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
reference LS14/2/6/1/7/2/711-40_residential_Gansbaai
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

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

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

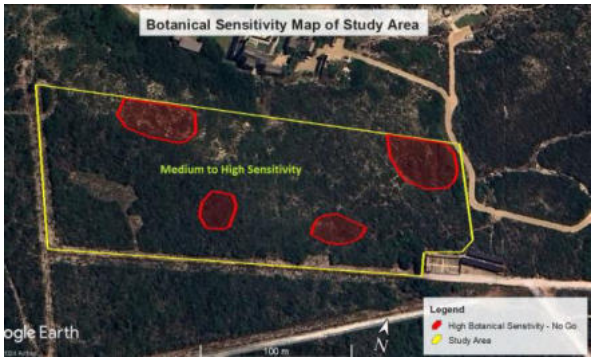
that there is no encroachment and is presented as the preferred layout. The impact assessment of the habitat and species loss during the construction phase is rated as medium to high negative before and after mitigation for the original layout and as medium to low negative before and after mitigation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

Department of Environmental Affairs and Development Planning
Mercia Liddle
Biodiversity and Coastal Management
Mercia.Liddle@westerncape.gov.za | Tel: 021 483 4627
DEA&DP Reference: 16/3/3/6/7/1/E2/10/1484/25
CMU Reference: 17/8/1/ (CMU 057/2026)

The EAP
PHS Consulting
P.O. Box 1752
HERMANUS
7200

Attention: Josie Howard

Tel: 028 312 1734
Email: josie@phsconsulting.co.za

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL ON PORTION 40 OF FARM 711. KLIPFONTEYN, GANSBAAI.

Good day Madam,

Your request for comment from the Sub-directorate: Coastal Management on the above-mentioned application received on 10 June 2026, refers.

1. CONTEXT

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

1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The PCMP is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. The Department has developed the next generation PCMP that includes priority objectives for the next 5 years. This PCMP was adopted on 19 May 2023 and is available upon request.

1.3. A key priority of the PCMP is the Estuary Management Programme, which is predominantly implemented through the Estuary Management Framework and Implementation Strategy ("EMFIS") project. The Department is implementing estuary management in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans (EMPs).

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

2. COMMENT

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

2.1.1. The proposal entails the proposed rezoning, subdivision and subsequent residential development on Farm 40/711, Klipfonteyn adjacent to Romansbaai Beach located approximately 4km from Gansbaai. The subject site is within the Urban Edge of the Overstrand Municipal Spatial Development Framework, and the applicant intends to rezone and subdivide the property as follows:

2.1.1.1. 6 Residential Erven – which will link with existing service infrastructure of the Romans Beach and Fynbos Estate development as there is sufficient municipal service capacity to provide the proposed 6 residential erven with the required services.

2.1.1.2. Private Road – the new private road will be accessed via the internal road infrastructure of the Romans Beach and Fynbos Estate and an access servitude from an existing cul-de-sac.

