment that affect the sense of place with or without inhabitants. 3.6 We note on page 11 of Annexure G13B that our concerns raised last time regarding potential visual impact and impact of sense of place were dismissed on the grounds that "while the current undeveloped sense of place will change, the site is located within the urban edge in an area identified for future urban development". We don't think this broad comment in any way addresses the comments we raised. 3.7 It should be noted that our comments made regarding visual impact, then and now, as stressed in 1.3 above, are not just made because we are property owners immediately adjacent to the development site – ie we also have the broader Infanta community in mind. 3.8 We note, under the heading "Impact statement" on page 12 of Appendix G13B that the support for the proposed development is conditional upon the "application of strict architectural guidelines", and hereby express the opinion that the architectural guidelines in and of themselves cannot and should not be deemed to be an adequate substitute for a comprehensive VIA or sense of place assessment. 3.9 As stated last time, the documentation available for review does not clearly indicate the (ground) levels at which the buildings will be constructed and does not provide any VIA, with the result that there is insufficient information to determine the level of visual impact	3.6 EAP response: The visual impact stated by the I&AP is a natural outflow from development within the urban edge. The undeveloped state of the site does not correlate with what has been planned for it. 3.7 EAP response: Noted 3.8 EAP response: The architectural guidelines is not the only visual mitigation – the 8m landscaped setback from the main road was also included in the preferred alternative. 3.9 EAP response: The SDP (Appendix B4A-C), the architectural guideline (Appendix G1), and the planning motivation report

		associated with the proposed development – including both the houses and the access roads. 3.10 It is our opinion that a simple block massing diagram in AutoCAD and/or on Google Earth, indicating the existing terrain, cut and fill to create building platforms, and proposed double storey dwelling structures, will be crucial to assist the decision maker and IA&Ps to assess the visual and environmental impacts of the Proposed Development from different perspectives, such as from Infanta Park, Infanta Village, the Swellendam-Infanta main road, properties abutting the Proposed Development and/or the seaside. 3.11 We therefore repeat our request that a VIA be undertaken to ensure that the visual impacts from all surrounding landowners, and road users, are accurately assessed and appropriate mitigation determined by a suitably qualified Visual Impact professional. 3.12 We also repeat our request that the heritage specialist re-assess the development based on accurate information relating to exactly what portions of land will be retained and what will be excavated.	(Appendix G6) provide information on the planned development, heights and layout of buildings. 3.10 Dave Saunders response: This could be considered as part of the rezoning process. It must however be emphasised that the footprints of the proposed erven are the result of the informants obtained from the specialist studies undertaken. Any environmental impacts have therefore been considered and do not require any block massing exercise. 3.11 EAP response: This comment has been addressed. 3.12 EAP response: HWC has confirmed that no additional studies or assessment are required, please refer to the chronological timeline of events and recorded HWC feedback for your reference: • **September 2010 – Heritage Statement:** The assessment concluded that the site's heritage significance, excluding potential archaeological resources, was low. The principal considerations

			related to visual impacts, the coastal edge and possible archaeological resources. Mitigation included an approximately 8 m landscaped setback along the main access road, retention of natural open-space corridors and buffers, and further archaeological testing. • **2 December 2010 – HWC Final Comment:** HWC endorsed the findings and recommendations of the Heritage Statement and Archaeological Impact Assessment. HWC confirmed that the development could proceed, subject to Phase 2 archaeological work, monitoring of all bulk earthworks and submission of a monitoring report. • **13 June 2012 – HWC Decision:** Following archaeological excavations, HWC again confirmed that the development could proceed. Conditions included radiocarbon dating of material from sites CI03 and CI18, monitoring of all bulk earthworks and submission of a monitoring report. • **12 December 2012 – HWC Final Excavation Decision:** After considering the final excavation results, HWC confirmed that no further archaeological studies were required and that the archaeological mitigation requirements had been concluded, subject to the continuing monitoring and reporting requirements.

			• **21 April 2017 – HWC Confirmation of Amended Layout:** HWC assessed the reduction from 24 to 21 erven and the associated minor access amendments. HWC confirmed that its 2 December 2010 decision remained applicable, that the deviations would have no heritage impacts and that the development could continue, subject to the existing archaeological conditions. • **31 October 2024 – Heritage Specialist Confirmation:** The original heritage specialist reviewed the further revised layout, including changes to Erven 14–16, the internal road and footpath. The specialist confirmed that the applicable setbacks and protected areas remained unchanged and that the amendments would not affect identified heritage resources. • **9 March 2026 – Latest HWC Confirmation:** HWC reviewed the revised SDP and formally confirmed that it was substantially in accordance with its approvals dated 2 December 2010, 13 June 2012 and 21 April 2017. HWC concluded that no further action under section 38 of the NHRA was required at that time, subject to radiocarbon dating of material from CI03 and CI18, monitoring of all bulk earthworks and submission of the monitoring report. It should however be noted that the radiocarbon dating has been completed and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation

		Dune Impacts 3.13 We note that both the BIA and the SLA refer to the presence of dunes on the Proposed Development site and we are of the opinion that the Pre-App BAR at best downplays and at worst dismisses the importance of dunes from a long term environmental, including climate change, perspective.	related to this requirement will be requested from HWC during subsequent public consultation periods. Accordingly, the heritage process has remained transparent and iterative. The original assessment has not been relied upon in isolation: subsequent investigations, layout amendments and specialist inputs were repeatedly referred to HWC for consideration. HWC's latest confirmation, dated 9 March 2026, demonstrates that the current proposal remains substantially consistent with the previously assessed development and that no heritage-related fatal flaw has been identified. 3.13 EAP response: The BIA assesses the occurrence of dunes in terms of the associated vegetation. The SLA states: *The site is one of vegetated ridges with pockets of softer sand, probably historic windblown sands aligned ESE to WNW. It is not a location of high soft sandy dunes. For this reason it is not expected that there will be any risk of dune collapse or dune erosion by waves which is more typical of larger softer features.* The SLA assessed the effect of waves on the dune system present. It is also not a continuous dune system, but rather pockets of dunes. In addition to the above, the studies referred to have been supplemented and superseded by a new Botanical Impact Assessment

			/ Plant Species and Terrestrial Biodiversity Assessment dated August 2026 and a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment dated July 2026. Both reports are attached to the revised BAR for consideration and comment (Appendix G7C & G9B). The botanical assessment confirms the historical presence of mobile dunes in the north-eastern portion of the site and identifies the drainage valley as part of a dune ecosystem. It further records that the coastal dune system has become extensively invaded by *Acacia cyclops*, which has displaced most of the original Strandveld vegetation and reduced ecological functioning. The mapped coastal CBA1, associated with the dune and sea-facing slopes, falls mostly outside the proposed development footprint. The specialist requires alien clearing and rehabilitation of the drainage valley and coastal slopes to restore natural ecological functioning. The Coastal Setback Report confirms that Erf 134 fronts a predominantly rocky shoreline and that only relict dunes occur around the site because little new sand reaches this section of coastline. Although aeolian sand movement potential was assessed, the limited availability of mobile sand means that little or no wind-blown sand impact is expected. The report nevertheless considers shoreline processes, storm-wave run-up and climate-change-related sea-level rise to 2100. These factors informed an integrated development

		3.14 The Pre-BAR App and BIA states (our emphasis in bold) "Overberg Dune Strandveld is associated with the deeper, calcareous wind-blown dune-sands of the Strandveld Formation. "Originally calcareous dunes would have extended upslope from the coastline to an ecotonal area at the edge of the limestone outcrop. To the south of the house the dunes have remained intact except that they have been heavily invaded by alien wattles (mainly Acacia cyclops) and manatoka (Myoporum tenuifolium). The infestation of wattles was cleared prior to 2005 and now the dune thicket has become dense and almost impenetrable in places. "The Overberg Dune Strandveld Vegetation has been assigned a low sensitivity and will be the site where the residential units are proposed and refers to Figure 13"	setback line, landward of which the proposed infrastructure will be located. The importance of the dune and coastal system has therefore been specifically assessed and incorporated into the revised environmental assessment and mitigation measures. 3.14 EAP response: The quoted information relates to the previous Botanical Impact Assessment, which has been replaced for the current assessment by a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment dated August 2026, based on a field survey undertaken on 17–18 March 2026. The new assessment confirms that parts of the site occur on dune sands historically associated with Overberg Dune Strandveld. However, the 2024 National Vegetation Map identifies this vegetation unit as Southwestern Strandveld, although Overberg Dune Strandveld remains listed as Endangered in the currently published ecosystem list. Historical imagery indicates that mobile dunes occurred in the north-eastern portion of the site and that *Acacia cyclops* invasion has subsequently displaced the original vegetation and caused loss of biodiversity and ecosystem functioning. The field survey identified the Strandveld areas as disturbed, modified or heavily invaded rather than intact dune vegetation. The specialist assigns the Strandveld habitat a Very Low Site Ecological Importance for the Plant Species Theme, as no plant SCCs were

			confirmed within this habitat. The affected mapped CBA/ESA areas are also previously disturbed, transformed or invaded, and no intact CBA/ESA habitat will be affected. The likely impact on terrestrial biodiversity is assessed as Very Low, subject to strict footprint control, implementation of an Alien Invasive Species Management Plan, and rehabilitation of the drainage valley and invaded coastal slopes. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H).
		3.15 In addition, the SLA specifically excludes the assessment of dune integrity (Note: the heading "allowance for Dune Integrity" is included in the "Other Item (2)" referred to below) by stating that (our emphasis in bold):	3.15 EAP response: Dune integrity was assessed in the SLA – refer 3.13. The Overberg Municipality Line was done large scale and not refined per site as part of the previous SLA. As mentioned above, a new, site-specific Coastal Setback Report was completed on 13 July 2026 to

		"In general, there is often good agreement between authorities, researchers and Interested and Affected Parties (I&AP's) on the "Coastal erosion and flooding" components under Item (1) above. **However, the remaining "Other" allowances under Item (2) above are subject to interpretation and debate and present the largest challenge in the determination and implementation of setback lines.** Unfortunately, there is no subdivision of the announced "Coastal Processes / Erosion Line" to show which portions have been added for Items (1) or (2). "In this report, the focus will be on a detailed confrontation of the Hydraulic components with the Erf134 and a discussion, **but no determination, of the "Other" components.**" "The announced "Coastal Processes / Erosion Line" has been provided by Provincial and District Municipality Authorities but it is not clear what the present statutory or legal status of the line is at the time of writing and **it is recommended that this is followed-up with DEA&DP as a matter of urgency.** The line is shown in Figure 8. "**The discrepancy between the PBNS line and the Overberg Municipality Line** is partly due to the new methodology and **partly due to the inclusion of the "Other" factors listed above**."	replace and update the earlier coastal-risk information, of which the Overberg Coastal Setback Line forms part of the assessment. The assessment expressly considers climate change, projected sea-level rise, coastal storm surges, wave run-up and shoreline stability for the 2030, 2050 and 2100 planning horizons. It applies a projected sea-level rise of 1.0m by 2100 and incorporates the resulting 2100 coastal hazard line together with the 100-year floodline into an integrated development setback line. The specialist concluded that infrastructure located landward of this setback would be beyond the projected influence of flooding and coastal processes, including climate-change-related sea-level rise.

		 3.16 We believe that the two photos below, which were taken from just north and just south (bottom of Hoek Street) of the Erf 134 boundary on the coastal edge should be included in any assessment of dune integrity as the pace of degradation we consider to be alarming.	3.16 EAP response: The photos are noted and included here. It is not sure over what period the degradation was noted.

		  3.17 It is stated in 10.1.1 of the BIA that (our emphasis in bold):	

		"The 'No Go' or 'leave as is' would see the prevailing status quo remain in place with no subdivision of the property and no houses built. From a botanical perspective one of two scenarios could result. "The first possibility would be that the site would once again be poorly managed and become completely overgrown with invasive alien trees, mainly Acacia cyclops (rooikrans) but also with Myoporum tenuifolium (manatoka). This would be highly undesirable and would have long-term negative impacts and implications for the site. It would result in virtual exclusion of the natural flora and would also pose a high fire risk. "The second possibility would be that the site would be adequately managed and that an ongoing programme of eradication of alien invasive plants would be in place. This would ensure that the natural vegetation could persist and be conserved. The fire risk would be lower but not entirely absent. "The second scenario would be financially onerous to the landowner and the chances of it occurring are predicted to be lower than the first scenario which amounts to a 'do nothing' scenario with minimal if any intervention or activity on the site." As stated in our comments last time, we have been informed that Rooikrans is a Category 1b species in the National Environmental Management Biodiversity A ct, 2004 (Act 10 of 2004) Alien Invasive Species Lists, 2016, which requires that "A person in control of a	3.17 EAP response: The EAP notes that that removal of alien invasive species is a legal requirement and the landowner intends to comply. Applicant response: Invasive species surrounds Erf 134 as well as and including Nature Reserve. We will remove as required for new development and as recommended in the Plant Species and Terrestrial Biodiversity Assessment dated August 2026. EAP response: The no go alternative is the do-nothing scenario – no intervention on invasive alien species is included in this.

		Category 1 b Listed Invasive Species must control the listed invasive species in compliance with sections 75(1), (2) and (3) of the Act". We therefore disagree with the BIA that the no-go alternative will result in the ongoing growth and spread of the Rooikrans, as this would be illegal, and it therefore always has been, and continues to be, the responsibility of the owner of Erf 134 to control the Rooikrans, which if done well, would have a positive impact on dune integrity over the long term. 3.18 We note further that the SSDF states (our emphasis in bold) that: "Sensitive areas of the biophysical environment should be managed with conservation objectives in mind, and should be protected from urban development" and defines three particular areas of importance to be protected: ● "urban edge areas immediately adjacent to areas of natural vegetation" ● "coastline, natural drainage system and areas immediately adjacent thereto" and ● "any dune systems, particularly any frontal dunes along, the coastline" 3.19 As the SLA specifically excludes the assessment of dune integrity, and it is clear there are dunes on the site of the Proposed Development,	3.18 EAP response: The proposed development is within the urban edge as determined by SLM. "*urban edge areas immediately adjacent to areas of natural vegetation*" – two conservation areas are included in the preferred alternative. *"coastline, natural drainage system and areas immediately adjacent thereto"* a setback line determination was done for the site; the natural drainage area and its buffer is avoided in the preferred alternative. *"any dune systems, particularly any frontal dunes along, the coastline"* a coastal setback has been determined. The dune system underneath the existing house has been removed.

		we are of the opinion that this exclusion is a fatal flaw which must be rectified. 3.20 We believe there is insufficient information available in any of the reports to conclude on the environmental impact that the envisaged Property Development will have on all or part of these dunes and are therefore unable to assess what the best environmental options are or could be.	3.19 EAP response: Dune integrity was assessed as part of the SLA. A second specialist concurred with the findings in 2024. In addition, the SLA studies referred to have been supplemented and superseded by a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment dated 13 July 2026. The report is attached to the revised BAR for consideration and comment. The Coastal Setback Report confirms that Erf 134 fronts a predominantly rocky shoreline and that only relict dunes occur around the site because little new sand reaches this section of coastline. Although aeolian sand movement potential was assessed, the limited availability of mobile sand means that little or no wind-blown sand impact is expected. The report nevertheless considers shoreline processes, storm-wave run-up and climate-change-related sea-level rise to 2100. These factors informed an integrated development setback line, landward of which the proposed infrastructure will be located. The importance of the dune and coastal system has therefore been specifically assessed and incorporated into the revised environmental assessment and mitigation measures. 3.20 EAP response: The impacts associated with the proposed project were identified and assessed by specialists, with mitigation developed, which informed the SDP and the EMPr. This allows for informed

		3.21 We therefore repeat our request that a suitably qualified dune specialist be requested to independently assess and report on dune integrity on the Property Development site and adjacent coastal edges. Development layout, number of units and alternatives 3.22 We understand that the Property Development preferred option is to house 21 plots on a 3.05-hectare portion of Erf 134. 20 of these plots will be new, 5 of which will be double story. 16 of the plots, inclusive of the existing home, will be in designated area B of the SSDF and 5 in area C, and areas B and C are separated by a river. 3.23 As quoted in 3.15 above, the SSDF expects sensitive areas of the biophysical environment to be managed with conservation objectives in mind and defines three particular areas of importance to be protected, all of which are components of the development site and have significant implications for the proposed development. 3.24 In addition, we note that a critical biodiversity area has been identified in the top right portion of area B – namely the De Hoop Limestone Fynbos Limestone conservation area. 3.25 When taken together, the portion of the 3.05 hectares covered by the limestone conservation area, river, dunes and existing house and outbuildings, as depicted in the picture below, considerably diminish the available development area.	decision making by the competent authority and for I&APs to provide comment on the proposal. 3.21 EAP response: no dune specialist will be appointed. The coastal setback specialist assessed the on-site conditions. 3.22 Dave Saunders response: Correct. 3.23 Dave Saunders response: These have been taken into consideration as the proposed layout has been informed by the recommendations contained in the specialist studies undertaken. 3.24 & 3.25 EAP response: The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment confirms remnant De Hoop Limestone Fynbos supporting *Erica oblongiflora* (Endangered). The assessed layout avoids the drainage line, coastal slopes, a significant portion of the Limestone Fynbos habitat and most confirmed *Erica oblongiflora* plants.

		 3.26 When the SSDF density requirements of 10 units per hectare are then applied to the diminished available development area, it is clear to us that 20 additional units suggested by the preferred option and	The assessment further confirms that the development footprint (3.89ha) lies mostly outside mapped CBA/ESA areas. Mapped CBA portions within the site comprise existing buildings, lawns, transformed areas or habitat heavily invaded by *Acacia cyclops*, rather than intact vegetation. The Strandveld/dune areas are similarly disturbed, modified or heavily invaded. These constraints and existing structures are reflected in the assessed layout. The specialist assesses the likely impact on plant SCCs as Low and on terrestrial biodiversity as Very Low, subject to the prescribed mitigation and management measures. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H).

		Alternative 2, or 23 in the case of Alternative 1, cannot possibly be accommodated on the available land. 3.27 We also note that the differences between the 3 Alternatives presented are marginal in nature and that normal practice is to assess a no-go, a preferred and a feasible alternative. 3.28 We therefore reiterate our request that all reports must be updated to only assess the no-go, preferred alternative and a feasible alternative. 4. Conclusion 4.1 We are not opposed to the development of Erf 134 in and of itself. 4.2 We are however opposed to unsustainable development which negatively impacts on the environment and the people of Infanta and to development which is based on flawed information and inadequate assessment.	3.26 Dave Saunders response: the proposed layout has been informed by the recommendations contained in the specialist studies undertaken. 3.27 EAP response: The pre-application draft BAR includes the assessment of the no go. The EAP determines additional alternatives to be included in the BAR, if needed. It illustrates how the design evolved over time based on specialist and I&AP input. 3.28 EAP response: Noted. 4.1 EAP response: Noted 4.2 EAP response: The concerns are noted. The proposal has been designed and assessed with the objective of achieving environmentally sustainable development. Numerous independent specialist studies

			and engineering assessments have informed the layout, services and mitigation measures. The proposal incorporates conservation areas, ecological buffers, coastal and flood setbacks, restricted development footprints and predominantly off-grid water, wastewater and supplementary energy systems. The applicable NEMA assessment requirements and specialist protocols have been followed. Potential environmental and social impacts have been assessed, with avoidance, minimisation, rehabilitation and management measures incorporated into the revised BAR and EMPr. Subject to implementation of these measures and compliance with the conditions of authorisation, the development is considered capable of proceeding without unacceptable environmental impacts and is consistent with the principles of sustainable development.
		4.3 When we sit back and consider all the documents we have read and the comments we have raised in this letter, we are left with the inevitable conclusion that the Pre-App BAR in its current form does not, and in all probability will not be able to, mitigate the significant impact of the points raised. 4.4 Nevertheless, should the applicant continue with the application, we request that the reports be updated after considering the comments presented herein and our specific requests: - for a full and proper VIA;	4.3 EAP response: Noted 4.4 EAP response: The requests are noted and addressed as follows:

		- that the heritage specialist re-assess the development; - for an economic impact assessment; - for a report on dune integrity; - for all reports to be updated to only assess the no-go, the preferred alternative and a feasible alternative; and that we be provided with the revised reports for further scrutiny.	• **Visual Impact Assessment:** A separate VIA is not required. The heritage specialist concluded that no further assessment of the built environment or broader visual-cultural landscape was necessary. HWC subsequently confirmed that no further action in terms of section 38 of the NHRA is required, subject to the archaeological conditions previously imposed. • **Heritage reassessment:** The heritage implications have been reconsidered following each layout amendment. HWC endorsed the original Heritage Statement and Archaeological Impact Assessment on 2 December 2010; confirmed on 13 June 2012 that the development could proceed subject to radiocarbon dating and archaeological monitoring; confirmed on 21 April 2017 that the revised 21-erf layout would have no additional heritage impacts; and confirmed again on 9 March 2026 that the revised SDP was substantially consistent with its previous approvals. Accordingly, no further heritage reassessment is required unless the proposal is materially revised. • **Economic assessment:** A Social Impact Assessment and updated addendum have been provided, which consider the relevant socio-economic impacts and benefits. A separate Economic Impact Assessment is not considered necessary for this residential development.

			• **Dune integrity:** A new site-specific Coastal Setback Report dated 13 July 2026 assesses the relict dunes, availability and potential movement of wind-blown sand, shoreline stability, coastal processes, storm-wave run-up and climate-change-related sea-level rise for the 2030, 2050 and 2100 planning horizons. These findings informed the revised development setback. • **Alternatives:** The revised BAR provides a detailed comparative assessment of the identified development alternatives, including the preferred alternative, other alternatives and the No-Go Alternative. The revised BAR and updated specialist reports are being made available for further consideration and comment through the environmental assessment process.
54	Ingrid Jolley Cheryl Tinkler (ERF 52 & ERF 57)	<u>E-mail received 12 December 2025:</u> WE, the owners of ERF 52 & 57 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: Comment:	EAP response: Thank you for the comments received.

		We as property owners at Infanta are concerned regarding the following: Looking at this new proposal the SDF allows for a maximum amount of 18 houses but somehow we have 21 houses on the proposal – this development is going to highly impact on the increase of residents at Infanta especially during the peak seasons – this is going to be a huge impact on the existing amenities- the slipway itself cannot handle more boats and swimmers- and the safety of the swimmers is a big concern- the beach itself is a problem at the moment and is not big enough to handle all the people of Infanta so how is it going to manage with an average of 4 more people per unit - we have limited parking for cars and boats trailers- and also ablution facilities is going to also be a problem. The average erf at Infanta is 650 square meters, why are they making these much smaller can we not keep the plots the same as we have at Infanta. Our biggest concern here is also the amount of traffic at Infanta and the people of Infanta park are already complaining about the dust from the road and with this development it is going to be a huge impact on them and on our quite village at Infanta – there is going to be huge pressure on our borehole – we are solely dependent on ground water since there is no municipal water supply, and that you have real concerns that	EAP response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. The plots sizes have all been changed. All the plots are now on or over 500m^2 with seven being over 600m^2 in size. The exact nature of the existing and proposed densities will be addressed in the final planning report. While it is acknowledged that the averaged proposed erf size

		the availability of the ground water supply in the aquifer will not cope with the increased demand. A suggestion is that if this development goes ahead the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, as with Erf 107 - a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	will be smaller than the average existing plots size, it is believed that the difference between the two is not significant enough to make the proposal undesirable. EAP response: The concerns re dust from the main road, noise, use from the borehole have been addressed. EAP response: Your suggestion is noted.
55	Greg Stubbs (erf 28)	<u>E-mail received 12 December 2025:</u> Please find my comments attached, for ERF 28.	EAP response: Thank you for the comments received.
		<u>Letter attached to email:</u> I, the owner of Erf 28, and a registered I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations:	

		The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: In the development stage, the benefit flow will not be to local area, it will be to the mainly agricultural towns of Bredasdorp and Swellendam. The local communities of Kontiki, Infanta Park and Infanta will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The degradation of the gravel road from both towns to Infanta with its associated costs to upkeep it will be a concern. The recent upgrade and replacement of a few houses in the area proves this point.	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

		The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: It is a concern that the SF recommends a maximum of 18 houses whereas the current development is for 21 houses. Considering the average erf size within Infanta is 650m^2 and if Erf 134 followed that, this lowers the number of houses to 15. The comment that the majority of houses will be vacant for most of the year is mute. As a someone who has ski-boat fished, dived and utilized numerous water sports, the congestion over the holiday periods at the slipway is a matter of grave concern. The legal status of the slipway is that it is there for boating and it enjoys swimming status by an agreement with Swellendam Municipality. The pressure on the recreational fishing industry in the Breede River Estuary is and the Infanta Bay also a matter of concern. Overfishing has led to one of the major target species, the Dusky Kob, is now at approximately 2% of its original population level. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern	assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional

		is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: It is of concern that the proponent is using the argument that increased pressure on the resources is for relatively short periods of the year. Intense, short term pressure, can have long lasting environmental and social impacts. The negative impacts on the local communities of Kontiki, Infanta Park and Infanta are disingenuously dismissed by the consultants. For over 100 years Infanta has maintained its "small town community" status. This is largely due to inability to expand, virtually no municipal services, limited ground water, long dust road and no throughfare,	two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP Response: The additional concern relating to potential overuse of local marine resources is noted. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The

		amongst others. This is not dissimilar to Suurbraak, also in the Swellendam Municipal District. Many new developments have requirements to contribute to the local environment and communities. A suggestion is that the new property owners are compelled to be members of "The Lower Breede River Conservancy Trust", the "Infanta Conservation Company". I further suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. The proposed development is within the urban edge delineated in the SLM 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could

			associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP response: The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. The suggestion is that the new property owners are to be members of "The Lower Breede River Conservancy Trust" and the "Infanta Conservation Company is noted. Applicant response: Remainder of property is not part of the application and will remain as is.

56	Janine Dobson	<u>E-mail received 12 December 2025:</u> As an interested and affected party to the ERF 134 development proposal at Infanta please accept this attachment as my formal objection . Please confirm receipt of this email and attachment	EAP response: Thank you for the comments received.
		<u>Letter attached to email:</u> I, Janine Dobson, a long-standing resident of Infanta since 1961, hereby formally object to the proposed development on Erf 134, Infanta. My objection is based on several substantive environmental, procedural, and planning concerns that indicate the development is inappropriate, high-risk, non-compliant with the principles of sustainable coastal management, and unsupported by the community. 1. Reliance on Outdated and Invalid Specialist Reports The pre-draft BAR makes extensive use of outdated specialist studies, some of which were produced more than a decade ago. Environmental conditions, coastal erosion patterns, biodiversity sensitivity, and water availability have changed significantly over this period. Using outdated reports constitutes a fatal flaw under NEMA and undermines the scientific credibility of the assessment. Updated specialist assessments—hydrological, botanical, faunal, coastal engineering, and traffic—are essential but have not been provided.	1. EAP response: Comment noted. The concern regarding the reliance on outdated specialist information has been addressed through the commissioning and inclusion of new specialist assessments as part of the amended Basic Assessment Report. These include a new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026), prepared in accordance with the current DFFE specialist assessment protocols and informed by a field survey undertaken in March 2026, as well as a new Specialist Coastal Engineering Report (July 2026), commissioned specifically to address the comments regarding the Coastal Management Lines and development setback. These specialist studies incorporate the latest available spatial datasets, current legislation, and updated site investigations, and supersede the previous specialist reports where applicable. Consequently, the BAR is informed by current specialist information and reflects accepted environmental assessment practice

		The consultants repeatedly claim that the existing reports are "sufficient," yet this is not supported by current data or professional best practice. 2. Lack of Objective and Independent Assessment Many of the specialist reports and assessments were commissioned and paid for by the developer, raising legitimate concerns about impartiality. Best practice requires independent, transparent assessments, especially in ecologically sensitive coastal villages such as Infanta. The close financial relationship between the developer and the consultants compromises the objectivity of key findings, particularly where conclusions consistently favour the development despite obvious risks. 3. Environmental Sensitivity of the Site Erf 134 is located within an area recognised for its high ecological sensitivity, including: - Coastal ecosystems prone to disturbance - Critical biodiversity areas and ecological support zones - Sensitive dune systems - Limited and vulnerable freshwater resources	in accordance with the requirements of the National Environmental Management Act, 1998 (Act 107 of 1998). The query re the use of older reports has been previously addressed by the EAP. It does not constitute *a fatal flaw under NEMA.* 2. EAP response: the explanation of the NEMA requirement that the applicant needs to fund all specialist and technical studies was previously addressed. EAP Where required, the EAP requested declarations of independence from specialists. 3. EAP response: Potential impacts due to the location and design of the proposed development were assessed by various specialists, mitigation developed and included in the preferred alternative and EMPr.

		Any development in this landscape poses irreversible risks, including habitat loss, erosion, increased pollution load, pressure on groundwater, and disruption of natural drainage systems. The pre-draft BAR inadequately addresses these issues and significantly understates the environmental impacts. 4. Inadequate Assessment of Water, Sewage & Infrastructure Capacity The proposed development places significant pressure on local infrastructure, specifically: - Water supply (already constrained in peak months) - Sewage treatment capacity - Waste management - Access routes used by emergency vehicles The septic system design raises concerns regarding groundwater contamination, surface seepage, and insufficient buffer zones. No cumulative load assessment has been provided.	4. EAP response: The concerns are noted. The servicing requirements have been assessed through hydrogeological, civil engineering, traffic and wastewater studies, together with comments from the relevant authorities: • **Water:** The estimated demand is 16.8 m³/day. The 2025 hydrogeological study determined a sustainable borehole yield of 32.4 m³/day. Supply will be supplemented by compulsory 5 kℓ rainwater tanks, while borehole water will be treated and abstraction and groundwater quality monitored. • **Sewage:** Septic tanks are no longer proposed. Each dwelling will use an individual package wastewater-treatment plant with a capacity of 1 500 ℓ/day, exceeding the estimated sewage flow of 640 ℓ/day per dwelling. Treated effluent must comply with the applicable General Standards and the systems will require ongoing servicing and maintenance.

			• **Cumulative load:** The Civil Engineering Services Report quantified the total water and wastewater demand for all 21 erven. The earlier septic-system risk assessment also considered the additional cumulative loading and found that it would not materially alter the existing situation; however, the current package-treatment proposal further reduces this risk. • **Waste:** The Swellendam Municipality confirmed the required waste-management arrangement. A suitably sized transfer station will be established at the development entrance and serviced by the appointed waste contractor, with household waste transported to the Bontebok facility in Swellendam. • **Access and emergencies:** The Traffic Impact Statement concludes that the existing road network can accommodate the additional traffic and supports the proposed accesses. Internal roads will be constructed to the prescribed engineering standards. A 140 kℓ reservoir, 125 mm water main and fire hydrants are included to provide the required firefighting capacity. The development will therefore not rely on existing municipal water or sewage-treatment capacity. The required infrastructure, monitoring and management measures are incorporated into the engineering design, revised BAR and EMPr.

			The objection was formally recorded in the C&R, receipt was acknowledged directly to the I&AP. Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users. The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area. Gideon Pepler response: The development will supply own water from a borehole and rainwater harvested from roofs and stared in tanks. Sludge removal is also relevant for central treatment plants. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit The development is required to create a waste station. If the existing municipal waste station do not have sufficient capacity an SLA must be agreed between the HOA and SM for collection at the development's waste station

		5. Non-Compliance with the Intent of the Swellendam Spatial Development Framework (SDF) The 2020 Swellendam SDF clearly indicates that Infanta is a small, environmentally sensitive settlement with no mandate for significant urban expansion. Infanta is to remain a low-intensity coastal village, with growth restricted to existing erven and infill development—not large new developments that alter the character or burden the environment. The proposed development on Erf 134 is inconsistent with: - The SDF's core principles for coastal settlements - The environmental management zones - The stated intention to avoid expansion into sensitive coastal landscapes The consultant claims the development "aligns with the SDF," which is inaccurate and misleading 6. Procedural defects and premature engagement This pre-draft BAR consultation appears to have been initiated prematurely, before: - Updated specialist studies were completed - A clear alternatives analysis was conducted - Meaningful engagement with affected residents	The development will have a significant small influence on the existing traffic flows. There are no septic tanks. 5. Dave Saunders response: The Swellendam SDF goes further than this. It actually contained a Growth Management Plan (GMP) that sets out very broad development parameters for Infanta and the land in question. This GMP indicates the land being inside the Urban Edge and in very general terms (by mean of bubbles) identifies the land as having areas worthy of conservation and areas suitable new for residential development. It is felt that the proposed development aligns with the intention Growth Management Plan, and therefor by deduction, with the Swellendam SDF.

		Requesting comment on an incomplete and insufficiently supported BAR disadvantages the public and violates the principles of a fair environmental process. 7. All Benefits Accrue to the Developer, Not the Community The proposal has been framed as beneficial to the broader community, yet all material benefits—financial, developmental, and commercial—flow exclusively to the landowner/developer. The community bears the environmental, social, visual, and infrastructural risks with no demonstrated public interest benefit. Conclusion For the reasons above—outdated specialist studies, lack of independence, environmental sensitivity, inadequate infrastructure assessment, non-alignment with the SDF, procedural shortcomings, and the one-sided benefit to the developer—I object in the strongest possible terms to the proposed development on Erf 134, Infanta. I request that this objection be formally recorded, that acknowledgment of receipt be provided, and that the application not proceed unless a full, updated, and independent assessment is conducted, which, based on current evidence, is highly unlikely to support development on this sensitive site.	6. EAP response: The pre-application draft BAR circulated outside the formal NEMA application process, included sufficient information to enable comment by I&APs. 7. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta

			are not there for the exclusive use of those who own property in Infanta.
57	Andrew Langham (erf 231)	<u>E-mail received 12 December 2025:</u> Please find comments and objections from Erf 231	EAP response: Thank you for the email and comments received.
		<u>Letter attached to email:</u> Comments and Objections from owner Erf 231 – proposed development on Erf 134 Basic Assessment Report (April 2024) With DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 And DWS Reference Number: WU42464 I have the following comments and objections to the proposed development on a portion of Erf 134 Infanta: 1. The Infanta Township is small village which was laid out in the 1920's, it is unique in South Africa in that its layout has not changed for 100 years. It is mostly crime-free and its residents take pride in ensuring it is maintained and self-regulated with an active residents association which works closely with the Swellendam Municipality on a pro-active basis. A material increase in the number of units next to Infanta Township is likely to destroy the character and sense of place.	1. EAP response: the proposed development lies within the urban edge as determined by SLM in the 2020 Spatial Development Framework, so the layout has changed in the last 100 years. The addition of Kontiki and Infanta Park should be seen in conjunction with Infanta Village. 2. EAP response: The potential social and traffic-related impacts of the proposed development have been considered in the Social Impact

		2. The impact of the proposed development on the village has not been adequately assessed. Examples: • What increase in foot-traffic in certain areas can be expected? • How will an increase in swimmers and boat launches in peak season be managed • How many more cars are likely to want to park on the common and how will this impact on the areas allocated for boat trailers and the areas used by children for recreation (flying kites and touch rugby etc). How will this impact on erven 10, 12 and 13 where there is no road reserve parking made available by the municipality due to misalignment of Tolmie and Hoek streets. • What is the anticipated increase in traffic on Retief, Tolmie, Hoek and Dunn Streets – how will this be managed considering the number of cyclists, children and elderly people in the village • No comprehensive survey been done on how many houses in Infanta Township and surrounds are dependent on groundwater and how will this be affected by the proposal	Assessment (SIA), SIA Addendum and associated impact-assessment tables (Appendices G13A–G13C), as well as the Traffic Impact Statement (TIS) and subsequent addendum (Appendices G14A–G14B). The specialist assessments do not quantify the anticipated number of additional pedestrians, swimmers, boat launches or vehicles that may use the common. Such use will depend on future occupancy levels, household composition, visitor numbers, weather conditions and individual recreational activities. Nevertheless, the following is relevant: • **Pedestrian activity:** Some increase in pedestrian activity can reasonably be expected, particularly during peak holiday periods. The development incorporates a public open-space area and a disabled-friendly walkway along the coastal frontage, thereby facilitating pedestrian movement within and along the seaward boundary of the development. Public access to the area will not be controlled or restricted. • **Swimming, boating and the slipway:** The SIA specifically considered the potential for increased pressure on the beach, swimming areas, slipway and associated coastal amenities. It acknowledged that the development may contribute to increased use of these facilities during peak holiday periods, particularly over the approximately two- to three-week peak season. The impact on existing amenities was assessed as Low Negative prior

			to mitigation, with the residual impact considered limited and largely confined to the peak season. The SIA recommends that the Infanta Ratepayers and Residents Association, in consultation with the relevant authorities, investigate the need to upgrade the existing slipway and the feasibility of developing a tidal pool. The SIA also notes that responsibility for the management and upgrading of the public slipway rests with Swellendam Municipality. The development does not include or propose a separate boat-launching facility. • **Parking and use of the common:** The TIS requires parking associated with the proposed residential erven to be provided on the respective properties in accordance with Swellendam Municipality's requirements. Residents and their visitors would therefore ordinarily be accommodated within the development rather than relying on the common for residential parking. The potential number of development-related vehicles that may nevertheless use the common or public coastal facilities cannot be predicted with certainty, as this would depend on individual recreational behaviour. The allocation and management of parking on the common, including areas used for boat trailers and informal recreation, remain municipal public-space management matters. The concerns regarding the existing road-reserve constraints and the potential effect on Erven 10, 12 and 13 due to

			the misalignment of Tolmie and Hoek Streets are noted and should also be considered by Swellendam Municipality in its management of the affected public roads and common. It is assumed that where there is no road reserve there is no option to park. The misalignment of Tolmie and Hoek street is outside the scope of the proposed project and should be taken up with SLM. • **Traffic on village streets:** The TIS estimates that the development would generate no more than approximately 21 vehicle trips per day during peak holiday periods, distributed throughout the day without a distinct peak-hour concentration. The development will obtain access directly from the MR268 through two approved access points, with the Northern access serving 16 erven and the Southern access serving five erven. Development-related traffic would therefore not ordinarily be required to travel through Retief, Tolmie, Hoek or Dunn Streets unless residents or visitors were accessing destinations within the existing village. The TIS did not provide separate traffic-volume projections for each of these streets. However, it concluded that the additional traffic would be low, that the surrounding road network would be capable of accommodating the additional light-vehicle traffic and that the access spacing and available sight distances are acceptable. The 2023 TIS Addendum confirmed that these findings and recommendations remain applicable.

			The presence of cyclists, children, elderly residents and other vulnerable road users is acknowledged. Compliance with applicable speed limits, existing traffic-calming measures and any further traffic or parking controls considered necessary within the existing village remains subject to enforcement and management by the relevant road authority and Swellendam Municipality. Accordingly, the specialist studies acknowledge that the development may incrementally increase the use of village roads, public parking and coastal amenities, particularly during the peak holiday season. However, having regard to the limited scale of the development, its anticipated occupancy profile and the specialist findings, these impacts are expected to be localised, predominantly seasonal and of a low significance. Lian Roos response: A hydrocensus was conducted on the 28 & 29th of July 2025 within a 1km radius form the property boundary. Seven (7) operational boreholes were located as well as two (2) springs.
		3. The Infanta vicinity is an area of exceptional natural beauty and a great asset to the residents of the greater Swellendam Municipality and to its visitors. No consideration has been given to the negative impacts on the greater society of continued development – taking into account the unbridled development of towns like Struisbaai, Witsand , Stillbaai and surrounds	3. EAP response: the SIA and Heritage Statement assessed potential impacts from the proposed development on the local community.

		4. The proposal does not include any assessment on wildlife that roam in the area. Many animals move into the Infanta vicinity from de Hoop nature reserve and from surrounding conservation areas. There is no assessment on how wildlife such as leopard, caracal, badgers, porcupines, eland, snakes, bat-eared foxes, hares, etc will be impacted through greater traffic and human activity. The effect of increased human activity on birdlife within the Breede River estuary and surrounds has not been done. There is no assessment from Cape Nature, The Cape Leopard Trust, BirdLife South Africa, etc 5. It seems that the only person who gains substantially from the proposal is the developer. The property owner bought a property zoned as agricultural and has no right to take advantage of other people by rezoning it and developing it into small residential erven. There is no benefit to poorer South Africans as the builders active in the vicinity primarily employ foreign nationals. The impact on business in Swellendam will be minimal as property owners arrive from Cape Town with all their provisions purchased from Cape Town. 6. The infanta slipway is the only practical place for swimming at Infanta but at the same days that it is the nicest to swim it is also the best days to launch a boat. This creates a lot of danger from both reversing vehicles (often unlicensed tractors !), trailers and boat propellers. The development of further erven at Infanta will greatly increase these dangers	4. EAP response: The biophysical assessments considered the potential impacts of the proposed development on the proposed site. The scope also did not include the Breede estuary. CapeNature provided comment as included in this report. The animals listed were not identified as occurring on the proposed development site by specialists. 5. EAP response: The applicant has made the commitment to employ South Africans as labour and cannot be held accountable for that is the current employment practice. The route to Infanta from Cape Town does not go through Swellendam, thus expecting business benefit in Swellendam is not agreed. The last possible shop is the Breede River Trading Post at the Malgas turnoff as there are no shops in Infanta. 6. EAP response: The comment is noted. The issue should also be taken up with SLM for a review of the slipway management plan and possible upgrade in future.

		7. A reduction in the number of new erven to around 10 units together with a rezoning of the balance of Erf 134 to a conservation status may be more acceptable. The Swellendam Municipality made it a condition when approving the inclusion of Erf 230, 231 and 232 into the Infanta Township that the balance of Erf 107 be rezoned – they need to insist on the same condition for the balance of Erf 134 when approving any development thereon.	7. EAP response: the comment is noted. The reduction to 10 units is not based on any data and is an opinion of the I&AP.
58	Alice Till (erf 231)	<u>E-mail received 12 December 2025:</u> Please see the attached objection to new developments on Erf134.	EAP response: Thank you for the comments received.
		<u>Letter attached to email:</u> Comments and Objections from owner Erf 231 – proposed development on Erf 134 Basic Assessment Report (April 2024) With DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 And DWS Reference Number: WU42464 I have the following comments and objections to the proposed development on a portion of Erf 134 Infanta: 1. The proposed development will affect the "sense of place" of Infanta.	1. EAP Response: The town may not have expanded but the use has densified (caravan park) and houses that used to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the "character of the area" will be negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the

		Infanta Township was laid out in the mid-1920s and little has changed since then. The descendants of many of the first purchasers of township erven still own houses in Infanta. Names such as Hoek, Streicher, Tolmie and Retief are names still familiar names at Infanta. Most residents know each other and there is a real sense of community. Developing another +20 erven will unfortunately change this dynamic forever. The care that the residents have for the village may fall away resulting in a much greater burden on Swellendam Municipality. 2. The Infanta vicinity is an area of exceptional natural beauty, is in close proximity to de Hoop nature reserve and the area includes many properties which are under the stewardship of Cape Nature. Many other properties are under conservation management by their owners, many of whom are actively encouraging wildlife and taking active steps to clear alien vegetation. The Breede River mouth is a sanctuary for migratory and pelagic birds. Further development is bound to further disturb nature and have a negative effect on the beaty of the area. 3. It seems that the only person who gains substantially from the proposal is the developer. The property owner bought a property zoned as agricultural and has no right to take advantage of other people by rezoning it and developing it into small residential erven.	area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. 2. EAP response: Approximately 1.1ha (28%) of the 3.89ha development will be conserved. All potential impacts on the environment and natural resources were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. 3. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality.

			The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta.
		4. The community of Infanta will suffer significantly from increased traffic (both foot traffic and vehicular traffic), increased pressure on infrastructure (see next point on the slip-way), litter, light and noise pollution, and the impact on ground water supplies.	4. EAP response: Traffic impacts are assessed in the TIS (Appendix G14A & B). The proposed development will be reliant on rainwater and groundwater as is the case with other houses in the Infanta area. The viability and sustainability of this use was assessed as part of the pre-application draft BAR.
		5. The infanta slipway is the only practical place for swimming at Infanta but at the same days that it is the nicest to swim it is also the best days to launch a boat. This creates a lot of danger from both reversing vehicles (often unlicensed tractors !), trailers and boat propellers. The development of further erven at Infanta will greatly increase these dangers	5. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure

		6. A reduction in the number of new erven to around 10 units together with a rezoning of the balance of Erf 134 to a conservation status may be more acceptable.	on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. 6. EAP response: this comment is noted.
59	Christopher Cockburn (erf 157)	<u>E-mail received 12 December 2025:</u> Please find attached objections to the subject matter.	EAP response: Thank you for the comments received.
		<u>Letter attached to email:</u> I, the owner of ERF157 INFANTA, and an I&AP to the abovementioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: 1) Hydrological Study (App G2 + CI) Objection No. 1: "Seawater intrusion may become a concern during extended abstraction periods and should be monitored."	1.1 Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the

		Comment: Seawater recharge into the aquifer is the most concerning line in the report and is completely understated. The long-term impact of such an occurrence would render the aquifer unusable for extensive period of time. Poor management of the ground water extraction will likely lead to seawater ingression given the arid nature of the area and poor recharge potential. Before development can commence, this item needs to be addressed in much greater detail. This may come in the form of a comprehensive study of groundwater availability along with a groundwater management plan to reduce the risk of contamination by seawater. Objection No. 2: "Based on information collected during the hydrocensus it can be concluded that the aquifer system in the study area can be classified as a "Minor Aquifer System", based on the fact that the local population is not dependent on groundwater." Comment: Factually incorrect, considerable proportion of the local population depends on ground water. Objection No.3: Comment: Insufficient number of boreholes (and data) captured to make any meaningful conclusions as to local groundwater use, reliance and quality.	development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels. 1.2 Lian Roos: This comment is true. The specialist made an error here saying that the local population is not dependent on groundwater. In any case, the groundwater in the area is currently under low stress, and the planned abstraction for the development falls well within sustainable and authorised limits; however, monitoring will still be required to assess impacts on surrounding groundwater users. For further details, refer to Sections 9.4 and 9.5 of the Hydrogeological Report. 1.3 Lian Roos response: The hydrocensus recorded an average groundwater level of 4.35 m below ground level (mbgl), with measured depths ranging from 3.60 mbgl to 5.04 mbgl. The general groundwater flow direction is towards the northeast in the direction of the ocean. Boreholes BH05, BH07 and BH09 were selected to be tested for groundwater quality. The water quality results are compared with the SANS 241-1: 2015 target water quality limits.

			1.4 Lian Roos response: The design and installation of the potable water pipeline will follow standard engineering and construction practices to minimise the risk of seepage or leakage.
		Objection No. 4: Comment: Infrastructure mismanagement in the transportation of water to proposed development sites may lead to seepage and leakages which in the case of limestone rock units (such as those underlying the sites) may lead to dissolution and potential instability of the below lying bedrock. 2) Traffic Impact Statement & Addendum (App G14A & G14B + Road Letters (App E2) Objection No.1: The report does address in enough detail road safety, substandard road conditions, construction traffic impacts, pedestrian vulnerability and maintenance management which currently is done through the Swellendam municipality and has a poor track record. The concern is that the already poorly maintained and generally unsafe road will deteriorate rapidly with increased road use. 3) General Objections Objection No. 1:	2. EAP response: The detail in the report is acceptable in terms of industry standard and expertise provided. The maintenance of the main road is with SLM. 3.1 EAP response: The concern re possible future developments is noted.

		There is concern with the potential for further development on Erf 134 if the proposed development were to go ahead as this may set a precedent for future rezoning applications. There is no reassurance in these reports to protect against this.	
60	Jean Tresfon (IRRA Chairperson)	<u>E-mail received 12 December 2025:</u> Please find here and attached hereto: Comment by the Infanta Resident's and Ratepayer's Association on the Pre-Application draft Basic Assessment Report document dated April 2024 and advertised in November 2025 for the proposed Residential Development on a portion of Erf 134, Infanta. With DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 And DWS Reference Number: WU42464 Attached as Annexure A to this email are the Preliminary and Provisional Comments from the Infanta Resident's and Ratepayer's Association (IRRA) on the documents that were made available through the public participation process section of your website with regard to the abovementioned proposed development. These Comments are preliminary and provisional as there are at least 10 documents that are referenced in the various reports that were not attached or available on the website; hence the IRRA can not yet comment on these.	EAP response: Thank you for the comments submitted. EAP response: Noted.

		In this regard, the IRRA has asked for the both the outstanding documents and has also asked for an extension of time for the submission of Comments, which extension has been granted so that further comments, including aspects that may arise at the AGM of the IRRA, to be held on 30 December 2025, can be submitted by 15 January 2026, being the revised date for the submission of Comments. In the meantime, below are some of the main issues, as further set out in the attached document. 1. The proposals, as they stand, only hold benefits mainly for the developer. They do not hold any benefits for the receiving communities of Infanta. Only dis-benefits such as increased risks, costs, impacts on lifestyle and a loss of sense of place; plus many others. Even the proposed public walkway is of benefit mainly for the owners of the proposed new units, their family and visitors. Not for the people of Infanta. 2. The documentation is quite incomplete, inconsistent, and contradictory and some of it is quite out of date. It is far from being ready for submission. There are just too many loose ends.	The EAP provided an extension to the IRRA for additional comments up to 15 January 2026. No additional comments were received from the IRRA. 1. EAP response: The proposal holds benefit for the receiving environment, in the form of formal conservation areas, setback development and conservation of the drainage line. The proposed development falls within the urban edge as determined by the SLM. The proposed walkway is open to the public. The public (people of Infanta) currently uses the informal path over Erf 134 at will, and the proposed public walkway will formalise this arrangement. The statement that *the proposed public walkway is of benefit mainly for the owners of the proposed new units, their family and visitors* is materially incorrect. 2. EAP response: The pre-application draft BAR contained sufficient information for I&APs to comment. The next phase will be to update

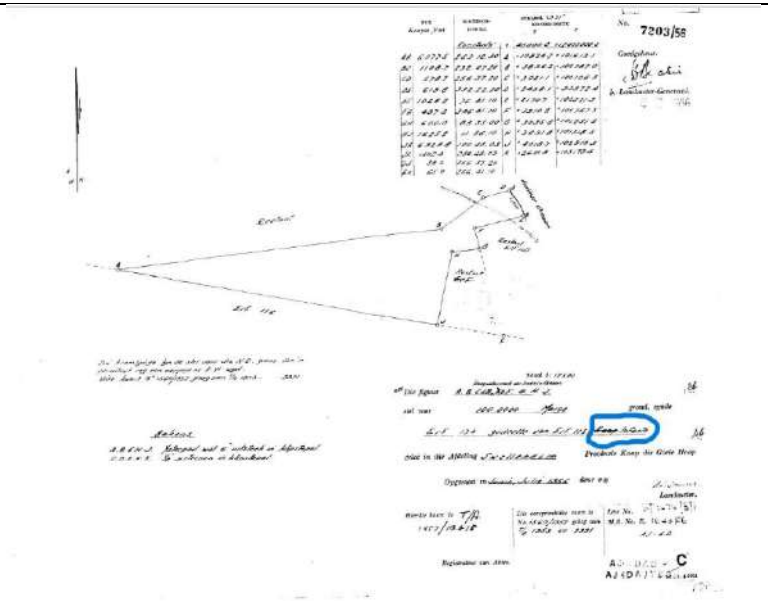
		3. The proposed number of erven remains an issue. The SDF recommends a total of 18 units. There is no motivation provided why this number should be exceeded, even though the total area available for development needed to reduce in size. Based on the erf sizes at Infanta, the number of erven should not be more than 15 units if the character of the area is to remain. 4. There are some serious technical issues, such as the treatment and disposal of sewage effluent which have not yet been resolved. 5. The various reports are not consistent about the proposed zonings.	the information where required (based on I&AP input) and then re-circulate for comment within the formal NEMA process. 3. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional two units is not only possible but will not result in an undesirable outcome. The plots sizes have all been changed. All the plots are now on or over 500m^2 with seven being over 600m^2 in size. The exact nature of the existing and proposed densities will be addressed in the final planning report. While it is acknowledged that the averaged proposed erf size will be smaller than the average existing plots size, it is believed that the difference between the two is not significant enough to make the proposal undesirable. 4. Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area.

		6. Some of the specialists have based their findings on outdated layouts. 7. The preferred layout is incomplete and does not tie in with the various project descriptions. 8. The various project descriptions themselves are incomplete; particularly the one for the WULA. Not one complete and consistent project description was found in the plethora of documents. 9. The assumptions about water usage from the local boreholes are fundamentally flawed. 10. The findings by the two botanists that the Limestone Fynbos is 'irreplaceable" and 'extremely conservation worthy' are not respected enough, as there are still roadworks, pipelines and transfer stations planned in this fynbos.	5. EAP response: There is no inconsistency between the pre-application draft BAR and the Planning Motivation Appendix G6 in terms of proposed zoning. 6. EAP response: where layouts were amended, specialists were requested to provide an addendum to their original report and findings if needed. 7. EAP response: The statement is generalist and does not assist with detail on what is seen as incomplete or where it is misaligned with the various project descriptions. The preferred Alternative is aligned with the draft BAR. The SDP has been amended. 8. EAP response: The statement is generalist and does not assist with detail on what is seen as incomplete. A uniform project description to be updated in the amended WULA Summary Report. 9. Lian Roos response: The Geohydrological Report indicates that the proposed abstraction volumes fall within calculated sustainable yield thresholds and general authorisation limits and recommends monitoring to ensure that groundwater levels remain adequate for existing users.

