CONSERVATION INTELLIGENCE: SOUTH

postal 16 17th Avenue, Voëlklip, Hermanus, 7200
physical 16 17th Avenue, Voëlklip, Hermanus, 7200
website www.capenature.co.za
enquiries Rhett Smart
telephone 087 087 8017
email rsmart@capenature.co.za
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date **12 July 2026**

PHS Consulting
P.O. Box 1752
Hermanus
7200

Attention: Josie Howard
By email: josie@phsconsulting.co.za

Dear Ms Howard

Pre-Application Basic Assessment Report for a Residential Development on Portion 40 of Farm Klipfonteyn 711, Gansbaai
(DEA&DP ref: 16/3/3/6/7/1/E2/10/1484/25)

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments.

Background

CapeNature commented on the rezoning and subdivision application for the proposed development consisting of six residential dwellings and associated infrastructure wherein it was stated that an applicability checklist had been sent to DEA&DP which confirmed that environmental authorisation is not required. The DEA&DP correspondence was dated 22 May 2022, however the comment was dated 25 January 2023, and in the interim the Revised List of Threatened Ecosystems was gazetted on 18 November 2022, resulting in the change in status of Overberg Dune Strandveld from least threatened to endangered. As a result, Listing Notice 3 Activity 12 was then relevant and the development footprint exceeded 300 m². The current application is only for Listing Notice 3 Activity 12.

Desktop Information

The entire property is mapped as Critical Biodiversity Area 1 (CBA) in the Western Cape Biodiversity Spatial Plan apart from the footprint of the existing dwelling. The vegetation type present as mentioned above is mapped as Overberg Dune Strandveld in the 2018 National Vegetation Map and for which the current 2022 official list of threatened ecosystems is still valid. However, the vegetation type is now mapped as Southwestern Strandveld in the 2024

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National Biodiversity Assessment and National Vegetation Map. Overberg Dune Strandveld and Blombos Strandveld have been combined into Southwestern Strandveld except for a section to the north of the study area (Cowling *et al* 2023). The same methodology for calculating the threat status was used for the 2024 NBA and Southwestern Strandveld was determined to be endangered, however this threat status does not have a legal status. As in both cases the vegetation type is endangered, there is no need to debate the current legal status and the updated status. There are no watercourses mapped on or near the site.

The results from the screening tool are very high sensitivity for terrestrial biodiversity, medium sensitivity for animal species and plant species and low sensitivity for aquatic biodiversity. The terrestrial biodiversity and plant species themes are addressed in a botanical assessment and a faunal sensitivity report was undertaken to address the animal species theme. No aquatic biodiversity specialist study was undertaken due to the low sensitivity, with no available evidence of the presence of any watercourses that may be affected, including information in the other specialist studies.

Botanical Assessment

The botanical assessment indicates that the vegetation occurring on site consists of good condition Overberg Dune Strandveld. The report indicates that it was compiled in November 2024 and updated in May 2026. The update should have therefore reflected the 2024 NBA mapping of the vegetation as Southwestern Strandveld. However, it does not make a substantive difference to the assessment, because as indicated above Overberg Dune Strandveld was subsumed into Southwestern Strandveld and the threat status remains the same. The CBA status is supported in the botanical assessment.

The vegetation has very low levels of alien invasive species, and it should be noted that alien invasive species is the main threat to this vegetation type and the reason for the endangered status as calculated in the 2022 threat status (along with the relatively small original extent). Four plant species of conservation concern were recorded. The estimated size and significance of the populations of the SCCs on site is provided. The SCC populations are also used to designate the areas of high sensitivity with the remainder mapped as medium sensitivity. The high sensitivity areas are where two of the SCCs are restricted in clumps with the other two SCCs scattered throughout.

It is noted that the site ecological importance was not calculated as is required in terms of the Species Environmental Assessment Guideline and hence also the protocols. It is however likely that there would have been the same (or similar) outcome in terms of the sensitivity mapping.

There was an original proposed development layout which was presented in the rezoning and subdivision application for which there was encroachment into the high sensitivity areas. A revised layout has been devised which takes into account the high sensitivity areas and ensures