2.1.1.3. Private Open Space (POS) Zone – approximately 2ha.

2.1.1.4. Utility Services Zone – already exists but will be formalised.

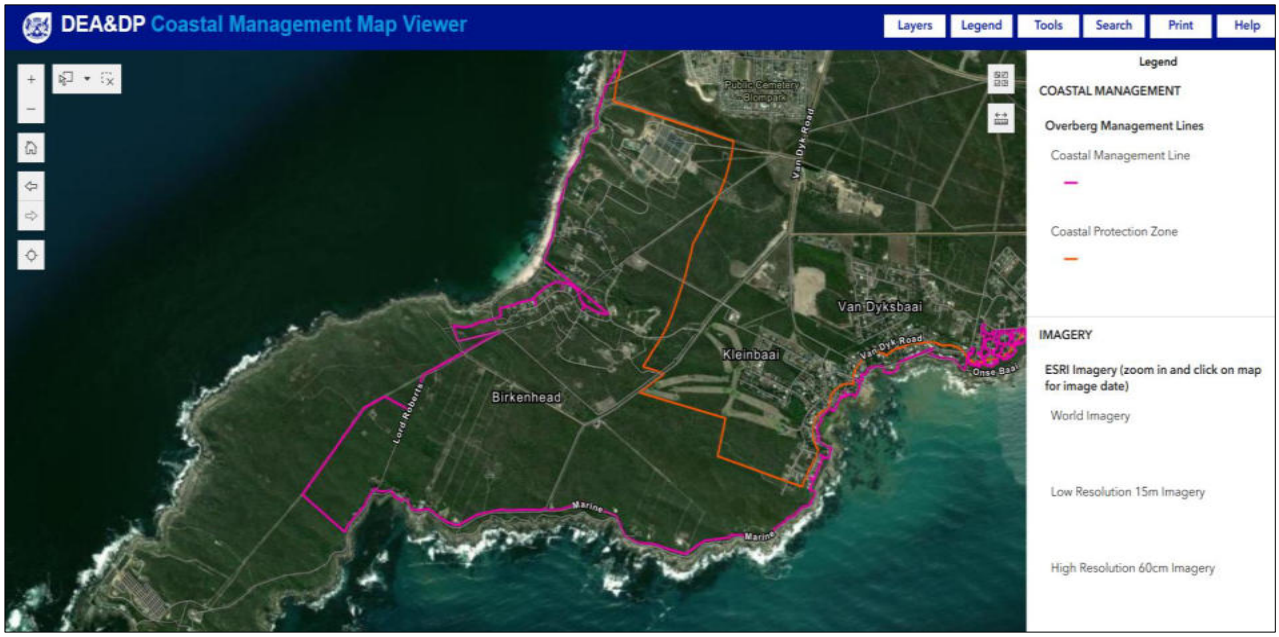
2.1.1.5. Conservation Zone – approximately 3.5ha.

2.1.2. The applicant has comprehensively identified the applicable Critical Biodiversity and Ecological Support Areas together with their associated management objectives, as informed by the Western Cape Biodiversity Spatial Plan (20230. Additionally, the applicant highlighted that Farm 40/711 is located within the Urban Edge of Gansbaai and that the proposed establishment of a dedicated conservation zone on the subject property will support the conservation and long-term protection of the threatened ecosystem.

2.1.3. The SD: CM notes the EMPr outline measures to minimise negative impacts on the sensitive natural ecosystems including recommendations for the appropriate management of the private open space and conservation zones on Farm 40/711. However, it should be noted that the SD: CM has concerns that "private" open space may create the perception of privatisation of the coastline, which is not supported.

2.1.4. On page 24 of the Pre-Application BAR the applicant states that the subject property is located within the urban edge and 100m from the highwater mark it aligns with the NEM: ICMA and therefore outside the Coastal Protection zone (CPZ) – this is incorrect. Farm 40/711 in its entirety is located within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA (see Figure 1 below). It should be noted that the purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks.

2.1.5. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the NEM: ICMA obliges all organs of state that regulates the planning of land to apply that legislation in a manner that gives effect to the purpose of the CPZ. As such, Section 63 of the NEM: ICMA must be considered by local authorities for land use decision making. The applicant is therefore advised to correct their statement about Farm 40/711 position within the CPZ.



2.1.6. The SD: CM is satisfied with the proposed development layout and associated infrastructure on Farm 40/711 have been appropriately positioned landward of the Coastal Management Line (CML) and outside the identified Coastal Risk Zones as determined through the Department's coastal risk modelling for the Overberg CML Project. The SD: CM further confirms that the applicant has undertaken the necessary due diligence to ensure alignment of the proposed development with the primary objectives of the CML, in accordance with the NEM: ICMA.

2.1.7. The Department, in terms of the Western Cape Provincial Coastal Access Strategy and Plan, commissioned the Coastal Access Audit (CAA) for the Overberg District Municipal Region (2019). This CAA was conducted in collaboration with both the Local and District Municipalities and was aimed at identifying areas of conflict, areas where the public currently and historically access the coast, as well as identify infrastructure requirements to facilitate such public access to the coast. According to the Overberg CAA, the subject area the subject area has no formal access along the coastal boundary of the subject property. No specific access provisions have been identified in the Overberg CAA but the SD: CM noted from aerial imagery that there is a tidal pool located seaward of the subject property's cadastral boundary. It should be noted that this tidal pool falls within coastal public property (CPP) and as such it is not for the exclusive use by private landowners. The applicant must also note that the proposed development may in no way impede on the general public's ability to access CPP.