		11. Despite clear photographic evidence and on-site experience placing doubts about the proposed setback line, the project proposals remain unaltered. 12. In a previous round of consultation and also still in the recommendation made as part of the Social Assessment, it was stated that no construction workers would remain at Infanta over weekends. Now one finds in a footnote that the 'non-local' construction workers for the civil engineering bulk services contract would remain on site also over week ends. This is quite unacceptable and is clearly not acting in good faith.	10. EAP response: The NEMA process requires the development of the Preferred Alternative through implementation of the mitigation hierarchy. Where impacts are unavoidable, mitigation is developed. The access road to the northern portion is an existing access road with existing impacts. The transfer station is planned within the cleared 8m setback from the Infanta – Malgas Road, so no additional impacts are associated with it. The potable pipeline runs outside the sensitive areas and crosses to the southern area through the drainage line buffer. This forms part of the WULA application. 11. EAP response: The preferred alternative was amended from the previous alternative to include additional specialist input and I&AP comments. The determination of the setback line was by a specialist and was confirmed as correct in 2024 by another specialist. 12. EAP response: The EMPr states: *For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the Applicant's property during the week. No construction workers will be permitted to stay in the facility over weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services phase will be 4-6 months.*

		13. There is a concern about the independence of some of the specialists. There are strong indications that they are acting on instruction, thus compromising their independence. 14. The IRRA learned early in December that a Land Use Planning and Rezoning application was submitted to Swellendam Municipality several months ago. Why was this action not disclosed by the EAP in the letter of 12 November 2025 to the I&APs? Please see the attached document for our detailed comments. As indicated earlier, we reserve the right to amend and/or amplify our comments, based on information in the outstanding documentation and new issues raised or uncovered.	Please note that the footnote on Page 12 of the SIA is not correct. The EMPr will be approved and enforced as part of the Environmental Authorisation (if approved), therefore, the EMPr statement confirming that "*No construction workers will be permitted to stay in the facility over weekends"* is applicable and will be implemented & monitored accordingly during construction. 13. EAP response: Specialists are required to be independent and sign a declaration to this effect when required. 14. EAP response: the NEMA process is to be concluded and then the planning and landuse application will follow.
		<u>Letter attached to email:</u> Introduction These comments are neither complete nor exclusive and the IRRA reserves the right to submit further comment at any stage on any of the aspects connected with the proposed development. A. Comment on the pre application draft Basic Assessment Report 12 November 2025	1. EAP review: The format of the pre-application draft BAR is as per the prescribed DEA&DP format.

		1. The insertion of a contents page for the BAR would facilitate review/comment on the BAR. Kindly amend accordingly. 2. Page 1 of 71: General Project Description: The project description is correct as it identifies the land in question correctly 'as portion of erf 134, Infanta.' Note to DEAP&DP Case officer: The project is situated within the area known as Infanta. It is not situated or located at Cape Infanta, as is used erroneously throughout the application. See, for instance, the extract from the 1:50 000 topo-cadastral map 3420DB, provided below. It is self-evident that the development is located at Infanta.  *Cape Infanta* is a point or a promontory or a cape approx. 5.3km away from the project site, while the area in which the project is located, is **Infanta**. See also the Title Deed T43211/1980, which describes the property as *Erf 134, Infanta*, and the copy of the SG diagram 7203/56 for erf 134 (copied below). Note how the word Kaap (or Cape) is deleted by the office of the SG.	2. EAP response: Noted.

		 The applicant is using this misleading description throughout the documentation, including on the maps, figures, diagrams and by most of the specialist reports. Stating that the project is at Cape Infanta is misleading and should be corrected to Infanta. 3. Page 1: General Project Description: The proposed zonings do not align with the zonings proposed in the Planning Motivation (App. G6) or the project descriptions in some of the other reports/ studies by specialists. Kindly reconcile and align. 4. Page 6: Attachments: Kindly add the date of publication of each of the reports, studies or assessments. 5. Page 6: Appendix G2: Correct to Hydrogeological report. 6. Page 10: para 4.4: see comment above on zonings.	3. EAP response: The pre-app draft BAR aligns with page 26 of App G6 – page 4 of App G6 has been amended. 4. EAP response: The dates are on the reports 5. EAP response: Noted. 6. EAP response: See response above

		7. Page 11: Section B Project details: Will the 'approved Design Guidelines' be different to the Architectural Guidelines? If so, please advise what is intended. If not, please correct the text. Kindly outline which portions of the guidelines are to be approved by the Competent Authority and which by the Local Authority.	7. EAP response: The approved Design Guidelines are the Architectural Guidelines (once approved).
		8. Page 11: Development platforms and setbacks: Kindly ensure that the BAR (in all its iterations), as well as every specialist report (where appropriate) confirm that the setbacks have allowed for the 'Geoff Toms' erosion setback line.	8. EAP response: A new site-specific Coastal Setback Line Report / Coastal Engineering Assessment (Appendix G7C) dated 13 July 2026 was completed and is included in the revised BAR. The new setback line as recommended by the specialist is reflected in the preferred layout alternative 4 in Appendix B4A. The revised setback line combines the 100-year floodline and 2100 coastal storm-hazard line. The specialist concluded that infrastructure positioned landward of this setback would be beyond the projected effects of flooding and coastal processes, including sea-level rise.
		9. Page 12: Exterior lighting: Kindly delete the reference to eye-lids, as these do not direct light downwards, but horizontally, causing unwanted light pollution and glare.	9. EAP response: No overhead streetlights will be installed for the proposed development. The electrical engineering report (Appendix G4) recommends: "*The area is very sensitive to area lighting and it is recommended that no area lights be installed. Should the developer however wish to install area lighting, energy efficient type lighting will be introduced, positioned according to the final design. Luminaires will*

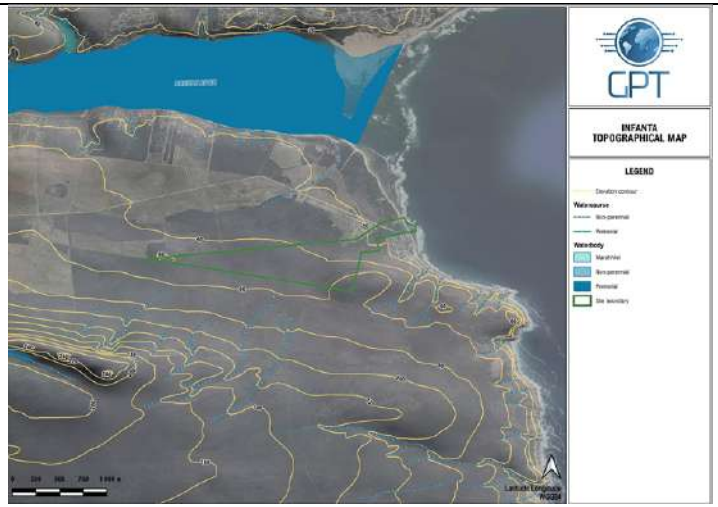
			be of the low level, low glare type along the main routes. Some wall mounted footlights to low "werf" type boundary walls, which would demarcate the movement routes could also be considered."
		10. Page 12: The correct name of the gravel road is Main Road MR 268. Please ensure that the BAR (in all its iterations), as well as every specialist report make proper reference to this road.	10. EAP response: Where required it is stated correctly.
		11. Page 12: Proposed vehicular access: The drawing No. 12 attached to the report by iCE is not congruent with the text and the descriptions (hence the letter does not make sense); neither does the drawing show the currently proposed entrances. Both the northern and the southern entrances are in incorrect positions, when compared to the current proposals. Kindly provide a current letter from Western Cape Roads and from Swellendam Municipality accepting these proposed entrances, referencing the current layout drawings.	11. EAP response: The TIA amendment refers to the preferred Alternative 3 (Appendix G14B) as presented in the 1st DBAR. A new preferred alternative 4 is presented as Appendix B4A in the 2nd DBAR, with no material difference between Alternative 3 & 4. Western Cape Roads department and SLM are commenting authorities on the proposed project.
		12. Page 13: The Coastal Walkway: An inspection on site did not show any pegs or markers where the proposed raised walkway 'on piles' is to be located. If it is to be just seaward of the existing fence, then a portion will be dangerously close to the collapsing calcrete cliffs. Kindly instruct the Land Surveyor to install the appropriate pegs setting out this route.	12. EAP response: There are no pegs on site nor is there a requirement for pegs to be on site during the NEMA process. No pegs will be installed pre-authorisation.

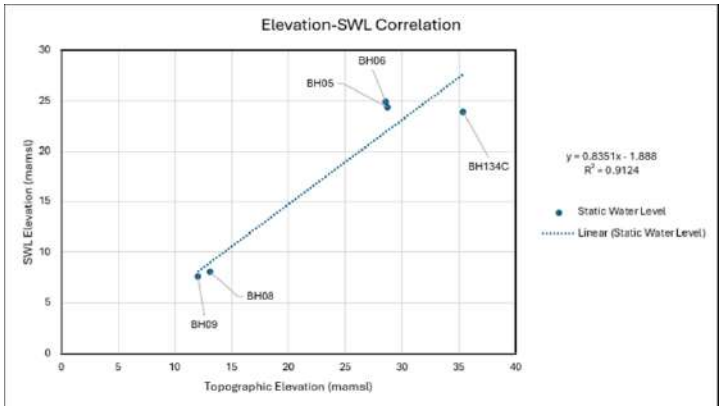
		13. Page 13: The Coastal Walkway: It appears that the proposed raised walkway may impact an existing servitude in favour of an adjoining land owner. Kindly provide a letter from the registered Land Surveyor stating that this proposed walkway does not impact any servitude. 14. Page 13: Floodlines: Nowhere does it state in the Architectural Guidelines (App. G1) that the floor levels are to 'be built at an elevation to allow a freeboard of at least 400mm above the 100-year flood line levels.' Kindly reconcile. 15. Page 13: Water demand and supply: It is stated that 'it is proposed to supply water from a dual source of both rainwater and borehole water.' The borehole water has been found not to meet the SANS standards for potable water. Nowhere is it stated how or by whom the borehole water is to be treated or how the treated water (now potable, hopefully) will be kept separate from the untreated water. This aspect has not been thought through adequately. 16. Page 13: Rainwater supply: It is stated that 'Each household will be required to have a 5kl water tank for rainwater harvesting.' At the said consumption rate of 800l/household/day, the water in the rainwater tank will last less than 1 week. Why only 5kl? Again, this aspect has not been thought through.	13. EAP response: This query has been addressed with the landowner in this report. No letter is required from the registered land surveyor. The land surveyor has indicated that the servitude area on the SDP, which is in accordance with the SG documents / diagrams. 14. EAP response: As per the Civil Engineering Report, floor levels should be located 300mm above indicated flood levels as additional safety. 15. Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels. 16. Lian Roos response: Rainwater will not be used for drinking or sanitation, which will be supplied entirely from the borehole. The reference to 800 L/household/day relates solely to borehole supply. Any rainwater collected will be used for irrigation purposes.

		17. Page 13: Borehole water supply: In the specialist report a fundamentally incorrect assumption is made (it is not repeated in this summary in the draft BAR); namely 'based on the fact that the local population is not dependent on groundwater.' (See last para. on page ii of the Executive Summary of App. G2). This statement and assumption are fundamentally incorrect as more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C. Also, more than 80% of the 97 households at Infanta Village rely on borehole water. In addition, borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals. All the classifications and conclusions based on this erroneous assumption must therefore be reviewed and reconsidered.	17. Lian Roos response: Specialist report to be amended. Local population is dependent on groundwater. Specialist response: The comment is correct in that the wording of the motivation sentence was misleading and not properly explained in the report. The statement was made within the broader context of classifying the aquifer in terms of the Aquifer Classification System of South Africa. (Department of Water Affairs and Forestry & Water Research Commission (1995). A South African Aquifer System Management Classification. WRC Report No. KV77/95.) Basically, the choice was between two types: • Sole Aquifer System: An aquifer which is used to supply 50% or more of domestic water for a given area, and for which there is no reasonably available alternative sources should the aquifer be impacted upon or depleted. Aquifer yields and natural water quality are immaterial. • Minor Aquifer System: These can be fractured or potentially fractured rocks which do not have a high primary permeability, or other formations of variable permeability. Aquifer extent may be limited and water quality variable. Although these aquifers seldom

			produce large quantities of water, they are important for local supplies and in supplying base flow for rivers. During the hydrocensus, which involved door-to-door engagement to identify groundwater users, the following observations were made (as shown on the accompanying map): • Several residents confirmed that they rely solely on rainwater for domestic supply. • Some residents with boreholes indicated that the groundwater is not used for drinking purposes, but rather for washing or non-potable uses. Based on the information gathered during both the desktop review and the hydrocensus investigation, the aquifer did not meet the two defining criteria for classification as a Sole Aquifer System. An alternative water source (rainwater harvesting) clearly exists in the area, and from the information obtained, it could not be determined that more than 50% of domestic water use (which includes potable uses) is derived from the aquifer. For this reason, the aquifer was classified as a Minor Aquifer System. A more accurate wording in the report should have been: “Based on information gathered during the desktop review and hydrocensus investigation…”

			rather than "Based on the fact that the local population is not dependent on groundwater."
		What is of a particular concern is that the ground water level in borehole 134C lies at a lower level than in boreholes BH05 and BH06, the boreholes used by Infanta Park and erven 201 and 141, and is thus able to impact the levels of the water in these two boreholes and thus the supply to Infanta Park and erven 2021 and 141. See Fig. 5 in App. G2 – Hydrogeological Study.	The difference in measured water levels is not, in itself, evidence that an impact will occur. From the available groundwater elevation data, a groundwater flow direction map was created (map below). This shows that the general flow direction in the vicinity of the boreholes is toward the general north, meaning that the upgradient recharge area lies to the south. In other words, the two locations are not directly in line with one another hydraulically. Both boreholes are supplied by recharge areas to their south, rather than BH134C being directly aligned within the flow path of BH05 and BH06. This interpretation is further supported by the topographic data (map below). A correlation analysis between surface topography and groundwater elevations produced a correlation coefficient of 0.91, see correlation below (where 1 represents a perfect correlation). This strong relationship indicates that groundwater levels closely follow surface topography in the area. When the topographic map is considered alongside the groundwater flow map, it supports and validates the interpreted northerly groundwater flow direction.





Furthermore, at the time of measurement, the elevations were very similar, approximately a 1 m difference overall , with BH134C at 23.92 m amsl, BH05 at 24.35 m amsl, and BH06 at 24.91 m amsl. Such small

			differences in hydraulic head are consistent with the mapped groundwater gradient and do not indicate that one locality will necessarily impact the other. However, the cumulative impact of pumping at both locations can't be completely ruled out. One can impact the other or visa versa. That's why we specifically recommend ongoing monitoring, so that any potential impact can be identified if it does occur. The monitoring results will allow the impact to be measured and assessed as either substantial or negligible, and appropriate action can then be taken based on what is observed. This approach can be presented by the community for inclusion in the WUL conditions. For example, a condition could state that any drawdown resulting from pumping at BH134C must not exceed a set threshold in the affected boreholes, ensuring that the sustainable yield of the Infanta Park boreholes is not impacted in such a manner that it cannot provide the necessary abstraction load. (That's assuming that the Infanta Park boreholes have been tested for sustainable yield). 18. EAP response: The SDP has been amended and aligned with the engineer's report.
		18. Page 14: Water link services: There is a conflict of information on where the pipeline runs once it crosses MR268. The engineer's drawing in the Services report shows that it runs parallel to MR268 and then down the centre of the road system, while the town planner's layout	

		outs show it to run along the northern border, largely through the Limestone Fynbos area .	
		19. Page 14 and 15: Sewage: It is stated that the recycled effluent from the package plant can be used 'for non-potable usage such as flushing of toilets' and that 'alternatively, all the effluent can be discharged to a soak-away as the surrounding soil is sand and very porous.' There are two issues here. Firstly, if the effluent is to be used for the flushing of toilets, then a separate independent internal reticulation system is required for each house; yet the Architectural Guidelines are silent on this aspect. Secondly, no geo-technical investigation has been undertaken and no infiltration or permeability tests have been undertaken. Already there are indications along the coast in front of the proposed development that there is an impervious layer close to the surface and that there is seepage showing itself where this reaches the coast.	19. Gideon Pepler response: No municipality has oversight over the workings of septic tanks, or that conservancy tanks are not leaking / being punctured to save on the cost of pumping. There is no oversight on the pumping of conservancy tanks. The proposed wastewater treatment plants significantly reduce the risks, compared to septic systems or leaking and overflowing conservancy tanks. In addition to the above, Swellendam municipality does not have the capacity to service conservancy tanks either. This means that conservancy tanks will overflow, discharging raw sewage into the environment.
		20. Page 15: Stormwater: The proposal for stone pitched channels on reinforced concrete bases and gabion structures such as Reno mattresses will introduce some hard infrastructure right on the edge and also into the 40m corridor, a purported No-go area. See Drawing HESRIV-573-R1 in App. G3 Civil Engineering Services. This proposal is in conflict with the recommendations by the Freshwater specialist. Kindly provide a letter from the Freshwater specialist which indicates whether	20. Gideon Pepler response: The development area does not make provision for POS to create detention ponds. Most, if not all, of the roof water will be harvested for human consumption. The segmented paving road surfaces will partially absorb rainwater, and the balance will be channelled to the two outlet Reno Mattrasses structures. The effective post development rainwater runoff is insignificant small.

		these proposals for the disposal of storm water are acceptable. Why not use stormwater detention or infiltration ponds? (If the ground is so porous, as is alleged?) 21. Page 15: Solid Waste: How will the construction waste be dealt with? The Infanta Landfill site has extremely limited capacity. Also, how will recyclable and organic waste be dealt with? There is no mention of provision for separate bins or containers in the households in the Architectural Guidelines. 22. Page 15: Solid Waste: Kindly provide a letter from DEA&DP: Waste management whether any authorisation is required in terms of NEMA: Waste Act for the development of a waste transfer station. How will this parcel of land be zoned? Will the Home Owner's Association be responsible for the maintenance of the solid waste transfer station? 23. Page 15: Item 4.5 Access: The description that the southern access will be off Hoek St is incorrect. The piece of land from which that access is planned, is Erf 233, zoned for Transport. Hoek St is on a separate piece of land. See SG diagram 2369/2016.	21. EAP Response: Construction waste is dealt with in the EMPr – refer Appendix H section 11.2. Also refer individual house CEMP. Operational phase waste is dealt with in the EMPr 22. EAP response: There will be no different zoning for the land parcel containing the waste transfer station. There is no requirement in terms of NEMA for the establishment of the waste transfer station. No Waste Licence application is required for the proposed project, but the proposed development will have to register in terms of "National Norms and Standards for the Storage of Waste" (GN926 of 29 November 2013) should the transfer station have the capacity to store more than 100m³ of general waste at any one time and for a period exceeding 90 days. 23. Dave Saunders response: Southern access will be taken off a public street which is called Hoek Street.

		24. Page 16: para. 4.5 Roads: 'Material from commercial sources to be used'. The nearest sources for road making materials are more than 70km away. That would leave an enormous carbon footprint for the development. Kindly consider also using crushed construction and demolition waste from the Infanta Landfill site for use as subgrade and subbase in road pavements. 25. Page 16: para 4.5 'Input from WCG Roads' - This input, attached as App. E2, is from 2015! The layouts and the proposals for the entrances to the development have changed several times since then. Kindly provide an up to date letter from 'WCG Roads' referencing the current proposed/preferred layout and entrances. 26. Page 19: Reappraisal of setback line: The consultant missed the portion of the coast which is eroding quite fast and is clearly not 'hard'. The setback line for the proposed erven 10 and 11, as well as the existing house, needs to be set more inland. See also the comments and evidence about the omission in the reappraisal of the soft and eroding portion of a portion of the coast line, in front of the property, presented under the Comments on Appendix G7A.	24. Applicant response: Recommendation noted. 25. EAP response: Appendix G14B to the draft pre-application BAR is dated 15 March 2023 and is based on the Preferred Alternative. WC Roads department is a commenting authority on the proposed development. 26. EAP response: At the only existing developed plot, in the far north-east corner of Erf134, the SBL2012 report derived a setback line drawn landward well inside the existing property seaward boundary to ensure that the apparently more vulnerable rock features there (as clearly mentioned in the PBNS report of 2010 to which the SBL2012 report refers) were seaward of the setback line. The shoreline in front of that existing property does not represent and is not at all typical of the whole shoreline of Erf134. In addition, a new site-specific Coastal Setback Line Report / Coastal Engineering Assessment (Appendix G7C) dated 13 July 2026 was completed and is included in the revised BAR. The assessment included a supplementary DGPS survey undertaken on 27 April 2026, specifically covering the stream outlet and foreshore

			down to the high-water mark, together with coastal profiles across the southern, central and northern portions of Erf 134. The specialist acknowledges that the stream outlet is lower and comprises smaller, loose rocks and pebbles. At this location, storm surges may reach approximately +4.5 m MSL by 2050 and +5.0 m MSL by 2100 and may occasionally penetrate the ecological corridor. The assessment also recognises natural undercutting and collapse of calcrete layers, particularly along the northern shoreline. However, the 39-year shoreline analysis found little to no overall erosional or accretional trend and concluded that the coastline remains in equilibrium. Rapid landward erosion was considered highly unlikely, while the anticipated increased calcrete collapse was assessed as posing an insignificant risk to the proposed development. These site-specific conditions informed the revised setback line, which combines the 100-year floodline and 2100 coastal storm-hazard line. The specialist concluded that infrastructure positioned landward of this setback would be beyond the projected effects of flooding and coastal processes, including sea-level rise.
		27. Page 20: Applicable Listed Activities - Activity 15 of LN1: It appears from an examination of SG Diagram 7203/56 that the proposed raised walkway along the seafront (or north-eastern) cadastral boundary could be on the adjoining coastal public property, in which event	27. EAP response: The raised walkway is to be on Erf 134. Activity 15 of LN1 is not applicable.

		Activity 15 will be triggered by the proposal. However, the SG diagram is not sufficiently clear enough to state this as a certain fact. Clearly, this is not an issue that can be resolved by the EAP or the applicant. The services of registered land surveyor, and of a conveyancer, should therefore be sought, to produce a diagram that clearly demonstrates where the right of way servitude is located on the property, as well as where, in relation to the seafront cadastral boundary, the raised walkway is to be sited, ie on or off erf 134 – only then can it reliably be determined whether or not Activity 15 is triggered by the proposed raised walkway. 28. Page 20: Applicable Listed Activities – Activity 18 of LN1. Activities applied for under LN3 include Activity 12, namely 'Clearance of vegetation will exceed 300m^2 within the area seaward of the setback line determined by a specialist' (p.22). Since this clearing of vegetation seaward of the setback line could necessitate planting of vegetation or placing material on dunes or exposed sand surfaces of more than 10m^2 – particularly since the details of clearing of vegetation are not provided – it would be appropriate to apply for authorisation of Activity 18 under LN1. 29. Page 23: Alternative 3: The statement that the access to the 5 units on the south is off Hoek St is not correct. The proposed access would be off Erf 233, zoned Transport. Hoek St is on a separate and different piece of land. See SG diagram 2369/2016.	28. EAP response: Activity 18 of Listing Notice 1 has been included in the updated BAR & AEA. 29. EAP response: this comment is a repeat and has been addressed above.

		30. Page 23: The 'Need and Desirability' of the proposed development is not adequately addressed. While the BAR states that the provincial Need and Desirability guideline has been used, and with reference to the Social Impact Assessment reports, the focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, and short-term employment creation during construction. That is, the negative impacts on the local Infanta community – including Infanta Park – are largely dismissed. a) Impacts on the areas' character and sense of place, on natural resources and amenities are identified. Cumulative impacts on the experience of other existing property owners in Infanta and sense of place of the area are recognised. Mitigation measures comprise largely architectural features and fencing. b) A number of local residents have suggested that the developer should contribute towards the affected community in a way that mitigates these negative impacts (e.g. either upgrading the slipway, or the construction of a tidal pool). The response to such suggestions is that 'While the developer may consider this to be a goodwill gesture, this is an issue that should ultimately be addressed by the IRRA in consultation with the local authorities.' Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks'.	30. EAP response: The Need and Desirability is according to the DEA&DP guideline. The site is located within the Infanta urban edge and an area identified in the Swellendam SDF for residential growth. It therefore represents planned infill development rather than expansion beyond the settlement boundary. The proposal will provide 20 additional residential erven, formalised public coastal access via a new wheelchair friendly walkway, additional municipal rates revenue, and construction and procurement opportunities for labour, suppliers and contractors principally from Swellendam and Bredasdorp, consistent with existing sourcing practices in Infanta. Approximately 1.1ha (28%) of the 3.89 ha development area will be conserved, with specialist-informed ecological buffers, conservation areas and coastal setbacks incorporated into the layout. Development and infrastructure costs will be borne by the developer, while potential environmental and social impacts have been assessed and mitigation incorporated into the EMPr. Need and desirability are determined by balancing the proposal's planning context, benefits, impacts and mitigation, and not solely by whether all members of the surrounding community support it. Furthermore, traffic, noise, dust, odours, pressure on natural resources, overcrowding, privacy and sense of place were identified and assessed through the BAR, SIA and relevant specialist studies.

		c) The proposed development will enable more people to visit and enjoy Infanta, and will provide financial benefits to the developer/ landowner, as claimed in the Social Impact Assessment report. However, there is a range of negative impacts of the development that will have to be borne by the Infanta residents, including additional solid waste, traffic, noise, odours, dust, pressure on natural resources, overcrowding, loss of privacy, etc. There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. To be equitable, and ensure that decisions take "into account the interests, needs and values of all interested and affected parties", it would be appropriate for the developer to 'give something back to the Infanta community' by rezoning the remainder of Erf 134 to Private Open Space, thus benefiting both the current and future visitors to the area by adding to its conservation value.	Local input also informed the impact assessment, project design and preferred alternative, with mitigation incorporated into the EMPr. General and recyclable waste will be collected at the development's waste transfer station and removed by Swellendam Local Municipality during its normal collection run; the development is therefore not expected to affect the operation or capacity of the waste-disposal facility. No material odour impacts are anticipated from the proposed residential development and wastewater-treatment systems, subject to proper operation and maintenance. Construction-related noise, dust and traffic will be temporary and managed through the EMPr, while operational traffic can be accommodated by the existing road network. Although the development will introduce change, the residual impacts are not considered unacceptable subject to implementation of the prescribed mitigation and approval conditions. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute

			to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. a) Impacts are identified, assessed and mitigation developed, which in turn influences the EMPr and the Preferred Alternative. Mitigation includes architectural design, the EMPr, the setback from the main road, landscaping on site, the preferred layout, the public access walkway over Erf 134 which allows continued public access, internal roads being public and not a gated community amongst others. b) These suggestions are acknowledged. The proposed mitigation involves NEMA authorisation processes in and of themselves. The slipway is the responsibility of the SLM. There is no trivialisation of concerns raised by I&APs and acknowledged by specialists. c) The concerns raised are acknowledged and were assessed by specialists and the EAP, with mitigation developed and amendments to the Preferred Alternative and the EMPr. The request to rezone the remainder of Erf 134 to Private Open Space is noted. The remainder of Erf 134 will not be rezoned but will remain Agricultural.

		31. Page 23: Pedestrian footpath: Kindly confirm that this footpath will be zoned as Public Open Space (not Private Open Space). If not, kindly provide reasons. If it is zoned Private Open Space, kindly ensure that it will remain open for the public and not be closed by the HOA.	31. Dave Saunders response: There is no intention to rezone the remainder of erf 134. It falls outside the urban edge and has very limited development rights. The land will remain as is. It would not be appropriate to allow the public to use this land for any purpose. It is simply not on the table. The application must be considered on its own merits and the success of the rezoning of the land cannot rest on a 'horse trading' deal.
		32. Page 25: Landscape Plan: There is no Landscape Plan. There are some very inadequate Landscape Guidelines. The purported Landscape Plan is completely inadequate as there is not differentiation and no sensible description. It seems that 'the printer ran out of ink.'	32. EAP response: The landscape plan is attached as Diagram 13 in Appendix G6.
		33. Page 31: Item 9: The Growth Development Plan suggests that the site could be developed for 18 units. There is no motivation provided why this number is to be exceeded. The average erf size in the proposal comes to about 495 sqm (simple maths, just add up the area for each proposed erf and divide by the total number of erven. No misleading hocus-pocus words. Just simple maths.) The average erf size at Infanta Village is 650sqm. In order to bring the average erf size for the proposed development closer to that of Infanta Village the total number of units to be developed would need to reduce to 15 units, plus the existing house and outbuildings. The way that the average erf sizes are	33. EAP response: The average erf size of approximately 495 m^2 cited in the comment broadly corresponds with the previous Alternative 3 layout. The erf sizes have all been changed. All the erven are now on or over 500m^2 with seven being over 600m^2 in size. Under the updated Preferred Alternative 4, the 20 new residential erven have a combined area of approximately 11 795m^2, resulting in an average erf size of approximately 590m^2. Including the existing homestead erf, the combined area of all 21 residential erven is approximately 13 377m^2, with an average of approximately 637m^2, which is relatively close to the average erf size at Infanta Village (650sqm). The gross density remains approximately 5.4 residential units per hectare, which is lower than the approximately 10 units per hectare recorded for Infanta

		presented by the Applicant is just plainly mischievous and misleading. The proposed erven are MUCH smaller than those at Infanta Village. Thus the proposed number of units needs to reduce from 20 to 15. 34. Page 31: Item 10 'Optimise the use of existing resources and infrastructure': It is stated that 'The development will make use of ground water for water supply'. The water from the borehole is not suitable for potable water, as per the Hydrogeological study App. G2 p. 4, without prior treatment. No treatment is planned, meaning that each household would need to provide and undertake their own treatment of the water. It is also proposed in the development proposal that the water for households will come from borehole water and from rainwater. It is also proposed that the effluent from the package plants can be used for the flushing of toilets. The Architectural Guidelines are silent on the issue of treatment of water (from whatever source) and also silent on the need to separate independent plumbing systems for the use of non-potable water for the flushing of toilets. Kindly amend the Architectural Guidelines to include the issues of water treatment and use of non-potable water. 35. Page 31 Item 11: Municipal service available: It is stated that solid waste will be taken to a transfer station for 'recycling and disposal.' There is no reference in Architectural Guidelines for the need for space in the house and in the 'yards' for separate bins or containers for	Village in the Planning Motivation. Accordingly, the proposed erf sizes are considered comparable with the established settlement pattern, and a reduction to 15 new units is not considered necessary. 34. Lian Roos: Treatment is planned at point of use. The potable water sources and sewage treatment methodology is described in the Civil Engineering report Appendix G3. 35. Gideon Pepler response: The development is required to create a waste station. If the existing municipal waste station does not have sufficient capacity an SLA must be agreed between the HOA and SM for collection at the development's waste station.

		recyclables, organic material and other waste. Kindly amend the guidelines. 36. Page 35: Section G: Groundwater: It is stated 'It is not foreseen that the development will have any impact on the aquifer.' This statement is based on the incorrect assumption as given in the App. G2 Hydrogeological Study p.ii, namely 'based on the fact that the local population is not dependent on ground water.' This statement is blatantly incorrect. It should be noted that about 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C. Also, more than 80% of the 97 households at Infanta Village rely on borehole water. In addition, borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. The statement in the specialist report that the local people are not dependent on borehole water is incorrect and misleading. Thus the conclusions reached in the Hydrogeological report need to be reviewed. 37. Page 35: Section G: Ground water: The analysis of the borehole water shows a quality which is typical of the Bokkeveld Group. The analysis of the water qualities at Infanta Village by Toens in 1999 shows that all the boreholes from Infanta derive their water from the deeper lying Bokkeveld Group. This is because there is not enough water in the higher lying Table Mountain Group in this location, notwithstanding that this formation may have large fissures and plenty of water at other	36. Lian Roos: The specialist report will be amended. 37. Lian Roos response: The general authorisation volume for the area is calculated at 12 975m³/year, while the planned water demand is 6 132m³/year. Therefore, it can be concluded that the proposed demand falls within the scope of a general authorisation. If the maximum volume that can be abstracted, according to the sustainable yield calculations (Section 7.2 of the Hydrogeological Report) of 32.4m³/day or 11 826 m³/year, is applied for, this volume still remains within the general authorisation allowance.

		locations. But not at Infanta. That is why the water comes from the Bokkeveld Group. Therefore the underground water is not a plentiful as what is assumed in this study. 38. Page 36: Surface water: Freshwater: It is stated that 'the stream is highly sensitive to changes in water quantity and quality…' The study also recommends (see para. 5.4 of App G8) that '… all roof runoff be directed into rainwater tanks, and that overflow from the tanks, and water running off all other hardened surfaces (e.g. roads) would be conveyed towards areas where water will be retained and allowed to filter into the ground, e.g. localised water sinks and soakaways (sand pits), rain gardens (essentially landscaped (i.e. not hardened) areas that lie immediately adjacent to the hard surfaces, such as roads, parking areas), grass swales and other permeable surfaces.' Regrettably the proposed method for disposal of stormwater, as detailed by the Civil Engineer, is in conflict with these recommendations. Kindly ask the Civil Engineer to consider these recommendations and to amend the method for the disposal of the stormwater accordingly. It would also help if the number of rainwater tanks were to increase substantially. 39. Page 36: Coastal Environment Item 3.3: Setback line assessment: As stated before, the coastal consultant missed a key change in the 'hardness' of the shoreline. The northern end of the coast abutting erf 134 is being undermined and steadily retreating. The consultant missed these fragile calcrete cliffs as is evident from omission of photos from	38. Gideon Pepler response: Each homeowner will erect his water storage according to his household demand. EAP response: the proposed stormwater measures within the drainage line form part of the WULA and have been assessed by the specialist. 39. Specialist response: The comment places a lot of emphasis on the observed damage to the coast at the northernmost plot which is an existing developed plot. The SBL 2012 report focused on the development of new plots shown in Figure 9 of that report. For the new development plots of Erf134 the derived setback line for flooding

		this area in his report and as is demonstrated by the photos included under Comments on Setback Line App. G7A. These cliffs are being undermined with every high tide and the collapse in on-going. Therefore the setback line for the existing house and the proposed erven 10 and 11 needs to be reconsidered and probably setback further away from the sea.	and erosion was described as under the influence hard consolidated ridges with boulder strewn shorefront and with wide intertidal rocky shore. This description remains valid in 2024, in front of the new plots. At the only existing developed plot, in the far north-east corner of Erf134, the SBL2012 report derived a setback line drawn landward well inside the existing property seaward boundary to ensure that the apparently more vulnerable rock features there (as clearly mentioned in the PBNS report of 2010 to which the SBL2012 report refers) were seaward of the setback line. The shoreline in front of that existing property does not represent, and is not at all typical of-, the whole shoreline of Erf134. In addition to the above, a new site-specific Coastal Setback Report / Coastal Engineering Assessment (Appendix G7C) dated 13 July 2026 has subsequently been completed and is included in the revised BAR. The specialist undertook a supplementary DGPS survey on 27 April 2026, including profiles across the northern shoreline. The new assessment expressly recognises that storm-wave run-up undercuts the calcrete platform, causing sections to crack and collapse. It predicts some increased collapse along the northern side at profiles North 2 and North 3. However, the collapsed calcrete slabs temporarily form a natural breakwater that limits further landward erosion. A 39-year shoreline analysis found little to no overall erosional or accretional trend and concluded that the shoreline remains in

			equilibrium despite the natural calcrete collapse. Rapid landward retreat due to sea-level rise was considered highly unlikely, with the anticipated increased northern calcrete collapse assessed as posing an insignificant risk to the proposed development. The northern profiles, projected storm hazards and sea-level rise to 2100 informed the new development setback line, which combines the 100-year floodline and 2100 coastal storm-hazard line. The report does not identify a requirement for an additional landward adjustment specifically in relation to the existing house or proposed erven 10 and 11.
		40. Page 36: Coastal Environment Item 3.4 Estuary management: The response by the Applicant is a 'copy and paste' from the previous section 3.3, but the response missed the question. The proposed development falls within the 1000m Breede River Estuary Management buffer and is therefore subject to the gazetted Lower Breede River Estuary Management Plan.	40. Specialist response: Since the area for development at Erf 134 is located well beyond the estuarine influence of the Breede River estuary (according to the Breede River Estuarine Management Plan of 2016) and is above an elevation of +6m MSL it is considered well clear of the EFZ. It lies at the outer edge of the 1000m "development buffer zone" for the lower estuary (Figure 11 of the Breede River Estuary Management Plan). This indicates a requirement for full adherence to the ICM Act within this zone and, with respect to coastal setback aspects, the Specialist Study for Coastal Setbacks has assured this. Hence there is adherence to the coastal setback requirements of the Breede River Management Plan.

			In addition to the above, the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment records Erf 134 as being approximately 1 200 m south-south-east of the western side of the Breede Estuary mouth. Furthermore, the Directorate: Coastal Management confirmed in paragraph 2.1.3 of its comment dated 11 December 2025 that the property is not located within the Estuarine Functional Zone. Notwithstanding this, the relevant objectives of the Lower Breede River Estuary Management Plan have been considered in the BAR due to the site's proximity to the estuary. Potential spill-over impacts relating to stormwater, pollution and ecological connectivity have been assessed, with an ecological corridor, flood and coastal setbacks, and associated mitigation incorporated into the development.
		41. Page 36: Coastal Environment item 3.5: The applicant did not respond to this item, however, a comprehensive response is required here. Note that the I&APs would not have seen this response. 42. Page 37: Biodiversity item 4.3 last para: The cadastral description of erf 134 needs to be corrected. It needs to read erf, Infanta (not Cape Infanta). See SG diagram 7203/56 and the Title Deed T43211/1980.	41. EAP response: This omission has been included in the amended draft BAR and will be circulated for public comment during the statutory phase. 42. EAP response: Noted

		43. Page 40: Birds: Black Harriers are seen over Erf 134 from time to time, esp. during the winter months, 'quartering' and engaged in hunting.	43. EAP Response: Noted. Circus maurus (Black Harrier) was assessed as having a low to moderate chance of occurrence on the proposed development site. Erf 134 also extends to the West of the MR268, which does not form part of this application. It is unclear on which part of Erf 134 the sightings were.
		44. Page 43: Socio/Economic aspects: item 8.1: The report, and its information, is at least 8 years old (from 2017 and earlier) and quite out of date. At the very least it should be updated with the information provided with App. G13 B of December 2023.	44. EAP response: Appendix G13B (December 2023) is an addendum to Appendix G13A, and there is no need to update Appendix G13A.
		45. Page 47: Alternatives item 1.2: It is stated that the remainder of erf 134 'is zoned as Agriculture Zone 1 but does not have any agricultural potential.' That being the case, it may as well be rezoned to Private Open Space, as was done with erf 107, that surrounds Infanta Village, after three residential erven were sub-divided from erf 107.	45. EAP response: the remainder of Erf 134 and the zoning thereof does not form part of this application.
		46. Page 48: Alternatives item 1.3: Kindly add the raised Walkway as part of the project proposals.	46. EAP response: it is already included.
		47. Page 48: Alternatives item 1.3: It is stated that 'Either option is acceptable from a traffic engineering perspective.' This statement is misleading to say the least. Western Cape Roads (WCR) approved only the one access off MR268. The second entrance is proposed to come off erf 233, not off MR268. In such case such entrance would be subject to approval by Swellendam Municipality. If it were to come just north	47. EAP response: The lower vehicular access point to the remainder of the 5 units is now indicated as two possible options. Either option is acceptable from a traffic engineering perspective. The final option will rely on whether the existing unmade road is formalised as a road or not. See the Roads Authorities Letter attached as Appendix E2 giving

		of the existing unmade road (aka erf 233), then it would connect to MR268, where WCR has jurisdiction, but Swellendam municipality would not approve such. When the original plans were submitted to WCR in 2015, the drawings conveniently omitted the unmade road and WKR did not get the full picture. 48. Page 49: Impacts: 'Impact of rising main on botany on conservation area'. The route shown on the planner's drawings traverses a path through the Limestone Fynbos. The route used in the Services report travels largely along the road network. Kindly reconcile. 49. Page 49: Impacts: 'Pollution of the watercourse and coastline from stormwater.' The proposals for stormwater disposal are not aligned with the recommendations by the Freshwater specialist; therefore the impacts cannot be Low Negative. Unless the proposals for the disposal of stormwater change, the impacts must be High Negative or perhaps Medium Negative, depending on the amended proposals. 50. Page 49: Impacts 'Pollution of the watercourse, groundwater and coastline through on-site treatment of wastewater.' To say Low Negative is just guesswork as nobody knows. No geo-technical investigation and no infiltration or permeability tests were done. So one does not know how shallow the impervious layers are and at what rate infiltration could take place and whether it would seep through onto the coastline. There is evidence from onsite inspections that it will seep through to the coast. Using the precautionary principle, and on the	consent to the proposed access routes. WC Road Department is a commenting authority on the application 48. EAP response: The route indicated on the amended SDP for authorisation will be the route implemented and should be considered by I&APs when giving comment. 49. EAP response: The Civil Engineering report stipulates the stormwater management strategy in section 4.3. This is aligned with the recommendations of the Freshwater Ecologist (Appendix G8 section 5.4) to mitigate the potential impacts. Therefor the rating remains Low Negative. 50. EAP response: The assessment of potential impacts related to the on-site treatment of sewage was conducted by an independent specialist with prior experience. The rating remains Low Negative.

		basis of the onsite evidence, the impacts must be deemed to be High Negative, unless better information is obtained through tests and investigation. 51. Page 49: Impacts 'Abstraction of water from groundwater resources with risk of drawdown of local water table' The Hydrogeological study stated that the local population does not depend on borehole water. This statement is blatantly incorrect. It should be noted that about 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C. Also, more than 80% of the 97 households at Infanta Village rely on borehole water. In addition, borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. The statement in the specialist report that the local people are not dependent on borehole water is incorrect and misleading. Thus the conclusions reached in the Hydrogeological report need to be reviewed. Based on this cumulative impact, the impact cannot be Low negative. Given the close proximity of borehole 134C to the boreholes that supplies water to Infanta Park and the adjoining erven 201 and 141, the impact should be Medium to High Negative. 52. Page 49: Impacts: 'Clearing alien vegetation from the site.' The clearing of the alien vegetation from the site will undoubtedly have a very HIGH POSITIVE impact. In fact, it is one of the very few positive	51. Lian Roos: The report has been amended to reflect the usage of groundwater in Infanta. 52. EAP response: Noted.

		impacts of this development, other than benefits to the Developer and his team. 53. Page 50: Primary option for the treatment of sewage: Many people hang their hopes on some magic bullet or 'black box magic' package plant that will take all their troubles away. Sadly, there is a sad lack of understanding how these systems work. Part of the processing is by mechanical means, but a large portion of the treatment process is by biological means. These bacteria and other micro-organisms require to be fed and be looked after, for them to do their job. If they don't get fed for long periods at a time, they die off and the composition of the flora and fauna in the system changes. So when the homeowner uses the system only a few times a year, there is a very good chance that the system will not operate as hoped for, as the organisms need time to growth and thrive again to start with the processing. This takes time and thus, in all likelihood, for sporadic visits one may end up with effluent that is well below standard and also becomes very odious and malodorous due to the sub-standard processing. These systems work well on golf estates, resorts and such where there is a regular flow of people and sewage produced on a regular basis. Kindly provide evidence with contact numbers were these systems have been used in a setting as foreseen with infrequent and sporadic holiday usage. It is likely that these systems will end up as nightmares and soon be abandoned and used as septic tanks or conservancy tanks.	53. Gideon Pepler response: This technology has been approved and are in use in the De Hoop-, Vrolijkheid-, Helderberg- Nature Reserves as well as the Harold Porter Botanical Gardens. The system uses only 60 watts of power, which makes the supply of backup power extremely easy. The system can even run completely off solar power, as is the case at De Hoop Nature Reserve The Fusion® needs a service once every six months only, and the homeowners will enter an SLA with a service provider to do such. There are cases, however, where Fusions were in use for years without servicing and without failure. Sludge removal is also relevant for central treatment plants. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit. There are no pumps in the system and the aerator's diaphragms needs replacing only every 4 years, as part of the servicing. Again, any manmade machine will need maintenance, including that of a central system. Fusion®'s maintenance is the lowest of all systems on the market.

		54. Page 50: Primary option for treatment of sewage: Use of effluent as non-potable water such as flushing of toilets. This would require separate independent plumbing in the house. Kindly amend the Architectural Guidelines to cover this eventuality. 55. Page 50: Primary option for treatment of sewage: It is stated that the soil is 'sand is very porous.' No geotechnical investigation was done and no infiltration or permeability tests were done. So this is just guesswork. It is also no known how shallow the impervious layers are and whether the effluent will seep along this layer to the coast. Onsite inspections indicate that the effluent may seep through to the coast. 56. Page 50: Alternative option for treatment of sewage: It is stated that the 'performance of septic tanks is determined by the permeability of the receiving soil.' Agreed. Regrettably, no geotechnical investigation and no permeability tests have been done. 57. Page 51: Item 1.8 Concluding statement: Kindly include the raised walkway in the project description and the various buildings and store to be removed. 58. Page 60: General: Environmental Impact Statement: It is stated that the 'access roads will be rezoned to Transport Zone 2 (Public Road) and ownership of this will be transferred to the local authority.' Kindly	54. EAP response: treated effluent will not be used for irrigation. The Architectural guidelines will not be amended at this stage. Use for flushing of toilets is an option mentioned by the engineering report, which can be implemented on site if required. 55. Gideon Pepler response: The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution. Geotech will be undertaken as part of the civil construction phase. NHBRC also require geotechnical reports on individual building projects. 56. Gideon Pepler response: This is not septic tanks. The treated effluent is discharged into a holding tank. There is no risk of environmental contamination. There is a bigger chance that conservancy tanks will cause pollution. Geotech will be undertaken as part of the civil construction phase. NHBRC also require geotechnical reports on individual building projects. 57.EAP response: Noted 58. Dave Saunders response: This will be dealt with in the rezoning process. The local and provincial road authorities will no doubt be

		provide letters from the local authority in which the transfer of such roads and associated liability is acceptable. 59. Page 64: Recommendations by the EAP: 'The proponent must ensure that all invasive alien plants, particularly Acacia cyclops, are completely removed from the site. Ongoing monitoring must be implemented to prevent re-establishment or further invasion by such species.' This is a good start, but must be taken further. Kindly consider: The invasive aliens that are currently in the areas marked for conservation, including the areas for Open Space zoning, must be removed during the construction phase of the contract for the engineering services. Such removal must be done by manual means and not by earthmoving equipment or such. It would be unacceptable to hand over these spaces and erven, covered with invasive aliens to the local authority or the Home Owners' Association, while these infested areas present a huge fire risk. Kindly also ensure that the agreement with Home Owners' Association and the House CEMP include the obligation to remove all invasive alien vegetation and to keep these areas clear on an on-going basis. Kindly consider penalties for parties not meeting these obligations. B. Comment on Appendix A – Locality Maps 1. The electronic file name for this appendix needs to be corrected, as it is misleading. The project is located at Infanta, not at Cape Infanta.	commenting of this EIA application and therefore have an opportunity to state their preference. The developer is happy to transfer the land. 59. EAP response: The removal of alien invasive species is included in the EMPr. The EMPr addressed alien management & emergency response procedures in terms of fire management. B1. EAP response: The name of the development was corrected to Erf 134 Infanta (Luz de Lua).

		C. Comment on Appendices B1 and B2 – Alternative layouts 1. These two so-called alternative layouts are quite incomplete, as they do not show enough elements of the project description to be considered serious alternatives. They are so incomplete, that they appear to be just dummy alternatives. Kindly do a professional job with these two alternatives. D. Comment on Appendix B3 – Alternative 3 Layout (preferred alternative) 1. The line next to the word Coastline is utterly misleading, as that does not represent anything. At best these may be some rocks at Low Water Springtide. Kindly show the line of the high-water ordinary spring tide (HWOST) mark, which in our experience lies landward of the line d-e (both lower case). The line and the word Coastline need to be removed, as they are quite misleading; and the line of the HWOST should be shown. 2. The drawing (Diagram 29) shows three scales. The title block says 1:750 (which is a non-standard scale); while below the words Site Development Plan, the scale is give as 1:500. There is also a linear scale. 3. The drawing shows that the water pipeline is lies within the road reserve, parallel to the MR268, when crossing the stream, whereas the provincial roads department specifically stated that the pipeline needs to lie within the boundary of erf 134, except for the perpendicular	C1. Dave Saunders response: The submission satisfies the statutory requirements. D1. EAP response: the SDP has been amended. D2. EAP response: the SDP has been amended. D3. EAP response: the SDP has been amended.

		crossing of MR268 (in a steel sleeve). Kindly provide a letter from the WCG Roads approving this location, or alternatively relocate the route of the water pipeline in a position that is confirmed to be acceptable to WCG Roads. 4. The route of the pipeline along the northern boundary of erf 134 is largely within the Limestone Conservation Area , while the Civil Engineering Services report App. G3 shows the line to run parallel to MR268, but within the boundary of erf 134 and then along the internal road network. Kindly reconcile. 5. Pipeline in road reserve: The letter from the WCG Roads Authority is very specific and the pipeline route shown on the various layouts does not follow the approved route. The letter reads a. '2.1 With a crossing at +-km68.58 b. 2.2 Parallel to that road and outside the road reserve, but within the 5m Building Line (Roads Ordinance 19 of 1979), between +-km68.58 LHS and km68.82 (end of Proclaimed Main Road)' Nowhere does the Road Authority approve the laying of a pipeline parallel to the road and within the road reserve of the proclaimed main road, MR268, as is shown on the drawing for the preferred layout.	D4. EAP response: Appendix B3 shows the potable line in the northern section along the road routes, then it directs to the MR268, crosses the drainage line adjacent to the MR268 and then in the southern section of the proposed development. BOCMA has requested the pipeline remains outside the MR268 servitude area so that maintenance on the MR268 does not damage the line. D5. EAP response: The WC Roads department is a commenting authority on this application. The potable line is outside the road reserve as requested by BOCMA.

		6. The drawing indicates a number of buildings to be removed, including the Existing Garage and the Store on the remainder of erf 134. Kindly include these in the project description.	D6. EAP response: Noted. Garages and outbuildings will remain on the stands. Please refer to updated SDP & project description in the revised BAR.
		7. There are a number of poles for telephone lines on erf 134. Kindly indicate in the project description what is happen to these poles and lines. If the poles and lines are to be removed, kindly provide a letter from Telkom showing their approval of such.	D7. EAP response: Noted. The poles will be removed.
		8. The drawing does not show the full extent of the project, as it needs to show also the borehole, the new reservoir and the full extent of the pipeline and servitude. Kindly add these to the drawing. The legend gives a line for existing borehole, but none is shown.	D8. EAP response: the SDP has been amended.
		9. Kindly add the areas in square meters also for the proposed erven 8 and 9.	D9. EAP response: the SDP has been amended.
		10. Kindly add an additional fire hydrant opposite the area indicated as Refuse.	D10. Dave Saunders response: Noted. To be added.
		11. Geoff Tomes' erosion setback line: Kindly confirm that the development platforms for the proposed erven 12, 13, 15 and 19 will be landward of this setback line.	D11. EAP response: the SDP has been amended based on the new coastal setback line.
		12. Kindly confirm that the development platform for the proposed erf 21 will be landward of the Coastal Medium Risk Zone, that is, only within the Coastal Low Risk Zone.	D12. EAP response: the SDP has been amended based on the new coastal setback line.