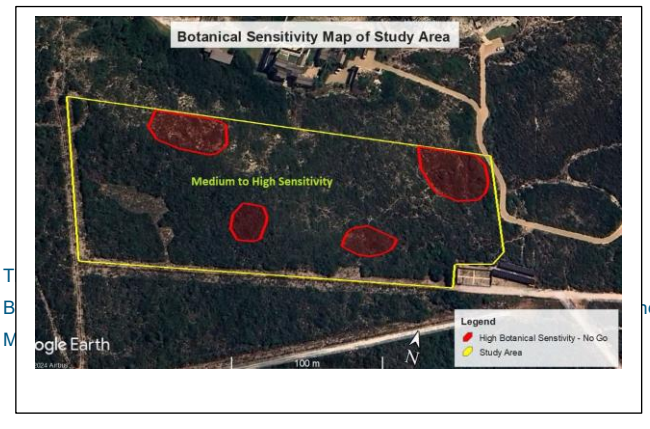
that there is no encroachment and is presented as the preferred layout. The impact assessment of the habitat and species loss during the construction phase is rated as medium to high negative before and after mitigation for the original layout and as medium to low negative before and after mitigation for the preferred layout. Operational phase impacts are rated as medium to low for both alternatives.

A number of mitigation measures are recommended and are stated as essential and are supported. This includes no gardening around the dwellings, no-go areas, search and rescue of translocatable species and clearing of alien invasive species.

The comments made by CapeNature on the rezoning and subdivision application remain relevant. In this regard it was recommended that a homeowner's association or similar entity should be established to manage the Private Open Space which will surround the six dwellings. We also recommend that an Open Space Management Plan should be compiled to guide management of the open space and should as a minimum include the mitigation measures in the specialist studies, but should include operational specifications for management. The existing dwelling is proposed to be rezoned to Rural Zone 2: Conservation Usage and occupies more than half of the original farm portion. Ideally the Conservation Usage erf should also be subject to the Open Space Management Plan (although not part of the current application). Consideration should be given to a planned burn prior to construction, although care should be taken to prevent over-use by the game on site of the green flush that emerges after the fire.

CapeNature also advised that white milkwoods (*Sideroxylon inerme*) are a protected species in terms of the National Forest Act and therefore a permit is required from the Department of Forestry, Fisheries and the Environment (DFFE) if any milkwood specimens are to be removed. It is noted that milkwoods were recorded in the botanical assessment (pg 7), however the localities are not indicated and nor are any mitigation measures recommended in this regard. The localities of the milkwoods should therefore be indicated and either avoided or permits obtained for removal. While this requirement is in terms of different legislation, it must be flagged in the NEMA process as it is biodiversity related.

We wish to raise concern regarding the accurate delineation of the high sensitivity areas in the layout plan as indicated below. As an example, the one high sensitivity area is shown on the layout plan as adjacent to the property boundary however in the botanical assessment is it indicated with a gap from the boundary.





Faunal Sensitivity Report

The faunal sensitivity report assesses the likelihood of the faunal SCCs flagged in the screening tool as medium sensitivity occurring on site (no high sensitivity SCCs flagged). The site is considered to contain suitable habitat for Black Harrier (*Circus maurus*), but is considered less suitable for the other three bird species and two invertebrate species. We wish to note that evidence from the Overberg renosterveld indicates that Black Harriers are not dependent on wetland habitat for breeding. In addition to the screening tool species, a bird SCC and reptile SCC were evaluated for potential occurrence, and the site is considered to contain suitable habitat for the southern adder (*Bitis armata*).

Anecdotal information is provided of the species recorded on site, which does not include any of the SCCs discussed. A full list of birds recorded is provided but not other taxa. While the site sensitivity verification report indicates that the faunal sensitivity was verified as low sensitivity by the specialist, this is not stated in the faunal sensitivity report. It does however state that the overall impact significance of the proposed development on the fauna SCCs is considered to be low.

A number of mitigation measures are recommended which are supported. This includes mitigation measures recommended for the adjacent Romans Bay Estate. It is noted that the no go area in the north as recommended in the botanical assessment is considered to be potentially suitable habitat for the southern adder and therefore the potentially suitable habitat for this species will not be impacted.

Other

Although not directly related to the application, we wish to note that there is an existing structure extending below the high water mark on the property which requires a Sea Shore Lease from CapeNature, as indicated in our comment on the rezoning and subdivision application.

Conclusion

In principle, CapeNature does not object to the preferred layout alternative which has illustrated that the mitigation hierarchy was followed, however the following must be addressed before the application can be considered further:

- The high sensitivity areas identified in the botanical assessment should be accurately spatially defined and it must be ensured that it is also accurately defined on the layout plan.
- The locations of white milkwoods must be indicated and confirmation provided that they will either be avoided or permits obtained for removal.
- An Open Space Management Plan should be compiled, and a homeowner's association or similar constituted to manage the open space.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Regards

Rhett Smart

Digitally signed by Rhett Smart
Date: 2026.07.13 07:37:46 +02'00'

Rhett Smart
For: Manager: Landscape Conservation Intelligence South

cc. Rowena Crowe, CapeNature

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