2.1.8. Be advised, Section 18(9) of the NEM: ICMA states that each municipality approving the rezoning, subdivision, or development of a land unit within or abutting CPP must ensure that adequate provision is made in the conditions of approval to secure public access to that coastal public property. As such, the applicant must be informed that any activities and developments on the subject properties may in no way impede on the general public's ability to access CPP in terms of Section 13(1A) of the NEM: ICMA. The applicant may also not create any formal or informal pathways or footpaths leading to the coast outside their cadastral boundaries.

2.1.9. The SD: CM confirms through the consideration of satellite imagery, that the proposed development will not be affected by the highwater mark and that there aren't any imminent concerns around how the proposal will affect the littoral active zone.

2.1.10. Based on the above-mentioned items, the SD: CM does not object to the rezoning, subdivision and subsequent residential development for Farm 40/711 Klipfonteyn, as extensive efforts have been done to ensure the proposal's alignment with the provisions of the NEM: ICMA, provided all the abovementioned items are taken into consideration and the proposed mitigation measures as stated in the EMPr are strictly adhered to.

3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "…*Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment*…" together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.

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

Yours faithfully



Ieptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
SUB-DIRECTORATE: COASTAL MANAGEMENT
DATE: 10 July 2026

Munisipaliteit • U-Masipala • Municipality
OVERSTRAND

ENVIRONMENTAL MANAGEMENT & CONSERVATION DIVISION
PLANNING & DEVELOPMENT
AFDELING VAN OMGEWINGSBESTUUR & BEWARING
BEPLANNING & ONTWIKKELING

NAVRAE | ENQUIRIES : CHESTER ARENDSE | 028 384 8320
DATE | DATUM : 03 JULY 2026

Dear Josie Howard
PHS CONSULTING
PO Box 1752
Hermanus, 7200
T: 028 312 1734 | C: 072 921 4314
E: josie@phsconsulting.co.za | W: www.phsconsulting.co.za

RE: Notice of Public Participation | Danger Point Ecological Development Co (Pty) Ltd, Farm 711 Portion 40, Gansbaai.

Your email dated 10th June 2026, please find attached comments from the Overstrand Environmental Management & Conservation Division on the public participation process, for the proposed Rezoning and subdivision on Farm 711 Portion 40, in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998; "NEMA"), as amended, and the Environmental Impact Assessment Regulations, as amended, that came into effect on the 07 April 2017. Environmental Authorization is required in terms of the aforementioned legislation in the form of a Basic Assessment process, and an application will be submitted to the Department of Environmental Affairs & Development Planning (DEA&DP) for the following listed activities: Government Notice No. R324 (Listing Notice 3): Activity 12.

Project description:

It is the intention of the Applicant to rezone and subdivide the subject property as follows:

- 6 Residential Erven (±750m² each)
- Private Road (±3 313m²)
- Private Open Space Zone (±20 733m²)
- Utility Services Zone (±1039m²)
- Conservation Zone (±35 389m²)

A well-drafted report was submitted, and all the aspects were noted. The EM&C support that Alternative 1 would be the preferred and feasible option. The following objectives and aspects were noted:

Positive Impacts:

- Temporary direct and indirect jobs will be created for skilled and unskilled labour during the construction phase
- Care and management of the new houses will generate some permanent jobs
- The development falls within the existing urban edge of Gansbaai and therefore will contribute to the progression of the town
- Conservation and protection of ±3.1 ha of Endangered vegetation in terms of the proposed '±3.5 ha Conservation Usage' Zoned Erf and the protection of approximately ±2 ha of Endangered

vegetation through the private 'Open Space' Zoning that will remain intact. Making the total protected area ±5.1 ha

- High sensitivity vegetation home to populations of plant SoCC will not be impacted
- A conservation contribution of R 500 000 will be made available for alien clearing in the Walker Bay Conservancy (WBC) this will act as an "offset" for the loss of Overberg Dune Strandveld vegetation to which alien vegetation is the primary threat. The NGO, Grootbos Foundation, will implement the clearing works. The selected area to be cleared inside the WBC will be mutually agreed upon between the NGO and the Applicant before the funds are transferred. This is a voluntary contribution (based on the Botanical Specialists recommendation) and not a mandatory requirement in terms of the offset regulations.