		13. The layout does not 'acknowledge the green threshold at high point'. See fig. 6 on page 18 of App. G11A – Heritage Statement	D13. Dave Saunders response: It does. This area will be ceded to the public.
		14. The abrupt ending of the Coastal Risk Zones across the proposed erven 17 to 19 does not make sense. It also does not conform to the zonation shown in the Second Generation Overberg District Coastal Management Programme of 2024 (available on Swellendam.gov.za). Kindly show the latest Coastal Risk Zones and in a coherent manner.	D14. EAP response: the SDP has been amended based on the new coastal setback line.
		15. This plan is incomplete as it does not show the 7.87m wide servitude. Kindly also show the zoning of the Public Walkway and also that of the strip of land seaward of this raised walkway.	D15. EAP response: the SDP has been amended based on the new coastal setback line.
		16. In the light of the conflicting information between the aerial photos and the plans about the boundaries/servitudes and their relation to the sea, kindly appoint a registered Land Surveyor to place the relevant pegs so that the specialists and the I&APs have a correct understanding of the lie of the land. An inspection around the perimeter of the site did not reveal any pegs.	D16. EAP response: There is no requirement for pegs to be placed.
		E. Comment on Appendix C – Photo report	
		1. The electronic file name needs to be corrected as erf 134 is at Infanta, and not at Cape Infanta.	E1. EAP response: Noted.
		2. The caption to Photo 1 reads 'Southeast corner of site…' which is not correct as there is work proposed eastwards of this point. In addition, the point e (the south-eastern corner of erf 134), shown on the	E2. EAP response: Noted.

		preferred layout (see App B3), lies also further East and below the HWOST line. 3. The photo report conveniently does not show the collapsing cliffs and receding coastline on the north-eastern corner of erf 134. See photos included with Comment on App. G7A Setback Line Assessment.	E3. EAP response: The coastline assessment was included as part of the Setback line application. As mentioned before, a new site-specific Coastal Setback Report / Coastal Engineering Assessment (Appendix G7C) dated 13 July 2026 has subsequently been completed and is included in the revised BAR. The specialist undertook a supplementary DGPS survey on 27 April 2026, including profiles across the northern shoreline. The new assessment expressly recognises that storm-wave run-up undercuts the calcrete platform, causing sections to crack and collapse. It predicts some increased collapse along the northern side at profiles North 2 and North 3. However, the collapsed calcrete slabs temporarily form a natural breakwater that limits further landward erosion. A 39-year shoreline analysis found little to no overall erosional or accretional trend and concluded that the shoreline remains in equilibrium despite the natural calcrete collapse. Rapid landward retreat due to sea-level rise was considered highly unlikely, with the anticipated increased northern calcrete collapse assessed as posing an insignificant risk to the proposed development.

		F. Comment on Appendix D1 – Biodiversity Overlay Plan 1. The name of the figure in the appendix needs to be corrected, as erf 134 is at Infanta and not at Cape Infanta. G. Comment on Appendix D2 Site Sensitivities Overlay Plan 1. This plan, named Proposed Sub-division layout, is the same plan (Diagram 29) as the one shown as the preferred layout (see App.B3). It does not show key sensitivities, such a view lines, locations of possible heritage or archaeology sites, collapsing cliffs, dominant wind directions, water table depths, etc, etc. This plan needs to redone in toto for it to be considered a Site Sensitivities Overlay Plan. H. Comment on Appendix E1A - C – Heritage Western Cape letters 1 - 3 1. Letter from HWC of 21 April 2017 states that the conditions for it to support the development include: Kindly ensure that these conditions are included in the EA and also in the agreement with the Home Owners' Association and the House CEMP. 2. It does; however, appear under App. G12 Archaeological Impact Assessment, that the results from the radio carbon dating were	The northern profiles, projected storm hazards and sea-level rise to 2100 informed the new development setback line, which combines the 100-year floodline and 2100 coastal storm-hazard line F1. EAP response: Noted. G1. EAP response: Appendix D2 indicates the biophysical sensitivities on site, namely vegetation, coastal zones and the drainage line. H1. EAP response: Conditions are already included in EMPr. H2. EAP response: The radiocarbon dating was a requirement from the 2011 report, were conducted in 2012 and the findings included in the report. The conclusion on page 18 reads: *This report concludes the mitigation phase of work on erf 134 and development of the property*

		reported by ACO on 12 October 2012. Kindly provide a letter from HWC providing clarity.	*may continue subject to other conditions imposed by Heritage Western Cape. The test holes dug beneath the sites excavated here suggest that subsurface archaeology is very unlikely to be present, however, the possibility of unmarked burials cannot be discounted and will need to be considered during the construction phase. To this end, monitoring has already been requested by Heritage Western Cape.* Requirements from HWC were included in the EMPr.
		I. Comment on Appendix E2 – Roads Authorities letters 1. Kindly provide a copy of the plan that the letter from the Chief Director: Road Management Network, dated 15 August 2015, refers to as this layout was not part of the documents available for review. 2. Kindly provide a copy of the plan DWG 12 Rev. H that is referred to in the letter of 12 August 2015 from Swellendam Municipality, as this drawing was not part of the documents available for review. 3. Both these letters were written more than 10 years ago and the layouts and proposals for access have changed several times. The plans to which these letters refer are no longer relevant or applicable. Kindly provide updated letters from both authorities referencing the latest preferred layout.	I1. EAP response: WC Roads forms part of the commenting organs of state for this application. Comment to be provided on updated reports and amended SDP. I2. EAP response: DWG 12 Rev. H is outdated. New comment to be ontained based on updated reports and amended SDP. I3. EAP response: Both SLM and WC Roads Department are commenting authorities on the proposed development.
		J. Comment on Appendix E.4 – Solid Waste	J1. EAP response: No Waste Licence application is required for the proposed project, but the proposed development will have to register

		1. Kindly provide a letter from DEA&DP Waste whether authorisation for the development of a Waste Transfer Station is required in terms of NEMA: Waste Act. 2. The transfer station needs to be baboon and rodent proof. 3. Kindly allow separate compartments in the transfer station for recyclables, organic waste and remaining domestic/household waste. 4. Allow for fencing and adequate signage. 5. Kindly provide a fire hydrant near the transfer station. K. Comment on Appendix G1 Architectural Guidelines 1. Cover page – the location of the proposed development is at Infanta, not Cape Infanta. Please see 1:50 00 topo cadastral map 3420BD. 2. Page 2: The title on needs to be corrected as erf 134 is at Infanta, not Cape Infanta. 3. Section 1.1: a. Sebastian Point, not Sebastine	in terms of "National Norms and Standards for the Storage of Waste" (GN926 of 29 November 2013) should the transfer station have the capacity to store more than 100m³ of general waste at any one time and for a period exceeding 90 days. That being said, DEA&DP Waste will be consulted in subsequent submission to confirm whether authorisation for the development of a Waste Transfer Station is required in terms of NEMA: Waste Act. J2. Gideon Pepler response: Noted. J3. Gideon Pepler response: Noted. J4. Gideon Pepler response: Noted. J5. Gideon Pepler response: A 20mm Water connection can be provided. K1. EAP Response: Noted. K2. EAP response: Noted. K3a. EAP response: Noted.

		4. Section 2.3 and 2.13: Building Form: the proposed building form, as shown on pages 4, 7, 9, 10, 11, 12, 15 and particularly on page 16, will not work on a number erven, as these erven are too narrow to allow this kind of arrangement. Either the erf sizes need to change or the suggested (and to be prescribed!) building form needs to change. 5. Section 2.3 Building Form and Shape: Please also show hipped gables, as these will facilitate better orientation for PV panels and solar water heaters. It has been shown that a better solar utilisation is achieved if PV panels are also orientated East and West in addition to North. It is an evolving trend at Infanta. 6. Page 7: Section 2.7: Flat roofs - galvanised steel won't work in that proximity to the sea. It will just rust away within a few years. 7. Page 7: Section 2.7: Pitched roofs - Please add that this does not exclude hipped roofs, which should actually be encouraged. 8. Page 7: Section 2.7: Overhangs – Please also state the minimum overhang. 9. Page 10: Section 2.10: Fireplaces. Chimneys – even marine grade stainless steel (grade 316) rusts in that environment and shows unsightly rust marks within a few years. Best to have the stainless steel painted black (to spec), which steel then can be grade 304 stainless steel.	K4. EAP response: the SDP has been amended based on the new coastal setback line. K5. Applicant response: The design concept is for gable ends which allows for greater internal floor to ceiling volumes. PV panels and solar water heaters are not envisaged to cover the entire roof and we contend that the orientation of the proposed roofs are sufficient for any solar power/water heating requirements. K6. Applicant response: The roof material for low pitched roofs will be specified carefully, the option like Rhinezince or similar are designed for coastal applications. K7. Applicant response: Hipped roofs are not envisaged in the design aesthetic. K8. Applicant response: Roof overhangs to be 600mm. K9. Applicant response: This is a good suggestion, and we can incorporate the painting of flues to be black.

		10. Section 2.11 Pergola, etc: Balau or such timber - As this timber is all imported, it would be better to consider locally produced timber (perhaps Eucalyptus?). Either way, the timber needs to come from a forest that is part of the Forestry Stewardship Council and is sustainably harvested. In addition, importing timber increases the carbon footprint of the development (which appears not to have been assessed) and of the country. 11. Page 11: Section 2.11 Pergola, etc - Profiled sheet metal will just rust away very quickly. 12. Section 2.12 Balustrades - Balau or such timber - As this timber is all imported, it would be better to consider locally produced timber (perhaps Eucalyptus?). Either way, the timber needs to come from a forest that is part of the Forestry Stewardship Council and is sustainably harvested. In addition, importing timber increases the carbon footprint of the development (which appears not to have been assessed) and of the country. 13. Section 2.12 Balustrades – specify grade 316 (marine grade); not the usual grade 304. 14. Section 2.16 Exterior lighting – please specify that the garden lighting must be shining downwards and preferably be movement activated.	K10. Applicant response: If locally sourced timber meets the performance criteria for external coastal use then we would be happy to specify this, however if it is not readily available then other types of timber will have to be used. K11. Applicant response: The roof material will be specified very carefully, the options like Rhinezinc or similar are designed for coastal applications. K12. Applicant response: If locally sourced timber meets the performance criteria for external coastal use, then we would be happy to specify this, however if it is not readily available then other types of timber will have to be used. K13. Applicant response: All metal work will be specified for coastal conditions. K14. Applicant response: Agreed.

		15. Section 2.16 Exterior lighting - No, delete "eyelids" as these don't work. They still allow the light to shine horizontally (sideways). The louvered grilles work well, but there are other options too. There are a number of very appropriate examples at Infanta. There are also examples of grossly inappropriate and intrusive lights at Infanta. 16. Page 16: Section 2.20 Services, etc: Why do you need to screen tanks? They are part of the heritage at Infanta. If you do want to screen them, then don't do it with Corrugated Iron, as it will just rust away within a few years. 17. Section 2.20 Services, Plumbing to be concealed within walls – why not keep it on the outside of the walls? From a maintenance perspective, pipes in walls are a nightmare. Please reconsider. 18. Section 3: Landscape Plan: there is some text required. To provide a plan with a species list is not a Landscape Plan. Specifically state that under no circumstances may Kikuyu grass or invasive cactus plants be used anywhere in the development. 19. Sections 3 and 4: Landscape Plans and proposed sub-division plans: Please provide these using the preferred layout. The plans are also misleading as they show the coast line to be some distance away from the erf boundary. This not correct, as part of the 7.87m wide servitude lies beneath the high-water mark. Kindly correct.	K15. EAP response: Specifications on lighting included in architectural guideline and EMPr. K16. Applicant response: Agreed. Screening was recommended in the architectural guideline which stated that all tanks are to be screened with either corrugated iron or timber. K17. Applicant response: Part of the architectural approach is to conceal service pipes with access panels that are removable externally. K18. EAP response: specification on planting plan included in EMPr. K19. EAP response: the SDP, sub-division plan and landscape plan have been amended.

		20. Proposed Plan of sub-division: On the proposed plan for sub-division, please correct the Project name to Infanta (not Cape Infanta) 21. Waste Management: the guidelines are incomplete as these do not deal with the need for space to keep Recyclables, Garden Waste and Domestic Waste separately. Swellendam Municipality now has a policy of separation of these three resource streams and the guidelines should highlight these spatial requirements, both inside and outside the dwellings. 22. Water saving devices: Given the dependency on borehole and rain water, as well as the need to take the hydraulic load off the septic tanks and the associated infiltration systems, the guidelines should also advise on the choices for garden irrigation, water saving devices such as tap aerators, low flow showers, cisterns sizes, etc. 23. PV systems and solar water heating: the guidelines are incomplete as they do not consider the roofing orientation for solar based power or heating. The guidelines should also point out that space should be provided in the design for solar geysers, pumps, and batteries. 24. Booster pumps: the pressure from the reservoir will be inadequate for the convenient operation of household appliances such as showers, washing machines, etc. (esp. in the double story houses). Therefore, the guidelines should refer to the need for space for the local booster	K20. EAP response: Noted K21. EAP response: Space to keep waste streams has been included in the SDP and waste management methodology has been included in the EMPr. K22. EAP response: Noted with thanks. These water saving devices will be investigated in terms of its feasibility. Besides the rain water harvesting, the EMPr also includes water-wise planting, mulching, avoiding irrigation overspray and preventing water wastage. K23. Applicant response: Noted. The use of solar panels is not mandatory, however if residents choose to install hot-water solar system, PV panels, 'batteries etc the design has adequate space in the

		pumps at each household, as well as some back-up power in the event of load shedding or local power outages which do occur at Infanta. L. Comment on Appendix G2 – Hydrogeological report 1. Page ii: The statement and assumption based on 'the fact that the local population is not dependent on groundwater', is fundamentally flawed. It should be noted that about 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C. Also, more than 80% of the 97 households at Infanta Village rely on borehole water. In addition, boreholes BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. The statement in the specialist report that the local people are not dependent on borehole water is incorrect and misleading. Thus the conclusions reached in the Hydrogeological report need to be reviewed. What is of a particular concern is that the ground water level in borehole 134C lies at a lower level than in boreholes BH05 and BH06, and is thus able to impact the levels of the water in these two boreholes and the supply to Infanta Park and the adjoining properties, erven 201 and 141. The conclusions based this assumption therefore need to be reviewed. 2. Page ii: Kindly explain how the Recommendations below will be carried through to the Construction phases (Engineering services and the House construction) and the Operational phase. Who is to	storage garage. Further, the solar technology has advanced to such a degree in efficiency that orientation of roofs is not a factor anymore. K24. Applicant response: Noted. L1. EAP response: The report will be amended.

		undertake the monitoring and who is to pay for the hydrocensus every two years? 'The following actions are recommended to be implemented during the construction and the implementation phases: • Groundwater quality exceedances in the boreholes above the SANS 241 drinking water standards indicated that the groundwater at the site is not suitable for use as potable water without prior treatment. The exceedances in total coliforms can be addressed by improving sanitation systems and ensuring human or animal wastes are properly disposed of. • The monitoring as recommended in the report should be established prior to operation. The water level monitoring should be conducted weekly for the first three months of operation and if no significant water level decline is observed, the monitoring can be conducted on a monthly basis. Alternatively, automatic water level measurement in the form of pressure transducers can be installed to aid in this process. Logs of flow meter readings should also be kept and the flowmeter should also be read once per month. • Seawater intrusion may become a concern during extended abstraction periods and should be monitored.	L2. Lian Roos response: It is the responsibility of the HOA to ensure the implementation of monitoring systems and environmental management measures, including rehabilitation, alien and invasive species control, erosion, and fire management, and to appoint qualified consultants where specialist input—such as the two-yearly hydrocensus—is required. Furthermore, in addition to the EMPr, the WUL conditions require that internal and external audits be conducted and submitted to DWS for review.

		• A rainfall gauge should be installed on the site and rainfall readings should be taken after every rainfall event and the time and date of the reading recorded. • The monitoring data (water levels, rainfall and chemistry) should be kept in an electronic database for further analysis should this be required. • The recommended pump cycle for the borehole is 12 hours per day. If the pump cycle is to be extended, the maximum daily volume for each borehole must not be exceeded and the pumping rate must be reduced to sustainable rates. Refer to management recommendations in Table 22. • It is recommended that the hydrocensus be repeated once every 2 years to ensure that no new groundwater users are affected. The hydrocensus should extend to a 1km radius around the site boundary. The regional groundwater table must be maintained to: Ensure that schedule 1 water users adjacent to the site have adequate water supply to basic human need. Ensure that adequate water is available to maintain base flow in the tributaries of the Breede River.' 3. Page vii: Abbreviations – presumably Mm3/a is the abbreviation for Million cubic metres per annum.	

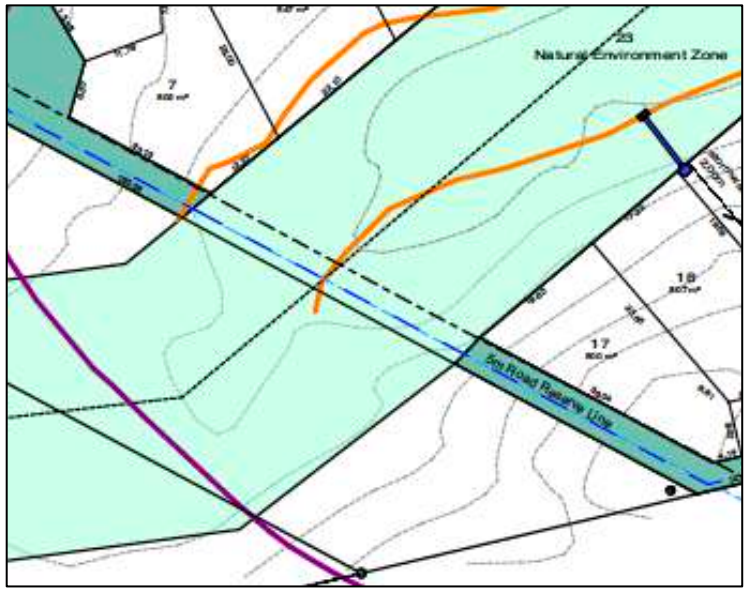
		4. Page 1: Scope of Work – surely, the scope is not for a 'water use license application for the abstraction of groundwater for irrigation purposes' (emphasis added). Kindly reconsider whether the whole report has not been undertaken for the wrong purpose. 5. Page 23: General Authorisations: Nowhere in this report is the year or gazette number given in which the General Authorisations were published. As these Authorisations change from time to time, kindly confirm that the General Authorisations that are referred to are indeed the latest General Authorisations and state the date of publication, plus the Gazette number. 6. Page 26 to Page 35: Risks, Impacts and Mitigation measures: Based on the fact that more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C and that more than 80% of the 97 households at Infanta Village rely on borehole water and in addition, borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water, the statement in the specialist report that the local people are not dependent on borehole water, is incorrect and misleading. Kindly reconsider the Risks, Impacts and the proposed mitigation measures. 7. Page 38: Conclusions and Recommendations: Based on the fact that more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C; more than	L3. Lian Roos response: Noted. L4. Lian Roos response: Noted. L5. Lian Roos response: Noted. L6. Lian Roos: The report will be updated

		80% of the 97 households at Infanta Village rely on borehole water and that borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water; kindly reconsider the Vulnerability Value, the Aquiver Classification and the Management Index and also the level of protection required for this aquifer. 8. Appendices I to IV were not appended and therefore no comment can be made on these. M. Comment on Appendix G3 - Civil Engineering Services report 2. Page 1; Introduction: Kindly correct the opening sentence 'proposed development of erf 134 Cape Infanta' is flawed. It should read erf 134, Infanta. See the SG diagram 7203/56. 3. Page 1: Location: The statement that "Infanta is situated west of the Breede River mouth..." is incorrect. It is situated south-south east (incorrect by more than 90 degrees – makes one wonder). Kindly correct and ensure that the correct site is assessed. 4. Para 1: Location: The statement that "There is a dry watercourse…" is not correct. The water flows in this water course most winters and after heavy rains, as it is a non-perennial watercourse. Kindly reconsider and correct. In fact, a number of frog species have been recorded in this stream.	L7. Lian Roos: The report will be updated. L8. EAP response: These appendices have been requested from the specialist and will be appended to the report for the next round of PPP. M2. Gideon Pepler response: Noted but not relevant to the report's findings. M3. Gideon Pepler response: Noted but not relevant to the report's findings. M4. Gideon Pepler response: If the water course is 90% of the time dry, we consider it a dry water course. Their will almost always be water in any water course during rains.

		5. Page 2: Access Roads: The description that the southern access will be off Hoek St is incorrect. The piece of land from which that access is planned, is Erf 233, zoned for Transport. Hoek St is on a separate piece of land. See SG diagram 2369/2016. Kindly correct. 6. Page 4: Stormwater Management: The provision of 5kl tanks for catching rainwater is quite inadequate. From a water supply point of view, it is the equivalent of less than one week's water supply. From the stormwater management point of view, even a rainfall of 30mm will fill a 5kl tank. Given that most of the houses are likely to be holiday houses or only sporadically occupied, one can assume that for most of the time the tanks will be full after the first 30mm of rain. This means that for an annual rainfall of 430mm/year, about 400 of the 430mm or more than 90% of all rainwater will by-pass these tanks and become stormwater. To make a meaningful contribution to the water supply and also for stormwater management, the volume of the rainwater tanks should be increased to at least 20kl. 7. Page 4: Stormwater Management: the proposal to use gabions such as Reno mattresses and stone pitched channels on reinforced concrete beds is in conflict with the recommendations by the Freshwater specialist. Why not consider softer approaches such as detention or infiltration ponds, as the ground is purportedly 'sand and very porous'? 8. Page 5: Firefighting water: With a TWL for the reservoir (assuming that it will be full when there is a fire) at contour level of 27+2 = 29m, a	M5. Gideon Pepler response: Noted. M6. Lian Roos response: Noted. Gideon Pepler response: Noted, As I believe every current homeowner in Infanta do, each homeowner will cater for their own water demand. M7. Gideon Pepler Stone pitched channel can be replaced with a Reno Mattress channel. It is porous and acts as energy dissipating structure.

Description	Value	Reference
Potable Water/day/person	10 l/day	Conservative Estimate
No of people in house (ave.)	4	Conservative Estimate
Storage Required	4 months	Red Book (2004)
Calculations:		
Annual demand	= 365 days/year x 4 people x 10 l/ day/person = 14600 l/year = 14.6 kl/year = 14.6m^3/year	
Size of tank for 4 months	= 122 days x 4 people x 10 l/ day person = 4.880 l = 4.9 kl = 5kl (approx.)	

		house at contour level of 11m, a required residual pressure of 7m, an internal diameter of 115mm and a pipeline of 420m, does not provide 900l/min as required. It can only provide about 760l/min. Kindly reconsider the calculations for the provision of fire water. Remember to allow for the aging of the pipe (the water will be untreated, hence algae and moss will be issues) and the fittings and bends. Also consider that when there is a fire, other households will also be using the water to wet their premises. Kindly provide a calculation showing how the proposed size of pipe was determined. 9. Page 5: Water Infrastructure: The daily demand for water is estimated at 21kl/day (on average about 650l/min). This demand will not be spread evenly during the day. Experience has shown that the morning and evening peaks can easily be 3 – 4 time the daily average. This means that the demand for water will be between 2000l/min and 3000l/min, whereas the pipe can at best provide 900l/min, assuming no residual head at the outlets. If tanks are to be part of the solution, kindly state that water tanks are required at each house (particularly the	M8. Gideon Pepler response: Firefighting water demands are related to the floor areas of the proposed houses. The proposed development, floor area over 200m², is classified with respect to firefighting as low-risk group 1 (Red Book (2004) (125mm diam. pipe) Should the floor areas be less than 200m² the firefighting risk classification is low risk group 2 (110mm diam. Pipe) We recommend that a trailer-mounted water tank with diesel powered pump should be kept at Infanta. Description / Value (>200 m² (Applicable)) / Value (<200m² (for reference)) / Reference House Floor Areas / Low Risk Group 1 / Low Risk Group 2 / Red Book (2004) Fire-risk Category / 900 ℓ/ min / 500 ℓ/ min / Red Book (2004) Design Fire Flow / 2 hours / 1 hours / Red Book (2004) Duration of Fire Flow / 7m / 6m / Red Book (2004) Minimal Residual Pressure Head (m) Calculations: Fire Fighting Storage (Low Risk Group 1) = 900l/ min x 2 hours = 108 000 l = 108kl = 108m³ Fire Fighting Storage (Low Risk Group 2) = 500l/ min x 1 hours = 30 000 l = 30 kl = 30 m³ EAP response: This water trailer requirement is included in EMPr and BAR. M9. Gideon Pepler response: Noted, as I believe every current home owner in Infanta do, each home owner will cater for their own water demand. The peak demand will be catered for from own storage not erf connection.

		double storey houses!) and must be part of the water infrastructure at each house (not optional or nice to have). 10. Aspects not covered in the Civil Engineering Services report: There is no description of the design and construction for the crossing of the stream by the water pipeline. There are also no design and construction details for the 'raised walkway on piles' and how it will cross the stream. 11. Page 8: Solid Waste Management: The layouts now show a 27sqm area near the access to the 16 units where a transfer station is to be built. Kindly provide at least a conceptual sketch showing the sizes of the various containers for recyclables, organic waste and general household/domestic waste, and spaces for loading and unloading, as the area proposed seems quite small for the purpose.	M10. Gideon Pepler response: Pipe to be constructed within the existing road shoulder.  M11. Gideon Pepler response: No conceptual sketch included. To be included in land use application.

		12. Page 7: Sewage Management: Kindly provide guidelines, as part of the Architectural Guidelines, for the construction of the septic tanks and the percolation systems. Also provide guidelines for the management and care of the septic tanks and percolation systems. Parsons (2020) provides some useful references, but, as many of these are very difficult to access, please provide copies of these as part of the Guidelines. Kindly include in the guidelines that the septic tanks need to be positioned such that they are accessible to the municipal road tanker, which is used to remove the excess sludge from time to time. Even if septic tanks are not to be used, but sewage package plants, the issues of access and of percolation remain. 13. Page 7: Sewage Management: None of the reports quoted considered the local geology. Parsons based his views on the use of septic tanks at Infanta and at Infanta Park. He did not do any soil tests. Ross expressed his view on the efficacy of septic tanks, but did not expand on the ability of the local sands to absorb 800l/household per day. Even if septic tanks are not to be used, but the sewage package plants, the volume of effluent remains the same. There are no reports of a geotechnical investigation having been made to determine the permeability of the soils on site and whether there are any shallow layers of impermeable material. An inspection of the local geology shows that towards the MR268, the calcrete/limestone ridges show on the surface and it must be expected that towards that part of	M12. Gideon Pepler response: No septic tanks. Under normal operating conditions sludge removal for Fusions is only every 4-6 years. With seasonal occupation this is often only required every 10 years and forms part of the servicing of the unit. M13. Gideon Pepler response: No septic tanks. No irrigation of treated effluent is proposed for this development. Treated effluent will be discharged into soakaways, in line with the common practice for residences in the Infanta area.

		the property one gets some very shallow calcrete/limestone layers. A view from the sea shows very shallow layers of sand underlain by a thin layer calcrete/conglomerate and then quite impermeable shales. As a minimum, percolation tests are to be done in compliance with SANS 10400, SANS 10252-2 and the recommendation provided in the Red Book as part of this application. Even though the seepage rates may be acceptable, there is a need to determine at which level do the impermeable layers lie, to prevent locating erven and septic tanks with the percolation systems too close to the impermeable layers and therefore causing seepage of sewage through to the seafront or into the 40m Ecological corridor. No such tests were done. 14. Please see the photos below:  Collapsed calcrete cliff in front of erf 134. Note very shallow sand	EAP response: Noted. The Hydrogeological Study rates groundwater contamination as Medium without mitigation and Low with mitigation, subject to six-monthly servicing, regular inspections of treatment plants and soakaways, prompt rectification of failures and ongoing groundwater-quality monitoring. These measures are necessary to manage the identified risk. M14. Gideon Pepler response: Noted



View from sea at low tide: note thin layer of sand on calcrete/conglomerate and close proximity of Bokkeveld shale



Calcrete/conglomerate on top of shale: approx. at high water mark. Note the seepage of ground water at the interface.

		N. Comment on Appendix G4 – Electrical Engineering Report 1. Cover page: Correct name from Cape Infanta to Infanta. 2. The layout used is not the preferred layout. 3. Page 4 (Street lightning): It is stated that 'Eskom will not take over any street lighting. This will be the responsibility of the local Municipality or the HOA.' Kindly provide some official correspondence from the municipality where the municipality has intimated that it will take over this additional liability and cost. 4. Page 5: Street lighting: Thank you for the recommendation 'that no area lights be installed.' It will be very much appreciated by many people. Thank you. 5. Page 4 (Table under 5. Expected Demand): Kindly present the calculation on how a 'After Diversity Maximum Demand' of 115kVA was arrived at. A simple calculation shows that when not even all 21 households switch on their ovens, microwaves, TVs, pumps, etc. (all of which are bound to be used simultaneously during peak season, e.g. Easter); the peak demand will easily exceed 115kVA. Already there are regular power outages at Infanta and the under-estimation of the demand will further exacerbate the situation. Not that one wants to encourage more consumption of carbon-based power; hence the specialist needs to present feasible mitigation measures. Perhaps ripple control for any grid-based geysers or such.	N1. EAP response: Noted. N2. EAP response: There is no preferred layout included in the report. The calculations were done for 21 houses, which is the same amount as on the old image used as a front-page cover on the report. N3. EAP response: No street lighting to be installed. SLM remains a commenting authority and will provide this response to be included in Final BAR. N4. EAP response: Noted. N5. EAP response: Eskom confirmed on 6 January 2026 that the development falls within its licensed supply area and that the Heidelberg Farmers 3 feeder and upstream network have sufficient capacity to accommodate the required electrical load of 115 kVA

		6. Eskom letter of 30 March 2020 (App. E3): Kindly confirm with Eskom that the proposed development is not at erf 14, Cape Infanta (as no such erf exists) and provide an updated letter. O. Comment on Appendix G6 - Planning Motivation report 1. Cover page: Please state that the development is at Infanta, as per the SG diagram 7203/56. 2. Cover page: The report does not indicate who (both the entity, and the individual) prepared the report, or the date on which this report was prepared/published – this must be corrected, as it unacceptable this information is not disclosed to either the authorities (notably DEADP) or IAPs. 3. Page 3: Contents: Annexures A-D and G are not attached and also not provided as part of the information pack made available on the website. Therefore it is not possible to comment on these. 4. Page 3: Contents: None of the 13 Diagrams are attached and therefore it is not possible to comment on these. 5. Page 4: Introduction: Kindly correct the description 'portion of erf 134, at Cape Infanta' to read 'portion of erf 134, Infanta'. Any planner would know that the property is not situated 'at Cape Infanta' but at Infanta. See also SG diagram 7203/56 and Title Deed T43211/1980. 6. Page 4: Appointment and Brief: Please provide the copies of these two authorisations, as these were not attached to the Planning report.	ADMD. The updated supply letter is attached as Appendix E3 to the BAR. N6. EAP response: An updated letter is provided in the amended draft BAR that will be circulated for comment to all registered I&APs. O1. Dave Saunders response: Noted. O2. Dave Saunders response: Noted. To be addressed in updated report and will be made available to the public in subsequent PPP. O3. Dave Saunders response: Noted. To be addressed in updated report and Annexures will be included to be made available to the public in subsequent PPP.

		'A copy of the necessary power of attorney is attached to this report. A resolution authorising Mark de Agrella to act on behalf of Westerhelling Investment CC is attached to this report.'	O4. Dave Saunders response: Noted. To be addressed in updated report and Annexures will be included to be made available to the public in subsequent PPP.
		7. Page 4: 'Design Guidelines': Kindly correct the statement 'A set of comprehensive Design Guidelines has been developed…', as these guidelines are for the design of houses only. They are not comprehensive at all, as these cover only some of the architectural design aspects of the house only. They are indeed corrected titled 'Architectural Guidelines'. See also App. G1. Kindly rephrase to 'A set of Architectural Guidelines has been developed…'	O5. Dave Saunders response: To be addressed in updated report and will be made available to the public in subsequent PPP. O6. Dave Saunders response: Not relevant – they are documents pertaining to the rezoning application and not to the NEMA application.
		8. Page 4: Section 1.2 Summary of Application: In terms of the draft BAR, the application will also include Public Open Space. Kindly reconcile this conflicting information.	O7. Dave Saunders response: Noted.
		9. Page 5: Section 2.2 Locality and Surrounds: The statements 'To the south of the settlement lies The De Hoop Nature Reserve and the associated Marine Reserve lies directly to the east' are not correct. The De Hoop Nature reserve lies south or perhaps south west of Infanta, while the Marine Reserve lies likewise to the south or perhaps south west (but definitely not east) of Infanta. Kindly correct.	O8. Dave Saunders response: Noted.
		10. Page 5; Section 2.2 Locality and Surrounds: The statement that Witsand 'is located on the eastern bank of the Breede River' is incorrect, as Witsand lies on the northern bank of the Breede River!	O9. Dave Saunders response: Noted.

		11. Page 5: Locality and Surrounds: The reference to 'erf 134, Cape Infanta' is clearly incorrect, as it needs to read 'erf 134, Infanta.' 12. Page 5: Section 2.2 Locality and Surrounds: Erf 134 is located at Infanta, not Cape Infanta. See, for instance, the 1:50 000 topo-cadastral map 3420DB. Cape Infanta is a point or promontory approx. 5.3km away from the project site, while the area in which the project is located is Infanta. Please correct throughout all the documentation, including all the maps, figures and all the specialist reports. Stating that the project is at Cape Infanta is misleading. See also SG diagram 7203/56. 13. Page 7: Fig.3: The caption needs to be corrected as the photo shows the entrances to Infanta and the proposed development on erf 134, Infanta (not Cape Infanta – which not even in sight on the horizon). 14. Page 7: Fig. 4: Note the very close proximity of the sea to the fence line. The actual extent of the property is a point well into the sea and off the collapsing cliffs. 15. Page 8: Fig. 5 and 6: The captions need to be corrected as the photos show the southern edge (not the western edge.) 16. Page 9: Fig. 7: The photo shows the house on erf 74 at the northern end of Visser St at Infanta (not Cape Infanta). It is not the northern end of Infanta. That is at erf 95, Infanta. 17. Page 9: Fig. 8: The photo looks south-west, not 'Looking north.'	O10. Dave Saunders response: Noted. O11. Dave Saunders response: Noted. O12. Dave Saunders response: Noted. O13. Dave Saunders response: Noted. O14. Dave Saunders response: Noted.

		18. Page 10: Fig. 9: The photo looks west, not 'northwest.' The road does not go to Cape Infanta.	O15. Dave Saunders response: Noted.
		19. Page 10: Fig. 10: The photo looks westerly, not 'Looking north.' The caption should read 'Looking westerly with the northern boundary…' Note also the collapsing cliffs and close proximity of the sea.	O16. Dave Saunders response: Noted.
		20. Page 11: Fig. 11: The caption is misleading and should be corrected to ''The centre of the proposed development, looking towards the main part of Infanta.'	O17. Dave Saunders response: Noted.
		21. Page 11: Existing Zoning: 1st para. Presumably the reference to Fig. 10 should read Fig. 12. Fig. 12 shows that the Urban Edge lies approx. 30m landwards of the shoreline, which would mean that a number of erven in the proposed development would lie outside the Urban Edge. The Zoning map as shown in Fig.12 is quite out of date (2019) and should be replaced.	O18. Dave Saunders response: Noted. O19. Dave Saunders response: Not true.
		22. Page 13 and throughout the document: Figures: The information shown in the figures does not correspond with the information in the text. The figures are incorrectly numbered throughout.	O20. Dave Saunders response: Noted. O21. Dave Saunders response: The Current Zoning map has been used.
		23. Page 13: 2.4 Existing land use: The statement 'The remainder of the site covered in indigenous vegetation…' is utterly misleading as about 80% of the site is covered in invasive alien vegetation, mainly Rooikrans, Port Jackson, Manatoka and Kikuyu. Refer Figures 3, 4, 6, 10, 11 and 15. 'I rest my case' as the saying goes.	

		24. Page 14 Section 2.6 Title Deed Conditions and Servitudes: Kindly provide the conveyancer's certificate and a copy of the title deed, as well as a copy of the diagram, as these were not attached to the report. 25. Page 15: 3.2 Heritage: The statement 'No further heritage analysis in terms of either the built environment or the broader visual spatial environment is required' is not correct, as the Heritage Consultant recommends a setback line to retain certain view corridors. See also diagram 29 in App. B3 Preferred Layout. 26. Page 15: 3.2 Heritage: Kindly include the requirements from HWC, including the need to monitor, undertake some radio carbon dating and to submit a post construction project report. 27. Page 16: 3.3: NEMA: the last sentence states that the application will be lodged by Doug Jeffery & co? 28. Page 16: 3.4 ICMA: The statement 'At this stage, no actual setback lines have been identified for the coastal towns situated within the Overberg District Municipality' as been superseded and is incorrect. Kindly revise this para.	O22. Dave Saunders response: To be addressed in updated report and will be made available to the public in subsequent PPP. O23. Dave Saunders response: This will be corrected. O24. Dave Saunders response: To be addressed in updated report and Annexures will be included to be made available to the public in subsequent PPP. O25. Dave Saunders response: The statement is correct: no further heritage studies relating to the built environment or broader visual-spatial environment are required, as confirmed by Heritage Western Cape. This does not remove the applicable heritage mitigation measures. The approximately 8m heritage setback/landscaped buffer reflected on Diagram 29 must be retained, together with sufficient setbacks along the drainage feature (40m buffers) to preserve views towards the sea. The archaeological requirements also remain applicable, including archaeological monitoring of all bulk earthworks, and submission of the monitoring report to Heritage Western Cape.

		29. Page 17: 3.7 Swellendam SDF 2020: The statement 'A public access road and a parking area are indicated immediately to the north of the site, adjacent to its northern boundary' is not correct. According to the SDF, the access road straddles the boundary between the two properties and needs to be shown in the planning for this proposal. It may need to skirt around the grave, but it does not take away the requirement for his proposal to include this access road and the parking area in the planning for this report. Please refer to Fig. 15 on page 12. The latest SDF of May 2020 shows the same requirement. 30. Page 18: 3.7: Swellendam SDF 2020: The Growth Management Plan recommends a total of 18 additional units. Kindly provide a motivation why the proposed development is for an additional 20 units, when a larger area, than initially foreseen in the SDF, needs to be allocated for Conservation and Environmental functioning. Compare Area B in Fig.20 with the Diagram 29 in App. B3 Preferred Layout. The average erf size in the proposal comes to just under 500sqm (simple maths, just add up the area for each proposed erf and divide by the total number of erven. No misleading hocus-pocus words or play with definitions and interpretations. Just simple maths.) The average erf size at Infanta Village is about 650sqm. In order to bring the average erf size for the proposed development closer to that of Infanta Village the total number of units to be developed would need to reduce to 15 units, plus the existing house and outbuildings. The way that the average erf sizes	O26. Dave Saunders response: HWC did not call for an HIA so there are no conditions or requirements from HWC other than the requirement listed above in O26. O27. Dave Saunders response: That needs to be changed. O28. Dave Saunders response: To be changed. O29. Dave Saunders response: We have addressed the exact position of this access road. O30. Dave Saunders response: It was a notional figure not determined by any analytical studies.

		are presented by the Applicant is just plainly mischievous and misleading. The proposed erven are MUCH smaller than those at Infanta Village. Thus the proposed number of units needs to reduce from 20 to 15. Given the need for onsite disposal of sewage effluent and stormwater, the proposed erf sizes of under 500sqm are just too small. Some are even less then 400sqm, which will make the disposal of the various effluents (sewage and stormwater) very problematical, if not impossible. 31. Page 20: 3.8 Swellendam Land-use Planning By-law 2020: It seems that only the heading to this section has been updated, as all the information in the text still refers to the superseded by-law and its terminology. Kindly update and reconcile with the draft BAR. 32. Page 21: 4.1 Proposed development: The zoning described in this section is different to the zoning described in the previous para. 3.8. Kindly reconcile. 33. Page 21: 4.1 Proposed development: Kindly provide a letter in which the local authority agrees to take ownership (and liability and cost) of 'all roads.' 34. Page 21: 4.1 Proposed development: The statement 'A comprehensive set of design guidelines have been compiled to address overall planning issues and the development and on-going management of the site' is misleading and just plainly incorrect. All that has been produced are some Architectural Guidelines for the design of	The rezoning motivates for the additional two units as it is believed that the additional two units will not result in an undesirable development. O31. Dave Saunders response: This has been done.

		the houses. They are indeed correctly titled 'Architectural Guidelines'. See also App. G1. Kindly rephrase to 'A set of Architectural Guidelines has been developed for the design of the houses.' Because that is all that these guidelines are.	O32. Dave Saunders response: Noted.
		35. Page 21: 4.1 Proposed development: Kindly indicate who is to approve the 'Design Guidelines'?	O33. Dave Saunders response: This is under discussion with the local authority.
		36. Page 22: 4.2 Proposed development guidelines: Kindly include in item 4.2.1 Development Platforms that the Development platform will not be seaward of the 'Geoff Toms' erosion setback line or the Swellendam Coastal management setback line.	O34. Dave Saunders response: The Architectural Guidelines that has been developed are deemed comprehensive.
		37. Page 22: 4.2.3 Building form and shape: the proposed building form, as shown on pages 4, 7, 9, 10, 11, 12, 15 and particularly on page 16 of App. G1 Architectural Guidelines , will not work on a number erven, as these erven are too narrow to allow this kind of arrangement. Either the erf sizes need to change or the suggested (and to be prescribed!) building form needs to change.	O35. Dave Saunders response: The local municipality (SLM).
		38. Page 25: 4.6 Plan of sub-division: The statement ' Fourteen of the plots are large (sic) that (sic) 460m2' is incorrect as there are only 12 plots, which includes the existing house, larger than 460sqm.	O36. Dave Saunders response: This has been confirmed.
		39. Page 25: 4.6 Plan of sub-division: The statement that the average plot size at Infanta Village is 516 m2 is incorrect. The average plot size for the 100 residential erven at Infanta Village within the Urban Edge is	O37. Dave Saunders response: The building forms are conceptual.

		650sqm (excluding the three larger plots outside the urban edge). Simple maths: just add up the erf sizes from the website of the Chief Surveyor-General and divide by the number of erven. 40. Page 25: 4.6 Plan of sub-division: the average erf size for the 21 erven in proposed development (including the larger plot for the existing house) comes to under 500sqm. The average plot size of the proposed development is therefore considerably smaller than those at Infanta Village. In fact, about 23% smaller (1-500/650). 41. Page 26: 4.6 Plan of sub-division: The plan of sub-division Diagram 11 was not attached and could not be reviewed for comment. 42. Page 26: 4.7 Proposed zoning: The zoning in the text do not match those in the heading, nor do these match those given in sections 1.2 and 4.1. Kindly reconcile. 43. Page 27: 4.7 Proposed zoning: The Swellendam Integrated Zoning Scheme requires, 'a newly created erf in this zone may not be smaller than 50% of the average erf size in the immediate environment.' This means that the proposed erf 14 of 324sqm does not meet this criterion.	O38. Dave Saunders response: The plot sizes have all changed. All the plots are now on or over 500m². Please refer to the updated SDP & revised Draft BAR. O39. Dave Saunders response: The plots sizes have all been changed. All the plots are now on or over 500m^2 with seven being over 600m^2 in size. The exact nature of the existing and proposed densities will be addressed in the final planning report. While it is acknowledged that the averaged proposed erf size will be smaller than the average existing plots size, it is believed that the difference between the two is not significant enough to make the proposal undesirable. O40. Dave Saunders response: The plots sizes have all been changed. All the plots are now on or over 500m^2 with seven being over 600m^2 in size. The exact nature of the existing and proposed densities will be addressed in the final planning report. While it is acknowledged that the averaged proposed erf size will be smaller than the average existing plots size, it is believed that the difference between the two is not significant enough to make the proposal undesirable.

		44. Page 28: 4.8 Landscape Plan: No Landscape Plan or Diagram 13 were attached or provided and therefore the I&APs are not able to comment in this Plan. 45. Page 28: The remainder of erf 134: This part of erf 134 has very low agricultural value. It also lies outside the urban edge. It does, however, host a number of large and small animal species. Apart from red data species of birds such as the Black Harriers which has been seen to be hunting for prey over erf 134 from time to time, there are regular sightings of eland (probably weekly, on average), occasional sightings of caracal (rooikat), genet, etc. Leopard spoor and scat have been found on an adjoining property and there are reports of leopards having been seen in tracking cameras which have been left in the remaining fynbos. 46. Page 28: 5 Application details: The diagrams refered to in this section were not attached or provided and hence it is not possible to comment on these aspects. 47. Page 29: 6.1.1: Hydrogeological impact assessment: It is stated that 'The exceedances in total coliforms can be addressed by improving sanitation systems and ensuring human or animal wastes are properly disposed of.' Kindly advise how this will be achieved, when the only	O41. Dave Saunders response: Although not relevant as they are documents pertaining to the rezoning application and not to the NEMA application, this will be addressed in the updated report and all annexures will be made available to the public in subsequent PPP. O42. Dave Saunders response: This needs to be checked and will be corrected. O43. Dave Saunders response: The plots sizes have all been changed. All the plots are now on or over 500m^2 with seven being over 600m^2 in size. The exact nature of the existing and proposed densities will be addressed in the final planning report. While it is acknowledged that the averaged proposed erf size will be smaller than the average existing plots size, it is believed that the difference between the two is not significant enough to make the proposal undesirable. O44. Dave Saunders response: Landscaping Plan was included as part of the circulation for comments, and will from part of subsequent circulations. O45. Dave Saunders response: Noted. There are no development proposals for the remainder of Erf 134. The land will continue to provide habitation for the animal species mentioned.

		sanitation systems are not on property owned by the applicant, but at Infanta Park and about 150m away from this borehole?	
		48. Page 29: 6.1.1 Hydrogeological impact assessment: Monitoring – the monitoring should start during construction, as road making requires large amounts of water. 49. Page 29: 6.1.1 Hydrogeological impact assessment: Hydrocensus – kindly indicate who will pay for this hydrocensus every two years?	O46. Dave Saunders response: Although not relevant as they are documents pertaining to the rezoning application and not to the NEMA application, this will be addressed in the updated report and all annexures will be made available to the public in subsequent PPP. O47. Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use (POU) treatment systems are proposed within the units to address elevated water quality levels Gideon Pepler response: Each property will have its own Maskam Package Plant that will be constructed with the approval of each building plan.
		50. Page 29: 6.1.1 Hydrogeological impact assessment: See also the Comments made under section L of this submission (Comment on Appendix G2 – Hydrogeological report), particularly the flawed assumption that 'that the local population is not dependent on groundwater', when about 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C. Also, more than 80% of the 97 households at Infanta Village rely	O48. Lian Roos response: Noted. O49. Lian Roos response: It is the responsibility of the HOA to ensure the implementation of monitoring systems and environmental

		on borehole water. In addition, borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. 51. Page 30: 6.1.2 Engineering/services report: Roads – kindly include that crushed builder's rubble from the Infanta Waste Disposal site will be considered for filling, subgrade and subbase in roads, rather than importing materials from sources more than 70km away, which would increase the carbon footprint of the development. 52. Page 30: 6.1.2 Engineering/services report: Stormwater management – as per the Comments made elsewhere, the provision of 5kl tanks is quite inadequate and amounts to a token gesture. It is quite inadequate for the provision of water to the household and also quite inadequate for any stormwater management. 53. Page 30: 6.1.2 Engineering/services report: Reno mattresses – the proposal for stone-pitched channels on reinforced concrete bases, ending in hard structures like rock-filled gabions, such as Reno mattresses, is in conflict with the recommendations by the Freshwater specialist. There are 'softer' options available, such as detention or infiltration ponds. 54. Page 30: 6.1.2: Engineering/services report: See also the Comments made under section M of this submission (Comment on Appendix G3 - Civil Engineering Services report), and under section A (Comment on	management measures, including rehabilitation, alien and invasive species control, erosion, and fire management, and to appoint qualified consultants where specialist input—such as the two-yearly hydrocensus—is required. Furthermore, in addition to the EMPr, the WUL conditions require that internal and external audits be conducted and submitted to DWS for review. O50. Lian Roos: the specialist report has been updated. O51. Gideon Pepler response: Road layer works must comply with road design quality standards G5, G7 and in-situ minimum G9.

		draft Basic Assessment Report) particularly on the matter of sewage treatment and disposal. 55. Page 33: 6.1.3: Freshwater: Kindly provide a draft of the operational Environmental Management Plan for the conservation areas and the natural Open Space areas, as recommended by the specialist 'A detailed environmental management programme (EMP) must be compiled for the ongoing management of the development, and especially of its natural open spaces and conservation areas. The EMP must have input from all relevant specialists, and must contain detailed guidance on the minimization of disturbance and maximisation of conservation efforts.' See para.7 of App. G8 Freshwater Specialist report. 56. Page 34: 6.1.4 Botanical: Kindly provide a draft of the management plan recommended by the specialist 'It is strongly recommended that a management plan should be compiled to ensure the correct management of the conservation area of De Hoop Limestone Fynbos and the 'watercourse biodiversity corridor.' 57. Page 35: 6.1.4 Botanical: In keeping with the recommendation by the specialist that the invasive aliens need to be controlled, kindly ensure that a) The civil engineering contract for the services includes the removal, by hand, of all the invasive aliens from all the conservation areas and the all the public and private opens spaces, b)The contracts for the sale of the erven include the removal of all the invasive aliens with a fixed time, c) The building contracts for the houses all include the	O52. Gideon Pepler response: Noted, each household will determine their storage capacity in accordance with their water demand. (As I believe each existing homeowner in Infanta does.) O53. Gideon Pepler response: The stone pitched concrete channel can be replaced with a reno mattress channel on geotextile. The reno mattress channel and outlet will serve as energy dissipating structure therefor reducing the possibility of erosion at the outlets. O54. Gideon Pepler response: See previous responses. O55. EAP response: The EMPr inclusive of specialist recommendations and natural open spaces and conservation areas is included as Appendix H.

		removal, by hand, of all the invasive aliens from all the erven and d) The agreement with Home Owners Association includes the ongoing removal and maintenance of invasive aliens from the conservation spaces and all the public and private open spaces. 58. Page 35: 6.1.5 Setback study: Kindly see the Comments on App. G7A – Setback line study, particularly about the concerns that the specialist based the setback lines on incorrect information has he had clearly missed the section of the coast in front of erf 134 with the collapsing cliff and where the coastline has receded several meters with the past few years. There are several people with the Infanta community who could testify to the extent of the collapse of these cliffs due to undermining by the sea. The specialist missed that portion of the coast. Already point d (the north eastern corner of erf 134 on Diagram 29 (App. B3 Preferred layout) is now situated well into the sea.	O56. EAP response: see response above. O57. Applicant response: Invasive species will be removed. O58. EAP response: A new Specialist Coastal Engineering Report / Coastal Setback Line Assessment: *Site Analysis and Definition of the Development Setback Line on Erf 134, Luz de Lua, Infanta* (Laurie Barwell, July 2026) was commissioned to reassess the site using updated information and current best practice. The assessment included a detailed site inspection, supplementary DGPS topographical survey, analysis of historical satellite imagery and Google Earth

			imagery spanning a 39-year period (1984–2023), evaluation of shoreline stability, consideration of projected climate change and sea level rise scenarios (2030, 2050 and 2100), assessment of storm wave run-up and coastal hazard levels, review of the Western Cape DEA&DP Coastal Management Lines, and the derivation of an updated development setback line that integrates both coastal processes and the 1:100-year flood line. The new specialist assessment specifically considered the entire rocky shoreline fronting Erf 134 and associated coastal processes. The specialist acknowledges that localised collapse of calcrete rock layers is a natural process along this coastline; however, based on the long-term shoreline analysis, topographical survey, and coastal process modelling, concluded that these collapses do not represent a sustained erosional retreat of the coastline. The 39-year shoreline assessment found the coastline to be in a state of long-term equilibrium with little to no measurable erosional or accretional trend, and further concluded that, although some additional localised calcrete collapse may occur in future, the proposed development—when located behind the recommended setback line—will remain outside the predicted coastal hazard zone, including the effects of projected sea level rise and climate change. Please refer to Appendix G7C in this regard.
		59. Page 36: 6.1.5 Setback study: Fig. 25 – the layout presented in this figure is not the preferred layout and needs to be updated. 60. Page 36: Erosion study: No supporting documents outlining this study and its findings were made available for comment. From the text provided in the Planning report (App. G6), it appears that this specialist did not do an on-site inspection. Either way, the Comments on App.G7 – Setback Line Study apply here as well. 61. Page 36: 6.1.7 Social assessment (sic): The additional mitigation measures, recommended in the addendum of 2023, are supported;	

		namely 'The contractor for the bulk service component of the development will be liable for security arrangements during the construction operations. In addition, the establishment of a security type estate, with controlled access is not recommended or supported.' However, house contraction is more labour intensive and requires many more sub-contractors than the construction of the bulk services. Kindly add to these mitigation measures that the builders during the construction of the houses will also be liable for the security arrangements during the house construction phases. 62. Page 37: Traffic impact: The drawing No. 12 attached to the report by iCE is not congruent with the text and the descriptions (hence the letter does not make sense); neither does the drawing show the currently proposed entrances. Both the northern and the southern entrances are in incorrect positions, when compared to the current proposals. Kindly provide a current letter from Western Cape Roads and from Swellendam Municipality accepting these proposed entrances, referencing the current layout drawings. 63. Page 39: 6.1.9: Heritage impact assessment: Kindly include the requirement in the ROD from HWC, including the need to monitor, undertake some radio carbon dating of certain material and to submit a post construction project report. 64. Page 40: 6.1.10 Fauna assessment: This portion of erf 134 does host a number of large and small animal species. Apart from red data species	O59. EAP response: Please refer to the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) O60. EAP response: A new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment (July 2026) was completed and is included with the revised BAR for review and comment. The assessment was informed by an on-site inspection, site photographs and a detailed topographical survey undertaken on 27 April 2026. It also includes historical aerial and satellite imagery from 1984–2023 to assess long-term shoreline stability and erosion trends. The report therefore documents both historical changes and current on-site coastal conditions, and supersedes the previous setback-line assessment. Please refer to Appendix G7C in this regard. O61. EAP response: Home owners will be liable for the security around their own building sites. Where the developer does construction, the developer will assume responsibility for the security. The EMPr includes Site safety and security in section 11.2.19.

		of birds such as the Black Harriers which have been seen to be hunting for prey over that part of erf 134 from time to time, sightings of eland have been reported, and an occasional sighting of caracal (rooikat) crossing the road at erf 134 amongst other larger mammals. There was a breeding site of a pair of Black Harriers within 1 km of the proposed development. 65. Page 40: 6.1.10 Fauna assessment: It is a pity that the specialist did not include tortoises, rodents, bats, snakes and frogs in the assessment, as there are a variety of species of these animals on and around the site, including Padlopers, which have a Near Threatened conservation status. It seemed to focus only on Birds and Invertebrates. The specialist should do a follow-up for a few days and nights during the breeding season. 66. Page 40: 6.1.10 (again) Water licence use (sic): The licence application is based on the seriously flawed assumption that 'based on the fact that the local population is not dependent on groundwater.' (See last para. on page ii of the Executive Summary of App. G2). This statement and assumption are fundamentally incorrect as more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C; more than 80% of the 97 households at Infanta Village rely on borehole water and that borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals. r. Also,	E62. EAP response: WC Roads is a commenting authority on the proposed development. E63. EAP response: All HWC requirements are included in the EMPr and draft BAR as appropriate. O64. EAP response: Noted. O65. EAP response: Noted.

		at least 80% of the properties at Infanta depend for the greatest proportion of their water on water from boreholes. All the classifications and conclusions based on this erroneous assumption must therefore be reviewed. 67. Page 46: 7.4 Key planning considerations: The statement that 'Proposed erf sizes vary between 321m2 and 1582m2, with 14 of the 21 sites being at least 460m2 in size', is incorrect on a number of aspects. Apart from the sizes of the erven, it should be noted that any erven smaller than 325sqm would not comply with the zoning scheme regulations, as the average size of erven at Infanta is 650sqm. Infanta Village borders on (adjoining and adjacent, thus in immediate environment), whereas Infanta Park is not adjoining or adjacent and thus not in the immediate environment of the proposed development. Also, with the Preferred Layout (App. B1), there are only 12 (not 14) erven larger than 460sqm, including the unit for the existing house. 68. Page 47: 8. Conclusion: There are a number of inconsistencies in the reports by the specialists, as has been highlighted in this submission. In addition, the play on erf sizes, using various inappropriate means, tries to create an impression which is not borne out when a simple mathematical exercise is done. No motivation is presented why the number of erven is to exceed the number of 18, as suggested in SDF. Using the area proposed to be developed for the 20 new units (approx.	O66. Lian Roos: Specialist report has been updated. O67. Dave Saunders response: The plots sizes have all been changed. All the plots are now on or over 500m^2 with seven being over 600m^2 in size. The exact nature of the existing and proposed densities will be addressed in the final planning report. While it is acknowledged that

		9880sqm) and the average erf sizes at Infanta Village of 650sqm, then the total number of new units should be 15 new units. P. Comment on Appendix G7A – Setback Line Assessment 1. Page 1: The report is headed 'DRAFT REPORT SUBMITTED FOR COMMENT'. Kindly provide the final and signed report. 2. Page 1: Kindly correct the location of erf 134 as it is at Infanta and not at Cape Infanta. 3. Page 1: Fig. 1: The location of the Bontebok National Park is not correct. 4. Page 2: Introduction: Kindly provide a copy of the report by Pieter Badenhorst 'PBNS (2010), Erf134 Cape Infanta, Development of setback line. Pieter Badenhorst, Sept. 2010' as it is referred to a number of times, but it has not been made available for comment.	the averaged proposed erf size will be smaller than the average existing plots size, it is believed that the difference between the two is not significant enough to make the proposal undesirable. O68. EAP response: This comment has been addressed. P1. EAP response: The report was used as is for comment and submission. It should be noted that a new Setback Line Assessment was conducted, and superseded the previous assessments. Please refer to Appendix G7C in this regard.