Negative Impacts:

- Loss of ±9766m2 of Terrestrial CBA and protected vegetation
- Increased habitat fragmentation
- Potential loss of heritage resources
- Minor construction-related impacts such as noise, dust, and potential temporary disturbance to local fauna.
- General waste from construction site camp
- Possible sedimentation resulting from the stockpiling of construction materials and use of fill material
- Generation of general waste
- Consumption of resources (electricity)

Mitigation measures:
Avoidance: This is the first step of the mitigation hierarchy which comprises measures taken to avoid impacts from the outset, such as careful spatial or temporal placement of infrastructure or disturbance. The preferred development layout takes sensitive areas into consideration and is arranged to avoid the areas of highest sensitivity.

Minimisation: This entails measures taken to reduce the duration, intensity and/or extent of impacts that cannot be completely avoided. All mitigation measures have been included in management documents (OEMPR and CEMPR) for approval and implementation during the various phases of the development management.

Rehabilitation: This entails measures taken to improve degraded or removed ecosystems following exposure to impacts that cannot be completely avoided or minimised. Following completion of construction, all areas outside of the planned footprint that may have been temporarily affected will need to be assessed for rehabilitation by a specialist and if necessary, a rehabilitation plan will be implemented.

Offset: this entails measures taken to compensate for any residual, adverse impacts after full implementation of the previous three steps of the mitigation hierarchy. No offset required.

Overstrand Environmental Management Framework (EMF):
The Overstrand draft Environmental Management Framework (EMF) is an environmental planning tool that identifies where land uses are most compatible or incompatible with environmental opportunities and constraints. Key recommendations relevant to the proposed development include:

- **Natural habitats**: Fragmentation of continuous natural areas should be avoided. Decisions affecting pristine or threatened (critically endangered, endangered, or vulnerable) ecosystems should be informed by specialist biodiversity assessments and should consider.

- **Endangered and critically endangered ecosystems**: Prevent further habitat loss or degradation. Activities that do not disrupt ecosystem functioning or further disturb the natural environment are considered appropriate in these systems.

In line with these requirements, the original development plan was edited after the Botanical, Faunal and Heritage Impact Assessments were conducted. The changes made to the development plan were done to further minimise environmental impacts and avoid "no-go" areas (as determined by the Botanical specialist). Additionally, the development plan includes a 2ha private open space zone and a 3.5ha conservation zone thus contributing to the protection and sustainable management of the natural habitat on the property.

The development can be seen as an extension of the existing Romansbaai Beach Estate and therefore will not be a significant change to the landscape.

The development is consistent with the Overstrand EMF because it:

- Minimises loss of high sensitivity habitat
- Is expected to have a low visual impact
- Incorporates conservation actions that will enhance long-term ecological health and aesthetic value

Environmental Overlay Zones (EMOZ):

The proposed residential development falls within the Coastal Protection EMOZ. Schedule A of the Overstrand Municipality EMOZ regulations outlines prohibited activities within overlay zones while Schedule B outlines activities that require council permission and Schedule C outlines general regulations that must be considered within all 5 overlay zones. The proposed development does not trigger any prohibited activities; however, the following activities require council consent: Construction or placement of any permanent object, building, shelter, pathway or structure and Removal or destruction of vegetation which is protected and/or of conservation concern.

The proposed development activities aim to align with the general regulations outlined for EMOZs. An Environmental Management Plan (EMPr) which covers the planning and design, construction and operation phase of the development will be developed. The EMPr will outline measures to minimize negative impacts on the sensitive natural ecosystems including recommendations for the appropriate management of the private open space and conservation zones within the development.