			P2. EAP response: Noted. P3. EAP response: The location of the park is noted. It does not materially affect the findings of the report. P4. EAP response: A new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment: *Site Analysis and Definition of the Development Setback Line on Erf 134, Luz de Lua, Infanta* (Laurie Barwell, July 2026) was commissioned to reassess the site using updated information and current best practice. The assessment included a detailed site inspection, supplementary DGPS topographical survey, analysis of historical satellite imagery and Google Earth imagery spanning a 39-year period (1984–2023), evaluation of shoreline stability, consideration of projected climate change and sea level rise scenarios (2030, 2050 and 2100), assessment of storm wave run-up and coastal hazard levels, review of the Western Cape DEA&DP Coastal Management Lines, and the derivation of an new development setback line that integrates both coastal processes and the 1:100-year flood line. The new specialist assessment specifically considered the entire rocky shoreline fronting Erf 134 and associated coastal processes. The specialist acknowledges that localised collapse of calcrete rock layers is a natural process along this coastline; however, based on the long-term shoreline analysis, topographical survey, and coastal process
		5. Page 4: The statement 'Photographs taken during the site visit are given in Annex A and demonstrate the hard nature of this shoreline' and the photos in Annexure 1 (there is no Annex A) of the report are misleading. The photos do not show the relatively soft calcrete coast and the collapsed cliffs. Some of these have collapsed in the past 30	

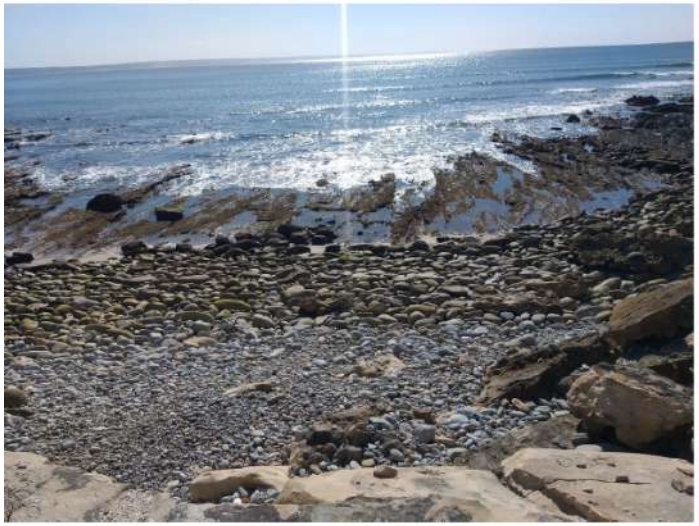
		years (some much more recently, as people at Infanta will testify). One of the authors of these comments stood himself on these cliffs, spinning for elf, before these have collapsed. The shoreline is thus not as hard as the specialist has elected to demonstrate. It may be harder in some places, but for parts of erf 134 the shoreline is actually relatively soft. Please see the photos below. 	modelling, concluded that these collapses do not represent a sustained erosional retreat of the coastline. The 39-year shoreline assessment found the coastline to be in a state of long-term equilibrium with little to no measurable erosional or accretional trend, and further concluded that, although some additional localised calcrete collapse may occur in future, the proposed development—when located behind the recommended setback line—will remain outside the predicted coastal hazard zone, including the effects of projected sea level rise and climate change. Please refer to Appendix G7C in this regard. P5. EAP response: this comment is a repeat and has been addressed.

		 6. Page 8: para 5.1 General: The specialist made an important recommendation for follow-up in the para. 'The announced "Coastal Processes / Erosion Line" has been provided by Provincial and District Municipality Authorities but it is not clear what the present statutory or legal status of the line is at the time of writing and it is recommended that this is followed-up with DEA&DP as a matter of urgency. The line is shown in Figure 8.' Kindly advise what the outcomes are from that follow-up. (Emphasis provided).	

			P6. Specialist response: In 2012 the “Coastal Processes / Erosion Line” from the Provincial Authorities (derived from a report by SSI Consultants in 2012) was in an early stage of deliberation and adoption. The line is now termed the CML (Coastal Management Line) by DEA&DP. The CML requires refinement when more information and data are locally available. The EAP previously received a letter from the Western Cape Government (DEA&DP) in 2021 in which DEA&DP notes both the Overberg CML and the specialist study for erosion setback (2012). From this interaction it was the EAP’s understanding that the setback line in the SBL2012 report is accepted as a refinement of the Overberg CML for this development provided the Littorally Active Zone (LAZ) is respected. There is no formally adopted LAZ line, but the line is defined by the description of LAZ in the ICM Act 2008 : LAZ means any land forming part of, or adjacent to , the seashore that is – (a) Unstable and dynamic as a result of natural processes (b) Characterized by dunes (unconsolidated sand which is unvegetated or only partially vegetated)

		7. Page 10: para 5.2.5 Coastal Erosion Allowance due to Long Term Shoreline Retreat: The incorrect assumption that the coast is 'hard' all along erf 134 is again shown in the statement 'with the observation of a hard coast'. 8. Page 10: para 5.2.6 Coastal Erosion due to Short Term Storm Retreat: the error is again shown with the statement 'on this hard coast'. 9. Page 10: 5.3.1 Dune issues: Kindly ensure that the recommendations 'It is very much in the interest of the developer to ensure that access to the coast is given in a formal way with raised wooden walkways rather than in an informal way with multiple pedestrian or vehicular access points since the latter devastate even the harder coastal edges by de-stabilizing vegetation and loosely packed stone slopes. Also, during construction or vegetation clearing there should be a strong sensitivity to these issues and to retaining vegetation buffers where possible to traps and stabilize any sands which will blow across the harder substrate' are carried through to the EA and the agreement with the Home Owners Association and the House CEMP. (Emphasis provided). 10. Page 13: Conclusions: Kindly advise what the outcomes are from the Recommendation by the specialist 'The discussion of the precise location of the proposed line with the Provincial/Municipal authorities	The LAZ is considered to fall seaward of the provided setback line for flooding and erosion given in the SBL2012 Report. This is due to the consolidated nature of the nature of the land which is situated landward of the derived setback line at the site. There are no mobile unconsolidated dunes at Erf134. In addition to the above, a new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment: *Site Analysis and Definition of the Development Setback Line on Erf 134, Luz de Lua, Infanta* (Laurie Barwell, July 2026). The assessment considers the Overberg District CML published through DEA&DP's Coastal Management Viewer and depicts the applicable coastal risk lines in Figure 14. DEA&DP's Coastal Management Directorate confirmed that the CML must inform land-use planning and be considered in accordance with Circular DEA&DP 0004/2021. Accordingly, the new assessment considered the Departmental CML, the 100-year floodline and projected coastal hazard conditions up to 2100 when determining the revised development setback line. Please refer to Appendix G7C in this regard. P7. EAP response: this comment has been addressed. P8. EAP response: this comment has been addressed.

		is recommended in view of the difference between the line proposed by this report and the Overberg Municipality Setback Line.' 11. Page 14: Annex 1: Two dates are given 29 June 2010 and 29 June 2012. Which one will it be? 12. Pages 15 to 16: Annex 1: None of the photos provided by the specialist show the collapsed cliffs. The photos only show situations that fit the assumptions of a 'hard coast'. This is a serious omission in this report. The portion of the coast not reflected in the photos or not mentioned in the report has some deeper water coming close to the shore. There are also in that little bay no significant 'harder' reefs to break the energy of the waves; hence the continual collapsing of the calcrete overhangs. Some have started to defy gravity and are probably quite dangerous should people stand on top or below these. The sandstone boulders shown on the selected photos from the specialist may themselves be relatively hard, but all of those on the photos are flung and tossed about when the bigger waves hit the coast. When that happens, these boulders add to the pounding and the disintegration of the coast, esp. where one has the softer calcrete. 13. Please refer to the photos below:	P9. EAP response: Access to the coast is through a proposed raised wooden walkway as included in the scope of the project. The EMPr contains a section on vegetation clearing. P10. EAP response: the comment has been addressed above. DEA&DP coastal is a commenting authority for the proposed project. P11. EAP response: ANNEX 1: PHOTOGRAPHIC RECORD 29 JUNE 2010 should read 29 June 2012.

		 Bay in front of erf 134 at low tide. Note deeper water and boulders on shale with calcrete above.  Recently collapsed calcrete cliff, less than 7m from fence	P12. EAP response: this comment is a repeat and has been addressed. P13. EAP response: the photographs relate to the comment above which has been addressed.



3m Calcrete conglomerate overhang at low tide



Cliff above bay gets splashed even by small waves during spring tide, leading to water intrusion into cracks and further deterioration

		Q. Comment on Appendix G7B – Setback Line Letter 1. The letter does not take into account to the latest report, namely the Second Generation Overberg District Coastal Management Programme of June 2024, which is available from swellendam.gov.za, the website of Swellendam Municipality. Kindly advise what the implications are for the proposed development. 2. Kindly provide details of the design for the raised walkway as recommended by the specialist in his letter 'It should be noted that any pathways extending beyond the setback line should be placed on raised walkways (on piles)' and how it is to cross the stream.	Q1. EAP response: As mentioned before, the new assessment dated 13 July 2026 included a detailed site inspection, supplementary topographical survey, a 39-year shoreline stability assessment (1984–2023), evaluation of current coastal processes, projected climate change and sea level rise scenarios (2030, 2050 and 2100), projected storm hazard levels, consideration of the Western Cape DEA&DP Coastal Management Lines, Overberg Coastal Management line and

		3. Regrettably, the specialist did not acknowledge or respond to any of the comments made by the IRRA in 2021. R. Comment on Appendix G8 – Freshwater Specialist report 1. The title including the headers in the report need to be corrected to state that the report is only for a portion of erf 134 (not the whole of erf 134). Also, that the project is at Infanta; not Cape Infanta. 2. Page 23: 7.1 Impacts and mitigation measures: the proposed mitigation measures are supported. These mitigation measures need to be incorporated in the various construction contracts and EMPs, including that for the HOA. S. Comment on Appendix G9 – Botanical Impact Assessment 1. Page 48: 11. Conclusions and recommendations: The recommendations are supported and need to be included in the various contracts and agreements with contractors, builders and property owners and the Home Owners' Association.	integration of the 100-year floodline. Based on these investigations, a revised development setback line has been established by combining the projected 2100 sea storm hazard line with the 100-year floodline, thereby ensuring that the proposed development is positioned beyond the reach of current and future coastal processes, including the effects of climate change and sea level rise. The amended Site Development Plan has been informed by the specialist's recommended setback line, and the new Coastal Setback Line Assessment / Specialist Coastal Engineering Assessment has been included in the BAR for consideration by the Department of Environmental Affairs and Development Planning (DEA&DP): Coastal Management, Overberg District Municipality and the Swellendam Municipality during their review of the application. Please refer to Appendix G7C in this regard. Q2. Dave Saunders response: Detailed design of the raised walkway is premature and will be undertaken during the subsequent design stage, should the proposed development and rezoning be approved. Any walkway extending beyond the prescribed setback line, or crossing of the watercourse, will comply with the freshwater specialist's recommendations and any conditions imposed by the relevant authorities. Q3. EAP response: Noted. The IRRA comments are repeated here and responded to in this report.

		2. Page 36 (10.1.3 Assessment of Impacts): Kindly ensure that the recommendation 'During the 'operational' phase, residents would have access to the 'green' areas. However, these areas must be strictly observed and not seen as areas for dumping of garden refuse and other waste material. The 'green' areas must also be managed to foster the biodiversity and should not become 'gardens'' is carried through to the agreement with the Home Owners' Association and the House CEMP. 3. Page 41 (10.4.1 Assessment of Impacts…): Kindly ensure that the recommendation 'The most important mitigation would be to totally clear all invasive alien plants (especially Acacia cyclops) and to implement constant monitoring to ensure no further invasion of the site by such species' becomes part of the conditions in the various construction contracts and EMP for work to be undertaken before the erven are sold, as well as the agreement with the Home Owners' Association for on-going maintenance of the conservation areas and open spaces. 4. Page 45 (Conclusions and Recommendations): Kindly ensure that the Recommendations ' It is strongly recommended that a management plan should be compiled to ensure the correct management of the conservation area of De Hoop Limestone Fynbos and the 'watercourse biodiversity corridor'. Attention should be paid to the high incidence of alien invasive species, in particular Acacia cyclops (rooikrans) on the	R1. EAP response: Noted. R2. EAP response: All recommendations are included in the draft BAR and EMPr as required. S1. EAP response: Specialist recommendations are included as required in the draft BAR or EMPr or design layout. S2. EAP response: See above S3. EAP response: The EMPr contains requirements for alien vegetation management and control.

		property. These alien invasive plants must be controlled but note should also be taken of the large quantity of seed in the soil. Construction disturbance on the site would stimulate germination of the dormant seed and in addition no soil which could contaminate other places should be removed from the site' become part of the conditions of the EA for work to be undertaken before the erven are sold and are carried through to the agreement with the Home Owners' Association and the House CEMP for follow up and maintenance. T. Comment on Appendix G10 – Faunal Impact Assessment 1. The project site is at Infanta, not Cape Infanta. Kindly correct throughout the report, including in the title, the footers and the figures. 2. See, for instance, the 1:50 000 topo-cadastral map 3420DB. Cape Infanta is a point or promontory approx. 5.3km away from the project site, while the area in which the project is located is Infanta. Please correct throughout all the documentation, including all the maps, figures and all the specialist reports. Stating that the project is at Cape Infanta is misleading. 3. The faunal 'site sensitivity verification' only considered birds and invertebrate species flagged by the screening tool, as confirmed in the specialist report. The specialist report has therefore ignored mammal fauna and is therefore incomplete and outdated. A number of mammals, including threatened (Red Listed) species, have been recorded and observed in and around the general area of Infanta,	S4. EAP response: This comment is a repeat of comments already addressed above. T1. EAP response: Noted.

		including on erf 134, eg (cape) leopard, caracal, genet (lesser spotted), eland, baboons and bush pig. This information has been conveyed to the Landmark Foundation who has undertaken surveys at De Hoop and environs, using camera traps. It is essential that the Landmark Foundation is contacted in this regard, as well as CapeNature and the De Hoop Nature Reserve, given the potentially important extension of ranges of threatened species, and their use of the habitat in the wider area, including on erf 134. 4. Page 15: 7 Conclusions: The portion of erf 134 under consideration does host a number of large and small animal species. Apart from red data species such as the Black Harriers which have been seen to be hunting for prey over that part of erf 134 from time to time, sightings of eland have been reported, and an occasional sighting of caracal (rooikat) crossing the road at erf 134 has been reported, amongst other larger mammals. There was a breeding site of a pair of Black Harriers within 1 km of the proposed development. 5. Page 15: 7. Conclusions: It is a pity that the specialist did not include tortoises, rodents, bats, snakes and frogs in the assessment, as there are a variety of species of these animals on and around the site, including Padlopers, which have a Near Threatened conservation status. It seemed to focus only on Birds and Invertebrates. The specialist should do a follow-up for a few days and nights during the breeding season. Accommodation will be provided.	T2. EAP response: Noted. T3. EAP response: Noted. T4. EAP response: Noted.

		6. In the light of the above, the Faunal Impact Assessment requires a major re-assessment and revision to bring it up to date with the additional information in respect of, particularly, mammals referred to above. 7. BTW, what happened to Dicksons Copper? U. Comment on Appendix G11A – Heritage Statement 1. The project site is at Infanta, not Cape Infanta. Kindly correct throughout the report. See, for instance, the 1:50 000 topo-cadastral map 3420DB. Cape Infanta is a point or promontory approx. 5.3km away from the project site, while the area in which the project is located is Infanta. Please correct throughout all the documentation, including all the maps, figures and all the specialist reports. Stating that the project is at Cape Infanta is misleading. Refer also to SG diagram 7203/56. 2. In the letter of 16 December 2016 from Nicholas Baumann to HWC it is stated 'In an email to the environmental consultants dated 18 May 2012, Jenna Lavin, (Heritage Officer, Archaeology) stated that HWC requires that for any change to an application, a submission must be made to HWC.' As the current preferred layout is quite different to that	T5. EAP response: Noted. T6. EAP response: the Faunal Compliance Statement complies with the requirements and does not need to be updated at this stage. T7. EAP response: it is unclear what is meant by this comment. Scarce Mountain Copper is included in the report. U1. EAP response: Noted

		on which the impact assessment was made, kindly provide a copy of the submission that has been referencing the latest preferred layout.	U2. EAP response: A copy of the HWC letter is attached to the revised submission as Appendix E1D. In addition, please refer to the below chronological timeline of events associated with amendments associated with the proposal, as well as HWC formal correspondence: • **Heritage 2010** – Although the original Heritage Statement was prepared in September 2010, its findings have been followed by archaeological investigations, specialist reconsideration of subsequent layout amendments and repeated formal confirmation by Heritage Western Cape (HWC). Each material amendment was therefore considered within the established heritage approval process. The relevant chronology is as follows: • **September 2010 – Heritage Statement:** The assessment concluded that the site's heritage significance, excluding potential archaeological resources, was low. The principal considerations

			related to visual impacts, the coastal edge and possible archaeological resources. Mitigation included an approximately 8 m landscaped setback along the main access road, retention of natural open-space corridors and buffers, and further archaeological testing. • **2 December 2010 – HWC Final Comment:** HWC endorsed the findings and recommendations of the Heritage Statement and Archaeological Impact Assessment. HWC confirmed that the development could proceed, subject to Phase 2 archaeological work, monitoring of all bulk earthworks and submission of a monitoring report. • **13 June 2012 – HWC Decision:** Following archaeological excavations, HWC again confirmed that the development could proceed. Conditions included radiocarbon dating of material from sites CI03 and CI18, monitoring of all bulk earthworks and submission of a monitoring report. • **12 December 2012 – HWC Final Excavation Decision:** After considering the final excavation results, HWC confirmed that no further archaeological studies were required and that the archaeological mitigation requirements had been concluded, subject to the continuing monitoring and reporting requirements. • **21 April 2017 – HWC Confirmation of Amended Layout:** HWC assessed the reduction from 24 to 21 erven and the associated minor access amendments. HWC confirmed that its 2 December

		3. In the NID (Notice of Intent to Develop), the heritage consultant based the assessment on single storey units (see section 3.1 of NID, submitted in September 2010). As most of the project descriptions include about five of the 20 houses to be double-storey, kindly ask the heritage consultant to reconsider the impacts and the mitigation measures. 4. The Appendices 'A. Historical background information document (Harriet Clift) B. Phase One Archaeological Assessment (ACO, UCT) C. Heritage Criteria	2010 decision remained applicable, that the deviations would have no heritage impacts and that the development could continue, subject to the existing archaeological conditions. • **31 October 2024 – Heritage Specialist Confirmation:** The original heritage specialist reviewed the further revised layout, including changes to Erven 14–16, the internal road and footpath. The specialist confirmed that the applicable setbacks and protected areas remained unchanged and that the amendments would not affect identified heritage resources. • **9 March 2026 – Latest HWC Confirmation:** HWC reviewed the revised SDP and formally confirmed that it was substantially in accordance with its approvals dated 2 December 2010, 13 June 2012 and 21 April 2017. HWC concluded that no further action under section 38 of the NHRA was required at that time, subject to radiocarbon dating of material from CI03 and CI18, monitoring of all bulk earthworks and submission of the monitoring report. It should however be noted that the radiocarbon dating has been completed and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation related to this requirement will be requested from HWC during subsequent public consultation periods. Please also note that HWC will be consulted again during the subsequent public-participation phases.

		D. Terms of Reference (Doug Jeffery Environmental Consultants)' were not provided with the document Appendix G11A and no comment could be made on these. 5. The Record of Decision of 13 June 2012 by Heritage Western Cape states that 'Radio carbon dating is required for material from CI03 and CI08, All bulk earthworks must be monitored and a monitoring report is to be submitted to HWC upon completion of the project'. Kindly ensure that this requirement is carried through to the Draft BAR and to the CEMPs for the civil engineering services and the construction of the houses. V. Comment on Appendix G12 – Archaeological Impact Assessment 1. Page 17: 4.4 Anticipated further analysis: It is stated the 'A full excavation report will be provided to Heritage Western Cape on completion of these analyses.' Kindly advise whether this report has been submitted and, if so, whether and when a copy will be made available to IAPs. If not, kindly advise when this outstanding work will be undertaken and completed, and confirm that the report will be made available to IAPs for review and comment.	U3. EAP response: Please refer to the above breakdown (U2 response) which confirms each amendment or deviation of the initial development proposal was communicated to HWC, who formally confirmed each time that their previous Record of Decision stands. Please also note that HWC will be consulted again during the subsequent public-participation phases. U4. EAP response: Noted. U5. EAP response: This comment is a repeat and has been addressed.

		2. Page 18: Conclusions and Recommendations: It is stated that 'A final report is anticipated within a few months.' Kindly advise whether this report has been submitted, and confirm that the report will be made available to IAPs for review and comment. W. Comment on Appendix G13A – Social Impact Assessment March 2015 1. This report is quite out of date, esp in the fast changing social environment in South Africa, and accordingly be revisited and re-published for comment. X. Comment on Appendix 13B – Social Impact Assessment Addendum December 2023 1. The recommendations and proposed mitigation measures are largely supported, except for two aspects: a. The notion of a tidal pool, as suggested in the Social Impact Assessment of 2015 under 4.4.3 Potential impact on coastal and marine	V1. EAP response: The anticipated analyses were completed and incorporated into the Final Report on Archaeological Excavations at Erf 134, Cape Infanta, dated 2 October 2012 (appended to August 2010 report). The report records the excavation and analysis of sites CI03, CI16 and CI18 and concludes the archaeological mitigation phase, subject to the remaining conditions imposed by HWC. The final excavation report is included in Appendix G12 of the revised BAR and was therefore made available to I&APs for review and comment during the public-participation process. HWC will also be consulted again on the revised proposal. Please also be advised that in terms of remaining conditions imposed by HWC, after considering the final excavation results, HWC confirmed that no further archaeological studies were required and that the archaeological mitigation requirements had been concluded, subject to the continuing monitoring and reporting requirements i.e. monitoring of all bulk earthworks and submission of the monitoring report. HWC will also be consulted again on the revised proposal. V2. EAP response: Please refer to the above response V1.

		resources (pp. 55-56) and repeated in Table 5.2: Summary (p.vi), is not supported by the IRRA. b. The statement in footnote 4 on page 12 of the Addendum of December 2023 wrt the accommodation of construction workers and that they would need to vacate the accommodation over weekends, is repudiated by the statement 'The requirement to vacate the accommodation on site over weekends will not apply to non-local construction workers. They will be permitted to remain on the site' and is unacceptable. Whereas construction workers sometimes stay overnight at Infanta, this is not preferred. However, no construction workers stay at Infanta over weekends; mainly because of the lack of social, business and recreational facilities at Infanta. Just simple household aspects such as washing of clothes, add additional layers of complexity, esp. when 20 construction workers were to stay at Infanta for 6 months. For stays that long, construction workers (mainly young and virile) will inevitably bring their spouses or girl/boyfriends to visit. How will a contractor manage these aspects? Therefore, the notion that some construction workers are to stay at Infanta over weekends, is totally unacceptable. The contractor would need to find alternative accommodation for these 'non-local' construction workers over weekends in a location with the required amenities and facilities.	W1. EAP response: Refer SIA addendum December 2023 in Appendix G13B. X1. EAP responses: a. Noted b. The EMPr states: *For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the Applicant's property during the week. No construction workers will be permitted to stay in the facility over weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services phase will be 4-6 months.*

		However, the comments under para 29 above (Need and Desirability – page 23 of the BAR) remain valid. Y. Comment on Appendix 13C – SIA Impact Assessment tables 1. Kindly ensure that the mitigation measures for the Risks posed by construction workers is taken through to the EMP and the agreement with the Home Owners' Association, as applicable, specifically 'no construction workers should be allowed to remain on the site over weekends. The contractor should make necessary arrangements to transport workers to and from the area on a weekly basis. For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the developer's property during the week (Figure 4.1). No construction workers will be permitted to stay in the facility over weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services phase will be 4-6 months. • The facility has three rooms and an ablution room. The suitability of the facility to accommodate workers should be confirmed by the local authorities before commencement of the construction phase' (Emphasis provided). 2. Kindly advise how long before the start of the construction work will such approval, as stated above, be obtained from the local authorities. Also state what alternative arrangement will be undertaken, should the facility be found to be unsuitable by the local authorities	Please note that the footnote on Page 12 of the SIA is not correct. The EMPr will be approved and enforced as part of the Environmental Authorisation (if approved), therefore, the EMPr statement confirming that "*No construction workers will be permitted to stay in the facility over weekends"* is applicable and will be implemented & monitored accordingly during construction. Y1. EAP response: This comment has been addressed above.

		3. Kindly ensure that the mitigation measures for the Risk to the area's natural resources, such as poaching are carried through to the EMP and the agreement with the Home Owners' Association, specifically 'It is recommended that the developer appoint the EIA consultants to prepare a General Environmental Management Plan (EMP) that must be implemented by all private owners.' (Emphasis provided). 4. Kindly ensure that the mitigation measures for the Risk of increased veld fires are carried through to the Construction Contracts and the agreement with the Home Owners' Association, specifically 'These mitigation measures apply to both the bulk civil (sic) component of the development and to individual homeowners: Contractors must ensure that open fires on the site for cooking or heating are not allowed except in designated areas. Contractors must ensure that construction related activities that pose a potential fire risk, such as welding etc., are properly managed and are confined to areas where the risk of fires has been reduced. Measures to reduce the risk of fires include clearing working areas and avoiding working in high wind conditions when the risk of fires is greater. In this regard special care must be taken during the high risk dry, windy summer months. Contractors must provide adequate fire fighting equipment on-site; Contractors must provide fire-fighting training to selected construction staff; In the advent of a fire being caused by construction workers and or construction activities, the appointed contractors must compensate property owners,	Y2. EAP response: The facility is suitable for accommodating construction personnel prior to start of work. No approval is sought from local authorities in this regard. Y3. EAP response: Noted and included in EMPr. Y4. EAP response: Noted and included in EMPr.

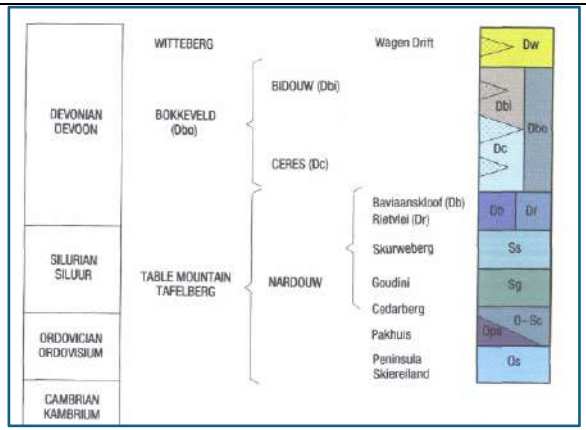
		including farmers, for any damage caused to their properties and losses incurred. The contractor should also compensate the fire fighting costs borne by farmers and local authorities.' Z. Comment on Appendix G14 – Traffic Impact Statement 1. The drawing No. 12 attached to the report by iCE is not congruent with the text and the descriptions (hence the letter does not make sense); neither does the drawing show the currently proposed entrances. Both the northern and the southern entrances are in incorrect positions, when compared to the current proposals. Kindly provide a current letter from Western Cape Roads and from Swellendam Municipality accepting these proposed entrances, referencing the current layout drawings. AA. Comment on Appendix G14B Traffic Impact Statement 1. This letter is already included in App. G14A and can be deleted. BB. Comment on Appendix H - EMPr 1. Page 1 to 28: Kindly change the header to read '…erf 134, Infanta' and not Cape Infanta. 2. Page 12: 1. Introduction: Kindly ensure that the undertakings 'Ensure that all requirements of the EMPr are met for the duration of the construction works' and 'Bind any and all contractors undertaking work on these sites, to the specifications in this same EMPr, as well as Appendices and any amendments thereto', as applicable, are carried	Z1. EAP response: WC Roads Department is a commenting authority on the proposed project.

		through and apply to any work undertaken by or on behalf of the Home Owners' Association and the individual property owners. 3. Page 14: 2.3 Operational Phase: The statement 'In case of this development the construction phase of this development will be completed once the installation of the services infrastructure is completed' defeats the whole purpose of the EMPr. The Construction phase can only end once the last house has been completed. 4. Page 14: 2.4 Construction of individual houses: What recourse do the I&APs have in the event that the HOA fails to 'oversee compliance with the House CEMP'? As a minimum, the EMPr and the House CEMP must make provision for the I&AP Monitoring Committee. 5. Page 15: 3. Project Description: Kindly change the locality to read Infanta and not Cape Infanta. This error occurs multiple times in the EMPr. Kindly correct throughout. 6. Page 17 (3. Project Description): The statement 'The remainder of the site (81.9ha), which is located to the south of the road leading into Infanta,…' must be corrected as the remainder of the erf 134 lies to the west or perhaps south-west (but not south) of the provincial gravel road. Kindly also refer to this road by its official name, Main Road MR268 (not District Road). 7. Page 15: 3. Project Description: The statement that the existing land uses include 'indigenous vegetation' is misleading, as erf 134 is largely	AA1. EAP response: Noted. BB1. EAP response: Noted. BB2. EAP response: Included in EMPr BB3. EAP response: The CEMPr covers the construction of each house

		covered by invasive alien vegetation. The portion to be developed is particularly overrun by Rooikrans. Kindly correct. 8. Page 15: 3. Project Description: The statement '… Homeowners Association will take ownership and management of the private roads and private open spaces that are to be created' is incomplete and misleading, as the Planning Motivation states that the roads will be handed over to the local authority. Who will own the water infrastructure and the raised walkway? 9. Page 16: Fig. 1: The line supposedly indicating the Coastline is misleading. The High water Ordinary Springtide mark is landward of the line de shown in Fig. 1. The line Coastline is perhaps a line of rocks at low tide. 10. Page 17: Fig. 2: Note the word Infanta in the centre of the map, stating that the area is named Infanta, not Cape Infanta. 11. Page 17: Table 1: The correct description of the erf name and number is: Erf 134, Infanta. Not just erf 134. See also SG diagram	BB4. EAP response: There will be no allowance for an I&AP monitoring committee. The ECO and ultimately DEA&DP will oversee compliance with the EMPr. BB5. EAP response: Noted. BB6. EAP response: Noted. The EMPr reads: *The remainder of the erf (81.9ha) that occurs to the West of the Infanta Main Road, will remain zoned for agriculture* and not *South of the road leading into Infanta.* BB7. EAP response: The description will remain as is, even though there is alien vegetation on site. BB8. Dave Saunders response: It is the intention that the roads remain in private ownership and that walk way will be handed over to public curatorship. The developer is quite happy to be guided by the local authority in this regard. In addition, Westerhelling Investments CC will be the Water Use Licence holder and will supply water to the Homeowners' Association, which will manage distribution and

		7203/56, where the office of the SG specifically deleted the word Kaap (or Cape). 12. Page 20: 3.2.1 Solid Waste Management: The statement 'Homeowners will be expected to deliver household solid waste to a Waste Transfer Station that will be located at one of the two entrances' is incomplete and misleading as it does not deal with the construction waste (which is not taken to Swellendam and which will be a substantial amount), the green waste from the eradication of the invasive aliens (which would need to be chipped on site) and garden refuse or the recyclables. 13. Page 24: 4.1 Groundwater: The statement 'The area… consists of a fractured secondary Table Mountain group aquifer' is incomplete as these formations are underlain by Bokkeveld shales/mudstones at Infanta and that all the boreholes at Infanta are drilled into the Bokkeveld. The TMG did not yield sufficient water. It is only when the drilling gets into the Bokkeveld that adequate water quantities are found. The signature of the water from the boreholes on erf 134 is the same as that for the waters from the boreholes at Infanta, indicating that the water from borehole 134C also comes from the Bokkeveld formation. The 1:500 000 hydrogeological map is at such a large scale that it is not possible to draw definitive conclusions at the local scale. At best a statement can read 'the site may be underlain by a fractured	associated charges to individual homeowners. The applicable conditions and institutional agreements with the relevant Water Services Authority will be finalised and implemented in accordance with the Water Services Act, 1997. BB9. EAP response: the SDP has been amended based on the new coastal setback line. BB10. EAP response: Noted. BB11. EAP response: Noted. BB12. EAP response: 3.2.1 deals with SOLID WASTE MANAGEMENT DURING OPERATION PHASE. Construction waste is dealt with under section 11.2 in the EMPr.

		aquifer'. There is thus considerable doubt about the assumptions and statements made wrt the formation from which the water emanates and thus the sustainability of the borehole. 14. Page 25: 4.4 Heritage Resources: Kindly ensure that 'As burials may be present, the necessary protocols should be in place for dealing with the remains, particularly during the construction phase of the project' also applies to the construction of the houses.	BB13. Specialist response: The description of the type of Aquifer within the area in the report is based on a literature and desktop study of the area. It is clearly stated in the report that "According the 1:500 000 hydrogeological map (3317 Cape Town), the site is underlain by a fractured aquifer". Both these formations, The Table Mountain Group (TMG) and the Bokkeveld are classified as fractured aquifers in the Map as well as stated in the accompanying explanation document by P.S Meyer (2001), wherein the data collected and analysed on which the map is based are presented. It should be noted that the sustainability analysis of borehole 134C is not based on the literature study and description of formations, but on the test pumping analysis. (I refer interested parties to Section 7 of the report). Furthermore, just to clarify, according to the geological data, as presented below, the TMG formation is below the Bokkeveld. That is why we elaborated on the TMG in the report after the following statement were made: "As the Bokkeveld Group overlies the Table Mountain Group, the hydrogeology of the TMG could be relevant at deeper depths".

		15. Page 27: 5.3 Waste Act: Kindly provide a letter from DEA&DP that no waste licence is required for the waste transfer station. 16. Page 27: 5.5 National Waste Management Strategy: Kindly indicate how the undertaking that 'an integrated waste management system must be adopted' will be achieved during the construction phases and the operational phase of the development. This implies that the Architectural Guidelines should provide guidance on the provision of facilities for holding the various streams at household level. 17. Page 27: 5.6 National Water Act: Kindly confirm that the application for the Water Use Licence includes the crossing of a stream by pipeline, the buffer that will be less than foreseen in the Act, the use of water for construction purposes (which is not a basic human need), the storage of water and the crossing of the stream with a 'raised walkway on piles.'	 BB14. EAP response: The House CEMP includes section 3.22. PROTECTION OF HERITAGE RESOURCES BB15. EAP response: No Waste Licence application is required for the proposed project, but the proposed development will have to register in terms of "National Norms and Standards for the Storage of Waste" (GN926 of 29 November 2013) should the transfer station have the capacity to store more than 100m³ of general waste at any one time and for a period exceeding 90 days. BB16. EAP response: The principles of integrated waste management is incorporated into the EMPr, allowing for the identification of waste

		18. Page 27: 5.7 National Heritage Resources Act: Kindly amend the statement 'Burial sites may be present, the necessary protocols should be in place for dealing with the remains, particularly during the construction phase of the project' to read construction phases. Also indicate how this requirement will be included in the conditions of contract for the construction of the houses. 19. Page 29 (Occupational Health and Safety Act): The sentence '…only the appointment of an HSO will be auditable in terms of this document' indicates that the work of the HSO is not open for review and revision. Kindly reconsider. 20. Page 31: 6.2.2 Mitigation measures: Kindly include measures to mitigate the pollution from the washing of paint brushes, cleaning of tools of plaster, 'cretestone' and other cement based products. 21. Page 31: 6.2.2 Mitigation measures: Soil and ground water contamination: Kindly replace the word 'cement' with concrete or plaster, as concrete and plaster can be pre-mixed, but cement is just cement. Alternatively refer to cement-based products, but this is less accurate.	streams, proposed management and disposal thereof. There is no requirement for houses to hold waste streams at household level. BB17. Lian Roos response: During the site visit, it was agreed that the drinking water treatment pipeline would follow the watercourse rather than the road reserve to avoid potential infrastructure damage during road maintenance by the District Municipality. A small section now traverses the stream buffer, with impacts considered low-medium negative before mitigation and low after mitigation. The recommended trenching methodology will significantly reduce this impact, and the volumes of potable water sourced from rainwater tanks and the borehole are low, with minimal overall effect. BB18. EAP response: Conditions from HWC are included in the EMPr. BB19. EAP response: Correct

		22. Page 31: 6.2.2 Mitigation for dust nuisance: Limit work when the wind blows directly onto the existing settlements such as Infanta and Infanta Park. This is particularly relevant when constructing roads or excavations, including excavations for pipelines. Limits to wind strengths and impacts to be determined by ECO on site. 23. Page 36: 8.1 EMPr Compliance monitoring and frequency: Kindly add 'and the IRRA' after 'competent authority' in the sentence 'Compliance Monitoring Report that will be submitted to the competent authority...' 24. Page 37: 8.3 Complaints Register: Kindly add under 'The Contractor shall' the following: '5. Ensure that the Complaints Register is neatly kept and available for inspection by any I&AP during the operational hours of the site.' 25. Page 40: 10.3 Work hours: Temporary site closure: State explicitly, that this may be due to very windy conditions, which may make work impossible or very dangerous for days on end. 26. Page 40: 10.4: Health and Safety: Providing telephone numbers is not good enough. There are no medical facilities or personnel nearby. The closest are at Swellendam, more than 70km or more than 1 hour away. Adequate first aid kits and training to be provided. 27. Page 43: 11.1.1 Appointment of ECO: Kindly include the I&APs in the statement 'This report will be submitted to the contractor and the ER.'	BB20. EAP response: The EMPr Section 11.2.10. Storm- and wastewater management includes mitigation and management to prevent pollution. BB21. EAP response: The EMPr allows for the distinction between cement and concrete in the development of method statements. BB22. EAP response: Mitigation for dust prevention and management is included in the EMPr. The Contractor shall submit a method statement to the ECO detailing how potential dust and windblown sand will be monitored and addressed on site. The ECO will approve the MS prior to any work commencing on site. BB23. EAP response: The compliance monitoring report will be submitted to the CA as per legal requirement.

		28. Page 43: 11.1.1 Appointment of the ECO: Kindly include in the powers or authority of the ECO, alternatively the ESO, that they can stop/suspend certain parts of the works, if gross transgressions of the EMPr occur during the execution of the works. 29. Page 46: 11.1.6 Fencing: the speed limit from about 1km outside Infanta is 40kph, while the speed limit in Infanta Village is 20kph. 30. Page 47: 11.1.6 Typical fencing specification: This fencing spec is unnecessarily high and costly for a temporary fence during construction. 31. Page 51: 11.2.3: Cement/concrete batching: Kindly specify what needs to happen to the water from the washout facility for washing concrete associated equipment. 32. Page 51: 11.2.3: All sand and aggregate must be kept damp; not just those that contain cement. 33. Page 57: 11.2.10: Stormwater and waste water management: Kindly add to the list of places where waste water from tool washing, grouting,	BB24. EAP response: The relevant section in the EMPr will remain unamended. The Complaints register is for the perusal of the ECO and the CA. BB25. EAP response: No unsafe work will be allowed on site during high wind conditions. Any work that can safely be conducted is for the determination of the HSO and will be monitored. BB26. EAP response: The appointed HSO will be trained in first aid and will train key staff in emergency preparedness. BB27. EAP response: The EMPr will comply with legal and NEMA and NWA procedural requirements. BB28. EAP response: The EMPr already allows for this. BB29. EAP response: Noted. BB30. EAP response: Noted.

		cleaning, etc may not be is disposed, also includes the sea and the beach front. 34. Page 62: 11.2.17: Emergency procedures: Kindly add that the telephone numbers for the Fire Department and other emergency services need to be placed in a visible location and also on the cellphones of all managers and foremen on site. Particularly that of Overberg Disaster Management. 35. Page 69: 11.3.2 Alien vegetation clearing: Kindly amend the sentence in a) to read :' 36. Page 72: Possible transgressions – item 9: Kindly include here also sea and beach animals and plants. 37. Page 76: Appendix A: Locality Plan: Kindly correct the erroneous reference to Cape Infanta with Infanta. 38. Page 82: Appendix B: Site layout plan with sensitivities: a) This plan is not consistent with the plans in some of the reports by the Specialists b) In particular; the route of the water pipeline differs to what is described elsewhere. c) There is no explanation given for the two 50m radius circles. Also not for the two points labelled as DR1 and DR1. What do they mean? d) Both drawings in Appendix B are marked as Diagram 29 with the same title? Is there any difference except for the scale and the omission of infrastructure at Boreholes 134A and B? Kindly note	BB31. EAP response: The EMPr states: *A washout facility must be provided for washing of concrete associated equipment. Water used for washing must be restricted.* A MS is required for Wastewater control system - *The Contractor shall submit a method statement to the ER detailing how wastewater would be collected from all wastewater generating areas, as well as storage and disposal methods. If the Contractor intends to carry out any on-site wastewater treatment, this should also be included.* This MS must be authorised by the ECO prior to any work starting. BB32. EAP response: The EMPr contains specifications under which water should be applied to prevent generation of dust. BB33. EAP response: It has been added to the EMPr. BB34. EAP response: Noted.

		that the reservoir size is different to what is given elsewhere. e) In whose favour is the 7.87m servitude, which runs partially below the current High Water Mark? How does it affect the development proposals? See SG diagram 7203/56. f) Kindly correct the two references to Cape Infanta with Infanta in the descriptions of the drawing. 39. Page 121 of 126 (page 3 of the House CEMP): Environmental Site Officer: Kindly add under 2.2 Environmental Site Officer the words 'and toilet/ablution facilities' to the phrase '…indicates the position of storage shed(s),…' The ECO needs to approve their location, etc. 40. Page 122: 2.2 Environmental Site Officer: under item xii, kindly add that 'the ECO is to ensure that all invasive alien vegetation has been removed as per the guidelines for their removal.' 41. Page 122: Fig.1: The Builder/contractor does not have a contract with the HOA. Also, where does the Owner of the erf fit in? 42. Page 122: 3.1 Qualification of Builders: The word contractor and builder are used almost interchangeability in this CEMP. Kindly standardise. Perhaps engineering/bulk services = contractor, while house construction = builder. 43. Page 123: 3.3 Erf drawings: Kindly add under 3.3 Erf Drawings and Building Plan Controls at the end of the first sentence 'and toilet/ablution facilities'.	BB35. EAP response: Comment not complete. BB36. EAP response: Noted. BB37. EAP response: Noted BB38. EAP response: a) Noted. The site sensitivities report is a compilation of all specialist studies, overlain on the preferred alternative b) The route has been amended on the SDP. c) These have been removed from the SDP. d) The scale differs. e) The servitude is included on the amended SDP. f) Noted. BB39. EAP response: Section 3.11 deals with ablution facilities and section 3.12 with protection of sensitive areas.

		44. Page 123: 3.6 Limits: The fine of R250 per transgression under 3.6 Limits of Building Activity is too low. 45. Page 124: Site presentation and spoil of excess: The Builder must keep all recyclable and organic materials separate from the cementitious waste (concrete, plaster, bricks), treated wood off cuts, etc and separately dispose of the recyclable material (plastic, metals, glass, etc) and the organic waste. 46. Page 125: 3.15 Washing of concrete delivery vehicles: Kindly revise this section, as the proposed development is not an Estate (cut-and-paste errors). See also section 6.1.1 and 6.1.4 for same slip. 47. Page 125: 3.17 Speed limit: The speed limit of 35kph is much too high. During construction a more appropriate speed limit is 20kph or lower. 48. Page 126: 3.22 Protection of Heritage Resources: Who is to report 'immediately' to HWC when archaeological remains are found? Is it the ESO, the ECO, the HOA, the Builder or the Owner? Kindly state who should do this. 49. Page 126: 3.22 Protection of heritage Resources: it is stated that the remains will be removed at the expense of the Developer. Is this	BB40. EAP response: The removal of alien vegetation from the site will be according to the EMPr. This is already included as a responsibility of the ECO. BB41. EAP response: The contractor will have a contract with an individual erf owner, who forms part of and reports to the HOA, who has oversight. BB42. EAP response: The use of the two terms interchangeably is acceptable in the context of the EMPr. BB43. EAP response: It is included in the paragraph below. BB44. EAP response: EAP response: The amount if acceptable. The builder also loses construction time for the period he has to correct the transgression, which is a further indirect cost. BB45. EAP response: Waste segregation, management and disposal is already detailed in the EMPr.

		correct? Would a fairer approach not be at the expenses of the HOA, so that the expense is shared amongst all the home owners?	BB46. EAP response: It has been added to the EMPr.
		CC. Comment on Appendix J – Impact Assessment Tables 1. Page 1: The insertion of a contents page for these tables would facilitate review/comment on the tables. Kindly amend the appendix accordingly.	BB47.EAP response: The speed limit has been corrected to 25km/hr as in the rest of the EMPr.
		2. Page 1: There is no table to assess the impact of the proposed development on the current residents and the current property owners in the surrounding area.	BB48. EAP response: refer section 11.2.16. Protection of heritage resources in the EMPr. The responsible party is the contractor.
		3. Page 11: Planning, Design and Development Phase: Increased risk of veld fires. The Cumulative Impact and the Significance rating must both be Very High negative. Has the compiler of these tables ever experienced a veld fire of the proportions that have occurred in the Infanta area?	BB49. EAP response: Noted.
		4. Page 18: Operation: Pollution of the watercourse, groundwater and coastline through on-site treatment of waste water: These ratings for Impacts and Significance are just guesswork, as no geotechnical investigation and no infiltration/permeability tests have been carried out. There is no idea how shallow the impervious layers are, although there are indications along the coastal edge that the overlying sandy soil could only be a thin layer.	CC1. EAP response: Noted

		5. Page 20: Operation: Abstraction of water from groundwater resources with risk of drawdown of local water table: These ratings are based on the flawed assumption that the local population is not dependent on ground water. In fact, more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C. Also, more than 80% of the 97 households at Infanta Village rely on borehole water. In addition, borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. Kindly reconsider the risks. 6. Page 22: Operation: Clearing alien vegetation from the site: This activity should largely be undertaken during the construction phases for both the civil engineering work and the construction of the houses. During the operational phase it should just be the follow-up work by the HOA and the individual property owners. Kindly phrase the assessment accordingly. DD. Comment on Appendix K – Site Sensitivity Verification Report 1. Page 1: heading and 1st line of text: the site is not located at Cape Infanta, but at Infanta. Kindly correct throughout. 2. Page 1: 'Open Space Zone 2' is not a recognised zoning in terms of the Swellendam Integrated Zoning Scheme by-law of 2020. Kindly correct throughout.	CC2. EAP response: The SIA impact tables are included CC3. EAP response: Impact tables are compiled by specialists or the EAP with specialist knowledge and suitable experience CC4. EAP response: Ratings are by specialist and is acceptable. The comment re the geotechnical assessment has been addressed. CC5. EAP response: This comment has been addressed. The Geohydrological report has been amended.

		3. Page 1: The statement that 'Approximately 55% of the site will be conserved and will remain in its existing natural state' is inaccurate, misleading and is not acceptable. The site is currently heavily infested with invasive alien vegetation, mainly Rooikrans, which needs to be removed by manual means. Kindly add, 'however, the invasive alien vegetation such as Rooikrans, will be removed by manual means from all the areas to be conserved (approximately 55% of the site) during the contract for the civil engineering services.' 4. Page 1: As this is a Site Sensitivity Verification report, it should deal also with waste. It should deal with the construction waste – engineering services and house construction (which is not taken to Swellendam and which will be a substantial amount), the green waste from the eradication of the invasive aliens (which would need to be chipped on site) and garden refuse. 5. Page 5: Animal Species: The Screening Tool seems to have considered only birds and butterflies! Be that as it may, Black Harriers have been seen to be hunting or quartering over erf 134, while Blue Cranes regularly fly over erf 134. Also, Coastal Blue butterfly was recently identified within 200m of erf 134. In addition, there are reports of Caracal been seen to cross the MR268 at erf 134, while evidence of Leopard has been found within 100m of erf 134 (scat, footprints and images on tracking cameras, on various occasions), apart from various	CC6. EAP response: the activity is ongoing DD1. EAP response: Noted. DD2. Dave Saunders response: Noted, it is Public Open Space. DD3. EAP response: Noted. Approximately 1.1ha of the 3.89ha development area will be conserved (28%).

		mongoose, mole and frog species. It seems that the Screening Tool is not sensitive to local occurrences and distributions. The sensitivity rating in Table 2 for Animal species should therefore be changed from Medium to High. 6. Page 13: Plant species: In the Botanical Impact assessment App.G9, it was found that - 'The De Hoop Limestone Fynbos on the eastern section of Erf 134 Infanta was deemed irreplaceable by Helme (2005) and there is complete agreement with that conclusion from the findings of the present study. - Erica oblongiflora, an Endangered fynbos species, was found at Infanta on Erf 134 for the first time during this survey. This is a highly significant discovery and together with the presence of other Red List plant species, makes the limestone part of the study site extremely conservation worthy' The sensitivity rating in Table 2 for Plant species should therefore be changed from Medium to Very High. 7. Page 3: The Limestone Fynbos area shown in Fig.3 is not correct, as it extends much closer to the 40m corridor. In fact, part of the proposed erf 16 is situated on limestone. See the photo in Gladiolus floribundus, a limestone endemic1, taken on 31 October 2021, in an area marked out for the proposed erf 16. It is very likely that other Limestone Fynbos	DD4. EAP response: the SSV deals with the themes identified through the screening tool. Waste is not included. The EMPr deals with waste management and mitigation. DD5. EAP response: These sightings are noted. The rating is generated by the Screening Tool report 23 October 2025. DD6. EAP response: The rating is generated by the Screening Tool report 23 October 2025.

		species occur in this area. Kindly reconsider the layout to move that portion of erf 16 out of the limestone area.	DD7. EAP response: Noted. The previous botanical mapping has been superseded by the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026). The new assessment included field surveys on 17–18 March 2026, GPS-tracked searches, georeferenced photographs and verification of aerial imagery and habitat variability on the ground. The habitat delineations and site specific findings were ground truthed by the specialist and is accepted as factual & correct. The specialist confirmed that small areas of Limestone Fynbos extend slightly into the development footprint; however, no Species of Conservation Concern were recorded within the footprint. The proposed layout avoids the core Limestone Fynbos area, most individuals of *Erica oblongiflora* (Endangered), the drainage valley and coastal slopes. Accordingly, the specialist assessed the residual plant-

		8. See photo below: Blue circle in middle of photo shows the G. floribundus. The Red circle towards the lower left corner shows a limestone outcrop. In terms of the current layout, this part of erf 134 is now planned for the proposed erf 16, which should be reduced in size due to this finding.  *G. floribundus* - limestone endemic, viewed from MR268 and identified using 10x50 binoculars.	species impact as Low and supported the development subject to strict footprint control, protection and management of the retained Limestone Fynbos, alien clearing and the prescribed mitigation measures. The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H). DD8. EAP response: Noted. See response above.

		EE. Comment on Appendix M – WULA Summary 1. Page 3: Table of Contents: It would really help if the 126 pages of Appendixes could be listed and the page numbers provided, instead of just 'Appendices…….22' 2. Page 4: 4. Location of water users: The correct Property Description is 'Erf 134, Infanta' (see Title Deed T43211/1980 and SG diagram 7203/56) 3. Page 5: Table 3: The correct Property Description is 'Erf 134, Infanta' 4. Page 6: Fig 2: The layout shown is not the latest layout and is also not the layout shown as the Preferred Layout See App. B3). Specifically, the route of the water pipeline does not match, nor is the raised walkway, that crosses the stream, shown. 5. Page 7: 5. Project description: the is no mention of any water treatment such an 'end-point filtration and disinfection unit' in the Civil Engineering Services report (App. G3), the draft BAR of Nov. 2025, or the Planning Motivation (App. G6 or the Architectural Guidelines (App. G1), the Hydrogeological Study (App. G2) or the Geohydrological Assessment (App. G15). These are all silent on the form, if any, of water treatment. 6. Page 7: 5. Project description: the description omits to describe the water quality from the proposed borehole and the sort of treatment	EE1. Lian Roos response: Noted. EE2. Lian Roos response: Noted. EE3. Lian Roos response: Noted.

		that would be required to make the water quality conform the drinking water standards as required by SANS 241, as amended. 7. Page 7: 5. Project description: The description omits to mention that one of the alternatives is the proposed use of the effluent from the proposed sewage package plant for the flushing of toilets. See the draft BAR of Nov 2025 and the Architectural Guidelines (App G1), for example. None of these, however, state that, if such effluent is to be used for the flushing of toilets, that a separate and independent reticulation system would be required in each of the houses. 8. Page 7: Project description: The size of rainwater tank proposed (5kl) for each house is just a token tank. At the assumed consumption rate of 800l/household/day, a 5kl tank would provide water for less than one week. The harvesting of rainwater is purportedly also to be used for the reduction in stormwater flows, but this contribution by a 5kl tank is negligible. At the assumed annual rainfall of 430mm/year, a roof size of 215sqm and an 80% efficiency gives about 74kl/year (quoted directly from the Project Description). Given that many houses will only be occupied sporadically, most of 74-5= 69kl will become stormwater. As a minimum, if rainwater harvesting to make a meaningful contribution to water supplies and to stormwater management, the volume of the water storage tanks should increase to at least 20kl. 9. Page 7: Project description: Nowhere in this application is the year or gazette number given in which the General Authorisations were	EE4. Lian Roos. Response: Noted, please refer to updated WULA report. EE5. Lian Roos response: Noted, please refer to updated WULA report. EE6. Lian Roos response: Noted, please refer to updated WULA report. EE7. Lian Roos response: Noted, please refer to updated WULA report.

		published. As these Authorisations change from time to time, kindly confirm that the General Authorisations that are referred to are indeed the latest General Authorisations and state the date of publication, plus the Gazette number. 10. Page 7: Fig.3: The figure needs to show the proximity of boreholes 05 and 06, being the boreholes on with the 62 erven and households at Infanta Park (and the 11 households on erven 201 and 141) depend, to borehole 134C. 11. Page 7: Project description: the description fails to mention the flawed assumption made in the Hydrogeological Study (App. G2), namely 'based on the fact that the local population is not dependent on groundwater'. (See last para. on page ii of the Executive Summary of App. G2). This statement and assumption are fundamentally incorrect as more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C; more than 80% of the 97 households at Infanta Village rely on borehole water and that borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. All the classifications and conclusions based on this erroneous assumption must therefore be reviewed and reconsidered. What is of a particular concern is that the ground water level in borehole 134C lies at a lower level than in boreholes BH05 and BH06, the boreholes used by Infanta Park, and is thus able to impact the	EE8. Lian Roos response: Rainwater will not be used for drinking or sanitation, which will be supplied entirely from the borehole. The reference to 800 L/household/day relates solely to borehole supply. Any rainwater collected will be used exclusively for irrigation purposes. EE9. Lian Roos response: Noted. Will be included in the updated report. EE10. Lian Roos response: Refer to Figure 4 of the Hydrogeological Report.

		levels of the water in these two boreholes and the supply to Infanta Park. See Fig. 5 in App. G2 – Hydrogeological Study. 12. Page 8: Wastewater Management: It is proposed to use waste water/sewage package plants at each household. While these package plants may work well in golf estates, resorts, etc where there is almost permanent occupation, there are serious doubts how these would work when there is only very sporadic occupation a few time a year. Many people hang their hopes on some magic bullet or black box magic 'package plant' that will take all their troubles away. Sadly, there is a sad lack of understanding how these systems work. Part of the processing is by mechanical means, but a large portion of the treatment process is by biological means. These bacteria and other micro-organisms require to be fed and be looked after, for them to do their job. If they don't get fed for long periods at a time, they die off and the composition of the flora and fauna in the system changes. So when the homeowner uses the system only a few times a year, there is a very good chance that the system will not operate as hoped for, as the organisms need time to growth and thrive again to start with the processing. This takes time and thus, in all likelihood, for sporadic visits one may end up with effluent that is well below standard and also becomes very odious and malodorous due to the sub-standard processing. These systems work well on golf estates, resorts and such where there is a regular flow of people and sewage produced on a	EE11. Lian Roos response: Noted, report to be updated to reflect this fact. EE12. Gideon Pepler response: Fusion is the only Package Plant that can go up to 6 months without an inflow. It is a closed system, therefore no smells. The Fusion® system is equipped with and Early Warning System that monitors the workings of the plant. In the event of failure, the EWS will notify the user. Remote monitoring is available as an optional extra. No other system on the market comes standard with EWS.

		regular basis. One can image a plant has been standing dormant or idle for several months, then there is large influx of people, say, over Easter or Christmas or New Year with the house filled to the limit and beyond. Suddenly all systems needs to work at full tilt. Well, it won't work. There is good reason to believe that these systems will end up as nightmares and soon be abandoned and used as septic tanks and/or conservancy tanks. 13. Page 8: Wastewater Management: It is stated that the treated effluent will be 'Discharged underground via soak-aways'. However, no geotechnical investigation has been done to determine the depth of the soils, their permeability of the soils on site and whether there are any shallow layers of impermeable material. An inspection of the local geology shows that towards the MR268, the calcrete/limestone ridges show on the surface and it must be expected that towards that part of the property one gets some very shallow calcrete/limestone layers. A view from the sea shows very shallow layers of sand underlain by a thin layer calcrete/conglomerate and then quite impermeable shales. As a minimum, percolation tests are to be done in compliance with SANS 10400, SANS 10252-2 and the recommendation provided in the Red Book, as part of this application. Even though the seepage rates may be acceptable, there is a need to determine at which level do the impermeable layers lie, to prevent locating erven and septic tanks with the percolation systems too close to the impermeable layers and	EE13. EAP response: The Geotechnical report will be completed post authorisation in support of construction.

		therefore causing seepage of sewage through to the seafront or into the 40m Ecological corridor. No such tests were done. 14. Page 8: Fig. 4: The layout shown is not the latest layout and is also not the layout shown as the Preferred Layout See App. B3). Specifically, the route of the water pipeline does not match, nor is the raised walkway, that crosses the stream, shown. 15. Page 9: Hydrogeology: The description fails to mention the flawed assumption made in the Hydrogeological Study (App. G2), namely 'based on the fact that the local population is not dependent on groundwater'. (See last para. on page ii of the Executive Summary of App. G2). This statement and assumption are fundamentally incorrect as more than 90% of all water used at Infanta Park is from BH05 and BH06, boreholes near borehole 134C. Also, at least 66% of the properties at Infanta depend for the greatest proportion of their water on water from boreholes. All the classifications and conclusions based on this erroneous assumption must therefore be reviewed and reconsidered. What is of a particular concern is that the ground water level in borehole 134C lies at a lower level than in boreholes BH05 and BH06, the boreholes used by Infanta Park, and is thus able to impact the levels of the water in these two boreholes and the supply to Infanta Park. See Fig. 5 in App. G2 – Hydrogeological Study. The statement 'Borehole 134C alone can meet the development's water needs without	EE14. Lian Roos response: Noted, please refer to updated WULA report which contains the updated layout. EE15. EAP response: this comment has been addressed

		affecting surrounding users' is thus without a basis and needs to be reviewed. 16. Page 9: Hydrogeology: The report omits to mention the water to be used during construction, esp during road construction, which could require considerable amounts of water; noting also that water for construction is not basic human need. 17. Page 11: Hydrology and Watercourse Characteristics: The statement 'De Hoop Limestone Fynbos and Overberg Dune Strandveld, both of which are least threatened due to protection within De Hoop Nature Reserve' shows that the drafter of this application has not read the Botanical Impact Assessment and is writing from an uninformed position. In the Botanical Impact assessment App.G9, it was found that 'The De Hoop Limestone Fynbos on the eastern section of Erf 134 Infanta was deemed irreplaceable by Helme (2005) and there is complete agreement with that conclusion from the findings of the present study. Erica oblongiflora, an Endangered fynbos species, was found at Infanta on Erf 134 for the first time during this survey. This is a highly significant discovery and together with the presence of other Red List plant species, makes the limestone part of the study site extremely conservation worthy'.	EE16. Lian Roos: Noted. it is expected to be minimal in relation to the potable water demand. EE17. EAP response: Oversight to be corrected in updated reports, however, it should also be noted that the previous Botanical Impact Assessment has been superseded by the new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment

			(August 2026), informed by new desktop information and field surveys undertaken on 17–18 March 2026. The specialist confirmed 35 individuals of *Erica oblongiflora* (Endangered) within the remnant Limestone Fynbos and classified this habitat as having High Site Ecological Importance. However, the on-site population is isolated, occurs at the edge of the species' range within degraded and fragmented habitat, and is of moderate-to-low conservation importance relative to core populations recorded within De Hoop Nature Reserve and a substantially larger population approximately 600 m south of the site. The proposed layout avoids the core Limestone Fynbos area, most *E. oblongiflora* individuals and a large proportion of suitable habitat. No Species of Conservation Concern were recorded within the development footprint. The specialist therefore rated the residual plant-species impact as Low and supported the proposal, subject to retention and management of the core Limestone Fynbos, strict footprint control, alien clearing and implementation of the prescribed mitigation measures.
		18. Page 12: Fig.6: The caption needs to be corrected to refer to Infanta, and not Cape Infanta. 19. Page 13: 7. Stormwater management plan: The proposal in the Civil Engineering Services report (App. G3) for stone pitched channels on	The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-

		reinforced concrete bases and gabion structures such as Reno mattresses will introduce some hard infrastructure right on the edge and also into the 40m corridor, a purported No-go area. See Drawing HESRIV-573-R1 in App. G3 Civil Engineering Services. This proposal is in conflict with the recommendations by the Freshwater specialist. Kindly provide a letter from the Freshwater specialist which indicates whether these proposals for the disposal of storm water are acceptable. Why not use stormwater detention or infiltration ponds? (If the ground is so porous, as is alleged?) 20. Page 14: 8. Rehabilitation Plan: Licence holder: It is noted that the applicant is Westerhelling Investments CC. Who is to be the Licence Holder? Will the Home Owners' Association be distributing and 'selling' the water to the individual Home Owners? This report in silent on the institutional arrangements as foreseen in the Water Services Act, Act 107 of 1997, as amended, and its regulations. What will be the conditions attached to the servitude for the use of the borehole 134C be? Which bodies will take on the roles as the Water Services Providers and/or the Water Services Institution? What agreements and arrangements are proposed to be made with the Water Services authority? 21. Page 17: Table 6: The table omits to include water for construction and the raised walkway.	footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed mitigation and management measures which will be outlined in the EMPr (Appendix H). EE18. Lian Roos response: Noted. EE19. Gideon Pepler response: The replacement of a stone pitched concrete channel with an alternative Reno mattresses channel will not only function as an energy dissipating structure but will also minimize erosion at the outlets. Mattresses are constructed from natural stone on geotextile to prevent sub-mattress erosion. EE20. Applicant response: Westerhelling Investments CC will be the Water Use Licence holder and will supply water, with charges, to the

		22. Page 21: 12. Public Participation: Kindly advise in which local newspaper will the application be published, as it has not been published to date?	Homeowners' Association, which will manage distribution and associated charges to individual homeowners. The applicable conditions and institutional agreements with the relevant Water Services Authority will be finalised and implemented in accordance with the Water Services Act, 1997.
		23. Page 22: Appendices: i. Appendix A: Geohydrological Impact Assessment/Report – Kindly see also Comments on App. 2 - Hydrogeological study (presumably Appendix A is meant to read 'Hydrogeological study') ii. Appendix B: Freshwater Impact assessment/Report – Kindly see Comments on App. G8 - Freshwater Specialist Report iii. Appendix C: Civil Engineering Services Report – Kindly see Comments on App. G3 - Civil Engineering Services Report iv. Appendix D: Section 27 Motivation Report – see item 27 below.	EE21. Lian Roos response: Noted. To be further considered and the walkways included in the updated WULA Summary Report. EE22. EAP response: the public participation for the WULA runs concurrent with the PPP for the NEMA process. The pre-application advert was published in Langeberg Bulletin – refer Appendix F.
		24. Appendix A: Page 25: Executive Summary: The statement 'An abundance of springs is a further characteristic of the TMG' is misleading, as the 'signature' of the water qualities of the water in the boreholes that were tested, as well as all those in Infanta tested by Toens in 1999, all indicates that the water comes from the Bokkeveld formation; not the TMG.	EE23. Lian Roos response: Noted.

		25. Appendix A: Page 25: Executive Summary: The statement and assumption 'based on the fact that the local population is not dependent on groundwater.' (See last para. on page ii of the Executive Summary of App. G2). This statement and assumption are fundamentally incorrect, as more than 90% of all water used at Infanta Park by the 62 households is supplied from a borehole in proximity to borehole 134C; more than 80% of the 97 households at Infanta Village rely on borehole water, and that borehole BH05 supplies two adjoining properties, erven 201 and 141 (altogether 11 dwellings), as well as to troughs for some animals, that depend on this water. All the classifications and conclusions based on this erroneous assumption must therefore be reviewed and revised. 26. Appendix A: Page 26: Recommendations: 1st bullet - Kindly indicate which sanitation systems are to be improved and which animal wastes are to be properly disposed of. How will the Licence Holder improve these? 27. Page 146 - 148: Appendix D Section 27 Motivation Report: This Motivation report repeats many of the omissions and errors that are contained in the section above and have been commented upon.	EE24. Specialist response: No claim in the report was made regarding the specific formation origin of the springs. The statement was, once again, regarding the desktop study of the geology and hydrogeology within the area. The TMG had good literature data which was found during the desktop study and that was presented in the report. EE25. EAP response: this comment has been addressed

			EE26. Lian Roos response: No animal waste applicable to this development. EE27. Lian Roos response: Noted.
61	Jean Tresfon (erf 12)	<u>E-mail received 12 December 2025:</u> The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: "The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of	EAP response: Thank you for the comments received EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development

		these unskilled workers are likely to be historically disadvantaged members of the community." "The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area." Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. "The findings of the SIA indicate that the establishment of the residential units is unlikely per se to “destroy” the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development	will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners’ association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal’s need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development’s potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners’ association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not

		in Infanta. The majority of new houses are also likely to be vacant for most of the year." Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers. In addition, the average ERF size within the Infanta Village is 650m2 and for the ERF134 development to stay in keeping with the existing character of the area it would be necessary to reduce the planned number of new built houses from 20 to 15. The current proposal is for vastly smaller erven than currently exist at Infanta and this will definitely change the character of the village. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems	rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional

		due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill.

		As a property owner with limited access to my own property, and my driveway access off the Hoek Street Road Reserve forming part of the current Slipway Operational Area as described in the official Slipway Management Plan, I will be directly affected by the increase in boat and vehicle traffic that will surely follow a large increase in the number of houses in the area. Almost every property owner at Infanta has a boat and it is unreasonable to think that the proposed ERF134 Development will be any different. A large part of the charm and character of the historic Infanta Village comes from its undeveloped nature, with the village having not been materially expanded since it was laid out over one hundred years ago. As with Suurbraak, these undeveloped historic villages provide a unique quality to the greater Swellendam municipal area and should be preserved as such for all residents and visitors. Residents of Infanta Park already have problems with traffic related dust pollution and the increase in traffic will only make this worse. The IRRA and IPBC have had many meetings with the ODM trying to resolve this issue.	EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then

			be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr. EAP response: the slipway management plan is the responsibility of SLM. The proposed development is within the urban edge delineated by SLM in the 2020 Spatial Development Framework. The town may not have expanded but the use has densified (caravan park) and houses that use to have single families now accommodate multiple generations of families over holiday periods as families grow over time. Dave Saunders response: Firstly, it is simply not true to say that the Infanta settlement has not expanded materially in the last 100 years. An assessment of aerial photographs of the area will reveal an entirely different picture. The claim that the “character of the area” will be

			negatively impacted on is void of any substance. There is no attempt by the objector to advise what exactly makes up the character of the area. The settlement is an agglomeration of various styles of architecture, none of which have a unique character that one could associate with the place. Determining what makes up the character of a place requires a very careful and informed assessment of a number of factors that one could claim are unique or have some social or heritage value related to the place. Infanta is most certainly not one of the historic villages of the Cape. EAP Response: The proposal for the MR268 incoming into Infanta and past Infanta Park to be tarred was rejected by the IRRA (refer SIA). Impacts of dust were assessed – mitigation developed and incorporated in the EMPr (Appendix H). Traffic impacts are assessed in the TIS (Appendix G14A & B)
		Lastly, all properties at Infanta rely solely on rainwater harvesting and the ground water supply in the aquifer, since there is no municipal water supply. I have real concerns that the availability of the ground water supply in the aquifer will not cope with the increased demand and don't believe that this has been properly tested. I would argue that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these many negative impacts incurred due to the proposed ERF134 development. I	EAP Response: The proposed development will be reliant on rainwater and groundwater as is the case with other houses in the Infanta area. The viability and sustainability of this use was assessed as part of the pre-application draft BAR.

		suggest that the remaining undeveloped balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment. Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. The impacts post mitigation will be the same as if the land was not transferred to the ICC or another party. Therefor this solution is not sustainable. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
62	Andrew Langham (erf 107)	<u>E-mail received 12 December 2025:</u> Please find attached my objection and comments.	EAP response: Thank you for the comments received.
		<u>Letter attached to email:</u> Basic Assessment Report (April 2024)	

		With DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 And DWS Reference Number: WU42464 Around 2014 I purchased Erf 107 which is the "mother" erf of a number of surrounding properties including Erf 134. From the start I engaged with Swellendam Municipality (SWM) and the Infanta Residents and Ratepayers Association (IRRA) to find a way to preserve the land in its natural state and yet not be a major financial cost to me. Although the process was difficult, ultimately an amicable solution was achieved whereby a small extension of three erven to the Infanta Township was made with the balance of the land being rezoned Private Open Space and transferred to a not for profit company funded by the IRRA. SWM played a key role in assisting the parties arrive at the solution by extending the Township perimeter and assisting with the rezoning. The remaining balance (over 99% of the area I purchased) is now conserved and the fauna and flora protected and encouraged to fully recover to its original pristine condition while allowing animals to roam freely. Although privately owned, the land is open to all and is enjoyed by fishermen, hikers, birders and whale watchers – in short, it is a major benefit to the people of Swellendam. Of particular note is that during the negotiations SWM approached me saying that they wished to be granted a piece of land of approximately 2728 sqm and make it a township road (now Erf 233). Considering that	Applicant response: Noted. Access to town is provided for over Erf 134 and is provided for at no cost.

		this grant would assist the residents of Infanta, this grant of land was made for no charge. I note that undeveloped land in Infanta changes hands for between R4000 and R16 000 per square metre – meaning that the value of the land transferred to SWM is considerable. I will find it a deplorable act if SWM allows a Erf 233 to be used as access to a developer whose only interest is profiteering and whose development is unwelcome by the Infanta community. If any development is allowed on Erf 134 it should be a low number of units (maximum 10) of around 650 sqm each – such a development will provide a healthy financial return to the developer. SWM should again insist that the balance of the land be rezoned Private Open Space.	
63	Jenifer Powis (erf 62)	<u>E-mail received 12 December 2025:</u> I am writing this objection to the application for development of Erf 134 on behalf of my Mother who is the current owner of Erf 62 Visser Street Infanta. I live in Infanta and further development in this area will endanger the limited resources that we have. Firstly, water is a major concern. We are at present experiencing a dire shortage of water. No matter how many boreholes are present at Infanta, people drawing water from their boreholes are all drawing it from the same water table. Some boreholes draw from the same vein underground and eventually the source will dry up. So borehole users affect each other's availability of	EAP response: Thank you for the comments received EAP response: Comments on water are note- they have been addressed in this report. The proposed development does not include shops or hotels.

		water. At Witsands there has been a scarcity of water for many years. Then a desalination plant was built there and currently it is too expensive to maintain and run! Can shops and hotels be built there if the development goes through? Apart from scarcity of water, the only access to Infanta is via a proclaimed gravel road, PO268. If this development happens and the building of the houses spans 5 to 8 years as each one will be individually built, as and when the new homeowners have money, then there will be many trucks transporting building materials over a long time. Nails and such like will end up on the gravel road and these items pose a massive threat to people's tyres. The gravel road will definitely deteriorate over the years and it will be more costly to maintain. I am not advocating tarring the road and there would be no reason to tarr it if all it goes to is private houses. With the building happening at the moment at Infanta, the road has definitely got worse. The only access road to Infanta is the gravel road from Swellendam to Bredasdorp. With the development comes more people, more cars and the dust road will be under immense pressure. With more people, there will be a negative impact on our natural resources. Also, if the new homeowners, who, according to your literature re the development, will be like-minded people (with relevance to Infanta	The comment on the access road MR268 is noted. The potential impacts associated with the longer build have been assessed, mitigation developed and included in the EMPr. Most of the comments received from the public are related to the increase of the dust problem due to the additional traffic as well as whether the main road will be able to cope with the additional traffic. If it is taken into consideration that there are at the moment approximately 200 houses in Infanta, Infanta Park and Kontiki of which more or less 20% are permanently occupied, the proposed 21 erven, if fully developed and with the same percentage of permanent residents, will result in only 4 to 5 houses that will be permanently occupied. The additional traffic due to the development is thus expected to have very little negative effect on the dust problem. The streets within the development will be surfaced roads that will thus not result in any additional dust. The pavement structure of roads is designed based on the volume of heavy vehicles and light vehicles have very little impact on the structural capacity of a road. As is the case for all proclaimed main roads, Main Road 268 was constructed to normal standards and it

		homeowners) let their new houses in the “off peak” times, an unrule element might surprise us locals. As it happens at Infanta, the character of Infanta has changed as many homeowners let their houses to strangers. Safety and Security: Only one access road to Infanta and many more people if development happens…… Also, builders are not supposed to stay on site when building commences as this could pose a threat to the security of us permanents, a few of which live on their own. Noise pollution and light pollution cuold be a potential problem. At present we have no street lights in Infanta. Development of Erf 134 could set a precedent for further development, until eventually 100 plus houses could be built in this small area! We have a rocky coastline and one swimming place at the slipway. In the “peak season”, the beach is too small to accommodate a hundred plus extra people and more boats launching at the slip.	should therefore be able to carry the additional light vehicle traffic as a result of the proposed development. The letting of houses by new homeowners is an unknown and no restrictions can be placed in this regard on future homeowners. The EMPr states: *For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the Applicant’s property during the week. No construction workers will be permitted to stay in the facility over weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services phase will be 4-6 months.* Potential noise and light impacts were identified and mitigation developed. The proposed development has no street lights. Erf 134 lies within the approved urban edge, and that forms the basis of the proposed development. It does not set a precedent for further development. The socio-economic impacts associated with the proposed development, inclusive of the potential impacts on the beach and the slipway, were identified and discussed in the SIA. The comment on Infanta being less seasonal is noted.

		It is important to note that many more people are using Infanta out of season so the beach gets crowded. People are coming at weekends more and more and they are coming down in the school holidats so Infants is becoming less seasonal and more and more popular throughout the year. I have notices a big increase in traffic over the last few years. At Infanta, if the owners are not using their houses much then they let them so there is an ongoing influx of people. LBRC does not have the staff capaity to manage the coastline let alone the Breede River. Not only will the development impact the coastline but the Breede River will suffer from additional people launching their boats in the Breede River and depleting the fish stock. In conclusion, how will the residents of Infanta benefit from this proposed development? The developer will get all the benefits!	The comment on LBRC is noted. Impacts associated with the proposed development were identified, assessed and mitigation developed. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed

			development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal.
64	Lynn Stanford (erf 97)	<u>E-mail received 12 December 2025:</u> My name is Lynn Stanford and I am an interested and affected person to the above development. I would like to register as such. I am the homeowner of Erf 97, Hoek Street Infanta. My husband and I are permanent residents in this village and have lived here for 15 years safely. We are positioned in the front row just two houses from the start of your development. If or when this development goes ahead, I am deeply concerned that my sense of home and place in this unique and historic town will be altered in a negative fashion. Infanta is one of a few very unique towns that have not changed much over the last	EAP response: Thank you for the comments received. EAP response: The comments re sense of place are noted. The SIA assessed the potential socio-economic impacts associated with the proposed project. The concern re additional human and animal foot traffic passing directly in front of Erf 97 is noted. Hoek Street and Retief Street provide access to the beach and slipway to all residents in houses north and northwest of Infanta. This may

		hundred years. They are no shops within the town no fuel stations and Infanta is a destination. The road stops here and does not pass through to any other place. This adds to its charm and uniqueness. I anticipate that there will be a huge amount of extra human and animal foot traffic (if not vehicles) passing directly in front of our house many times a day to go swimming at the slipway or to enjoy the outdoors, due to this development that you propose, bringing in potentially at least four persons per household, especially during high season. That is a large number of extra people in an already busy in high season place passing directly in front of our already exposed and public home. (It would be nice if a scenic path could be cut further down in front of us directing and encouraging people to walk off the road in front of us however I doubt this would ever be possible or happen). So our privacy will be compromised immensely. With this point I would like to invite yourself or any relevant person to come and have a cup of tea with us and see for yourselves what we are concerned about. I think it will immediately become obvious. Another concern of mine is that during the building process many contractors and strangers will be in our nearby vicinity for years to come as this development is built. My sense of security and safety, I feel, will be impacted and I will not be able to live the kind of lifestyle I have become accustomed to, without worrying about the security of my	include residents of the proposed development. These streets are public roads and access or a limitation on numbers cannot be enforced. The proposed scenic route as an alternative route is noted. The EMPr states: *For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the Applicant's property during the week. No construction workers will be permitted to stay in the facility over weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services*

		home and belongings and my own personal safety. The safety of our area is one of the priceless and unique advantages of residing here,and is unique within our country. I would like to know how you plan to control and monitor the people that are brought in to create this development over the time of development to avoid potential problems of crime and protect the people living here, most of whom are elderly pensioners. I noticed that the proposed sizes of your plots are smaller than the current erven in Infanta. I feel it would be fitting to to keep the sizes of the erven the same as those within the village of Infanta. It would just fit in and look more uniform. this might mean compromising and perhaps putting up fewer properties.	*phase will be 4-6 months. Construction activities should not be permitted over weekends, specifically long weekends (such as the Easter Weekend) and the December school holidays, specifically the period 14 December to 6 January. This is to reduce the impact on those people who live in Infanta permanently and or who visit the area over weekends and holiday times.* Safety and security of residents was assessed in the SIA and mitigation developed. Applicant response: There is many a home been constructed and/or repaired at Infanta at any one time, and this has been ongoing for many years. Building operations will not all be done at the same time. Houses will be built by purchasers as and when needed. Dave Saunders response: This is not possible given the constraints of the site. A number of planning factors have been taken into consideration to determine the position, size and layout of the proposed erven. It is believed that the proposed erf sizes will not have a negative impact on the sense of place of Infanta. EAP response: The SIA identified and assessed potential impacts on the slipway and swimming area.

		I do feel that the resources we have here are already used to their full capacity for example the slipway in season. The swimming area is limited as is parking availability for those who wish to enjoy water sports or fishing and launch boats. Our natural fynbos surrounds and the fact that we live adjacent to a beautiful nature reserve is an immense privilege.Most people living here respect our nature and live in harmony. I would like to think that this would be a priority of yours when thinking about selling to people unfamiliar with Infanta and its uniqueness.	
		When I think of the issue of sewage and its disposal with in your proposal I can only be concerned that you have not considered that these homes will most likely be used only in high season and perhaps only once a year for a relatively short period of time. I worry about all the problems that come with a potentially failed system such as smell and pollution, and what the solution might entail. As permanent residents in Infanta we rely solely on rainwater for our water needs. I think many of the Infanta homes were misrepresented in your proposal regarding water needs and system in place. This is an extremely low rainfall area nevertheless this works in our particular situation and we do not have a borehole. However many people do have bore holes to supplement their limited amount of tanks and many	Gideon Pepler response: Fusion is the only Package Plant that can go up to 6 months without an inflow. It is a closed system, therefore no smells. The Fusion® system is equipped with and Early Warning System that monitors the workings of the plant. In the event of failure, the EWS will notify the user. Remote monitoring is available as an optional extra. No other system on the market comes standard with EWS. Lian Roos response: Rainwater will not be used for drinking or sanitation, which will be supplied entirely from the borehole. The reference to 800 L/household/day relates solely to borehole supply. Any rainwater collected will be used exclusively for irrigation purposes.

		are without rainwater tanks at all. There are many bore holes sunk in a small area already. With your development being directly below Infanta Park which relies solely on their single borehole, and your intention to sink yet another borehole directly below them and relatively close to their borehole potentially could affect or diminish their water supply. I see you plan to develop just a small section of the land you own. I am deeply concerned that once this development is allowed to go ahead, that this development will become just phase one of future development plans for the rest of your land. This would have a hugely negative impact on all the current residents, permanent or other, including those of your initial development. Can you give me peace of mind that this won't and cannot happen in the future? Would you consider making sure that the rest of your land could never be developed by perhaps adding it to the current private open space thereby ensuring the preservation of this unique area. I request this and think it is fair since there is no other positive benefit to any of the current community and homeowners. Another major concern of mine is the odd 70km of gravel Road to Infanta. I have attended many meetings held by the Swellendam	Applicant response: The remainder of the property is not part of the development or application. Applicant response: The additional stands will generate rates, which will go toward maintenance and upkeep of gravel road. The 20 additional erven will have minimal effect as Infanta is a seasonal type destination.

		municipality and the topic of maintenance and improvement of this gravel road often comes up for discussion. It is the responsibility I believe of the Overberg divisional council to maintain the road. They already have huge financial constraints limiting the amount of repair and maintenance to this road that they can give annually. During the building of this development a great number of heavy construction vehicles will be using this road for an extended period of time creating a lot of wear and tear and making the road even more dangerous than it currently is. This will impact greatly on the safety and well-being of all Infanta residents and will directly impact everyone.	
65	George Stanford (erf 97)	<u>E-mail received 12 December 2025:</u> I, the permanent resident of ERF 97 INFANTA, and an I&AP to the above mentioned development, wish to submit my comment as follows: The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations:	EAP response: Thank you for the comments received

		The total capital expenditure of the development will be in the region of R50 million. The construction of the housingcomponent has the potential to create in the region of 60-80 construction related employment opportunities per annum fora period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam andBredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based inSwellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area. Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities	EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been

		and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development fromproceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks." Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, 'namely 2-3 weeks. With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns.	assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute

		In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants.	to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable.

			Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr.
		As a permanent retired resident l am very concerned that the increased in human traffic walking in front of our home will affect our place and privacy. Our home has very large windows that look directly onto the road. I would assume that most of the people living in the new development would walk in front of our home to the swimming area and slipway. I insist that the developer should have to contribute towards the affected Infanta communities in a way that mitigates these negative impacts. I suggest that the remaining balance of ERF134 to the west of the main gravel road, MR268, be rezoned as Private Open Space and sold to the Infanta Conservation Company, a registered PBO that	The proposed walkway in front of Erf 134 will allow Infanta residents continued access to the coastline north of Erf 134, and with it will be increased foot traffic for the residents of Erf 134. The opinion of the I&AP that the selling of the remainder of erf 134 to the ICC will mitigate the negative impacts of the proposed project is noted. This opinion is not based on any scientific assessment.

		manages the land surrounding Infanta Village on behalf of the community, for a nominal sum of R1.	Mitigation is developed based on the identified impact and to lessen the extent or severity of that impact. Mitigation is developed by specialists and the EAP and is included in the EMPr. The rezoning and transfer of this piece of land will not mitigate the impacts further. The impacts post mitigation will be the same as if the land was not transferred to the ICC or another party. Therefor this solution is not sustainable. Also bear in mind that the applicant's family have been a landowner in the area for almost 50 years and should also be seen as part of the Infanta community. The landowner wishes to retain ownership of the land. Applicant response: Remainder of property is not part of the application and will remain as is.
66	Andrew Langham Antonia Langham Alice Rose Till (erf 10)	<u>E-mail received 12 December 2025:</u> Please find attached the objections and comments from the owners of Erf 10	EAP response: Thank you for the email and comments received.
		<u>Letter attached to email:</u> Erf 10 is co-owned by three members of the same family. Our concerns relate to the following matters: • The slipway at Infanta is used by both swimmers and power boats. On a warm weekend day, or over the Christmas and Easter holiday periods and on public holidays the slipway is congested. It	EAP responses: Noted. The SIA identified and assessed potential socio-economic impacts from the proposed development.

		becomes dangerous with vehicles, people (including small children and the elderly), tractors, other vehicles, trailers and moving boats under power. Any more pressure from further people and boats will result in a very serious accident. • The parking on the common is already confused, although currently manageable. Per the slipway management plan there is supposed to be an area reserved for vehicles with boat trailers, but the common is grass and there are no markings resulting in infrequent visitors parking where they want. At the same time, the misalignment of Tolmie and Hoek streets means there is no parking for Erfs 10, 12 and 13 on the road reserve (or on the common as this is supposedly reserved for vehicles with trailers). More people, vehicles and boats from any new development on Erf 134 will result in chaos and anger between boat owners and other vehicle owners. • Many houses at Infanta rely on borehole water. No assessment has been done on how many houses rely on ground water or how much ground water exists. The level in our borehole drops significantly over peak season when the existing houses at Infanta are occupied. Not only will the new development negatively impact on ground water supplies but their grey water soak-aways will reduce the quality of the available groundwater.	Noted. The implementation of the slipway management plan is the mandate of the SLM. The slipway management plan may need a revision regardless of development, if it is not meeting the current or future scenario's. Lian Roos response: A hydrocensus was conducted on the 28 & 29th of July 2025 within a 1km radius form the property boundary. Seven (7) operational boreholes were located as well as two (2) springs. The hydrocensus recorded an average groundwater level of 4.35m below ground level (mbgl), with measured depths ranging from 3.60mbgl to 5.04mbgl. The general groundwater flow direction is towards the northeast in the direction of the ocean. Boreholes BH05, BH07 and BH09 were selected to be tested for groundwater quality. The water

			quality results are compared with the SANS 241-1: 2015 target water quality limits.
		• The governance and orderly running of the Infanta township relies upon a strong community cohesiveness, based upon decades of family ownership of properties. A significant increase in the number of new houses will cause breaks in the unwritten rules upon which Infanta is run. A greater obligation will then fall on Swellendam Municipality (SWM) to enforce by-laws and the police to regulate behaviour. • Our belief is that an increase in the number of properties at Infanta relying on SWM to collect waste, pick-up litter, maintain roads, empty sewerage tanks, etc will cost SWM more than the additional rates it collects from the new houses. SWM need to ensure their costings are carefully done. • The development will do little for the economy of SWM. Construction materials largely come from other jurisdictions, the basic labour employed on building sites is normally foreign nationals (often undocumented). Post construction the properties are likely to be owned by Capetonians who do not shop in Swellendam but bring their provisions from home.	EAP response: 20 additional houses is not a significant increase in the number of houses. The owner of Erf 134 is a generational landowner in the area and part of the Infanta community for approximately 50 years. EAP response: the proposed development entails private delivery of waste to offset and collection points, no sewage tanks to be emptied, maintenance of internal roads for the cost of the HOA. Applicant response: Development will create many job opportunities for builders in Swellendam and construction will create employment over many years. EAP response: The potential impacts have been assessed and mitigation developed.

		• The development will cause an increase in vehicle and foot traffic in the village, as well as rowdy behaviour, noise and light pollution will worsen, crime will follow.	EAP response: The comment is noted.
		• There has been a steady improvement in the number of wildlife sightings around the village, including the endangered Cape Leopard. This is as a result of a number of surrounding land-owners turning their land over to conservation status. Any increase in human presence will be a threat to wildlife.	EAP response: The concern is noted.
		• The Breede River estuary is a haven for migratory sea birds and an increase in human activity will threaten these sensitive creatures by disturbing feeding, roosting and breeding sites.	EAP response: The comment is noted. Any new residents will be required to comply with permitting regulations.
		• Sea and river fish/bait populations are already under threat and an increase in human activity will worsen the plight of these animals	EAP response: The concern is noted.
		• An increase in the number of boats, kiteboarders, surf skis etc in San Sebastian Bay will have a negative impact on the whales that come to calve here. In brief, the proposed development has no benefit to the people, or natural environment of the Infanta vicinity or the wider population of Swellendam.	EAP response: The proposal is located within the Infanta urban edge and an SDF-identified growth area and will provide 20 additional residential opportunities through planned infill development. Approximately 1.1ha (28%) of the development area will be retained for conservation, supported by alien-clearing, rehabilitation and ecological-management measures. The existing coastal footpath will also be formalised as a wheelchair-friendly public walkway. The development will create construction and procurement opportunities for labour, contractors and suppliers from Swellendam

			and Bredasdorp, while completed properties will contribute municipal rates. Development and infrastructure costs will be borne by the developer. Accordingly, the proposal provides spatial-planning, environmental-management, public-access and local economic benefits, subject to implementation of the specialist mitigation measures and EMPr.
67	Annette van Niekerk (erf 148 & 149)	<u>E-mail received 12 December 2025:</u> Attached please find my letter of concern.	EAP response: Thank you for the email and comments received.
		<u>Letter attached to email:</u> I am writing as the owner of ERF 148 and 149 at Infanta, and as someone whose family has been part of this community for five generations. My grandfather Pieter Retief was the first person to own property at Infanta and we as a family have cared deeply for this place and with my parents, my children and now my grandchildren we have always tried to follow their example , — protecting our small-town way of life, respecting our neighbours, and using our limited natural resources with the caution they deserve. With that background, I would like to record my objection to the proposed development on ERF 134. I have read through the Basic Assessment Report, and what troubles me most is how little the developers seem to understand the reality of	EAP response: The concerns regarding Infanta's character, seasonal pressures and community wellbeing are acknowledged. Peak-season crowding is characteristic of coastal settlements and was considered together with potential traffic, noise, waste, groundwater, social and sense-of-place impacts. These matters were assessed through the BAR and specialist studies, with mitigation incorporated into the layout and EMPr. The development will not rely on municipal potable-water or sewage infrastructure, while solid waste will be accommodated through the Municipality's existing collection arrangements. The proposal is located within the urban edge and an SDF-identified growth area, and incorporates conservation areas, buffers, setbacks and architectural

		living in Infanta. This is not a big, growing town with endless water, empty beaches, and infrastructure waiting to be used. It is a small, fragile community that survives because residents look after one another and the environment around us. The development appears to offer financial gains to the developers and some short-term work for people in towns far from Infanta — but nothing for the people who will actually feel the impact every single day. The report speaks repeatedly about the "benefits" to businesses in Swellendam and Bredasdorp, yet does not offer a single meaningful gain to Infanta, Infanta Park, or Kontiki. Instead, we are expected to absorb the consequences: more pressure on our groundwater, more traffic, more noise, more waste, and more crowding during times when this place is already stretched to its limits. Holiday season here is not a "2–3 week inconvenience," as the report suggests. It shapes the entire rhythm of life in Infanta. When capacity is exceeded — on the slipway, the tiny beach, the roads, or the aquifer — the whole community feels it. Those who wrote the report clearly do not spend December here. The proposed erf sizes and the increased number of houses will change the character of Infanta permanently. This village has remained largely unchanged for almost a century. That is not an accident — it is the result of generations of families, like ours, choosing to preserve it rather than squeeze the last cent out of it.	guidelines intended to retain the environmental and visual character of Infanta. No development is proposed on the remainder of Erf 134 West of MR268 as part of this application.

		This development reads, frankly, as a money-making exercise by outsiders who do not understand or value the long-term wellbeing of the place from which they want to profit. If it goes ahead in its current form, the community pays the price while the developers walk away richer. A fair and responsible approach, if this development is to be considered at all, would be for the remainder of ERF 134 (west of MR268) to be rezoned as Private Open Space and transferred to the Infanta Conservation Company for a nominal amount. This would protect the land from future over-development and at least give something back to the area that is being asked to shoulder all the negative impacts. Infanta is not just a stretch of land on a map — it is a community built on respect, restraint, and care. I hope the final assessment reflects those values and protects this special place for the generations that follow.	
68	Antonia Langham	<u>E-mail received 12 December 2025:</u> 1. Conservation and Environmental Impacts	1. EAP response: Biophysical impacts were assessed by specialists, mitigation developed and this informed the project proposal and EMPr.

		The development poses risks to irreplaceable flora and existing wildlife movement corridors, requiring rigorous assessment and protection beyond the current proposal: • Conservation: with regards to the rezoning of erf 107 the application for subdivision was subject to the rest of the land being rezoned to private open space and transferred to a not for profit entity. Erf 134 should be subject to the same restrictions and conditions as those applied to erf 107. • Erf 134 restrictions: in the recent subdivision of Erf 145 into two portions, Cape Nature only approved this subdivision subject to only 1 small cottage. With this in mind has Cape Nature been involved in comment on the proposed development on Erf 134? •Cape Nature involvement: note that in review on Cape nature's Protected Area Management Plan 2023-2033 it mandates CapeNature to address urban development. Please confirm if Cape Nature has been involved. •Risk to Critically Endangered Flora (Botanical Concerns): The site contains De Hoop Limestone Fynbos, which is considered highly conservation-worthy due to the presence of numerous endemic and threatened species, notably the Critically Endangered (CR) Erica oblongiflora.	EAP response: Noted. This requirement is not applicable to Erf 134 as it stands. The remainder of property west of MR268 is not part of the application and will remain as is. On site conservation of the Erica oblongiflora is outlined in the SDP. EAP response: CapeNature is a commenting authority on the proposed development. EAP response: see above EAP response: Comment noted. The new Botanical Impact Assessment / Plant Species and Terrestrial Biodiversity Assessment (August 2026) confirmed the presence of remnant De Hoop Limestone Fynbos on portions of the property and recorded Erica oblongiflora within this remnant habitat. However, the specialist

			concluded that the proposed development footprint is located within previously transformed, modified and heavily invaded areas where intact natural habitat is absent. Consequently, Erica oblongiflora and the other recorded Species of Conservation Concern are not located within the proposed development footprint and will not be directly impacted by the proposed development. The Development Plan has been informed by the findings of the new botanical assessment to avoid remnant areas of conservation value (±1.1ha), and the specialist concluded that no significant impacts on Species of Conservation Concern are anticipated, subject to the implementation of the recommended mitigation measures. In addition, Erica oblongiflora is listed as Endangered (EN), not Critically Endangered (CR). The associated water pipeline and reservoir were assessed separately and traverse natural vegetation mapped as CBA1, CBA2 and ESA1. These impacts are narrow and localised and are not expected to materially compromise ecological connectivity or the functioning of the broader biodiversity network. Subject to strict construction-footprint control, rehabilitation and implementation of the specialist's mitigation measures, the residual terrestrial biodiversity impact associated with the water infrastructure is assessed as Low. The specialist therefore supports the proposal from a terrestrial biodiversity perspective, subject to implementation of all prescribed

		• Insufficient Wildlife Assessment: There has been inadequate assessment of the negative impact of increased human activity and traffic on local fauna, including leopard, caracal, honey badgers, eland, and snakes, which move between the surrounding wilderness areas, such as the De Hoop Nature Reserve and Erf 107. This human-wildlife conflict often leads to animals being killed or habituated. • Estuarine and Birdlife Disturbance: Increased development and human activity will negatively impact birdlife, including summer migratory and deep-ocean pelagic species, using the Breede River estuary and San Sebastian Bay area for feeding and resting. • Alien Invasive Species and Fire Risk: The presence of invasive alien vegetation (Acacia cyclops and Myoporum tenuifolium) on the property is a major concern. Increased human activity significantly heightens the risk of veld fires, threatening the fynbos environment. There is a lack of evidence that the current owner has tried to adequately control alien vegetation on erf 134 already despite legal obligation to do so which has posed risk of fire to the entire inafnta village. • Risk to whale activity: increased human activity will also impact the hospitableness of the San Sebastian bay to a core whale breeding ground due to increase power boat usage. 2. Planning Policy and Precedent Concerns	mitigation and management measures which will be outlined in the EMPr (Appendix H). EAP response: The specialist studies were conducted as identified by the screening tool and comply with the requirements. EAP response: The comment is noted. Potential impacts were assessed and mitigation developed. No migratory routes or deep ocean pelagic species using the Breede River estuary and San Sebastian Bay area for feeding and resting will be impacted upon. EAP response: The removal of alien invasive species is included in the EMPr. The EMPr addressed fire management in terms of emergency response procedures. Cape Nature also requested that an initial clearing and burn should be undertaken across the property prior to the commencement of any construction activities. EAP response: The comment is noted.

		The proposal conflicts with local planning guidance regarding density, and approval risks establishing an undesirable precedent for conservation land: • Conflict with Density Recommendations: The proposed density of 6.9 units per hectare (for the 3.04ha area) is not in keeping with the historical density and average plot sizes in Infanta Village. • Setting a Negative Precedent (Spatial Justice): Granting rezoning rights for this scale of development sets a dangerous precedent for future proposals on the remaining 81.9 ha of Erf 134, which is adjacent to the urban edge but currently zoned AgricultureAnd seems in conflict with the previously imposed restrictions during the extension of the adjacent Erf 107 - where the swellendam municipality restricted building on the 3 subdivisions to single story and 300sqm. 3. Community Services, Safety, and Amenities The proposal places an undue burden on existing, strained infrastructure and threatens community safety and character: • Strain on Coastal Amenities and Public Safety: The proposed development's places unmanageable strain on the limited coastal amenities, especially during peak holiday periods (2-3 weeks a year which has increased to much longer stretches post lockdown with more families working from the area over extended periods as well as an	2. Dave Saunders response: The concerns regarding density, rezoning, spatial justice, precedent and consistency with previous municipal planning decisions are noted. These are primarily land-use planning considerations assessed through the separate LUPA and Swellendam Municipal Planning By-law process. Swellendam Local Municipality, as the responsible planning authority, must determine whether the proposed rezoning and subdivision are desirable and consistent with the applicable SDF, density guidance, surrounding character and previous planning decisions. The present application relates only to the proposed 3.89 ha development area. No development or rezoning of the remaining approximately 81ha of Erf 134 forms part of this application. Any future proposal for that remainder would require its own statutory applications and assessment on its merits and would not be automatically authorised by approval of the current proposal. 3. EAP response: the current existing dangers and conflicts at the Infanta slipway should be resolved through the amendment of the slipway management plan, which is the responsibility of SLM. The claim of *unmanageable strain* cannot be related to an additional 20 houses.

		increase in permanent residents) Specifically, increased numbers of swimmers and boat launchers exacerbate the existing dangers and conflicts at the Infanta slipway (the only practical swimming area), involving reversing vehicles (tractors/trailers) and boat propellers. • Impact on Local Traffic and Roads: The expected increase in vehicle traffic, especially during peak season, poses safety risks (for cyclists, children, and the elderly) on the narrow residential streets. Furthermore, the additional traffic contributes to dust pollution and road deterioration on the main gravel access road (MR268) • Groundwater Pollution Risk: Although the developer proposes individual package treatment plants, the geology is categorized as a "Minor Aquifer System" with a medium vulnerability to contamination Historical groundwater quality results showed existing aesthetic limit exceedances and microbial contamination The addition of 20 new sewage treatment systems risks slow leakage of nutrients/organic pollutants into the soil and groundwater over time presenting a long-term contamination risk. • Municipal Service Burden: The development will impose high additional service costs on the Swellendam Municipality (SWM) for ongoing road upkeep, managing litter and waste (collected from the proposed transfer station), maintaining local infrastructure (like the slipway), by-law policing, and fire prevention/fire-fighting.	EAP response: Concerns re impacts on Local Traffic and Roads have been addressed. Lian Roos response: The wastewater package treatment plants will treat sewage to standard limits before the treated effluent is discharged into soakaways, in line with the common practice for residences in the Infanta area. Gideon Pepler response: That is what development is all about. Development brings in more rates and taxes, creates job opportunities etc. The proposed water trailer with pump can be used by the wider community of Infanta.

		4. Legal and Procedural Defects (Servitudes) The proposal may infringe upon existing registered rights of adjacent landowners: • Unacknowledged Servitude: The development plans fail to reference the registered 8m-wide title deed servitude held by Erf 107 (owned by the ICC) across the coastal boundary of Erf 134. This is an exclusive servitude that must be protected and must not run concurrently with any public walkway proposed by the developer. • Failure to Account for Planned Infrastructure: The proposed development layout fails to account for Erf 107's (ICC's) existing title deed right to construct planned freshwater pipelines, reservoirs, and pumping stations over Erf 134 to supply other coastal properties.	4. Dave Saunders response: The servitude has been included in the updated SDP. No Environmental authorisation exists for this planned infrastructure. When the NEMA application is launched with DEA&DP, the landowner of Erf 134 will form part of the I&APs register.
69	Neville Kain	<u>E-mail received 12 December 2025:</u> BACKGROUND, INTRODUCTION AND CREDENTIALS I am an actively employed individual who has owned properties in Infanta Park for over 30 years and due to opportunities created by COVID I have resided permanently in Infanta Park for 3 years. I am one of 62 independent ratepayers of Infanta Park, who many stakeholders in the Infanta area, regularly choose to ignore and simply refer to us as Erf 154.	EAP response: Thank you for the email and comments received. EAP response: Noted.

			EAP response: Noted.
		We are not part of the IRRA, nor are we part of any other ratepayer grouping. Unlike the town of Infanta, which is an open system, to which anyone and everyone can come and go freely, at will, Infanta Park is a closed system and all right of access is controlled. We are governed internally by the Sectional Titles Act, Management Rules and various Scheme House Rules. The Swellendam Municipality has oversight in terms of certain legislation.	
		Swellendam Municipality, apparently "paved the way" some time ago for the proposed residential development, by deeming it appropriate to demarcate the specified development area as "earmarked for urban expansion, residential development". This has led many owners of properties surrounding Erf 134, to believe that the proposed development is "inevitable".	EAP response: The comment is noted. The proposed development is subject to a NEMA and NWA authorisation process.
		Our Sectional Title Scheme's current zoning is Resort Zone II (Holiday Housing), which does not allow for the subdivision of properties and all development is conducted in terms of a Site Development Plan, overseen by the Trustees of The Body Corporate of Infanta Park. Existing unit owners can extend their existing sections up to the allowable extent covered by the current building regulations, overseen	EAP response: Noted.

		by the Swellendam Municipality. Units may have various living structures and outbuildings on their exclusive use areas and up to two caravans on each site, which the owners are fully entitled to let out, in addition to their individual living space units. They can also erect tents on their sites.	EAP response: Noted.
		The town of Infanta (represented by the IRRA) is governed by its own zoning and the Town Planning and Building Control of the Swellendam Municipality and residents regularly demolish and rebuild houses, remodel houses, make additions to their houses and let out their houses to anyone who wishes to occupy their properties. Some properties have caravans on them, which are sometimes used to accommodate guests and the occasional tent is also erected.	
		There is therefore adequate holiday accommodation available to visitors in an area of 4 sq. kilometres and no need for extra accommodation, for hundreds of people.	EAP response: Noted. The proposed development of Erf 134 is not based on additional need for holiday accommodation.
		All builders are not allowed to remain on owners properties overnight and they need to be transported in and out of Infanta each day. This applies to the town of Infanta and Infanta Park.	EAP response: The EMPr states: For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the Applicant's property during the week. No construction workers will be permitted to stay in the facility over

			weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services phase will be 4-6 months. Construction activities should not be permitted over weekends, specifically long weekends (such as the Easter Weekend) and the December school holidays, specifically the period 14 December to 6 January. This is to reduce the impact on those people who live in Infanta permanently and or who visit the area over weekends and holiday times.
		In my previous employment, I worked in several property finance institutions, including the largest commercial and industrial property financier in South Africa for over 30 years and I have intimate knowledge of the A to Z processes of all forms of property development, from all perspectives, and gained extensive experience from all of them, (i.e. "the good, the bad and the ugly"). I hold a Post Graduate Diploma in Industrial Engineering from UCT, founded on the principles of Systems Thinking.	EAP response: Noted.
		I also have a very unique and embodied perspective and experience of having owned and lived in an individual section in a Sectional Titles Scheme established under an ROD and OEMP, on the Kwa-Zulu Natal South Coast. (See attached document)	EAP response: Noted.

		The developer of the Milkwood Dunes Sectional Title Scheme, namely Royal Square Inv. 234 CC did not have a clue about how to develop the subject property, let alone run it in terms of the Sectional Titles Act, the Management Rules and the OEMP. Like your applicant for the subdivision of Erf 134, the Milkwood Dunes developer, owned and occupied already established properties on the development site. When I purchased my unit in 2008, other than the owner, I was the only other owner of property in the Sectional Title Scheme, for 6 years, due to the effects of the global financial crisis of 2008.	EAP response: Noted.
		What followed was a very "ugly" 14 year experience, which along the way involved arguments between subsequent unit owners, the need to use attorneys to resolve issues (Paddocks in Cape Town and Cox Yeats in Durban), accountants, insurance companies, fire authorities, water providers, the green scorpions, all at various stages and culminated in the replacement of the appointed Environmental Officer in 2014. Some owners introduced alien species into the property which was referred to the S/T Ombudsman. Fines of up to R10,000 were levied for other offences against the environment, as the environment itself, is a "victim" of human beings wanton destructiveness.	EAP response: Noted.
		The lockdown periods in COVID produced their own unique challenges, as everybody living inland wanted to migrate to a coastal location for lockdowns. I very fortunately sold my property in 2022. The Developer	EAP response: Noted.

		of Milkwood Dunes has until 2033 to finish the development, which in itself is ridiculous. OBJECTIONS TO THE PROPOSED ERF 134 DEVELOPMENT (1) Poor Notification Process - Given my lengthy property ownership and residential status in Infanta, I was somewhat surprised to learn about the new attempt to propose this development. I was informed by 3rd parties and later the signage erected on the subject property. But as I apparently form part of a minority, as a permanent resident, as per your documentation, that was to be expected. So as an interested and affected party, who was not informed directly by you, you have simply highlighted and affirmed my first point of objection, which is your assumption that prior stakeholder input (PPP) somehow "validates" where you find yourself in this process. Stakeholders change and some land owners are seeing these documents for the very first time; so you are effectively starting from scratch. (2) Need and Desirability of the Proposed Development - Given that what appears above is correct, the current owner of ERF 134 bought the property with the full knowledge of its current zoning. The owner has been applying for re zoning over a number of years. Residents of the town of Infanta and members of the Body Corporate of Infanta Park	1. EAP response: Various means were used to inform potential I&APs, this included emails from a previous I&AP database, erection of a site notice and an advert in a local newspaper. All I&APs that have given comment or registered for the NEMA process will form part of the I&AP register going forward and will receive notification during the NEMA process. Further public participation is planned during the statutory phase as required by the NEMA regulations. 2. EAP response: Erf 134 has been owned by the de Agrella family for approximately 50 years. The comment and objections are further noted.

		have opposed each application. My understanding is that very few people owning property in Infanta, will support the latest application. The reason for this is that there is absolutely no benefit to the ratepayers of Infanta, Infanta Park and its surrounding property owners, to this development being approved. Your documentation makes assertions in this regard, that are completely untrue. I object to all those assertions. (3)The Direct Beneficiaries of the Proposed Development - The direct beneficiaries of this proposed development are the current owner and the potential owners of the proposed 20 other sites. When weighed against the number of property owners of the town of Infanta and Infanta Park (the neighbouring properties), the proposed property owners in this proposed development represent a minority,yet you place a heavy reliance weighting on the direct beneficiaries, in all your documentation. In conclusion, it only benefits a few, at the long term expense of many. I object to the assertions made regarding the direct beneficiaries of this proposed development. (4) The Indirect Beneficiaries who profit from this Proposed Development Regarding the contents of the draft BAR (2024), the use of the words “in the area” and “local” are very, very far from the truth and I object to the inference that Infanta property owners and building contractors benefit from this development.	3. EAP response: The comment is noted. The BAR addresses Need and Desirability. 4. EAP response: Note the draft BAR is dated November 2025. The template provided by DEA&DP is dated April 2024. Due to the nature of Infanta being housing and no businesses, there are no construction companies in Infanta, Infanta Park or the local area that can be used for the proposed development. Therefor labour and

		Over 90% of your Planning Design and Development stage indicators trend negative and by your own admission Swellendam and Bredarsdorp Municipalities and businesses are the major beneficiaries of this proposed development, both of which are over 80 kilometres away. Other indirect beneficiaries of the proposed development are far too many to mention here, but you reference all of them in your documents in different places and in different contexts. You have placed a very heavy reliance weighting on the benefits of the proposed development and yet indirect beneficiaries benefit the most from the intended environmental disturbance, with its long term consequences and they do not have to face any of those consequences, which is totally unacceptable. None of these indirect beneficiaries reside in the adjoining properties of the town of Infanta and Infanta Park and these indirect beneficiaries are simply extracting value, through importing expertise in support of this development, in its various elements and stages, excluding the Swellendam Municipality who gains an insignificant number of new ratepayers. As stated previously, the majority of indirect beneficiaries will not have to live with the many and varied long term impacts of allowing this development to proceed.	materials will be sourced from the nearest towns (Swellendam and Bredasdorp). The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed

			development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal.
		(5) The Negative Affects on the Immediate and Greater Environment and it's Inhabitants This proposed development will have a perpetual impact on the greater environment of Infanta and I object to all your inferences in your documentation that it will have a negligible impact. Your underlying assumption (as recorded in the draft BAR (2024) in all of your documentation is that everyone named as being responsible for something, will perform their required duties in terms of various	5. EAP response: The potential impacts were identified by specialists, assessed and mitigation developed, which informed design and the EMPr. The EMPr is authorised as part of the application process by DEA&DP and becomes a legally binding document, which is audited and has to be implemented and complied with at various phases of the proposed development.

		legislative requirements and any and all binding agreements established under legislative requirements. The majority of the accountability for the proposed development is placed on the Developer, who has not shared any of their property development experience, with stakeholders. The likelihood is that the responsibilities will be "delegated" to non resident businesses, or individuals. The Developer appoints the Contractor, who then assumes major responsibilities, but not the ultimate accountability. (This spans the entire proposed development across the EMPr Phases and all related human and mechanical activity) which will take many years to come). The "everyone will do exactly what they are supposed to do" assumption is naïve and from personal experience, I have seen the wanton destruction that occurs within developments which have a defined SDP, under an OEMP where everyone ducks and dives responsibility until the "Green Scorpions" arrive. Maintenance is ignored, owners "do their own thing", health and safety provisions are ignored. The list is endless and no comfort is drawn from your current documentation as to enforcement, liability, accountability and punitive financial consequences. The very fact that you have to list fines in your document underlines my point. I therefore object to this assumption in the absence of alternatives.	Responsibility for compliance is stipulated in the EMPr, and varies between the developer, the ECO, DEA&DP and the homeowners, based on the compliance item and the phase of the development. The EAP is experienced in EMPr implementation and auditing post authorisation. The EMPr includes *enforcement, liability, accountability and punitive financial consequences* and is the instrument available for mitigation and management of environmental impacts.

		This proposed development is not just for 20 new property owners, it is for the 100's of humans who will descend on this proposed development annually, for all the years to come. The owners will have vehicles, boats, roof top camper trailers, caravans and many other movable assets that will need to be accommodated satisfactorily on-site, in the proposed development. You have not specified exactly what the HOA will set out regarding the above, so your documentation is incomplete and insufficient to make a proper assessment on the environmental impact, of the proposed development, over time. The Growth Management Plan is not clear as to how all of this will be managed and references to the Design Guidelines is not clear. At no stage should "garages", or "tents on trailers" or under carports, be used for additional human accommodation, which detail should be provided for in any proposed HOA. Vehicles will get cleaned, they will leak oil and petrol and generally destroy the environment, including destroying wild animals who get driven over. Boats will create a further noise and a water pollution problem as owners test their motors before heading out to place further stress in the marine environment. Owners may allow visitors to live in their onsite caravans. The use of 4x4 ATV's both within and outside of the proposed development, will add to the problem. Visitor parking will become a problem.	The statement of 100's of humans is overestimated. The proposed development if for 20 new houses. Vehicle maintenance will form part of homeowner responsibilities. The link between the proposed development and *decrease in intertidal invertebrates and fish stocks* is overstated. Any new resident to the

		Extra pressure on the immediate marine environment and on the broader Breede River environment will substantially increase, with a decrease in intertidal invertebrates and fish stocks, which are already under pressure and subject to bag limits and access time cut offs. Provisions for pet control are not disclosed in your documents, possibly because the HOA "black box" will deal with my many objections contained in the omissions of your documentation. Crime in the Infanta area will increase, with the nearest law enforcement many kilometres away. The proposed HOA may emerge quickly, or slowly. The costs of running the development in terms of an OEMP are not stated in your documentation. The reality is that the developer needs to cover all costs, until the proposed HOA is fully subscribed. I object to not seeing a draft HOA document in the EMPr and BAR. No provisions have been made in your documentation for medical emergencies and medical waste during any construction period. Referencing a Health and Safety Officer does not address this concern. Every proposed construction worker entering this proposed development site should have passed a medical health test (paperwork must be under the control of an Health and Safety Official) and be approved for the construction in their specific area of work. Random	area will also have to comply with the regulations regarding bag limits and access time cut offs. It is unclear how the 20 new homeowners will cause an increase in crime in the area. Safety and Security during construction is addressed in the EMPr. The HOA will be established once the first houses are sold.

		drug testing should be imposed. No alcohol should be consumed by workers and random breathalysers should be imposed. I object to none of this detail being included. (5) REM of Erf 134 - You seek to remove the proposed REM of Erf 134 from your proposal, despite its systemic presence and the fact that the proposed development relies on REM of Erf134 infrastructure to provide water for fire related and other uses. By making the assertions you have made, you avoid closer scrutiny of what will follow on REM of ERF 134, if the proposed development is approved. The owner of Erf 134 is the owner. The owner wishes to sub divide Erf 134. As such, the rights and obligations attendant to the ownership of Erf 134, will remain in the proposed REM of 134. Currently this proposed REM of Erf134, is a "black box" as to the full and final intent of the owner of the proposed REM of Erf134's future and I therefore strongly object to the owner's intent to create any form of human settlement on REM of 134, for any period and for any use, until due process under all South African Laws has been fully interrogated and any remedies implemented. This should include an Environmental Impact Assessment. I feel sure that this intended settlement will certainly also be objected to, by both the IRRA and the Body Corporate of Infanta Park.	5. EAP response: the remainder of Erf 134 does not form part of the application and will remain agricultural zoning. The remainder of Erf 134 does not form part of the application and will remain agricultural zoning. Applicant response: Noted. 6. The OEMP is included in Appendix H (EMPr). The roles and responsibilities of the HOA is also stipulated in the EMPr. The

		(6) Lack of information relating to the Proposed HOA and OEMP - You have provided absolutely no details of the proposed operating model of the HOA and the proposed OEMP, nor have you provided details as to exactly how each proposed owner will be regulated in terms of each proposed property purchase, I.e. Deed of Sale Conditions and necessary enforcement attachments. As you will see from the attached example of the Pinnacle Point Annual Environmental Compliance Audit, interested parties in the proposed Erf 134 development should be extremely concerned about this aspect of the proposed development. I strongly object to no details having been provided which should have been fully covered under the Operational Phase of the EMPr and the Construction of Individual Houses Phase. This is another "black box" which needs to be fully opened for scrutiny and comment, before any decisions can be taken effectively. **(7) Concluding Remarks** As I mentioned previously, your attempt to bring this development into being through the use of various Speech Acts (i.e. assessments, assertions, assumptions, declarations, promises) is predicated on the assumption that everyone will do exactly what they are supposed to do, as legislated and / or proposed. I have strongly objected to this	construction of individual houses must adhere to the requirements of the House CEMP included under Appendix H of this EMPr. The individual homeowners must comply with the House CEMP, and the HOA must oversee compliance with the House CEMP. The example (Pinnacle Point Annual Environmental Compliance Audit) attached is noted and is attached to this C&R as Annexure G and H. The comment has been responded to above. EAP response: This comment is noted and has been responded to above.

		assumption, for the reasons given under each heading above. Experience gleaned from various sources shows the "fragility" of this assumption, as evidenced in the omissions in your various documents. As also mentioned previously, in my view, this proposed development should not occur unless there are very, very punitive financial consequences imposed throughout all stages of any approved development, imposed through an overarching independent authority, who receives no financial, or other benefit in respect of the work it does. I object to the token fines in the draft EMPr. If this development is "inevitable" then at the very, very least the developer should deposit a substantial sum of money (R2 million plus) into a Trust Account, administered by this independent authority, which can be drawn against for any and all non-compliance related remedial activities. A final thought..... "YOU NEVER CHANGE THINGS BY FIGHTING THE EXISTING REALITY. TO CHANGE SOMETHING, BULD A NEW MODEL THAT MAKES THE EXISTING MODEL OBSOLETE" (Buckminster Fuller)	EAP response: This comment is noted and has been responded to above. Punitive measures are included in the EMPr. EAP response: This comment is noted. Regulation of the EMPr measures are stipulated in the EMPr with monitoring, reporting, auditing and dealing with transgressions. EAP response: The applicant for the proposed development is a long-standing homeowner and resident of Infanta, and knows the area, the

		If the proposed development of the subject property is "inevitable", what prevents the applicant/developer from forming a committee of members drawn from the IRRA, the Trustees of Infanta Park, the "Sedgewicks", the Swellendam Municipality and any other interested parties, so as to move this application forward in a manner that is acceptable to all parties? Trying to impose this development, from a distance, on others, is really not a good idea. Regards Neville Kain **Note:** Appendices to the email are attached as Annexure G and H to this document.	residents, the various organisations. The listed "committee members" are included as I&APs to the proposed development and have been providing comments, as included in this document.
70	Kirsty & Roland Craik ERF 54 & 59 Infanta Park	<u>E-mail received 12 December 2025:</u> OBJECTION TO THE PROPOSED REZONING AND SUBDIVISION OF A PORTION OF ERF 134, INFANTA FOR THE ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT, INFANTA. Please confirm receipt of our attached objection.	EAP response: Thank you for the email and comments
		<u>Letter attached to email:</u> I, the owner of ERF54 & 59 Infanta Park, and an I&AP to the abovementioned development, wish to submit my comment as follows:	EAP responses:

		The Basic Assessment Report (April 2024), with DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25, and DWS Reference Number: WU42464, has the following (amongst others) findings: SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES Social impact assessment findings and recommendations: The total capital expenditure of the development will be in the region of R50 million. The construction of the housing component has the potential to create in the region of 60-80 construction related employment opportunities per annum for a period of 5-8 years. Of this approximately 50 (70%) of the employment opportunities will be for low skilled workers and 20 (30%) for skilled workers. The majority of these unskilled workers are likely to be historically disadvantaged members of the community. The building contractors and sub-contractors appointed to construct the houses are likely to be based in Swellendam and Bredasdorp. The majority of the building supplies are also likely to be sourced from local building suppliers based in Swellendam and Bredasdorp. The proposed development will therefore benefit local businesses in the area.	EAP Response: EAP response: Due to the absence of businesses in Infanta, labour and materials will have to be sourced from the closest towns, Bredasdorp and Swellendam. The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly

		Comment: The focus is predominantly on benefits for businesses in Swellendam and Bredasdorp, towns far removed from the construction site, and short-term employment creation during construction. The main benefit is to the developer. There are zero benefits to the Infanta, Infanta Park and Kontiki communities, the same communities that will be most affected by the increased pressure on infrastructure, amenities and resources such as the limited supply of groundwater and a dumpsite that is already at capacity. The findings of the SIA indicate that the establishment of the residential units is unlikely per se to "destroy" the current charm and character of Infanta. The proposed development is located in an area that has been identified in the SLM SDF for future urban development in Infanta. The majority of new houses are also likely to be vacant for most of the year. Comment: The SDF recommends a maximum of 18 houses whereas the current development is for 21 houses. The fact that the houses will be vacant for most of the year ignores the fact that over the holiday periods most houses will be full to capacity with both homeowners and guests, and peak season capacity constraints are real. The Infanta and River slipway can handle a limited number of boats and swimmers, the Infanta town common can handle limited parking of cars and boat trailers, and the tiny beach can only handle a limited number of bathers.	accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. Dave Saunders response: It is simply not possible to establish exactly where the construction work force will come from, but it is highly likely that they will come from areas within Swellendam Municipality. It is

		this will definitely change the character of the village. We simply are bursting at the seams during peak times. How is it even considered that ONE owner's request to expand their land use in the pursuit of self-enrichment overrides the negative impact on the environment, existing fragile resources, and enjoyment of such a considerable number of objecting home owners. "The potential impact on existing beach and coastal amenities was raised as a concern by a number of local homeowners in Infanta. The key issues raised are linked to limited area for safe swimming, small beach area and conflicts related to access to the slipway. The concern is that the proposed development will exacerbate the current problems due to the increase in the number of local residents, specifically over the peak holiday periods. While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. The pressure on existing amenities is over a relatively short period of the year, namely 2-3 weeks."	therefore then to assume that the majority of financial and economic benefits created by the proposed will no doubt be enjoyed by the people of the greater Swellendam Municipality. This is now however a benefit which should be ignored or downplayed. Infanta is not an autonomously run settlement but part of a much greater Municipality. The financial benefits offered by the proposal will therefore contribute to the financial standing of the Swellendam Municipality. Furthermore, it important to point out that the amenities of Infanta are not there for the exclusive use of those who own property in Infanta. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Dave Saunders response: As the intention is to keep the existing house, the proposal is for two more houses than the SDF recommends. This is only a recommendation. The additional series of complex and comprehensive specialist studies have confirmed that the additional

		Comment: Concerns about these cumulative negative impacts are trivialised by the social specialist in saying that they last for a relatively short period of the year, "namely 2-3 weeks". With respect, the specialist has not spent the holiday season at Infanta and clearly has no understanding of these very real capacity concerns. In summary, the developer has a large financial benefit, businesses in towns 80km away have limited and temporary benefit, and the local community has zero benefit while carrying the full range of negative impacts of the development, including additional solid waste, traffic, noise, odours, pressure on natural resources, overcrowding, (etc). There is no doubt that it will change the sense of place and experience of existing homeowners, and add to pressures on the natural environment. These negative impacts on the local Infanta community – including Infanta Park – are largely dismissed by the consultants. Our property is front row in Infanta Park and even now with the upgrades to the four homes in the village the construction vehicles that speed down the last section of dirt road in front of Infanta Park are causing considerable noise pollution, increased dust and shear hazard for pedestrians and drivers alike not to mention the flattened tortoises,	two units is not only possible but will not result in an undesirable outcome. There is no empirical evidence to conclude that an additional 20 units (the one unit already exists) will have an undesirable impact on the beach or slipway in Infanta. While claims are made that the use of the slipway and the beaches simply cannot take the occupants of an additional 20 dwellings, these are perception driven statements rather that assessments based on surveys undertaken. Furthermore, it is common knowledge that coastal areas are susceptible to intensive use over the peak holiday period. Many of the most popular beaches in the Western Cape reach absolute capacity over this period. These days, however, form a very small percentage of the annual occupancy. If one were to use beach amenity use figures over this period to assess development considerations, many of our coastal settlements would be deemed to be inappropriate for any further housing infill. EAP response: The SIA recognises the pressure on the Infanta Beach - Due to the small size of the beach and few good swimming areas, the slipway and area in front of the slipway are currently used by swimmers and sunbathers, leading to conflicts with boat operators over peak use periods, as well as raising some public safety concerns.; and includes previous comments from I&APs on the same concern. The

		snakes wild life that share this most special space. This is the current situation for four houses under going renovation/rebuild it will be unbearable if 21, 15, 10 or even 5 are approved. My vote is Zero be allowed. The area simply cannot sustain it and any person who has spent any time in Infanta in the many peak times in any given year would not dismiss these concerns as "not adequate reason for preventing development" SAYS WHO? Not to mention we rely Soley on ground water. 21 more families with friends can swell to 160 additional individuals all needing to shower, use the bathroom, water their lawn, wash their clothes, boat & engines etc etc etc. I believe Witsand is already under water restrictions. Please be advised that busy times do not = 3 weeks in December! That this comment was made again highlights the complete disregard for the reality of the situation.	SIA states: While the proposed development will result in an increase in the number of people in Infanta over peak holiday season periods, which in turn will put pressure on the existing amenities, this is not regarded as an adequate or reasonable reason to prevent the proposed development from proceeding. Objecting to the proposed development on the grounds that it would place additional pressure on existing coastal amenities over the peak season would also prevent the new homeowners from the privilege of enjoying Infanta during off-peak times of the year. This is not regarded as socially equitable. Solid waste – the waste (general and recycling) from the proposed development will be collected at the waste transfer station and then be collected by SLM during the normal waste collection run. It will not affect the operation or the capacity of the dump. Odours – no odours form the proposed development are foreseen. Pressure on natural resources, overcrowding, was assessed in the SIA, mitigation developed and incorporated into the EMPr. Sense of place - No impacts on the environment or local community are dismissed by the consultants. All potential impacts were identified, assessed and mitigation developed. Local input informed identification of impacts, design and the preferred alternative. Mitigation was incorporated into the EMPr.

			The comment on the current situation is noted. The comments on peak times, groundwater use have been addressed in this report. EAP response: Eskom has acknowledged capacity for the proposed development – refer Appendix E3. EAP response: The comment is noted and has been addressed in this report.
		Our property looks directly onto the overhead Electrical Mains that feeds Infanta. Busy weekends have caused considerable buzzing and resulted in sparks and burnt-out transformers due to loading of the system. Again, the existing infrastructure is under considerable load with the existing population. My vote is that the developer should be refused the right to develop at all. The same valid reasons from the community keep on being tabled, why is this not enough to stop this insanity. Perhaps if he ever came down to use the dwelling on the property, he would have a better understanding of the community's fierce desire to protect and fight to preserve this fragile area. It's extremely stressful for the community to have to keep on batting away the latest spin on why this development would ever be seen as a good idea.	

71	Gerrit Joubert (Infanta Park Chairman)	<u>E-mail received 12 January 2026:</u> Please refer to the attached letter regarding the Comments and Objections from the Infanta Park Body Corporate (IPBC) – proposed development on Erf 134, Infanta Basic Assessment Report (April 2024). With DEA&DP Pre-application Reference Number: 16/3/3/6/7/1/E3/6/1456/25 And DWS Reference Number: WU42464.	EAP response: Thank you for the comments received.
		<u>Letter attached to email</u> I am writing on behalf of the owners of Infanta Park Body Corporate (IPBC), representing 62 members. The IPBC supports the comments and objections lodged (Refer Annexure A) by the IRRA (Infanta Ratepayers' and Residents' Association) and the ICC (Infanta Conservation Company NPC) with regard to the proposed development. The main comments and objections from the ICC are listed below that are also supported by the IPBC, this list not being exhaustive: 1. Any development or increase in human activity in the Infanta vicinity will negatively impact on the natural environment in the Infanta vicinity and will undoubtedly have negative consequences to the conservation of fauna and flora in the Infanta vicinity. The area around Infanta is synonymous with a general feeling of a wild and undeveloped area:	EAP further response: Repeat comment and is addressed elsewhere in this C&R. EAP response: Noted. 1. EAP response: Potential impacts (inclusive of biophysical) were identified & assessed by specialists and mitigation developed.

		• much of the land remains agricultural zoning but the erven are uneconomic to farm and therefore they have been left in their natural state. Some of the land is used as game farms, a number are under Cape Nature stewardship, while Erf 107 is under the ownership and control of the residents of Infanta Township. There is an active programme on Erf 107 to eradicate all alien vegetation and fully restore the land to its natural state. Any further development will detract from the efforts of surrounding landowners to ensure that nature is protected and encouraged to flourish in the vicinity.	The statement that *Any further development will detract from the efforts of surrounding landowners to ensure that nature is protected and encouraged to flourish in the vicinity* is noted. The proposed development is for a portion of Erf 134, which is within the urban edge. The remainder of Erf 134 will remain agricultural zoning.
		• de Hoop Nature Reserve is a close neighbour and animals including leopard, caracal, civet, baboons, porcupine, honey badgers, bat-eared foxes, snakes, jackal, various hares, tortoises, snakes and many small antelope roam free between Infanta and the reserve. The Cape Leopard Trust has recently captured by camera a number of leopard on Erf 107 – these animals have crossed over Erf 134 to Erf 107. Unfortunately, it is already too frequent that animals are killed because they become habituated eg baboons; or because they disturb gardens eg procupines; or they are hit by cars at dusk eg eland; stolen as pets eg tortoises; or killed because they are a perceived risk eg snakes. Any increase in the developed area and human population will negatively on the wildlife.	Any animals crossing over Erf 134 to be recorded on Erf 107 likely do so via the portion of Erf 134 west of the MR268, which does not form part of the application and will remain agricultural zoning.
		• The Breede River estuary is used by many birds as a feeding and resting place, including summer migratory birds (from as far afield a Siberia and northern Scandinavia), as well as deep-ocean pelagic birds.	The comment is noted. The Faunal Compliance Statement (Appendix G10) considered Important Bird Areas (IBA), Protected areas and the faunal habitat in the study area. Most of the bird SCC are seabirds or

		Again, any increase in development and human activity will negatively impact on birdlife.	waterbirds. Such birds include the albatross, petrel, skua, shearwater, penguin, cormorant, tern, and flamingo. While individuals of these birds may be observed flying over the study area or close to shore, they will not utilise the study area for foraging or breeding purposes due to lack of suitable habitat. As such, they were assessed as having a zero likelihood of occurrence on site, whereas the remainder of SCC were assessed as having a low to moderate chance of occurrence.
		• The floral diversity of the land between the Potberg mountains, the sea and the Breede River provides home to much birdlife whose feeding opportunities and nesting sites are easily disturbed by human activity.	The comment is noted and has been addressed above.
		• The Breede River, its estuary and the whole of San Sebastian Bay is home to many kinds of aquatic animals, including those collected for bait and those fished. Pictures from 50 to 100 years ago show not only the abundance but the sheer size of the fish caught. Such quantities and sizes of fish are no longer available due to over-fishing – this despite bordering on the de Hoop marine reserve. Fishing licences are not only abused but also are perhaps not restricted enough considering the depletion of bait and fish stocks in the Breede River and at sea.	The comment is noted and has been addressed above.
		• The Infanta vicinity has a high level of biodiversity with many unique species of flora. Increased human activity is a threat through the introduction of invasive alien plants. Rooikrans and Port Jackson are	Alien invasive management forms part of the EMPr.

		already a major threat, but further highly invasive threats are continually being introduced eg kikuyu grass for lawns and manatoka trees for shade. Increased human activity also significantly increases the risk of more regular, run-away veld fires. • Invasive alien vegetation growth on Erf 134 is rife. Despite it being a requirement, no plan exists or attempts have been made by the current owner to control and reduce the amount of invasive alien vegetation on Erf 134. Without a at least a change of zoning the degradation of the balance of Erf 134 is likely to continue and at the same time undermine the efforts of neighbouring property owners. The ICC has an active programme to eliminate invasive alien vegetation on Erf 107 and the ICC is willing to assume stewardship of the balance of Erf 134. 2. The ICC considers that there are few gains to be had from the proposed development but many negatives. Positives: • the developer gains financially. • a few Swellendam and Bredasdorp businesses may gain from providing some supplies during the construction phase. Negatives: • the proposed development is a big negative to the fauna and flora on the Infanta vicinity	2. Applicant response: Positives – Rates & taxes collect can provide more services and amenities for residents. - Make the area a better place to live in and will increase value of existing properties. - Construction will create employment across the board. - Wheelchair friendly walkway to provide access to the public. - This is a small self- contained development, with access to the sea and will have minimal adverse impact on the area as per Specialists studies.

		• the residents of Infanta will be greatly affected (noise, dust, litter, road deterioration, crime) during the proposed very long construction phase • after construction, the residents will again be negatively affected from more foot traffic past existing properties (Hoek Street); vehicle traffic along Retief/Tolmie/Dunn streets; congestion on the slipway (especially increased dangers between swimmers and launching boats – probably requiring SWM to revise the slipway management plan); boat trailer and vehicle parking congestion on the common; dust on the main Swellendam road (especially past Infanta Park); deteriorating road conditions on the main Swellendam road; litter; late-night noise from party-goers on the slipway and on the bottletop/common; light pollution; inhibited views; ever reducing river and sea bait and fish stocks; a general loss of a sense of place. The development proposal states that a positive is that the Infanta beauty will be shared with owners of the new erven – the scale of new enjoyment, simply does not balance with disadvantages inflicted on current Infanta residents. • SWM will incur very high additional service costs to deal with waste, sewerage, litter, road up-keep, local infrastructure (eg slipway maintenance), by-law policing, and fire prevention/fire-fighting	The aim of the development is not to create long term employment – it is for a housing development, so naturally any employment opportunities will mainly be during the construction phase. The current residents of Infanta source labour and materials from the same areas. EAP response: The architectural guidelines encourage the use of natural materials found on site, in the locale viz, stone is encouraged so as to tie the new development back to the original "stone" cottages found in the older part of the Infanta village. The draft BAR analyses the need and desirability of the proposed project (Section E). The development will provide 20 additional residential opportunities within the identified Infanta urban edge, contribute to the municipal rates base, retain approximately 1.1ha (28%) of the development area as managed conservation areas, secure long-term environmental-management responsibilities through the EMPr and homeowners' association, and formalise the existing coastal footpath as a publicly accessible, wheelchair-friendly walkway, subject to the necessary approvals. The concerns regarding pressure on groundwater, waste services, roads and public amenities are acknowledged and form part of the assessment of the proposal's need and desirability and cumulative impacts. The sustainable yield of borehole 134C has been assessed and will be able to supply most of the proposed development's potable needs. Groundwater abstraction from BH134C

			will be subject to water-use authorisation, abstraction limits, monitoring, water-demand management and measures to protect existing lawful users, while confirmation of the acceptability and capacity of municipal waste and other services will be obtained from the relevant authorities. The applicant, future owners and homeowners' association will be responsible for the reasonable infrastructure, monitoring, mitigation and environmental-management costs associated with the development, which will not be transferred to existing residents or the Municipality. The distribution of benefits and impacts has therefore been considered and does not rely solely on employment creation or regional economic benefits as justification for the proposal. EAP response: The potential impacts from the proposed development were assessed by specialists and rated. Impacts on Fauna are low to medium negative post mitigation. Impacts on Botanical is low negative post mitigation. Other potential impacts (Noise, dust, road deterioration, crime) rate as low negative post mitigation. Litter is addressed in the EMPr. Refer Appendix J. This comment is a repeat and has been addressed.

		• SWM will lose its special appeal to all residents in the municipality and to tourists who value wild spaces and villages that have not changed in layout for over 100 years (eg Infanta, Suurbraak,etc) • there is also very little benefit at any stage to poorer South Africans. During construction, most contractors that operate in the vicinity employ foreign nationals and not South Africans. Post construction, there is very little domestic or other work available, and, in any case, there is no reasonable accommodation available for domestic workers in the Infanta vicinity. • post construction, there is little benefit to businesses in Swellendam. Most properties will be owned by Capetonians who arrive with their vehicles full of goods and produce bought in Cape Town. We trust that the developers and Swellendam Municipality will take heed of the concerns and conclude that the Infanta vicinity should be protected for future generations to enjoy in its natural state. Annexure A – IRRA comments submitted December 2025 (refer comment 60 in this document)	EAP response: The new homeowners will all pay rates and taxes. Sewage management and on-site fire prevention remains the responsibility of the new homeowners. Waste management is addressed in the EMPr. Upkeep of internal roads remains the responsibility of the new homeowners. EAP response: Swellendam Local Municipality will not lose its special appeal to all residents and tourists based on an additional 20 houses in Infanta. EAP response: The applicant has made the commitment to employ South Africans as labour and cannot be held accountable for that is the current employment practice. EAP response: This comment has been addressed previously.

72	Peter Silbernagl (Erf 159)	<u>E-mail received 14 January 2026:</u> Further to our draft letter of 11 December 2025, herewith our amended and elaborated response to your invitation of 12 November 2025 for comments on the documents made available on your website for the above proposed development. Kindly note that I am a paid-up Ratepayer member of the IRRA (Infanta Ratepayers and Residents Association) and as such take up your kind extention of time till 15 January 2026 for the submission of our comments. Kindly acknowledge receipt of this letter.	EAP response: Please note the public participation comment period was from 12 November up to and inclusive of 12 December 2025. The extension of time for submission of comments was given to IRRA, who have already submitted their comments.
		<u>Letter attached to email:</u> Further to our draft letter of 11 December 2025, herewith our amended and elaborated response to your invitation of 12 November 2025 for comments on the documents made available on your website for the above proposed development. Kindly note that I am a paid-up Ratepayer member of the IRRA (Infanta Ratepayers and Residents Association) and as such take up your kind extention of time till 15 January 2026 for the submission of our comments. 1. The project proposals hold no benefit for the recipient community (whether flora, fauna or human) of Infanta. The proposals present only	EAP further response: Noted.

		increased exploitation of their world and a deterioration of their environment, with many unquantifiable risks. We could not find a single reason why anybody in the recipient community would support these proposals. As such, the proposals do not pass the test for Need and Desirability.	1. EAP response: In terms of the need & desirability, please take note of the following. The site is located within the Infanta urban edge and an area identified in the Swellendam SDF for residential growth. It therefore represents planned infill development rather than expansion beyond the settlement boundary. The proposal will provide 20 additional residential erven, formalised public coastal access via a new wheelchair friendly walkway, additional municipal rates revenue, and construction and procurement opportunities for labour, suppliers and contractors principally from Swellendam and Bredasdorp, consistent with existing sourcing practices in Infanta. Approximately 1.1ha (28%) of the 3.89 ha development area will be conserved, with specialist-informed ecological buffers, conservation areas and coastal setbacks incorporated into the layout. Development and infrastructure costs will be borne by the developer, while potential environmental and social impacts have been assessed and mitigation incorporated into the EMPr. Need and desirability are determined by balancing the proposal's planning context, benefits, impacts and mitigation, and not solely by whether all members of the surrounding community support it.

		2. The documentation and the project proposals, including the project descriptions, are all over the show and seriously conflicting. They need to be updated and co-ordinated. 3. Some of the studies are well out of date (more than 10 years old) and we doubt their relevance and accuracy. 4. Some of the assessments were made on superseded layouts and development proposals, leading to questionable assessments or technical proposals. 5. No Declarations of Independence could be found for a. Gosztola Architecture, also describe themselves as Gosztola Architects (App. G1) b. Hessequa Consulting Engineers (App. G3) c. BDE Consulting Engineers (App. 4) d. Parsons and Associates x2 (App. G5 Septic tank statement and App. G15 Geohydrology) e. Geoff. Toms (App. G7) f. Nicholas Baumann (App. G11) g. ACO – David Halkett and Jayson Orton (App. G12) h. iCE Consulting Engineers (App.G14)	2. EAP response: this comment has been responded to in this report. 3. EAP response: This comment has been responded to in this report. 4. EAP response: This comment has been responded to in this report. 5. EAP response: a. No declaration of independence is required b. No declaration of independence is required c. No declaration of independence is required d. No declaration of independence is required for Appendix G5 or Appendix G15. The Geohydrological Impact Assessment conducted in September 2025 by Geo Pollution Technologies (Pty) Ltd (GPT) is attached as Appendix A to the WULA technical report (Appendix M), and does contain a declaration of independence. e. No declaration of independence is required

		6. For the Planning Motivation (App. G6) there are no names of the author(s) or the name of the Planner; neither is there a Declaration of Independence. The Planning Motivation makes many statements and interpretations about environmental issues (including social and economic ones) and needs to be seen as an integral part of the DBAR application. Yet, the appendices for that report were not available. 7. Nowhere (not in the DBAR or elsewhere) is the role of Doug Jeffrey explained, yet most of the reports are addressed to Doug Jeffery Environmental Consultants. There are also reports addressed to Mark de Agrella, some to Westerhelling and some to Nicholas Baumann. The implication is therefore that PHS Consulting has had no input to the terms of reference for many of the specialist consultants, thereby compounding the serious issues raised in the foregoing paragraphs – the further implication being that PHS Consulting has neither directed nor coordinated the work, assessments, technical proposals, etc that are required for this project. 8. The impression is left of an orchestra without a conductor, while the instruments have not been tuned and are being played to different score sheets. 9. The letter of 12 November 2025 refers to an "Application for a Water Use Licence in terms of S21 (a), (c) & (g) of the National Water Act, for the following activities:	f. No declaration of independence is required g. No declaration of independence is required h. No declaration of independence is required 6. Dave Saunders response: The document referred to is a draft of the rezoning application that will be submitted to the local authority once the NEMA process has been completed. Given this, there is no need for a declaration of independence to be attached to it. The final report will carry all the final recommendations that come out of the NEMA process. 7. EAP response: The comment has been responded to in this report. 8. EAP response: Noted

		a. abstraction of water from borehole for potable supply; b. potable line [presumably a potable water pipeline] within the regulated area of a drainage line; installation of package plants (one per house) for the treatment of sewage." This description does not match that given in App. M - WULA Summary. However, neither the WULA Summary nor the said description includes the - stormwater disposal structures (reinforced concrete) within the "regulated area" or - the raised walkway on piles that crosses the "regulated area", as are proposed in App. B3 - Preferred Layout, App. G3 Civil Engineering Services report, App. G7A and App. G7B Setback Line Assessment. 10. In App. G2 Hydrogeological Study, it is stated on p.39 at 12.1 Recommendations that 'Groundwater quality exceedances in the boreholes above the SANS 241 drinking water standards indicated that the groundwater at the site is not suitable for use as potable water without prior treatment.' Some of these exceedances include a high salt load, possibly due to some seawater intrusion. No suggestions are made or discussed - also not in the Draft BAR or in App. M WULA Summary - for the possible treatment options. To reduce the levels of salt would probably require a treatment technology such as Reverse Osmosis (RO), as other technologies such as filtration or even Ultra-filtration will not	9. Lian Roos response: WULA Summary Report will be updated to include the stormwater disposal structures and the walkway. 10. Lian Roos response: Water quality analysis showed elevated salinity (Na, Cl, EC, TDS) typical of the Bokkeveld Group and total coliforms above operational limits, indicating microbial contamination from soil. The borehole can supply sufficient water for the development but requires treatment for potable use. Point-of-use

		reduce the salt load to within the SANS 241 standard. If RO would be the chosen treatment method, then there are two further aspects which require attention: 1. As only about 55% of the intake water becomes salt free 'product water', the total water demand increases significantly (almost doubles). 2. The remaining water or salt-laden brine, approx. 45% of the intake water, needs to be discharged as waste water. The treatment options have not been addressed in the proposals. 11. Treated sewage effluent and irrigation: In App. G8 Freshwater Specialist report, the specialist is quite emphatic that the treated effluent from the sewage treatment should not be used for irrigation. See for instance, a. Para. 7.1.2 on page 26 for the mitigation measures proposed during the Operational Phase: 'Treated waste water should not be used for irrigation,…' b. Para. 1.1.4 on page 37 in the table of the Results of the Assessments 'Treated waste water should not be used for irrigation…' (emphasis as provided by Specialist in the report) and c. Para.8 Summary and Conclusions: 'Treated effluent from package plants may not be discharged directly to the watercourse or coastline, and should not be used for on-site irrigation of open areas,…'	(POU) treatment systems are proposed within the units to address elevated water quality levels. 11. Lian Roos response: No irrigation of treated effluent is proposed for this development.

		On the other hand, the Draft BAR considers disposing of treated effluent by means of irrigation as an option. See pp.15, 33, 50, 54 and 64. Likewise, App. G3 Civil Engineering report considers at page 10 the disposal of treated sewage by irrigation as an option. 12. The Hydrogeological Study (App. G2 Hydrogeological Study) describes it Scope of Work '…aimed to address the requirements of the planned water use license application for the abstraction of groundwater for irrigation purposes.' (Emphasis provided). Kindly clarify whether this is a conceptual error by the compiler or just a copy-and-paste oversight. 13. Could you please attend to these discrepancies and inconsistencies, and provide updated reports and assessments/technical proposals, once the team has agreed and consolidated on some sensible and coherent project description and project alternatives, for our further review before an application is submitted to DEA&DP. Please also provide an updated WULA for our review, as the current one misses key elements and is inadequate. 14. Please ensure that the revised project proposals also include some benefit for the recipient community (flora, fauna and human) at Infanta.	Lian Roos response: No irrigation of treated effluent is proposed for this development. 12. Lian Roos response: Noted. 13. EAP response: The public participation conducted in November to December 2025 was on the draft pre-application BAR and WULA, which will be amended with specialist and I&AP input obtained during the PPP, and be circulated for further comment during the statutory phase.

			14. EAP response: Noted.
73	Western Cape Department of Agriculture	<u>Letter dated 28 May 2026:</u> Your application of 12 November 2025 has reference. The Western Cape Deaprtment of Agriculture has no objection to the proposed application. Please note: • The this is comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970. • Kindly quote the above-mentioned reference number in any future correspondence in respect of the application. • The Department reserves the right to revise initial comments and request further information based on the information received.	EAP response: Noted with thanks.
74	Heritage Western Cape	<u>Letter dated 9 March 2026:</u>	EAP response: Noted with thanks. It should however be noted that the radiocarbon dating has already been completed in 2012 and is contained in the 2012 Archaeological Impact Assessment report (Appendix G12). Clarity and confirmation related to this requirement is kindly requested. As per the 12 December 2012 HWC ROD (Appendix E1B), HWC confirmed HWC confirmed that no further archaeological studies were required and that the archaeological mitigation

			investigations had been concluded, subject to the continuing monitoring and reporting requirements listed in the 2010 decision. Please also refer to the revised final SDP (Alternative 4 contained in Appendix B4A) for confirmation that the previous HWC approvals remains applicable and that no further heritage studies were required.

Public Participation to date

See proof of public participation conducted **Appendix F**:

Pre-Application Public Participation:

- A draft BAR was circulated for public comment for a period from 13 November 2025 up to and including 12 December 2025
- An advertisement (in English and Afrikaans) was published in the local newspaper, the Langeberg Bulletin dated 12 November 2025.
- A site notice was placed at a visible location at the boundary of the proposed development site.
- The Draft BAR and supporting documentation, plus the WULA technical document was available for download from the PHS website for the period from 12 November 2025 up to and including 12 December 2025.
- All identified IAPs were notified by email on 11 November 2025 of the proposed project and the availability of the documentation for comment.
- A USB with the pre-application draft BAR was provided to the Department of Agriculture on 11 November 2025.

Comments & Responses Report Annexures

Annexure A associated with Comment No. 1 – PPP Notification Letter for IAPs on the proposed project.

Annexure B & C associated with Comment No. 4 – Submitted by Anthony Sedgwick (owner of Erven 140, 141 and 201) and includes: Consolidated Title (referenced 'Annexure A') and diagram No. 1560/52 (referenced 'Annexure B') for reference to comment.

Annexure D associated with Comment No. 35 – Submitted by Mercia Liddle (DEA&DP Coastal Management) and includes: Departmental Circular DEA&DP 0004/2021 Coastal Risk in Land Use Decisions for reference to comment.

Annexure E associated with Comment No. 46 – Submitted by CapeNature during 2021 Public Participation Process and referenced by Rhett Smart in his latest comment. The 2021 comments are included, with responses, to serve as reference for CapeNature.

Annexure F associated with Comment No. 53 – Submitted by Tim Bashall (Erf 94) and includes: 24 November 2021 comment referenced “Annexure A” which relates to a previous comment submitted as part of a previous Public Participation Process conducted in 2021. Please note that the responses provided took the 2021 letter references and the current comment into consideration.

Annexure G & H associated with Comment No. 69 - Submitted by Neville Kain and includes: Extracts from a Pinnacle Point Annual Environmental Compliance Audit to serve as an example linked to the comment.

ANNEXURE A

THE PROPOSED REZONING AND SUBDIVISION OF A PORTION OF ERF 134, CAPE INFANTA FOR THE ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT, INFANTA

DEA&DP Ref: 16/3/3/6/7/1/E3/6/1456/25
DWS Ref: WU42464

12 November 2025

Dear Interested and Affected Party,

Notice is hereby given of a joint Public Participation Process in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA) and National Water Act, 1998 (Act No. 36 of 1998) (NWA).

Project Name: Proposed Rezoning and Subdivision of a Portion of Erf 134, Cape Infanta for the Establishment of a Residential Development, Infanta

Applicant: Westerhelling Investments CC

Proposal and Location: The intention is to rezone and subdivide a 3.04ha portion of Erf 134, for the purposes of a residential development. The portion will be rezoned from Agriculture Zone 1 to Residential Zone 1(R1), Natural Resource Zone, Private Open Space (PrOS), Public Open Space, and Transport Zone (TZ) (Public Road).

Application for authorisation to DEA&DP Development Management, to undertake the following activities: LN1:12, 19, 19A, 27; and LN3: 4, 12. The procedures for a BAR process are being followed for this application. **Application for a Water Use Licence in terms of S21(a), (c) & (g) of the National Water Act, for the following activities:** abstraction of water from borehole for potable supply; potable line within the regulated area of a drainage line; installation of package plants (one per house) for the treatment of sewage.

Availability of report and opportunity to participate: The Pre-application draft Basic Assessment Report, draft Water Use License Technical Report, and supporting documents will be available on our website www.phsconsulting.co.za for a 30-day commenting period **from 13 Nov 2025 up to and inclusive of 12 Dec 2025.** Should you not be able to access the report, please contact the Environmental Assessment Practitioner (EAP) at the details below. NOTE: the process for the WULA requires a 60-day consultation period. A further 30-day consultation period is planned within the statutory BAR process.

You are welcome to register and/or provide written comments on the application **before or on 12 December 2025**. Should you wish to register, individuals are required to send their name and contact details or comments to PHS Consulting at the contact details below. Individuals who need special assistance, may request assistance in recording their comments or objections, at the details below.

Comments must be sent on or before 12 December 2025 to:

PHS CONSULTING (Attention: Amanda Fritz-Whyte)
P.O. Box 1752, Hermanus, 7200
Tel: 028 312 1734
Email: amanda@phsconsulting.co.za

You are receiving communication from us for professional reasons or as Interested and Affected Party only. The Protection of Personal Information Act (POPIA) requires that we protect your information and that we obtain your consent to communicate with you in the future. If you wish to be removed from any data list, simply state so or we will remove your detail after a project is completed. Note we will use your personal information confidentially and professionally.

Yours sincerely,

Amanda Fritz-Whyte
BSc; BSc (Hons) Geology; MSc Water Resource Management
Fellow Member WISA
Member IAIAsa
Registered Environmental Assessment Practitioner: Number 2019/367 (EAPASA)
Pri.Sci.Nat (118385)

ANNEXURE B

CERTIFICATE OF CONSOLIDATED TITLE

in favour of

T. SEDGWICK HOLDINGS (PROPRIETARY) LIMITED
(NO. 59/02193/07)

First Floor
Village Square
Main Road
PLUMSTEAD, 7800
Telephone : 761 4824

Findlay&Tait

FINDLAY & TAIT INC

Prepared by me,

CONVEYANCER
STELLING P W

SEALED
DUTY R.....
FOOI
FEE R.....75 00

15/6/98

1628/97
T [redacted]

CERTIFICATE OF CONSOLIDATED TITLE

ISSUED UNDER THE PROVISIONS OF SECTION 40 OF THE
DEEDS REGISTRIES ACT 1937 (NO 47 OF 1937)

WHEREAS

T. SEDGWICK HOLDINGS (PROPRIETARY) LIMITED
(NO 59/02193/07)

have applied for the issue to it of a Certificate of Consolidated Title under the provisions of Section 40 of the Deeds Registries Act 1937;

AND WHEREAS it is the registered owner of

1. **ERF 200 (portion of Erf 141) INFANTA, DIVISION OF SWELLENDAM, PROVINCE OF WESTERN CAPE**

   HELD by Certificate of Registered Title No T. 1627/97

2. **REMAINDER ERF 115 INFANTA, DIVISION OF SWELLENDAM, PROVINCE OF WESTERN CAPE**

   HELD by Deed of Transfer No T.58377/1990.

which have been consolidated into the land hereinafter described.

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at CAPE TOWN do hereby certify that the said

T. SEDGWICK HOLDINGS (PROPRIETARY) LIMITED
(NO 59/02193/07)

Its Successors in Title or Assigns is the registered owner of:

ERF 201 INFANTA, DIVISION OF SWELLENDAM, PROVINCE OF WESTERN CAPE

IN EXTENT 64,2555 (Sixty Four Comma Two Five Five Five) hectares

AS WILL appear from diagram SG. No. 6543/95

I. **AS** regards the figure ABCDEFGMNPQRSTU on annexed diagram SG No. 6543/95:-

A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T.2473/1962.

B. **SUBJECT FURTHER and ENTITLED** to the conditions on the General Plan referred to in Certificate of Registered Title No T.4301/1928 and filed with Deed of Transfer No. T.3930/1913, namely:

(a) relating to telephone;

(b) relating to rights of landing by boat on any portion of Gras Rug and Rietfontein, and of travelling over any portion of these farms;

(c) relating to roads shown on the said General Plan.

C. **SUBJECT FURTHER** to the following special conditions imposed by Infanta Limited and contained in Deed of Transfer No T.2991/1953, namely:-

"INFANTA LIMITED, as owner of the remainder of Erf No. 107 Infanta, presently held under Deed of Transfer No T.20244/1949 reserves to itself and its successors in title without compensation to the Transferee, the right:-

(a) to lead water in pipes across the land hereby conveyed from Erven 110 or 111 Infanta or any other portion of the original Erf 107 Infanta to any portion of the original Erf 107 Infanta.

(b) to erect, maintain and have access to necessary buildings, pumping plants, piping, water works and other installations on the land hereby conveyed in connection with such water scheme referred to in the immediately preceding paragraph (a);

(c) to fence in such buildings, pumping plants, water works or other installations on the said land in order to conserve, maintain and supply of and prevent the pollution of such water."

D. **SUBJECT FURTHER** to the following special conditions imposed by Infanta Limited and contained in Deed of Transfer No T.2991/1953, namely:

"The Transferor Company and its successors in title as owner of the remainder of Erf 107 Infanta now held under Deed of Transfer No. 20244 dated 19th December 1949, shall be entitled to a servitude road 12,59 metres wide over the property hereby conveyed, the north-western boundary of such servitude road being depicted by the line L'M on Diagram No. 1560/52." (which is depicted by the line vG on diagram no. 6543/95)

II. **AS** regards the figure H j High water mark k M on annexed diagram SG No. 6543/95:-

A. **SUBJECT** to the conditions referred to in Certificate of Consolidated Title No T.4301/1928.

B. **SUBJECT** to and entitled to the benefit of the conditions on the General Plan referred to in the Certificate of Consolidated Title and filed with Deed of Transfer No. T.3930/1913:

(a) relating to telephone

(b) relating to rights of landing by boat on any portion of Gras Rug and Rietfontein, and of travelling over any portion of these farms.

(c) relating to roads shown on the said General Plan.

C. **ENTITLED** to the benefit of the Servitude referred to in the endorsement dated 21 December 1942 on Deed of Transfer No T.9326/1939, reading as follows:

"By Deed of Transfer No. 15369 dated 21st December 1942 the owner of the remainder of the property held hereunder is entitled to erect a reservoir, outbuildings, pumping plants, pipe, water works with right of access to maintain with auxiliary rights etc. over the property transferred by said Deed of Transfer, subject to conditions as will more fully appear on reference to the said Deed of Transfer."

D. **FURTHER ENTITLED** to the benefit of the Servitude referred to in the endorsement dated 10 February 1943 on Deed of Transfer No T.9326/1939, reading as follows:

"By Deed of Transfer No. 1234 dated 10th February 1943, the owner of the remainder of the property held hereunder is entitled to erect a reservoir, outbuildings, pumping plants, pipe waterworks with right of access to maintain with ancillary rights, etc. over the property transferred by said Deed of Transfer."

E. **SUBJECT FURTHER** and entitled to the Servitude referred to in the endorsement dated 30 July 1947 on Deed of Transfer No T.5893/1947, reading as follows:

"By Deed of Trf. 14469 dated 30.7.1947
(1) the owner of the property thereby conveyed is restrained from
(a) Erecting thereon any store, shop or business or any business for sale of intoxicating liquor except business confined to fishing etc
(b) .....
(c) subdividing without consent of the owner of the remainder of land held hereunder, but is entitled to draw water from the spring known as "Tweedeklofie" and marked as Spring No. 2 on Gen. Plan to the extent of 10,000 gallons per month.
(2) the owner of the property thereby conveyed is entitled to the right of access over the land between the ppty hereby trfd and high water mark for the purpose of a slipway and general access.
as will more fully appear on reference to the said Transfer."

F. **FURTHER ENTITLED** to the benefit of the servitude referred to in the endorsement dated 10 October 1949 on Deed of Transfer No T.5893/1947, reading as follows:

"By D.T. No. 16515/1949 dd. 10/10/49 the land thereby transferred is made subject to the following conditions imposed by the trfor Co. i.f.o. the owner of the Remainder held hereunder which conditions read as follows:
(a) .....
(b) The land shall be used for residential or farming purposes only.

(c) A restraint against more than one building per erf on subdivision as will more fully appear on reference to said deed of transfer".

G. **FURTHER SUBJECT** and entitled to the servitude referred to in the endorsement dated 23 June 1950 on Deed of Transfer No T.20244/1949, reading as follows:

"By Not. Deed No. 249/1950 d/d 8.6.1950 the properties conveyed by C.R.T. No. 15854/49 have been made subject and/or entitled to certain conditions in favour of or against the within property as will more fully appear on reference to the said Not. Deed. A copy of which is annexed hereto."

H. **FURTHER ENTITLED** to the benefit of the servitude referred to the endorsement dated 30 December 1950 on Deed of Transfer No T.20244/1949, reading as follows:

"By Deed of Tfr. No. 21018 dated this day Erf 111, Infanta - 300 morgen thereby conveyed, is subject to the following conditions in favour of the Rmdr of Erf 107 held hereunder, namely (a) The right of the remainder to lead water in furrows or pipes etc. over the said Erf 111. (b) The right of the remainder to erect and maintain and have access to buildings, pumping plants etc. on the said Erf 111, (c) The right of the rmdr. to fence in the buildings, plants etc. mentioned in (b) to conserve, maintain supply etc. of such water, as will more fully appear on reference to the said deed transfer".

I. **FURTHER ENTITLED** to the benefit of the servitude referred to in the endorsement dated 20 January 1953, on Deed of Transfer No T.20244/1949, reading as follows:

"By Deed of Transfer No. 302/1953 dated 20 Jan. 1953 the remainder of Erf 107 Infanta held hereunder is entitled to lead water in furrows or pipes or by other means over Erf 116 Infanta thereby transferred and to erect and maintain and fence pumping plants, piping, water works and other installations thereon with rights of access as will more fully appear on reference to the said Deed of Transfer."

J. **FURTHER ENTITLED** to the benefit of the servitude referred to in the endorsement dated 10 March 1953 on Deed of Transfer No T.20244/1949, reading as follows:

"By Deed of Transfer No. 2991/53 dd. 10.3.53 the owner of the remainder held hereunder reserves to itself the right to lead water over Erf 115 thereby conveyed and to erect buildings, pumping plant etc. on said erf in connection therewith and the right to fence in such buildings and works. as will more fully appear on reference to the said Deed of Transfer."

K. **FURTHER ENTITLED** to the benefit of the servitude referred to in the endorsement dated 10 March 1953 on Deed of Transfer No T.20244/1949, reading as follows:

"by Deed of Transfer No. 2991/53 dd. 10.3.53 the owner of the remainder held hereunder shall be entitled to two rights of way 40' & 25' wide respectively over erf 115 thereby conveyed such rights of way being marked L'M & o'p on diagram No. 1560/1952 attached to the said Deed of Transfer, as will more fully appear on reference to the said Deed of Transfer".

AND THAT by virtue of these presents the said **T. SEDGWICK HOLDINGS (PROPRIETARY) LIMITED**, its Successors in Title or Assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

IN WITNESS whereof I, the said Registrar, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and executed at the Office of the Registrar of Deeds at CAPE TOWN in the Province of the Cape of Good Hope on 9 January 1997.

REGISTRAR OF DEEDS

K A HODGE Land Surveyors

	SIDES metres	ANGLES OF DIRECTION		CO-ORDINATES Y System Lo 21° X	
		CONSTANTS		+0, 00	+3800000, 00
AB	619, 35	254 09 30	A	+14855, 67	+ 9191, 42
			A	+14855, 55	+ 9191, 54
BC	397, 51	295 53 10	B	+14259, 84	+ 9022, 34
CD	489, 44	328 49 50	C	+13902, 23	+ 9195, 89
DE	94, 49	58 49 50	D	+13648, 90	+ 9614, 68
EF	94, 30	328 47 40	E	+13729, 75	+ 9663, 58
FG	94, 43	238 49 50	F	+13680, 88	+ 9744, 24
GH	45, 62	328 49 50	G	+13600, 09	+ 9695, 38
HJ	199, 88	254 54 00	H	+13576, 47	+ 9734, 59
JK	63, 48	346 02 50	J	+13383, 48	+ 9682, 52
KM	182, 05	76 41 10	K	+13368, 18	+ 9744, 12
MN	63, 20	52 06 00	M	+13545, 34	+ 9786, 05
			M	+13545, 35	+ 9786, 00
NP	353, 31	116 14 50	N	+13595, 22	+ 9824, 82
PQ	45, 62	9 46 30	P	+13912, 10	+ 9668, 57
QR	206, 34	342 14 50	Q	+13919, 85	+ 9713, 53
RS	59, 23	55 11 20	R	+13856, 93	+ 9910, 05
ST	66, 21	352 22 00	S	+13905, 56	+ 9943, 86
TU	159, 11	83 12 50	T	+13896, 77	+10009, 48
UA	1158, 16	136 15 30	U	+14054, 78	+10028, 27
Jj		254 54 00			
Kk		256 41 10			
	St Sebastian 133		△	+12113, 57	+11003, 42
	Cape Infanta 8		△	+16484, 71	+11719, 00

COMPONENTS:

(1) The figure ABCDEFGMNPQRSTU represents Rem Erf 115 Infanta
Vide Diagram No. 1560/52 D/T 1953. .2991

(2) The figure H j High water mark k M represents Erf 200 Infanta
Vide Diagram No. 6542/95 D/T

SERVITUDE NOTES

(1) The line vG represents the North West boundary of a Servitude Road 12, 59m wide Vide Diagram No. 1560/1952 D/T 1953. .2991

(2) The curvilinear line jk represents the eastern boundary of a 7, 87 metre servitude right of way
Vide Diagram No. 6542/95 D/T

The figure A, B, C, D, E, F, G, H, j 'HIGH WATER MARH' k, K, M, N, P, Q, R, S, T, U represents 64, 2555 hectares of land being

ERF 201 INFANTA, COMPRISING 1 AND 2 ABOVE

situate at

Administrative District of SWELLENDAM Province of the Cape of Good Hope

Compiled in January 1995
by me,

PLS 0267 K A Hodge Professional Land Surveyor

This diagram is annexed to	The original diagrams are	File No. S.7474/3/1
No. 1628 '97 dated 09 01 '97 i.f.o. Registrar of Deeds	as quoted above	S.R. No. COMPILED Comp. AJ-4DAD (3490)

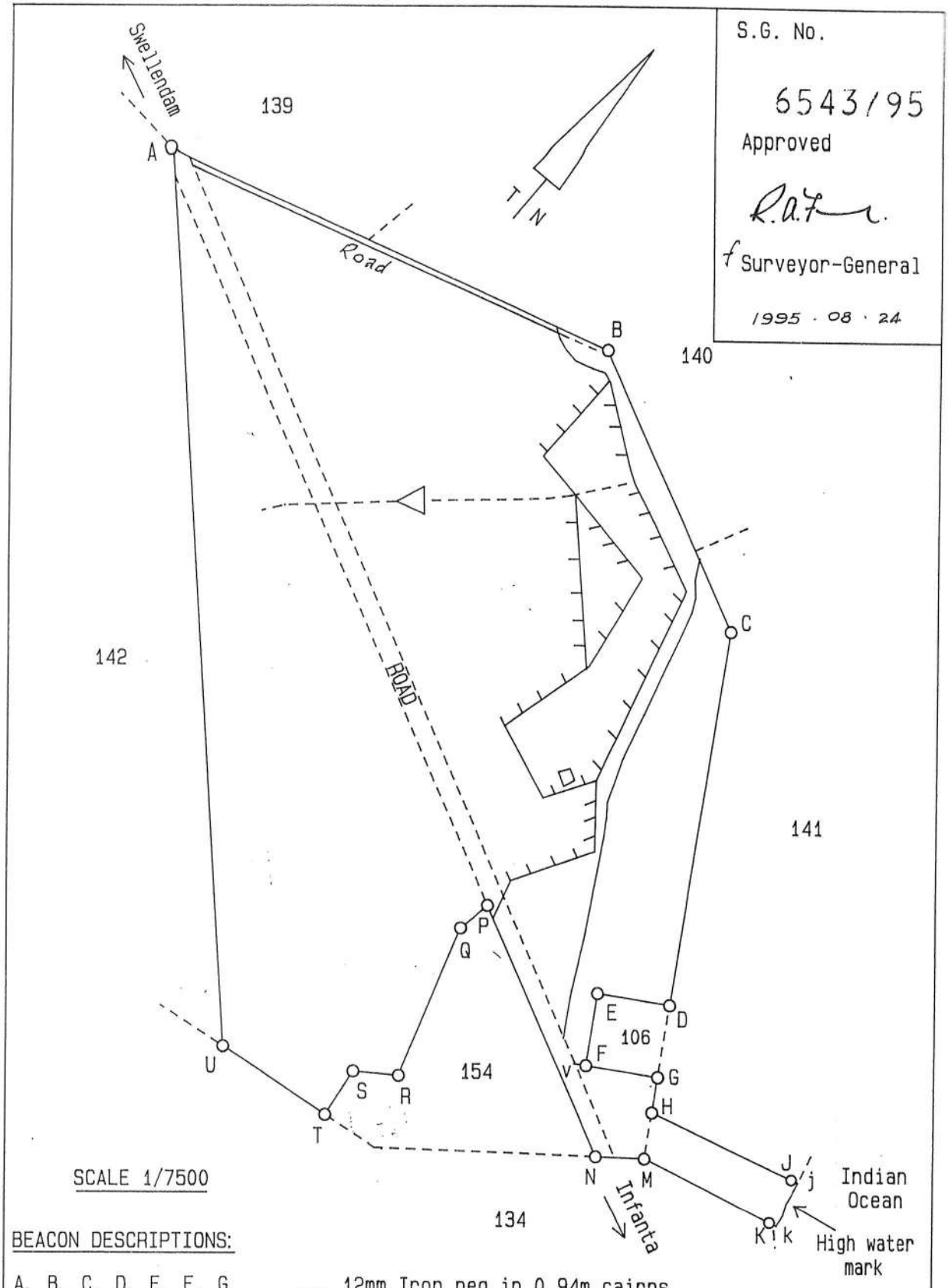
S.G. No.

6543/95

Approved

for Surveyor-General

1995 · 08 · 24



SCALE 1/7500

BEACON DESCRIPTIONS:

A, B, C, D, E, F, G	... 12mm Iron peg in 0,94m cairns
H, J	... 12mm Iron peg under a cairn of stones
K, M	... Base of 12cm wooden fence post
j, k	... Not beaconed
N, R, S, T	... Standard iron pole and cairn
P, Q	... Standard iron pole next to wooden corner fence pole
U	... 25mm Round iron peg under cairn

NOTE: Beacon A replaced vide E 771/89

ANNEXURE C

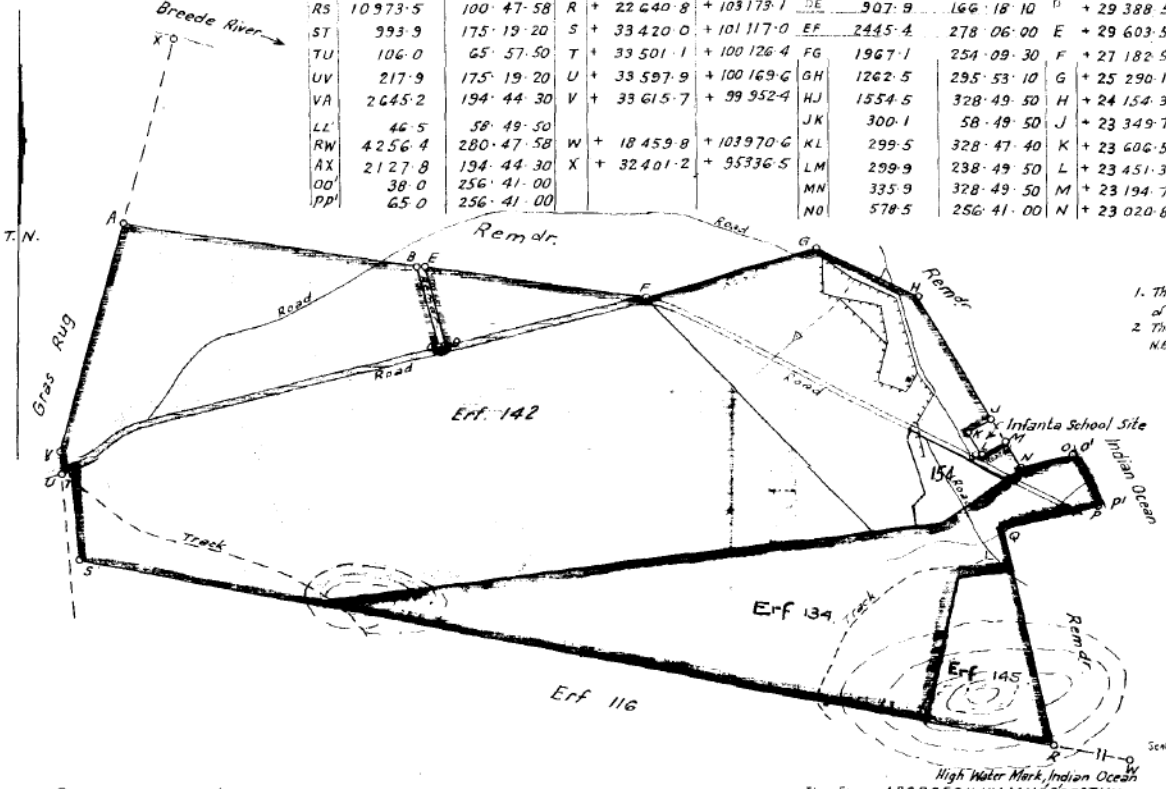
OFFICE COPY.

No. 1560/52

Approved

Surveyor-General.

SIDES Cape Feet		ANGLES OF DIRECTION		System Lo. 21° CO-ORDINATES Y	X	SIDES Cape Feet		ANGLES OF DIRECTION		System Lo. 21° CO-ORDINATES Y	X
				Constant						+ 20 000·0	+12,000 000·0
OP	619·2	332·22·00	O	+ 22 457·9	+ 99 972·9	AB	330·8·7	278·10·10	A	+ 32 942·6	+ 97 394·3
PQ	1068·2	76·41·00	P	+ 22 170·7	+ 100 521·5	BC	932·0	346·18·10	B	+ 29 667·5	+ 97 864·5
QR	2472·0	346·41·00	Q	+ 23 210·2	+ 100 767·5	CF	60·0	256·18·10	C	+ 29 446·8	+ 98 770·0
RS	10 973·5	100·47·58	R	+ 22 640·8	+ 103 173·1	DE	907·9	166·18·10	D	+ 29 388·5	+ 98 755·8
ST	993·9	175·19·20	S	+ 33 420·0	+ 101 117·0	EF	2445·4	278·06·00	E	+ 29 603·5	+ 97 873·6
TU	106·0	65·57·50	T	+ 33 501·1	+ 100 126·4	FG	1967·1	254·09·30	F	+ 27 182·5	+ 98 218·1
UV	217·9	175·19·20	U	+ 33 597·9	+ 100 169·6	GH	1262·5	295·53·10	G	+ 25 290·1	+ 97 681·1
VA	2645·2	194·44·30	V	+ 33 615·7	+ 99 952·4	HJ	1554·5	328·49·50	H	+ 24 154·3	+ 98 232·3
LL'	46·5	58·49·50				JK	300·1	58·49·50	J	+ 23 349·7	+ 99 562·4
RW	4256·4	280·47·58	W	+ 18 459·8	+ 103 970·6	KL	299·5	328·47·40	K	+ 23 606·5	+ 99 717·7
AX	2127·8	194·44·30	X	+ 32 401·2	+ 95 336·5	LM	299·9	238·49·50	L	+ 23 451·3	+ 99 973·9
OO'	38·0	256·41·00				MN	335·9	328·49·50	M	+ 23 194·7	+ 99 818·7
PP'	65·0	256·41·00				NO	578·5	256·41·00	N	+ 23 020·8	+100 106·1



1. The line L'M represents the N.W. boundary of a Serv. Road 40 C. ft wide.
2. The curvilinear line O'P' represents the N.E. boundary of a Serv. R.o.W 25 C. ft wide.

Scale 1/15,000

F

771 | 89

Beacon Description.

A.B.C.D.E.F.G.H.J.K.L.M.N.O.P.Q.R.S.T.U	1/2" round iron pegs in 3' cairns.
V	old hardwood fence post in large cairn
W	5/8" drill hole in rock, in 3' cairn
X.	1/2" peg alongside tree stump corner fence post.

The Figure A.B.C.D.E.F.G.H.J.K.L.M.N.O.P.Q.R.S.T.U.V represents 500·0000 Morgen of land being

Erf 115 portion of Erf 107, Infanta

situate at Infanta

Division of Swellendam Province of Cape of Good Hope.

Surveyed in {July 1939 / Nov. 1951} by me / by us.

Land Surveyors

CANCELLED
VIDE Erf 201 Cert 1628/51
SURVEYOR-GENERAL
F 1947·8·14

This diagram is annexed to Transfer Deed No. 2991/53 dated 10:3:53 in favour of

Registrar of Deeds

The Original Diagram is No. 2143/1927 annexed to D/T 1928·91·4301

S.G. File No. 3/7474/3/1

S.R. No. E 2551/51.

Deg. Sh. AJ 4 D C

AJ 4 DA / 108

ANNEXURE D

CIRCULAR: DEA&DP 0004/2021

TO ALL MAYORS AND MUNICIPAL MANAGERS OF COASTAL MUNICIPALITIES

RE: THE CONSIDERATION OF COASTAL RISK IN LAND USE DECISIONS AS WELL AS THE WAY FORWARD WITH RESPECT TO THE ESTABLISHMENT AND IMPLEMENTATION OF COASTAL MANAGEMENT LINES IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008) ("NEM: ICMA")

1. PURPOSE

1.1 The coastal zone has always attracted people, whether for recreational purposes or for the natural resources that can be harvested from the coast or adjacent marine area. However, this concentration of people necessitates the concentration of developmental activities that are often in conflict with the natural dynamic nature of the coast, or the biophysical sensitivities associated with the coastline. It is for this reason that Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") have always stated that "Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure."

1.2 The Western Cape Government, together with the rest of government, is under obligation to protect and preserve the inherent value of the Western Cape's coastal zone. This implies that it has the responsibility to arrest on-going degradation driven by uninformed decision-making or irresponsible development, whilst promoting development that is responsive to the dynamic nature and risks associated with the coastal zone.

1.3 The NEM: ICMA provides for various tools for and specifies provisions that guide responsible land use decision making in the coastal zone that is cognisant of the sensitivities of the receiving environment. One such tool is the establishment of coastal management lines along the provincial coastline.

1.4 The delineation of the draft coastal management lines was informed by the relevant provisions of the NEM: ICMA as well as scientific data related to coastal risk and coastal dynamic processes.

1.5 The aim of this circular is to:

1.5.1 advise/guide Mayors, Municipal Managers and land use decision makers of coastal municipalities on the relevant considerations of the NEM: ICMA as well as the scientific data that have been gathered during the process towards the establishment and delineation of coastal management lines in the Province;

1.5.2 provide guidance to land use decision makers on the consideration of the recommendations flowing from the process towards the establishment and delineation of coastal management lines in the Province with respect to development that is located within areas that is at risk to dynamic coastal processes; and

1.5.3 inform all Mayors and Municipal Managers of coastal municipalities of the proposed process for the establishment of the draft coastal management lines in the Province in terms of Section 25 of the NEM: ICMA.

2. THE LEGAL FRAMEWORK

2.1 The Department of Environmental Affairs and Development Planning ("the Department"), as the designated provincial lead agency for coastal management in terms of Section 38 of the NEM: ICMA, supports the Member of the Executive Council ("MEC") with fulfilling various legal obligations in terms of the NEM: ICMA including, *inter alia*, the establishment of coastal management lines along the provincial coastline.

2.2 In fulfilling this obligation, the MEC had the Department embark on a process towards the establishment of coastal management lines by the MEC for the West Coast, Overberg and Garden Route Municipal Districts, taking into account, amongst other considerations, dynamic coastal processes, impact(s) from sea level rise as well as other sensitivities along the coast.

2.3 In all three (3) municipal districts the process was guided by a steering committee that was comprised of officials from the Department, relevant municipal officials from both the District and Local municipalities and relevant organs of state including CapeNature, SANParks, and others.

2.4 During the consultation process with municipal officials, various challenges were raised with respect to the inclusion of coastal management lines into municipal zoning/land use schemes.

2.5 Section 25(3) of the NEM: ICMA requires that local municipalities, within whose area of jurisdiction a coastal management line has been established must delineate the coastal management line on a map or maps that form part of its zoning scheme to enable the public to determine the position of the coastal management line in relation to existing property boundaries.

2.6 To create a legal framework for the implementation of coastal management lines that also responds to the challenges raised by the municipalities, the Department is embarking on a process to develop a policy for the implementation of the coastal management lines that will provide the foundation for a legislative framework and will further guide municipalities to consider the coastal management line and associated coastal risk information layers. This legislative framework includes possible new regulations in terms of the NEM: ICMA. This process

will partly run in parallel to the process for the establishment of the coastal management lines in the Province.

2.7 The recent impacts of dynamic coastal processes, including the impact of sea level rise, coastal erosion, and the occurrence of more frequent and more extreme storm surges along our provincial coastline, have resulted in an urgent need to, in the interim, provide guidance to land-use decision makers on how to consider coastal risk in land use decisions.

2.8 In response to numerous requests from municipal officials and Councillors via the Municipal Coastal Committees, this circular has been developed as a guide for the consideration of the NEM: ICMA and coastal risk in land use decisions.

3. GUIDE TO CONSIDER THE NEM: ICMA AND COASTAL RISK IN LAND USE DECISIONS

3.1 The following is informed by provisions of the NEM: ICMA as well as the recommended development parameters in the project reports for the establishment of coastal management lines for the West Coast, Overberg and Garden Route District Municipalities.

3.2 The coastal zone, which comprises various zones, is informed by the ecological functioning of coastal ecosystems and the ecosystem services that they provide. It is important to understand the extent and nature of these ecosystems as this will determine the limitations of development within these areas.

3.3 Where land use decisions are made that did/do not consider or did/do not adequately consider available information pertaining to coastal processes and the associated risk(s), such development may be impacted by coastal processes (e.g., impact of erosion and / or moving sand on private property) and there is the risk that a Municipality could be held liable for damages suffered. In this respect it is important to take heed of Section 15(1) of the NEM: ICMA that states:

> *"…15(1) No person, owner or occupier of land adjacent to the seashore or other coastal public property capable of erosion or accretion may require any organ of state or any other person to take measures to prevent the erosion or accretion of the seashore or such other coastal public property, or of land adjacent to coastal public property, unless the erosion is caused by an intentional act or omission of that organ of state or other person…"*

3.4 The NEM: ICMA defines various zones and contains provisions applicable to these various zones that must be acknowledged and implemented by authorities when considering land use decisions. These are depicted in **Annexure A: Figure 1** include:

3.4.1 '***Coastal Public Property***' – this zone is defined in Section 7 of the NEM: ICMA and comprises, *inter alia*, beaches, admiralty reserve, reclaimed land, and others. Coastal public property is held in trust by the state to improve public access to the seashore; protect sensitive ecosystems; secure the natural functioning of dynamic coastal ecosystems; and to protect people, property and economic activities from risks arising from dynamic processes, including the risk of sea level rise, as well as to facilitate any other objects of the NEM: ICMA.

i) Any coastal land owned by the municipality that does not comprise coastal public property either by definition, reclamation or extension, should be retained and should not be sold. The leasing of such land for private purposes is also discouraged. Such land

should be maintained to ensure the functioning of ecological processes and ecological services along the coast and to facilitate public access to the seashore.

ii) Encroachments onto coastal public property should not be condoned nor rectified. All efforts should be made to ensure that coastal public property is not privatised.

iii) No person may construct, maintain, or extend any structure, or take other measures on coastal public property to prevent or promote erosion or accretion of the seashore except as provided for by the NEM: ICMA, the National Environmental Management Act (Act No. 107 of 1998) or any other specific environmental management act.

iv) Where municipal or any other state infrastructure, by its nature, is required to be located within coastal public property, cognisance must be given to the location of such infrastructure in relation to dynamic coastal processes, e.g., public amenities related to the use of the seashore must not be in a sand movement corridor, as such infrastructure will be compromised by the impact of sandblasting.

3.4.2 '***Littoral Active Zone***' – this zone is defined in the NEM: ICMA and is located adjacent to the seashore (extending inland from the high-water mark), is unstable and dynamic because of natural processes; and is characterised by dunes, beaches, sand bars and other landforms composed of unconsolidated sand, pebbles or other such material which is either unvegetated or only partially vegetated. The risk information layers for the Garden Route District includes spatial layers for blowouts and mobile dunes that are components of the littoral active zone, as depicted in **Annexure A: Figure 2**.

i) This zone is extremely dynamic. A precautionary approach must be adopted with respect to land use decision making within this zone.

ii) Coastal dunes provide important ecological services as they play an integral role in supplying the beach with sand and protecting inland areas from coastal water intrusion. Coastal dunes absorb the impact and protect inland areas from high energy storms and act as a resilient barrier to the destructive forces of wind and waves.

iii) Any development within the littoral active zone will impede the ecological processes relating to beach replenishment, the cycle of erosion and accretion that occur naturally along sandy shores and will negatively impact the ability of coastal dunes to mitigate the impact of sea level rise as well as the increase in the magnitude and frequency of storm surges currently being experienced along the coast.

iv) Mobile sand is extremely destructive and will damage infrastructure located within a sand corridor (i.e., within the littoral active zone) as it will negatively impact the integrity of structures. Development within this zone will constantly require regular maintenance with respect to the removal of sand from infrastructure such as roads and from within private property. Development, specifically residential development, in this zone is not recommended.

v) In the context of climate change, as well as the impact of erosion as a result of recent storm surge events along our coastline, it is important to ensure that the ecological integrity of littoral active zones, especially coastal dunes, remains intact.

vi) As such, new development that by its nature does not require to be located on coastal dunes, especially primary dunes, should be restricted (e.g., residential development).

Municipal infrastructure to facilitate public access to the seashore must consider these ecological processes and must ensure that such infrastructure (e.g., boardwalks, ablution facilities, parking, etc.) is appropriately placed and engineered.

vii) Where private property that is already developed is located on sandy shores within the littoral active zone and coastal risk areas, restrictions must be considered on such properties to ensure that no further buildings are erected on or close to the seaward property boundary of such property. This must be informed by the level of risk the property is exposed to (i.e., low, medium, or high).

3.4.3 '***Coastal Protection Zone***' – The composition of the coastal protection zone ("CPZ") is defined in Section 16 of the NEM: ICMA. The CPZ extends from the low-water mark inland comprising of various zones including coastal public property, the littoral active zone, protected areas along the coast and other areas. As part of the process to establish coastal management lines in the West Coast, Overberg and Garden Route District Municipal areas, recommendations to the MEC to determine or adjust the boundary of the CPZ in certain areas, have also been included. The recommendations in respect of the determination or adjustment of the CPZ may be viewed spatially on the Departments' web-based viewer at the following URL:

https://westerncapegov.maps.arcgis.com/apps/webappviewer/index.html?id=8f2793f9e36e423e85dd0337a554c02f

i) The purpose of the CPZ is specified in Section 17 of the NEM: ICMA and is established to ensure that the land that is adjacent to coastal public property or that plays a significant role in coastal ecosystems is managed, regulated, or restricted in a manner that is consistent with the purpose of the CPZ. This includes protecting the ecological integrity, natural character and the economic, social and aesthetic value of coastal public property; avoiding increasing the effect or severity of natural hazards, protecting people, property and economic activities from risks arising from dynamics coastal processes including sea-level rise as well as storm surges, and the natural processes of erosion and accretion. The CPZ also serves to maintain the natural functioning of the littoral active zone, maintain the productive capacity of the coastal zone and to make land available to organs of state to perform functions such as sea rescue operations, or temporarily depositing objects and materials washed up by coastal waters.

ii) 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.

iii) Section 63 of the NEM: ICMA (**Annexure B**) further specifies relevant factors that must be taken into account by the competent authority where an environmental authorisation is required in terms of Chapter 5 of the NEMA for any activities proposed within or that may impact the CPZ. These prescribed factors (Section 63 of the NEM: ICMA [**Annexure B**]) serve as guidance to municipalities and other land use decision makers to give effect to Section 62 of the NEM: ICMA.

3.4.4 '***Estuarine Functional Zone***' – is defined, in the NEMA EIA Regulations, 2017 (GN No. 324 of 07 April 2017) as the area in and around an estuary which includes the open water area, estuarine habitat (such as sand and mudflats, rock and plant communities) and the surrounding floodplain area, as defined by the area below the five (5) metre topographical contour (referenced from the indicative mean sea level). The estuarine functional zone therefore consists of habitats that are located adjacent to an estuary but that supports both the physical and biological processes within an estuarine system.

i) The estuarine functional zone is important for a range of ecological services such as flood attenuation and disaster reduction but also plays a vital role in the economy of a municipal area with respect to activities such as tourism and subsistence and small-scale fishing, etc.

ii) Estuaries are particularly vulnerable to impacts of climate change and the preservation and management of the estuarine functional zone (through the estuary management plans) is therefore critically important.

iii) Historic development within the estuarine functional zone has resulted in an increased need to actively manipulate ecological processes, such as breaching of an estuary, to protect human life. To ensure the resilience of coastal communities, especially within the estuarine functional zone, development, and densification of urban areas within this zone should be prohibited.

3.4.5 '***Coastal Risk Information Layers*** – The Department has developed Coastal Risk Information Layers (depicted in **Annexure C**) that comprises spatial information pertaining to coastal processes and coastal risk consisting of three areas/sub-layers related to the projected coastal risk horizons. The coastal risk information layers, in addition to items 3.4.1 to 3.4.3 above, were considered with the delineation of the draft coastal management lines and must therefore be taken into consideration in land use decisions to ensure that the relevant factors, including the best available information, are taken into account.

On the Department's web-based viewer that is accessible via the URL specified in item 3.4.3, the coastal risk information layers are accessible in the 'Layer List' under 'Coastal Management' where the information for each coastal district is accessible. For the West Coast and Overberg Districts the coastal risk information layers is depicted as 'Hazard Lines' and 'Risk Zones'. For the Garden Route District, the coastal risk information layers were disaggregated into 'Erosion Lines' and 'Wave run-up' lines, as well as separate spatial layers for the constituents of the littoral active zone.

The sub-layers in the coastal risk information layers comprise the following:

i) *High risk areas* – these areas are indicative of coastal risk (e.g., risks emanating from sea level rise, storms, waves, wind, erosion etc.) with a 20-year return period – i.e., a coastal risk with a 5% chance of taking place in any given year during the ensuing 100 years. On the Department's web-based viewer that is accessible via the URL specified in item 3.4.3, this area is located seaward of the **red** line and is shaded in **red** in urban areas.

ii) *Medium risk areas* – coastal risk (e.g., risks emanating from sea level rise, storms, waves, wind, erosion etc.) with a 50-year return period – i.e., a coastal risk with a 2% chance of taking place in any given year during the ensuing 100 years. On the Department's web-

based viewer that is accessible via the URL in item 3.4.3, these areas are located between the **red** and **orange** lines and is shaded in **orange** in urban areas.

iii) *Low risk areas* - coastal risk (e.g., risks emanating from sea level rise, storms, waves, wind, erosion etc.) with a 100-year return period – i.e., a coastal risk with a 1% chance of taking place in any given year during the ensuing 100 years. On the Department's web-based viewer that is accessible via the URL in item 3.4.3, these areas are located between the **orange** and **yellow** lines and is shaded in **yellow in urban areas**.

iv) *General risk areas* – along the coastline these areas are demarcated in rural areas (as defined in the Western Cape Land Use Planning Guideline Rural Areas, 2019) where the principle of avoidance of risk must be applied. The general risk areas comprise the high, medium, and low risks areas, the littoral active zone and the coastal protection zone. The consideration of Section 63 of the NEM: ICMA must therefore be applied in these areas. Along estuaries these areas include the estuarine functional zone with an additional buffer to allow for floods and other sensitivities linked to the estuary. These areas are depicted in **purple** on the Department's web-based viewer and may also be referred to as the '*General Risk Zone*' that is accessible via the URL in item 3.4.3.

3.5 The impact of recent storm events has resulted in large scale erosion along certain stretches of coastline that correspond to the projected risk horizon of the high-risk areas. This was specifically evident in Yzerfontein (West Coast District) and Myoli Beach (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.

3.6 It is imperative that any development that is proposed along the coast, be scrutinised and that caution is applied when considering such proposals. Any further development that is at risk from coastal processes within both the high and medium risk areas, unless warranted, should therefore be discouraged and/or prohibited.

3.7 Where development already exist in high-risk areas, strategic management options, including retreat or land swops, may need to be considered by the municipality. In view of the coastal risk information layers, the coastal management line project reports suggested development considerations related to resilient building designs, setbacks and ecological buffers that are based on land use and the risk associated with each sub-layer (**Annexure D**).

Annexure D, tables (1-5) provide for development considerations to reduce coastal risk for both built-up areas as well as proposed new developments within each risk area referred to in item 3.4.5 i) to iv) above. These development considerations have been adapted from those developed in the coastal management line project reports for the Overberg and Garden Route Municipal Districts.

4. The MEC, supported by the Department, established the coastal management line for the City of Cape Town in March 2021 and will proceed with the establishment of the coastal management lines for West Coast, Overberg, and Garden Route District Municipalities. Pending the establishment of these coastal management lines in terms of Section 25 of the NEM: ICMA per coastal District by the MEC, the contents of this circular must be considered in all land use decisions that are proposed within the coastal protection zone. The spatial information referred

to above, has been provided to municipalities and is also accessible on the Department's web-based viewer at the following URL:

https://westerncapegov.maps.arcgis.com/apps/webappviewer/index.html?id=8f2793f9e36e423e85dd0337a554c02f.

5. Municipalities are encouraged to include this spatial information in Municipal Spatial Development Frameworks (SDFs). It is acknowledged that the scale of the coastal risk information layers is more appropriate for inclusion in local municipal SDFs, however it is essential that the coastal management lines, whether draft or established, with the associated coastal risk information also be included in district municipal SDFs as far as is reasonably possible. This is to ensure alignment between the district and local municipal SDFs and to provide local municipalities with strategic guidance with an approach to address development within areas at risk to coastal processes, in line with the development considerations in **Annexure D**.
6. The National Department for Forestry, Fisheries and the Environment (DFFE) have recently concluded the National Coastal Climate Change Vulnerability (CoVu) Assessment. The objective of the project was to develop the National Coastal Spatial Vulnerability Index for South Africa's coastline and estuaries from physical hazards attributable to climate change, such as sea level rise, flooding, erosion or storm events. The majority of the required input data was sourced from existing projects and data sources, including the LiDAR used to generate the coastal risk information layers for the Province referred to in this circular. Data and information generated in the CoVu project include extreme wave run-up for 1-in-10, 1-in-30 and 1-in-50 years storms for rocky shores at a 500m (or higher) resolution and erosion lines (for 1-in-10yr, 1-in-50yr and 1-in-100yrs) for the national coastline, generated at an appropriate resolution (depending on elevation models) and where possible. This information was distributed by DFFE to municipalities in the form of the CoVu Decision Support Tool.
7. Due to the magnitude of the CoVu assessment and the modeling methods used, the coastal risk information layers generated by the Department are at a finer scale than the data generated in the CoVu assessment. This has resulted in occasional differences in the risk information generated between the Departments' data and the CoVu assessment. It is therefore advised that municipalities first consider the data generated by the Department and thereafter apply the CoVu assessment to further support decision making.

8. WAY FORWARD FOR THE ESTABLISHMENT OF COASTAL MANAGEMENT LINES

8.1 The process for the establishment of the coastal management lines in the Province will proceed with issuing written notices of intent to do so from the MEC to the relevant Mayors and Municipal Managers within the West Coast, Overberg and Garden Route Districts. Thereafter, the notice of intent by the MEC to establish the coastal management lines for the West Coast, Garden Route and Overberg Districts will be published in terms of Section 53 of the NEM: ICMA.

8.2 The Sub-Directorate: Coastal Management of the Department will facilitate the public participation consultation process and will engage with municipal officials regarding the process for the establishment of the coastal management lines. During this process, possible amendments to the draft coastal management line will be considered.

8.3 The Sub-Directorate: Coastal Management, together with the other relevant components of the Deparment, will engage with and support the municipalities with the delineation of the coastal management lines in zoning/land use schemes as required in terms of Section 25(3) of the NEM: ICMA.

8.4 Concurrently with the establishment process, the Department will also engage with municipal officials for the development of an appropriate legal framework for the implementation of coastal management lines (as referred to in item 2.6). This framework includes the development of a 'Policy for the implementation of coastal management lines for the Province' that has already been commenced with.

9. Should Municipalities require assistance in relation to this circular, with the coastal information layers or any associated information please contact the Department's Sub-Directorate: Coastal Management at the following contact details:

Ms I Bekko or Ms M Liddle
Email: coastal.enquiries@westerncape.gov.za

Yours faithfully

_____

Ayub Mohamed
ACTING HEAD OF DEPARTMENT
Date: 30 December 2021

ANNEXURE A

Figure 1: Image depicting components of the coastal zone as per the NEM: ICMA

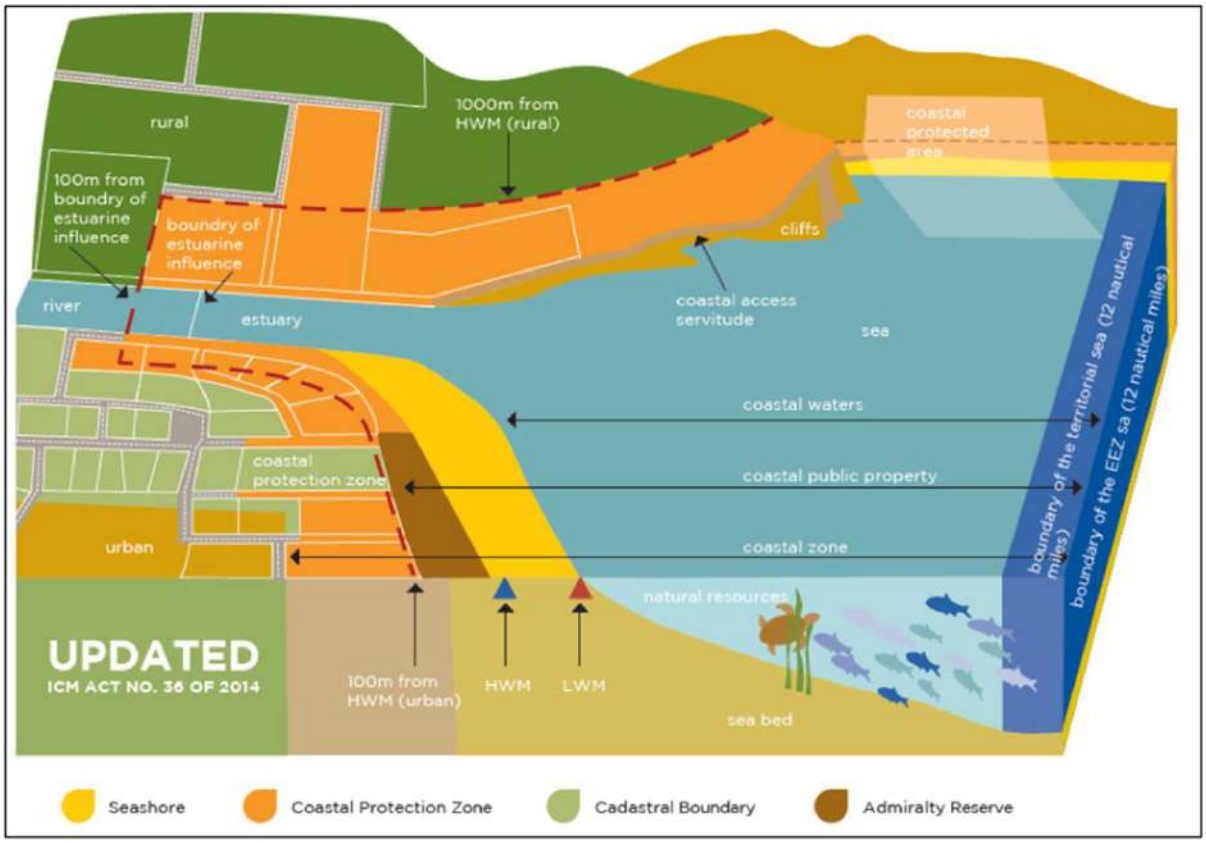
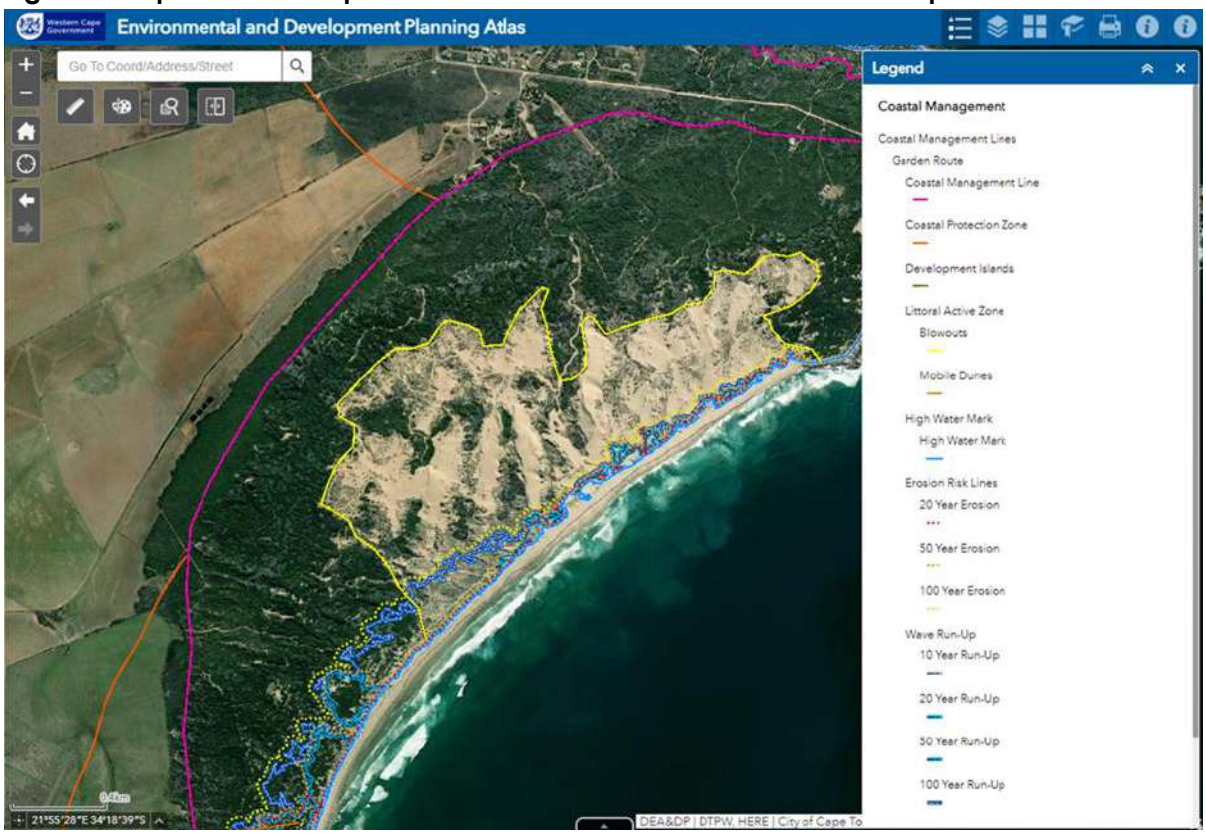


Figure 2: Depiction of components of the littoral active zone from the Departmental online viewer



ANNEXURE B

Relevant Sections of the NEM: ICMA

Section 17 Purpose of the Coastal Protection Zone (CPZ)

17. The coastal protection zone is established for enabling the use of land that is adjacent to coastal public property or that plays a significant role in a coastal ecosystem to be managed, regulated or restricted in order to-

(a) protect the ecological integrity, natural character and the economic, social and aesthetic value of coastal public property;
(b) avoid increasing the effect or severity of natural hazards in the coastal zone;
(c) protect people, property and economic activities from risks arising from dynamic coastal processes, including the risk of sea-level rise;
(d) maintain the natural functioning of the littoral active zone;
(e) maintain the productive capacity of the coastal zone by protecting the ecological integrity of the coastal environment; and
(f) make land near the seashore available to organs of state and other authorized persons for-
    (i) performing rescue operations; or
    (ii) temporarily depositing objects and materials washed up by coastal waters.

Section 63 (Considerations for) Environmental Authorisations for Coastal Activities

63 (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including -

(a) the representations made by the applicant and by interested and affected parties;
(b) the extent to which the applicant has in the past complied with similar authorisations;
(c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
(d) the estuarine management plans, coastal management programmes, coastal management lines and coastal management objectives applicable in the area;
(e) the socio-economic impact if the activity -
    (i) is authorised;
    (ii) is not authorised;
(f) …….
(g) the likely impact of coastal environmental processes on the proposed activity;
(h) whether the development or activity-
    (i) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
    (ii) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
    (iii) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
    (iv) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated;
    (v) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
    (vi) would substantially prejudice the achievement of any coastal management objective; or
    (vii) would be contrary to the interests of the whole community;
(i) whether the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land;
(j) whether the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area; and
(k) the objects of this Act, where applicable.

(2) .....

(3) .....

(4) .....

(5) The competent authority must ensure that the terms and conditions of any environmental authorisation are consistent with any applicable coastal management programmes and promote the attainment of coastal management objectives in the area concerned.

(6) Where an environmental authorisation is not required for coastal activities, the Minister may, by notice in the *Gazette* list such activities requiring a permit or licence.

ANNEXURE C

Depiction of Coastal Risk Information Layers from the Departmental online viewer



ANNEXURE D

Table 1: Suggested development considerations to reduce coastal risk for High-Risk Urban areas

HIGH RISK COASTAL URBAN AREAS		
AREA	**INTENTION**	
High Risk	• Maintain coastal quality • Limit public and private liability • Increase public awareness of the potential risks to property and human life • Prevent intensification of development in the high-risk area. Where existing rights are implemented, it must be tempered, and extreme caution must be applied taking liability and risk to human life into account • Prevent encroachment that will impact on the integrity of the shoreline ecology and exacerbate negative impacts • Enable safe evacuation in an emergency	
Primary Use	**With special consent**	**Not Recommended**
As per base land use controls	• Where buildings lie partly in two coastal risk areas, the higher risk area will apply • Infill subdivisions • Public resorts	Industry, schools, libraries, health facilities, refuse sites & Wastewater Treatment Works (WWTW)
Additional Considerations		
• All structures on properties larger than 400m^2 in the high-risk area require approval from a professionally registered engineer. Structures on smaller properties may obtain similar design approval based on predetermined standard conditions. • Structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations – with the lowest floor of habitable structures/buildings constructed above a pre-determined risk level. • Lower uninhabitable floors (i.e., garages, basements) of structures/buildings must be permeable – i.e., have openings to allow for the entry and exist of flood waters – to allow effective interior and exterior hydrostatic pressure equalisation during and post inundation. • Habitable basements or rooms will only be permitted if an engineer has made the necessary design arrangements to ensure that coastal risk is addressed and reduced by implementing responsible mitigation measures to the satisfaction of the Municipality. • Consideration during conceptual building design must be given to issues of privacy, overshadowing and visual impact and the apportionment and positioning of higher risk site areas for parking, open space and recreational areas. • Any new development must be designed and positioned within reason to limit potential flood damage and risk to human life, including but not limited to positioning buildings in suitably acceptable elevated portions of properties. • Development must be designed and constructed, within the framework of applicable building controls, in such a way that buildings and structures are positioned furthest from the foreshore whether limited by rear space, side space or the building line (up to the maximum allowed in the applicable scheme). • Building design must demonstrate reasonable risk reduction measures and should include innovative solutions (adaptable buildings, re-locatable buildings, flood-proofed buildings, flood resistant and resilient construction etc.) without increasing and transferring risks to adjacent properties. • Key mechanical and electrical services/structures (e.g., sewer (and water) infrastructure like pump stations, substations, transformers, generators, geysers and distribution boards) must be located above a pre-determined risk level. • After construction, any exposed ground area must be stabilised by the use of ground covering plants or mulches to minimise the risk of erosion. • On request from the municipality, a storm water management plan might be required to be submitted along with building plans. • Hardened surfaces to be minimised and suitable permeable alternative utilised to maximise natural infiltration and reduce overland flow and associated velocities with concomitant risk of erosion and damage. • Only fully enclosed / self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located either on the landward side of structures or either		

side of structures and recommended by a Registered Engineer to ensure suitable sealing and safety. These areas must be monitored to ensure that planning and environmental authorisations are implemented in accordance with the conditions of authorisation.
- Development should be sited to minimise the removal of trees and endemic vegetation.
- Existing coastal processes, including dune migration and littoral drift should not be impeded and indigenous vegetation must be maintained.
- Dunes must be protected and rehabilitated where necessary to reinforce and strengthen natural barriers.
- Exotic species of vegetation should be limited to feature trees or shrubs within an indigenous setting.
- Fencing or other barriers must be permeable to accommodate storm events and limit structural damage and associated negative impacts on the environment.
- Consolidated access points/paths to the beach preferably on raised wooden / recyclable plastic boardwalks to reduce negative impact on dunes and associated vegetation.
- Limit and preferably avoid expansion of existing footpaths and volumes of existing structures and buildings within the risk area.
- Municipal engineering infrastructure (e.g., WWTW, Substation, Pumps and Reservoirs) to be located outside the risk area, unless related to public amenity (e.g., playground).
- Collective/integrated response by adjacent properties or developments to optimise resources and prevent spill over effect.

Table 2: Suggested development considerations to reduce coastal risk for Medium Risk Urban areas

MEDIUM RISK COASTAL URBAN AREAS		
AREA	**INTENTION**	
Medium Risk	• Reduce public and private liability • Minimise risk to human life • Prevent intensification of development in medium risk area. Exercising of existing rights to be tempered.	
Primary Use	**With special consent**	**Not Recommended**
As per base land use controls	• Where buildings lie partly in two coastal risk areas, the higher risk area will apply • Infill subdivisions, Public resorts	Industry, schools, libraries, health facilities, refuse sites &WWTW
Additional Considerations		
• All structures on properties larger than 400m^2 in the medium risk area require approval from a professionally registered engineer. Structures on smaller properties may obtain similar design approval based on predetermined standard conditions. • Structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations – with the lowest floor of the structure to be above a pre-determined risk level. • Lower floors of structures/buildings must be permeable – i.e., have openings to allow for the entry and exist of flood waters – to allow effective interior and exterior hydrostatic pressure equalisation during and post inundation. • Consideration during conceptual building design must be given to issues of privacy, overshadowing and visual impact and the apportionment and positioning of higher risk site areas for parking, open space and recreational areas. • Any new development must be designed and positioned within reason to limit potential flood damage and risk to human life, including but not limited to positioning buildings in suitably acceptable elevated portions of properties. • Development must be designed and constructed, within the framework of applicable building controls, in such a way that buildings and structures are positioned furthest from the foreshore whether limited by rear space, side space or the building line (up to the maximum allowed in the applicable scheme). • Building design must demonstrate reasonable risk reduction measures and should include innovative solutions (adaptable buildings, re-locatable buildings, flood-proofed buildings, flood resistant and resilient construction etc.) without increasing and transferring risks to adjacent properties.		

- Key mechanical and electrical services/structures (e.g., sewer (and water) infrastructure like pump stations, substations, transformers, generators, geysers and distribution boards) must be located above a pre-determined risk level.
- After construction, any exposed ground area must be stabilised by the use of ground covering plants or mulches to minimise the risk of erosion.
- On request from the municipality, a storm water management plan might be required to be submitted along with building plans.
- Hardened surfaces to be minimised and suitable permeable alternative utilised to maximise natural infiltration and reduce overland flow and associated velocities with concomitant risk of erosion and damage.
- Only fully enclosed / self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located either on the landward side of structures or either side of structures and recommended by a Registered Engineer to ensure suitable sealing and safety. These areas must be monitored to ensure that planning and environmental authorisations are implemented in accordance with the conditions of authorisation.
- Development should be sited to minimise the removal of trees and endemic vegetation.
- Existing coastal processes, including dune migration and littoral drift should not be impeded and indigenous vegetation must be maintained.
- Exotic species of vegetation should be limited to feature trees or shrubs within an indigenous setting.
- Fencing or other barriers must be permeable to accommodate storm events and limit structural damage and associated negative impacts on the environment.
- Municipal engineering infrastructure (e.g., WWTW, Substation, Pumps and Reservoirs) to be located outside the risk area, unless related to public amenity (e.g., playground).

Table 3: Suggested development considerations to reduce coastal risk for Low-Risk Urban areas

LOW RISK URBAN COASTAL AREAS		
AREA	**INTENTION**	
Low Risk	• Reduce public liability • Avoid reasonable risk to human life • Prevent intensification of development in low-risk area but allow exercising of existing rights.	
Primary Use	**With special consent**	**Not Recommended**
As per base land use controls	• Where buildings lie partly in two coastal risk areas, the higher risk area will apply • Infill subdivisions • Public resorts	WWTW
Additional Considerations		
• Structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations – with the lowest floor of the structure to be above a pre-determined risk level. • Lower floors of structures/buildings must be permeable – i.e., have openings to allow for the entry and exist of flood waters – to allow effective interior and exterior hydrostatic pressure equalisation during and post inundation. • Consideration during conceptual building design must be given to issues of privacy, overshadowing and visual impact and the apportionment and positioning of higher risk site areas for parking, open space and recreational areas. • Building design must demonstrate reasonable risk reduction measures and should include innovative solutions (adaptable buildings, re-locatable buildings, flood-proofed buildings, flood resistant and resilient construction etc.) without increasing and transferring risks to adjacent properties. • Key mechanical and electrical services/structures (e.g., sewer (and water) infrastructure like pump stations, substations, transformers, generators, geysers and distribution boards) must be located above a pre-determined risk level. • After construction, any exposed ground area must be stabilised by the use of ground covering plants or mulches to minimise the risk of erosion. • On request from the municipality, a storm water management plan might be required to be submitted along with building plans.		

- Hardened surfaces to be minimised and suitable permeable alternative utilised to maximise natural infiltration and reduce overland flow and associated velocities with concomitant risk of erosion and damage.
- Only fully enclosed / self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located either on the landward side of structures or either side of structures and recommended by a Registered Engineer to ensure suitable sealing and safety. These areas must be monitored to ensure that planning and environmental authorisations are implemented in accordance with the conditions of authorisation.
- Municipal engineering infrastructure (e.g., WWTW, Substation, Pumps and Reservoirs) to be located outside the risk area, unless related to public amenity (e.g., playground).

Table 4: Suggested development management parameters for General Risk (Rural) areas

GENERAL RISK COASTAL AREAS (RURAL AREAS)		
AREA	**INTENTION**	
General Risk (rural areas)	• Maintain coastal quality • Prevent development, but allow exercising of existing rights in respect to single residential dwelling on agricultural land	
Primary Use	**With special consent**	**Not Recommended**
As per base land use controls.	• Intensification of development within development islands • Agricultural support functions • Public resorts	General residential (*urbanisation) (density to be defined*), Commercial, Industry, school
Additional Considerations		
• Structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations – with the lowest floor of the structure to be above a pre-determined risk level. • Lower floors of structures/buildings must be permeable – i.e., have openings to allow for the entry and exist of flood waters – to allow effective interior and exterior hydrostatic pressure equalisation during and post inundation. • Building design must demonstrate reasonable risk reduction measures and should include innovative solutions (adaptable buildings, re-locatable buildings, flood-proofed buildings, flood resistant and resilient construction etc.) without increasing and transferring risks to adjacent properties. • Key mechanical and electrical services/structures (e.g., sewer (and water) infrastructure like pump stations, substations, transformers, generators, geysers and distribution boards) must be located above a pre-determined risk level. • After construction, any exposed ground area must be stabilised by the use of ground covering plants or mulches to minimise the risk of erosion. • On request from the municipality, a storm water management plan might be required to be submitted along with building plans. • Hardened surfaces to be minimised and suitable permeable alternative utilised to maximise natural infiltration and reduce overland flow and associated velocities with concomitant risk of erosion and damage. • Only fully enclosed / self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located either on the landward side of structures or either side of structures and recommended by a Registered Engineer to ensure suitable sealing and safety. These areas must be monitored to ensure that planning and environmental authorisations are implemented in accordance with the conditions of authorisation. • Development should be sited to minimise the removal of trees and endemic vegetation. • Existing coastal processes, including dune migration and littoral drift should not be impeded and indigenous vegetation must be maintained. • Exotic species of vegetation should be limited to feature trees or shrubs within an indigenous setting. • Fencing or other barriers must be permeable to accommodate storm events and limit structural damage and associated negative impacts on the environment. • Consolidated access points / paths to the beach preferably on raised wooden / recyclable plastic boardwalks to reduce negative impact on dunes and associated vegetation. • Limit and preferably avoid expansion of existing footpaths and volumes of existing structures and buildings within the risk area.		

Table 5: Suggested development considerations to reduce coastal risk for General Risk (Estuarine) areas

GENERAL RISK ESTUARINE AREAS		
AREAS	**INTENTION**	
General Estuarine Risk	• Maintain coastal quality • Reduce public liability • Reduce risk to human life • Prevent intensification of development in general risk area, but allow exercising of existing rights • Prevent encroachment that will impact on the integrity of the shoreline ecology • Enable safe evacuation in an emergency	
Primary Use	With special consent	Not Recommended
As per base land use controls.	• In-fill sub-divisions	Industry, school, WWTW, discharge of effluent from land-based sources into estuaries
Additional Controls		
• All structures on properties larger than 400m^2 in the general estuarine risk area require approval from a professionally registered engineer. Structures on smaller properties may obtain similar design approval based on predetermined standard conditions. • Structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations in a manner that does not impede the lateral flow of water and that does not increase the opportunity for the accumulation of flood related debris – with the lowest floor of the structure to be above a pre-determined risk level. • Lower floors of structures/buildings must be permeable – i.e., have openings to allow for the entry and exist of flood waters – to allow effective interior and exterior hydrostatic pressure equalisation during and post inundation. • Building design must demonstrate reasonable risk reduction measures and should include innovative solutions (adaptable buildings, re-locatable buildings, flood-proofed buildings, flood resistant and resilient construction etc.) without increasing and transferring risks to adjacent properties. • Any new development must be designed and positioned within reason to limit potential flood damage and risk to human life, including but not limited to positioning buildings in suitably acceptable elevated portions of properties. • Any new development must be set as far back from the estuarine functional zone as possible. Either rear space or building line, which ever furthest away from the estuary, will be relaxed (up to the maximum allowed in the applicable scheme). • Key mechanical and electrical services/structures (e.g., sewer (and water) infrastructure like pump stations, substations, transformers, generators, geysers and DB boards) must be located above a pre-determined risk level. • After construction, any exposed ground area must be stabilised by the use of ground covering plants or mulches to minimise the risk of erosion. • On request from the municipality, a storm water management plan might be required to be submitted along with building plans. • Hardened surfaces to be minimised and suitable permeable alternative utilised to maximise natural infiltration and reduce overland flow and associated velocities with concomitant risk of erosion and damage. • Only fully enclosed / self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located either on the landward side of structures or either side of structures and recommended by a Registered Engineer to ensure suitable sealing and safety. These areas must be monitored to ensure that planning and environmental authorisations are implemented in accordance with the conditions of authorisation. • Development should be sited to minimise the removal of trees and endemic vegetation. • Exotic species of vegetation should be limited to feature trees or shrubs within an indigenous setting. • Fencing or other barriers must be permeable to accommodate storm events and limit structural damage and associated negative impacts on the environment.		

- Existing coastal processes and indigenous vegetation within the estuarine functional zone must be maintained.
- Consolidated access points / paths to the beach preferably on raised wooden / recyclable plastic boardwalks to reduce negative impact on dunes and associated vegetation.
- Limit and preferably avoid expansion of existing footpaths and volumes of existing structures and buildings within the risk area.
- Municipal engineering infrastructure (e.g., WWTW, Substation, Pumps and Reservoirs) to be located outside the risk area, unless related to public amenity (e.g., playground).
- Collective/integrated response by adjacent properties or developments to optimise resources and prevent spill over effect.

ANNEXURE E

CONSERVATION INTELLIGENCE

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reference LS14/2/6/1/7/3/134_residential_Infanta
date **22 November 2021**

Doug Jeffery Environmental Consultants
P.O. Box 44
Klapmuts
7625

Attention: Marais Geldenhuys
By email: marais@dougjeff.co.za

Dear Mr. Geldenhuys

Draft Basic Assessment Report for the Proposed Rezoning and Subdivision for a Residential Development on a Portion of Erf 134, Cape Infanta
(DEA&DP ref: 16/3/3/6/7/1/E3/10/1020/20)

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.

Background and Desktop Information

The application is located on the seaward side of the public road on Erf 134. As indicated in the Basic Assessment Report there was previously an application for the same development proposal, however due to delays a new process has had to be reinitiated. CapeNature commented on the previous application.

In the application area, there is Critical Biodiversity Area 1 (CBA) along the northern boundary and the coastline with Ecological Support Area 2 adjacent to the non-perennial watercourse, with most of the site No Natural. The larger remainder of Erf 134 west of the public road is mainly CBA 1. The Integrated Coastal Layer of the National Biodiversity Assessment (NBA) reconciles the mapping of terrestrial and coastal ecosystems and should be referred to at this interface. In this regards the western section of the application area is De Hoop Limestone Fynbos, the central section Overberg Dune Strandveld and the eastern section Agulhas Mixed Shore. There are no other freshwater features mapped apart from the minor watercourse.

The coastal management line (CML) developed per district municipality which indicates the setback from the coastline for development to take into account climate change related sea level rise and increased storm surge risk. The CML as currently delineated on both the national and provincial coastal viewers has not changed from the alignment at the time of the previous application. A large proportion of the application area lies in front of draft CML,

The Western Cape Nature Conservation Board trading as **CapeNature**
Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

with the north western section behind the CML. Most of the application area however lies behind the hazard lines, from the 1 in 10 year high water mark (HWM) to the 1 in 100 year HWM according to the provincial viewer. The national viewer differs in the delineation of hazard lines, indicating that three quarters of the site are low – medium risk with the remainder high – very high risk for long term erosion risk. For the flood risk the watercourse valley is very high risk, with the other risk categories located close to the very high risk, with most of the site outside of the risk lines.

Botanical Assessment

The botanical assessment from the previous application has been updated for the current application. CapeNature agreed with the previous botanical assessment, which applies to the current application as well. Although the De Hoop Limestone Fynbos occurring on site is listed as Least Concern, it is in good condition and there is a population of the *Erica oblongiflora* on site. It should be noted that although this species is listed as Critically Endangered in the botanical assessment, it is currently listed as Endangered according to the online SANBI Red List (Oliver et al 2011). The species is nonetheless highly threatened and must be conserved.

We therefore support that the extent of De Hoop Limestone Fynbos in the application area is a no-go area for development and should be managed for conservation. Periodic fires will be required in order for the persistence and growth of the E. *oblongiflora* population (and other fynbos species) coupled with removal of alien invasive seedlings following the fires.

The Overberg Dune Strandveld has however become invaded by alien invasive species subsequent to alien clearing, and the invasion has increased since the previous application. CapeNature agrees with the botanical assessment with regards to the site sensitivity.

Freshwater Ecosystems Assessment and Faunal Assessment

The freshwater ecosystems assessment confirmed the presence of the non-perennial watercourse flowing through the site, with no further freshwater ecosystems present. The culvert under the public road was indicated as blocked and currently insufficient to cater for the periodic flows.

A faunal assessment was undertaken which identified threatened fauna species which could occur on site. The conclusion was that the extent of the development would not impact significantly on any faunal populations relative to the available habitat and home ranges of the species. This includes the butterfly species, none of which have been recorded on the site or directly adjacent.

Coastal Setback

A setback line assessment was undertaken in accordance with DEA&DP methodology. This assessment was subsequent to a previous study, with most of the property behind the setback line as calculated, apart from the watercourse valley which is in front of the line. The setback line as determined through the specialist study differs from the coastal lines referred to above, with the CML further back for most of the property as referred to above. Consultation is required with DEA&DP: Coastal Management component regarding the setback line and associated constraints to the development layout. CapeNature supports the CML as determined by DEA&DP and will support their recommendation regarding the development layout in this regard.

Development Layout

Various iterations of the development layout have been developed based on the environmental constraints since the initiation of the project, including the previous NEMA process. The first four alternative layouts were assessed in the previous process as indicated in the botanical assessment. The setback line as determined in the setback line assessment was used as a constraint from the beginning. The setback line also accounts for the constraints for the watercourse, including a 40 m wide buffer. Three alternatives are assessed in the current application, with the first two iterations not included.

The preferred alternative as recommended in the previous application is included as Alternative 2 in this application. Alternative 2 ensures that the full extent of De Hoop Limestone Fynbos is excluded from the development in accordance with the recommendations of the botanical assessment and was supported by CapeNature in the previous application (apart from the coastal setback).

Alternative 3 has subsequently been developed as the position of the access road turn-off from the public road was not supported by the roads authorities. Alternative 3 which is the current preferred alternative therefore proposes the access road along the alignment of the current access road to the existing house which traverses the proposed conservation area. The new access road is proposed to be the same width as the current access road, however bypass bays will be required due to the narrow width of the road.

The botanical assessment indicates that the Alternative 2 is the preferred alternative from a botanical perspective, however Alternative 3 can be acceptable provided that mitigation measures are implemented. This includes alien clearing across the site and management of the conservation area. More detail is however required regarding the specifications of the proposed access road. This will include whether the road will be surfaced or not and proposed construction laydown areas. The road should not be widened and total footprint of the bypass bays must be indicated. The bypass bays must avoid the population of *E. oblongiflora*.

Two alternatives were considered for the bulk water supply pipeline. The preferred alternative as identified in the botanical assessment was along the northern boundary of the site as opposed to the other alternative adjacent to the main road encroaching into the conservation area which was not supported. The preferred alternative is considered acceptable provided mitigation measures are strictly implemented, which is supported by CapeNature.

Conservation Area

CapeNature supports the recommendations regarding the management of the conservation area. As the proposal includes subdivision, the proposed new cadastre to west of the public road, which is mainly CBA, must also be taken into consideration. Further detail is required regarding the ownership and management responsibility of the erven which will not be developed, as this will be essential in determining the management and associated funding for these erven. It would be preferred if these erven are zoned for conservation.

It is important to note that a number of properties in the Infanta area are in the process of declaring a Protected Environment in terms of Section 28 of NEM:PAA, including the neighbouring properties to the north and south of Erf 134. The erven which will not be developed, including west of the public road could be included within the Protected

Environment, which has been supported by the CapeNature Stewardship Review Committee, but would require approval from the other landowners and management according to a management plan. It should be noted that Protected Environments allow for concurrent land uses on the cadastres included. This would be considered as a suitable mitigation for the access road through the conservation area.

Conclusion

In conclusion, the development layout must comply with the coastal setback as determined by DEA&DP. Alternative 2 is the preferred alternative from a biodiversity perspective, however Alternative 3 can be considered acceptable provided the undeveloped erven are managed for conservation, including an alien clearing management plan and planned burns. In this regard, it is recommended that the open space areas should be incorporated into the Infanta Protected Environment and comply with the over-arching management plan. Should this not be selected, another option of conservation area must be implemented in consultation with CapeNature.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely



Rhett Smart
For: Manager (Landscape Conservation Intelligence)

References

Oliver, E.G.H., Turner, R.C. & Raimondo, D. 2011. *Erica oblongiflora* Benth. National Assessment: Red List of South African Plants version 2020.1. Accessed on 2021/11/22 (http://redlist.sanbi.org/species.php?species=1820-625)

COMMENTS & RESPONSES REPORT

DRAFT BASIC ASSESSMENT REPORT

FOR THE PROPOSED DEVELOPMENT ON ERF 134, INFANTA

No.	NAME & PRESENTING UNIT	COMMENT	RESPONSE
Please note that the below response relates to a 2021 comment received by CapeNature as part of a previous Public Participation Process conducted from 18 October -17 November 2021.			
1	Rhett Smart (CapeNature)	Letter dated 22 November 2021: **Draft Basic Assessment Report for the Proposed Rezoning and Subdivision for a Residential Development on a Portion of Erf 134, Cape Infanta (DEA&DP ref: 16/3/3/6/7/1/E3/10/1020/20)** CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. **Background and Desktop Information** The application is located on the seaward side of the public road on Erf 134. As indicated in the Basic Assessment Report there was previously an application for the same development proposal, however due to delays a new process has had to be reinitiated. CapeNature commented on the previous application. In the application area, there is Critical Biodiversity Area 1 (CBA) along the northern boundary and the coastline with Ecological Support Area 2 adjacent to the non-perennial watercourse, with most of the site No Natural. The larger remainder of Erf 134 west of the public road is mainly CBA 1. The Integrated	EAP response: Noted. CapeNature remains a commenting authority for the current BAR process and will be requested to comment on Alternative 4 during the in-process round of public participation. EAP response: Noted. This comment was on the previous Botanical report, which has since been updated with a new report in 2026. New comments will be sought from CN.

		Coastal Layer of the National Biodiversity Assessment (NBA) reconciles the mapping of terrestrial and coastal ecosystems and should be referred to at this interface. In this regards the western section of the application area is De Hoop Limestone Fynbos, the central section Overberg Dune Strandveld and the eastern section Agulhas Mixed Shore. There are no other freshwater features mapped apart from the minor watercourse. The coastal management line (CML) developed per district municipality which indicates the setback from the coastline for development to take into account climate change related sea level rise and increased storm surge risk. The CML as currently delineated on both the national and provincial coastal viewers has not changed from the alignment at the time of the previous application. A large proportion of the application area lies in front of draft CML, with the north western section behind the CML. Most of the application area however lies behind the hazard lines, from the 1 in 10-year high water mark (HWM) to the 1 in 100 year HWM according to the provincial viewer. The national viewer differs in the delineation of hazard lines, indicating that three quarters of the site are low – _medium risk with the remainder high – very high risk for long term erosion risk. For the flood risk the watercourse valley is very high risk, with the other risk categories located close to the very high risk, with most of the site outside of the risk lines. **Botanical Assessment** The botanical assessment from the previous application has been updated for the current application. CapeNature agreed with the previous botanical assessment, which applies to the current application as well. Although the De Hoop Limestone Fynbos occurring on site is listed as Least Concern, it is in good condition and there is a population of the *Erica oblongiflora* on site. It should	EAP response: This CN comment is expected to be amended by CN. A new setback determination has been completed for the site and applied to the SDP, resulting in Alternative 4 (Preferred). EAP response: Comments by CN relate to the previous Botanical report. The new 2026 report took into consideration the findings of the previous report in its assessment and recommendations.

		be noted that although this species is listed as Critically Endangered in the botanical assessment, it is currently listed as Endangered according to the online SANBI Red List (Oliver et al 2011). The species is nonetheless highly threatened and must be conserved. We therefore support that the extent of De Hoop Limestone Fynbos in the application area is a no-go area for development and should be managed for conservation. Periodic fires will be required in order for the persistence and growth of the E. *oblongiflora* population (and other fynbos species) coupled with removal of alien invasive seedlings following the fires. The Overberg Dune Strandveld has however become invaded by alien invasive species subsequent to alien clearing, and the invasion has increased since the previous application. CapeNature agrees with the botanical assessment with regards to the site sensitivity. **Freshwater Ecosystems Assessment and Faunal Assessment** The freshwater ecosystems assessment confirmed the presence of the non-perennial watercourse flowing through the site, with no further freshwater ecosystems present. The culvert under the public road was indicated as blocked and currently insufficient to cater for the periodic flows. A faunal assessment was undertaken which identified threatened fauna species which could occur on site. The conclusion was that the extent of the development would not impact significantly on any faunal populations relative to the available habitat and home ranges of the species. This includes the butterfly species, none of which have been recorded on the site or directly adjacent.	The 2026 Botanical report confirms the listing of this species as Endangered. Alien vegetation management and burn requirements for the conservation areas has been included in the EMPr. A conservation management plan that takes into account periodic fire management will be formulated for the conservation area. EAP response: Noted. The Freshwater Assessment was amended in 2024. A Faunal compliance statement was completed in 2024.

		Coastal Setback A setback line assessment was undertaken in accordance with DEA&DP methodology. This assessment was subsequent to a previous study, with most of the property behind the setback line as calculated, apart from the watercourse valley which is in front of the line. The setback line as determined through the specialist study differs from the coastal lines referred to above, with the CML further back for most of the property as referred to above. Consultation is required with DEA&DP: Coastal Management component regarding the setback line and associated constraints to the development layout. CapeNature supports the CML as determined by DEA&DP and will support their recommendation regarding the development layout in this regard. **Development Layout** Various iterations of the development layout have been developed based on the environmental constraints since the initiation of the project, including the previous NEMA process. The first four alternative layouts were assessed in the previous process as indicated in the botanical assessment. The setback line as determined in the setback line assessment was used as a constraint from the beginning. The setback line also accounts for the constraints for the watercourse, including a 40 m wide buffer. Three alternatives are assessed in the current application, with the first two iterations not included. The preferred alternative as recommended in the previous application is included as Alternative 2 in this application. Alternative 2 ensures that the full extent of De Hoop Limestone Fynbos is excluded from the development in accordance with the recommendations of the botanical assessment and was	EAP response: A new setback determination was completed in 2026. New comments is sought from CN. EAP response: 4 Alternatives are presented as part of the in-process BAR, for which CN is a commenting authority. CN will be requested to provide updated comments based on this new information.

		supported by CapeNature in the previous application (apart from the coastal setback). Alternative 3 has subsequently been developed as the position of the access road turn-off from the public road was not supported by the roads authorities. Alternative 3 which is the current preferred alternative therefore proposes the access road along the alignment of the current access road to the existing house which traverses the proposed conservation area. The new access road is proposed to be the same width as the current access road, however bypass bays will be required due to the narrow width of the road. The botanical assessment indicates that the Alternative 2 is the preferred alternative from a botanical perspective, however Alternative 3 can be acceptable provided that mitigation measures are implemented. This includes alien clearing across the site and management of the conservation area. More detail is however required regarding the specifications of the proposed access road. This will include whether the road will be surfaced or not and proposed construction laydown areas. The road should not be widened and total footprint of the bypass bays must be indicated. The bypass bays must avoid the population of *E. oblongiflora*. Two alternatives were considered for the bulk water supply pipeline. The preferred alternative as identified in the botanical assessment was along the northern boundary of the site as opposed to the other alternative adjacent to the main road encroaching into the conservation area which was not supported. The preferred alternative is considered acceptable provided mitigation measures are strictly implemented, which is supported by CapeNature.	EAP response: The preferred reservoir and pipeline design forms part of Alternative 4. Water will be supplied from existing borehole BH134C to a proposed 140m³ reservoir, with an approximately 144m² footprint, located near the borehole on the Western portion of Erf 134. The reservoir will provide storage for domestic supply and firefighting.

			An approximately 1 090m-long, 125mm-diameter bulk potable-water pipeline will connect the supply infrastructure to the residential development. The alignment follows an existing disturbed boundary/access corridor and is positioned outside the MR268 road servitude in response to BOCMA's recommendation on the preferred placement. A 6m-wide pipeline and right-of-way servitude is proposed. The latest botanical assessment specifically evaluates the preferred pipeline and reservoir. Although the infrastructure affects natural Albertinia Sand Fynbos, mapped CBA/ESA areas and plant species of conservation concern, the narrow alignment limits additional disturbance. Plant-species and terrestrial biodiversity impacts are assessed as Low, conditional on strict footprint control, required permits, rehabilitation and ongoing alien-vegetation management. Refer to **Appendix B4B for** the preferred layout and **Appendices G8** and **G9B** for mitigation requirements. Alternative pipeline routes and reservoir configurations were investigated. An earlier pipeline alignment crossed MR268, entered the development and turned South to cross the drainage line centrally within the site. This crossing was not supported because it encroached into the previously delineated coastal and erosion setback area. The route was consequently revised to turn South immediately after crossing MR268 and follow the road reserve, avoiding the central crossing. During a WULA-related site visit in 2025, BOCMA recommended positioning the pipeline outside the MR268 road servitude to prevent damage during road maintenance. The alignment was subsequently shifted outside the road

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<td>Conservation Area

CapeNature supports the recommendations regarding the management of the conservation area. As the proposal includes subdivision, the proposed new cadastre to west of the public road, which is mainly CBA, must also be taken into consideration. Further detail is required regarding the ownership and management responsibility of the erven which will not be developed, as this will be essential in determining the management and associated funding for these erven. It would be preferred if these erven are zoned for conservation.</td>
<td>reserve and is presented as the preferred route under Alternative 4 (Appendix B4B).

The reservoir options comprised a 130kℓ reservoir near BH134A and a 140kℓ reservoir near BH134C. Although the civil engineering report recommended 130kℓ for domestic demand and firefighting storage, the current proposal provides 140kℓ near the selected supply borehole, BH134C. This arrangement provides additional storage for domestic supply and firefighting, including the proposed fire-response bowser.

EAP response: Recommendations regarding the management of the conservation areas are included in the EMPr. The portion of Erf 134 to the West of MR268 will remain Agricultural zoning and does not form part of this application. Please refer to the breakdown below:
<table>
<tr><th>Proposed Zoning</th><th>Area (m²)</th><th>Percentage of Developable Area</th><th>Erf Portion number for reference as per SDP (Appendix B4A)</th><th>Management Responsibility</th></tr>
<tr><td>Residential Zone 1</td><td>13 377m²</td><td>34,3917%</td><td>1-21</td><td>HOA</td></tr>
<tr><td>Public Open Space</td><td>3 439m²</td><td>8,8415%</td><td>22</td><td>HOA to manage walkway & Open Space</td></tr>
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			Private Open Space	48m²	0,1234%	25	HOA
			Natural Environment Zone	10 758m²	27,6584%	23 & 24	Limestone conservation area and watercourse corridor to be managed by HOA. A Conservation Management Plan is included as a condition of approval in the BAR and is also addressed in the EMPr.
			Utility Zone	37m²	0,0951%	26	HOA
			Transport Zone 1 – Private Roads	2 903m²	7,4635%	27 & 28	HOA
			Transport Zone 2 – Provincial / Public Roads	8 334m²	21,4264%	29	Provincial Roads Authority

		It is important to note that a number of properties in the Infanta area are in the process of declaring a Protected Environment in terms of Section 28 of NEM:PAA, including the neighbouring properties to the north and south of Erf 134. The erven which will not be developed, including west of the public road could be included within the Protected Environment, which has been supported by the CapeNature Stewardship Review Committee, but would require approval from the other landowners and management according to a management plan. It should be noted that Protected Environments allow for concurrent land uses on the cadastres included. This would be considered as a suitable mitigation for the access road through the conservation area. **Conclusion** In conclusion, the development layout must comply with the coastal setback as determined by DEA&DP. Alternative 2 is the preferred alternative from a biodiversity perspective, however Alternative 3 can be considered acceptable provided the undeveloped erven are managed for conservation, including an alien clearing management plan and planned burns. In this regard, it is recommended that the open space areas should be incorporated into the Infanta Protected Environment and comply with the over-arching management plan. Should this not be selected, another option of conservation area must be implemented in consultation with CapeNature. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	**Total**	**38 896m²** (3.89ha)	**100%**		

EAP response: The comment on adjacent properties to the North and South of Erf 134 is noted.

The portion of Erf 134 to the West of the MR268 will remain Agricultural zoning and does not form part of this application.

Note: the access road through the conservation areas is existing. The minimum road width requirement by Swellendam Municipality is 4,5m. A 4,5m wide surfaced road can accommodate passing vehicles. The 8m road reserve are also required for stormwater management as well as water services.

EAP response: Alternative 4 has been developed based on a new 2026 Botanical report. CN will be requested to provide comment. These comments are noted.

ANNEXURE F

Doug Jeffrey Environmental Consultants
P.O. Box 44
Klapmuts
7625

24 November 2021

Att: Marais Geldenhuys
Via email: marais@dougjeff.co.za

Dear Mr Geldenhuys

Comments on Pre-Application Basic Assessment Report for the proposed establishment of a residential development on a portion of Erf 134, Cape Infanta (DEADP Ref: 16/3/3/6/7/1/E3/10/1020/20)

1. Introduction

1.1. We refer to the Pre-application Draft Basic Assessment Report ("Pre-App BAR") for the establishment of a residential development on Erf 134, Infanta ("Proposed Development").

1.2. We are the owners of Erf 94, Infanta, located adjacent (directly south) of the site, where, as retirees, we spend considerable time each year.

1.3. We have been Infanta property owners since 2003. We are therefore concerned in general with any impacts on Infanta and on the community in general.

1.4. Accordingly, we are an Interested and Affected Party ("I&AP") in relation to the Proposed Development.

1.5. We did not receive any formal notification from the Environmental Assessment Practitioner ("EAP") regarding the proposed development and the availability of the Pre-App BAR and, after finding out, in conversation with other residents in Infanta, we requested an extension of time to comment on the application. We thank you for providing us with this extension.

1.6. We are not opposed to the development of Erf 134 in and of itself. However, we are opposed to unsustainable development which negatively impacts on the environment and the people of Infanta.

1.7. We have liaised with various experts, practitioners, and specialists to help us understand the proposed development and the environmental process, and the impacts thereof. They have provided us with independent and objective input which we have used to form our view of the Proposed Development.

1.8. We have reviewed the information available on the Doug Jeffrey Environmental Consultants ("DJEC") website and present our comments in relation to the Proposed Development hereunder.

2. Visual Impacts

2.1. Due to our immediate location adjacent to the development site, we are likely to be the most visually affected property in Infanta associated with the Proposed Development.

2.2. Our main bedroom, in which we spend considerable time, particularly during the day in winter due to it being north-facing, and front patio look out across Erf 134 to the sea:



Photograph 1: View from main bedroom.

2.3. The documentation available for review does not clearly indicate the (ground) levels at which the buildings will be constructed or provide any Visual Impact Assessment ("VIA").

2.4. According to the Pre-App BAR, the Screening Tool Report identified that a VIA is required.

2.5. The EAP motivated that no VIA was required as the "sense of place was assessed as part of the social impact assessment report" and that "the architectural guidelines has made specific recommendations with relation to the building styles."

2.6. We believe there is insufficient information available in the Pre-App BAR and appendices to determine the level of visual impact associated with the proposed development – including both the houses and the access roads. We assume it could possibly be something like:


Photograph 2: View from main bedroom with proposed houses.

2.7. Furthermore, relating to the visual impact of the development, point 5.1 of Annexure G11 Heritage Statement states that "*An aspect of this landscaped strip should be the retention of the high point of the site, at the southern tip and immediately adjacent to the existing residential area to the south-east as a natural green area*." This statement relates to this area of the site:



Photograph 3: View from main bedroom of high point as described in the Heritage Statement which is considered to be best retained as open (landscaped) space by the specialist

2.8. According to the plans available, this high point will be excavated and cleared for access roads and new houses, and not retained as is indicated (and therefore assessed as acceptable) by the heritage specialist.

2.9. The Social Impact Assessment ("SIA") indicates that the sense of place will not be affected because "*the majority of new houses are also likely to be vacant for the most of the year*".

2.10. We are of the opinion that the vacancy of the new dwellings has little to do with the impact on the sense of place associated with 20 additional houses – they are permanent structures in the environment that affect the sense of place with or without any inhabitants.

2.11. We request that a VIA be undertaken to ensure that the visual impacts from all surrounding landowners, and road users, are accurately assessed and appropriate mitigation determined by a suitably qualified visual impact professional.

2.12. We also request that the heritage specialist re-assess the development based on accurate information relating to exactly what portions of land will be retained and what will be excavated.

3. Economic Impacts

3.1. We believe that the Proposed Development will have a negative impact on our property value associated primarily with the visual impact but also based on the impact the development may have on available services – specifically water.

3.2. When we purchased Erf 94 it was with the understanding that the neighbouring property was zoned for agricultural purposes and may in the future be used for this. We had a legitimate expectation that this property would be developed in line with its rights at the time.

3.3. The current application requires a change in the zoning to permit the development.

3.4. The SIA does not include an assessment on the impact of the proposed development on property values of surrounding properties.

3.5. We request that an economic assessment be undertaken so that we may better understand the impact the proposed development will have on the value of our property, and those of other landowners in Infanta.

4. Botanical Impacts

4.1. Most of the site is currently heavily invaded by *Acacia cyclops* (Rooikrans) and according to the Botanical Impact Assessment ("BIA") the no-go alternative is likely to result in the ongoing growth and spread of this invasive species.

4.2. We have been informed that Rooikrans is a Category 1b species in the National Environmental Management Biodiversity Act, 2004 (Act 10 of 2004) Alien Invasive Species Lists, 2016, which requires that "A person in control of a Category 1 b Listed Invasive Species must control the listed invasive species in compliance with sections 75(1), (2) and (3) of the Act". We therefore disagree with the BIA that the no-go alternative will result in the ongoing growth and spread of the Rooikrans, as this would be illegal.

4.3. The BIA indicates that there are two vegetation types found on the site: De Hoop Limestone Fynbos and Overberg Dune Strandveld, with De Hoop Limestone being considered of very high conservation value as compared to Overberg Dune Strandveld.

4.4. We note that, according to the *Draft Revised List of Ecosystems that are Threatened and in Need of Protection* (in terms of Section 52(1)(a) of the National Environmental Management: Biodiversity Act), the Overberg Dune Strandveld is listed as Endangered. We are in agreement with this listing and request that the botanical specialist revise the BIA in line with this threat status.

4.5. It is noted that the current, cleared, access route will be upgraded to form the main access road to the development.

4.6. The BIA indicates that the road design does not have "great bearing on the botanical impact assessment" and has therefore not been assessed individually in the BIA.

4.7. Based on the sensitivity of the area which the road traverses, and the fact that the track will be upgraded, we believe that it is important to assess the road design within the conservation area.

4.8. The design and construction phase impacts must be assessed separately as these phases have the ability to negatively (and permanently) impact the vegetation within the conservation area.

4.9. We believe that mitigation measures as presented in the BIA are insufficient, especially with regards to the construction phase of the access road.

4.10. The BIA must be updated to accurately assess the impact of the proposed upgrade to the access road through the conservation area.

5. Freshwater Impacts

5.1. The Freshwater Ecosystems ("FE") Environmental Impact Assessment ("EIA") does not include any delineation or map indicating the location of the freshwater systems on Erf 134.

5.2. We believe this is a fatal flaw as it is vital to have a delineation of the river which traverses the site to be able to assess impacts and design a layout accurately.

5.3. There is no clear indication in the Pre-App BAR where the "stream" delineation included in the various reports and plans was obtained from.

5.4. It appears that the stream indicated on the layout plans is not as per the river mapped on CapeFarmMapper:

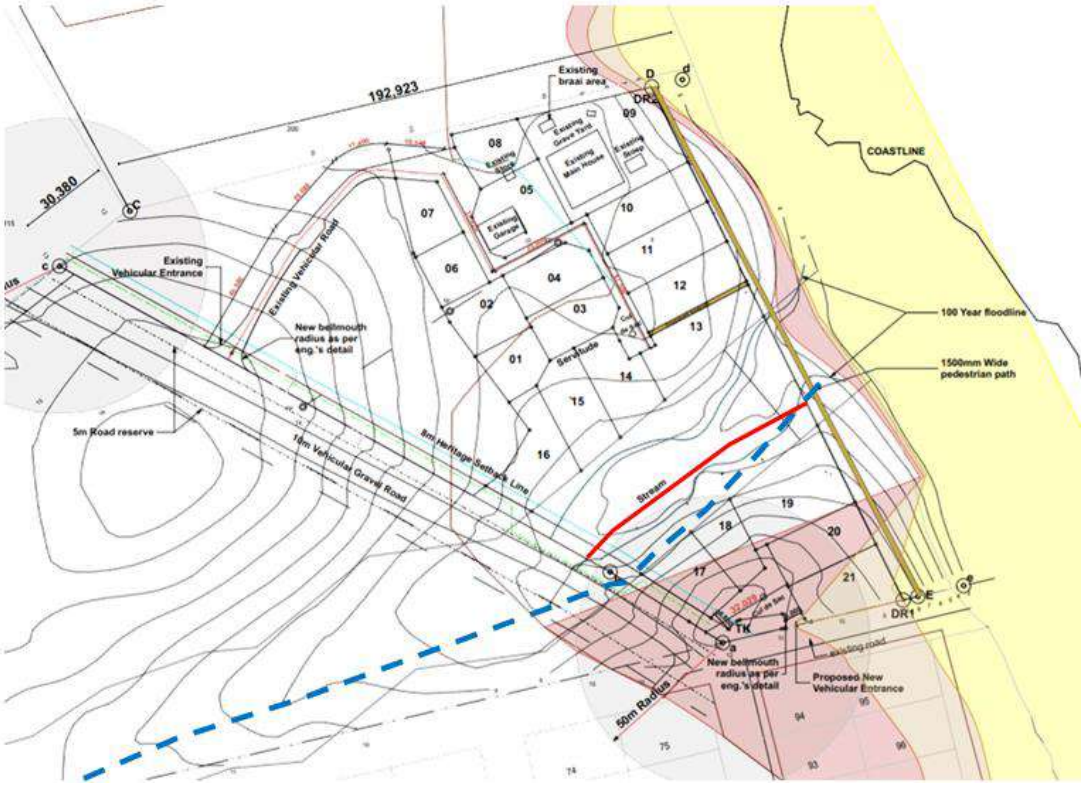


Figure 1: Stream included in the layout plans (red line) compared to the river as indicated in CapeFarmMapper (blue dotted line).

5.5. We request that a proper and accurate (i.e. ground-truthed) delineation of the river be undertaken by the freshwater specialist as this information is required to determine the acceptability of the layout of the development.

5.6. It is noted that the FE EIA makes mention of the proposed septic tanks and that in time it is likely that these may release water which may contain nutrients into the soil.

5.7. The FE EIA does not provide sufficient detail regarding the future impact of the septic tanks.

5.8. We request that the FE EIA be updated to include a detailed assessment of this.

6. Dune Impacts

6.1. We note that both the BIA and the Setback Line Assessment ("SLA") refer to the presence of dunes on the site.

6.2. The Pre-App BAR indicates [our emphasis] "To the south of the house the <u>dunes have remained intact</u> except that they have been heavily invaded by alien wattles (mainly *Acacia cyclops*) and manatoka (*Myoporum tenuifolium*)."

6.3. While the SLA indicates "The site is one of vegetated ridges with pockets of softer sand, probably historic wind blown sands aligned ESE to WNW. It is not a location of high soft sandy dunes. For this reason it is not expected that there will be any risk of dune collapse or dune erosion by waves which is more typical of larger softer features."

6.4. According to the *Western Cape Estuarine Management Framework and Implementation Strategy: Best Practice Activity Guidelines* (October 2019), no development should be allowed on the foredune and in the Littoral Active Zone.

6.5. We note that there is no mention of the Littoral Active Zone or foredune in any of the available reports.

6.6. The SLA specifically excludes the assessment of dune integrity (Section 5.1). Since it is clear there are dunes on the site, we are of the opinion this exclusion is a flaw which must be rectified.

6.7. We believe there is insufficient information available in any of the reports to confirm how the development will be placed within this dune system and whether it is the best environmental option based on the most recent guidelines.

6.8. The SLA must be updated to align with the *Western Cape Estuarine Management Framework and Implementation Strategy: Best Practice Activity Guidelines* (October 2019) and an assessment of, at least, dune integrity must be included.

7. Development layout and number of units

7.1. As the delineation of the river appears to be inaccurate, the dune system not been taken into consideration and a VIA not been undertaken, we are of the opinion that the layout requires revision.

7.2. We have been informed that the local spatial planning document, the Swellendam Spatial Development Framework ("the SSDF"), contains a growth management plan that determines the carrying capacity of the property for new development.

7.3. The SSDF notes that "*Sensitive areas of the biophysical environment should be managed with conservation objectives in mind, and should be protected from urban development*" and defines three particular areas of importance to be protected:

- *"urban edge areas immediately adjacent to areas of natural vegetation"*
- *"coastline, natural drainage system and areas immediately adjacent thereto" and*
- *"any dune systems, particularly any frontal dunes along, the coastline"*

All of these are components of the development site and have significant implications for the proposed development.

7.4. The SSDF indicates that development potential of Erf 134 is allocated to two portions of the property bisected by the stream corridor:

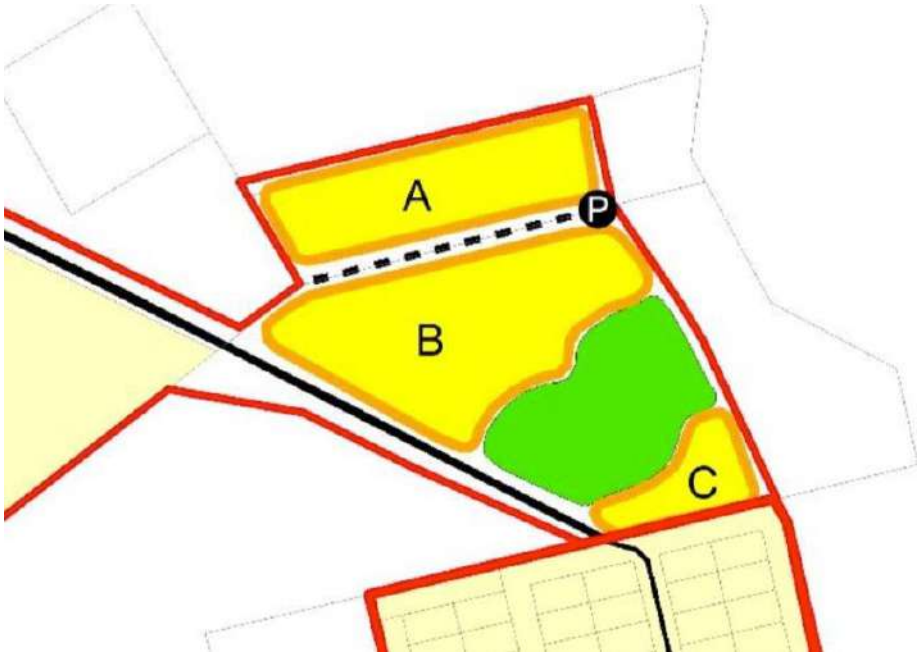


Figure 2: SSDF extract showing indicative areas for development on Erf 134. Note, only areas B & C are located on the property.

7.5. Area B is estimated to be approximately 1,5ha in extent with potential for 15 units and area C is approximately 0,3ha in extent with potential for 3 units, resulting in a maximum of 18 units available for development on the site:

EXISTING URBAN AREAS:

DENSIFICATION ZONES

ZONE	CURRENT DENSITY*	PROPOSED DENSITY TARGET*	ADDITIONAL UNITS
1	10		
TOTAL	10		

* per Gross Area (ha)

URBAN DEVELOPMENT AREAS:

NEW DEVELOPMENT ZONES

ZONE	AREA*	DENSITY (u/ha)	UNITS
A	0.9	10	9
B	1.5	10	15
C	0.3	10	3
TOTAL	2.7		27

* Gross Development Area

Figure 3: Density targets of the SSDF, Erf 134 targets in the red box.

7.6. The proposed development of 20 additional units on the site is not consistent with the policy position of the Municipality and must be corrected in a revised layout. This is demonstrated in 7.7 – 7.10 below.

7.7. It is noted that the SSDF makes provision for units on the site in a density according to the available developable land, i.e., 18 units on 1,8ha (or 18 1000m^2 properties). If the method of density calculation of the SSDF is followed, then, for every 1000m^2 of land dedicated for

conservation, over and above what is already shown in green on the SSDF plan, one less opportunity for a dwelling unit is available on the property.

7.8. It is plain to us that Area B is already severely constrained by the limestone conservation area abutting the main road, which diminishes the available development area by approximately 8320m^2 (limestone area) and approximately 3650m² for the watercourse area (according to areas as indicated in Appendix B2).

7.9. If one utilises the same approach as the SSDF to calculate the number of units on the remaining "developable" portion of the property, then it is clear that the proposed 21 units cannot be accommodated on the land available without severely impacting on the character of the village and being inconsistent with the SSDF.

7.10. According to current information available in the reports and plans, the available area for development will be approximately 6000m² which equates to 6 units (at a policy defined density of 10 units/ha) in the entire development, and not 21 units as currently proposed.

7.11. Given the lack of accurate information regarding the extent of vegetation and delineation of the stream on the property, we cannot be certain that the extents of "developable" land are correctly indicated in the development proposals or in the SSDF and this must be clarified prior to detailed planning.

8. Climate Change Impacts

8.1. It appears from the Pre-App BAR that issues of climate change are dealt with in the SLA only.

8.2. The SLA indicates that the coast in the vicinity of the site is a "hard coast" which, as a result, does not need any additional allowance for storm occurrences.

8.3. We are of the opinion that the SLA has failed to identify that the site is, in fact, affected quite evidently by storms and is currently eroding at an extremely alarming rate:



Photograph 3: View of the eroding coast just seawards of the site.



Photograph 4: View of the eroding coast seawards of the site – proximity to the site clear in this photograph as the fence line and existing house are visible.

8.4. We have been informed that the Pre-App BAR fails to address the requirements in terms of the Integrated Coastal Management Act (ICMA, Act 24 of 2008), which defines a default Coastal Protection Zone ("CPZ'), and which consists of a continuous strip of land extending 100m inland from the High Water Mark of the sea in developed urban areas zoned as residential, commercial, or public open space, or 1 000m inland in areas that remain undeveloped or that are commonly referred to as rural areas.

8.5. All properties in the current layout fall within the CPZ.

8.6. The Department of Forestry, Fisheries and the Environment ("DFFE") Coastal Viewer[1] provides further details relating to Coastal Risk Management which have not been considered in the Pre-App BAR:

[1] https://mapservice.environment.gov.za/Coastal%20Viewer/



Figure 2: Sensitive coastal features as provided on Coastal Viewer (DEFF) (High sensitivity – RED; Medium sensitivity – YELLOW; Low sensitivity – GREEN)

8.7. The above image aligns with Figure 9 in the SLA "Overberg Municipality coastal processes/erosion line".

8.8. We are of the opinion that the Pre-App BAR, and more specifically the SLA, fails to assess the impact of the development on the coastal environment specifically in the context of climate change and relevant legislation.

9. Additional information requests

9.1. It is noted that a raised walkway or "coastal path" is proposed along the current fence line for public use, however we are unable to find any further details (including any assessment of impact) of this in the reports.

9.2. It is requested that further information regarding the path be provided including a detailed plan showing the exact location of the path as compared to the site boundaries, the location of the footings / posts, details of construction material, and the proposed maintenance plan to ensure that the walkway be maintained in future.

9.3. It is noted that a pipeline is proposed to provide water from the northern portion of the development to the southern portion, however we are unable to find any further details (including any assessment of impact of this pipeline) of this in the reports.

9.4. We request that further details of this pipeline be provided, including an assessment of both the construction and operation of the pipeline.

9.5. The Pre-App BAR indicates that the abstraction of water from a borehole for use in the development is considered a General Authorisation (page 18), however Appendix G2 Geohydrological Report states on page 19 that "*It can thus be concluded that General Authorization cannot be applied for*."

9.6. We request that confirmation be provided from the relevant competent authority relating to the necessary permits or licenses required for the abstraction and use of borehole water.

10. Alternatives

10.1. All specialist assessments appear to assess different alternatives which makes a review of the reports difficult and confusing.

10.2. As all previous alternatives have been determined to be unfeasible through various specialist impact assessments, we request that only the feasible alternatives be assessed by all specialists and the EAP.

10.3. Previous iterations of layouts are obviously flawed and should not be included in an assessment – they are supposed to be feasible alternatives.

10.4. All reports must be updated to only assess the no-go alternative, preferred alternative and a feasible alternative.

11. Conclusion

11.1. We are not opposed to development; however, we are opposed to development which is based on flawed information and inadequate impact assessment.

11.2. When we sit back and consider all the comments we have raised in this letter about the visual, economic, botanical, freshwater, dune and climate change impacts, and about the development layout and number of units, we are left with the inevitable conclusion that the Pre-application BAR in its current form does not, and in all probability will not be able to, mitigate the significant impact of the points raised.

11.3. Nevertheless, should the applicant continue with the application, we request that the reports be updated in terms of the comments presented herein and that we be provided with the revised reports for further scrutiny.

Yours faithfully



Sue Bashall, Trustee of The Marr Family Trust (IT 57/2012)

ANNEXURE G

Project Specific Management Actions:	
• For the bulk services phase, the construction workers will be required to stay in a facility located to the west of the site on the Applicant's property during the week. No construction workers will be permitted to stay in the facility over weekends. The contractor must transport all construction workers to their homes on Friday afternoon and back to site on Monday morning. The duration of the bulk services phase will be 4-6 months. • The contractors appointed by the Applicant and individual homeowners must ensure that all workers employed on the project are informed at the outset of the construction phase that any construction workers found guilty of poaching and or theft will be dismissed and charged. All dismissals must be in accordance with South African labour legislation. In addition, with the exception of security personnel, no construction workers should be allowed to remain on the site over weekends. The contractor should make necessary arrangements to transport workers to and from the area on a weekly basis.	
Implementation:	
Responsible party:	The Contractor

ANNEXURE H

Ir	Condition	Score	Verification
			Architectural guidelines stipulate in section 1.14 *"Environmental management as per the PPHOA EMP must be adhered to at all times during construction"* Hard and electronic copy of the approved EMPR is available at the PPHOA office. Electronic copy of the approved EMPR is available on the PPHOA website **https://pinnaclepointestate.co.za/wp-content/uploads/2019/02/EMPR-Pinnacle-Point-Final2019.pdf**. This shows that homeowners are informed of the EMPr and guideline documents ***Previous 2015 Audit finding*: *Section 1.2*** *Purpose of the OEMP: Copies of this OEMP must be kept on site and all home and land owners are expected to familiarise themselves with the content of this OEMP.* ***Finding**: Only two hard copies of the OEMP are available at the offices of the PPHOA, of which one is the working document of the ECO. No proof could be found that homeowners are informed of the existence or the content of the document* - Compliant ***Previous Audit (2018) finding:** OEMP wording related Non-compliance issues.* *"The OEMP must be included as part of any tender documents/agreements as well as contractual documents between the Proponent or individual land owners and any contractors"* *This specification led to a non-compliance finding as the OEMP (a cumbersome document) is not included in tender documents or agreements. Rather, there are issue specific documents (e.g. architectural code, stormwater master plan, builders' agreement) that are part of the OEMP and are designed for implementation of the conditions of approval and other issues. These are included in tender documents or agreements and adequately meet the purpose of implementing the OEMP.*