Farm 711 Portion 40 falls within the Coastal EMOZ, and the following activities are prohibited:

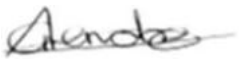
- Planting or harboring of declared alien invasive plant species on properties located within and adjacent to this EMOZ.
- The discharging of domestic effluent/grey water into all natural systems.
- Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items.

It should be noted the Overstrand Municipal EM&C does not have any objections to this application on the basis that the applicant adheres to all the aspects listed in the Draft report to ensure that the impact on the surrounding environment is minimized or avoided. It should be noted that the response from all relevant I&AP's are noted and that the applicant should adhere to all.

The Municipality reserves the right to revise these comments based on the availability of new information.

Tel.: 028 384 8320
E-mail: carendse@overstrand.gov.za
72 Main Road **GANSBAAI** | 7220

Regards



Chester Arendse

Environmental Officer
Environmental Management & Conservation Division
Overstrand Municipality

T: +27 (0) 28 384 8320
E: carendse@overstrand.gov.za

OVERBERG DISTRIKSMUNISIPALITEIT
DISTRICT MUNICIPALITY
UMASIPALA WESITHILI

MELD ASB/PLEASE QUOTE

Ons Verw./Our Ref.:

Navrae/Enquiries: Francois Kotze

Bylyn/Ext.:

Privaatsak: X22
Private Bag:
BREDASDORP
7280
Tel.: **(028) 4251157**
Faks/Fax: **(028) 4251014**
E-mail/E-pos: fkotze@odm.org.za

13 July 2026

PHS CONSULTING

PO Box 1752
Hermanus
7200

For attention: Josie Howard

RE: PROPOSED DEVELOPMENT ON PORTION 40 OF FARM 711, KLIP FONTEYN, GANSBAAI, OVERSTRAND MUNICIPALITY, OVERBERG DISTRICT MUNICIPALITY, WESTERN CAPE

The Overberg District Municipality has reviewed the pre-application basic assessment report for the proposed rezoning, subdivision and subsequent residential development on Portion 40 of Farm 711, Klip Fonteyn, Gansbaai.

Overberg District Municipality Spatial Development Framework

The Overberg District Municipality's Spatial Development Framework (SDF) establishes clearly defined Spatial Planning Categories (SPCs) to guide sustainable development across the district. These SPCs are aligned with the Western Cape Biodiversity Spatial Plan (2023), ensuring that planning decisions support and uphold ecological integrity. Accordingly, the conservation of vulnerable and endangered ecosystem types remains a key priority wherever feasible.

The subject property is classified as a Critical Biodiversity Area (CBA), corresponding to a Core 1 designation in terms of the SPCs. The primary management objective for such areas is to maintain them in a natural or near-natural state, thereby preventing any further loss of natural habitat. In instances where degradation has already occurred, active restoration and rehabilitation measures should be undertaken. Only low-impact, biodiversity-sensitive land uses are considered appropriate within these areas.

The Municipality acknowledges that the specialist botanical and faunal assessments have informed revisions to the proposed layout, resulting in the avoidance of areas identified as having high ecological sensitivity, the establishment of a dedicated Conservation Zone of approximately 3.5 hectares, and the inclusion of approximately 2 hectares of Private Open Space intended to protect remaining indigenous vegetation. However, despite these mitigation measures, the proposal will still require the clearance of approximately 9 766 m² of indigenous Overberg Dune Strandveld vegetation, which is classified as an Endangered ecosystem and forms part of the CBA.

The Municipality therefore emphasises that the conservation objectives of the Western Cape Biodiversity Spatial Plan should remain a primary consideration during the environmental assessment process. The approved development footprint should be strictly limited to the proposed development envelope, with no future expansion into the designated Conservation Zone or Private Open Space areas.

In addition, the Environmental Management Programme (EMPr) should provide detailed provisions for the long-term management and protection of the conservation areas, including the rehabilitation of disturbed areas, ongoing alien invasive species control, restrictions on vegetation clearing outside approved footprints, management of domestic pets to minimise impacts on indigenous fauna, implementation of erosion and stormwater control measures, use of indigenous species in landscaping, ecological monitoring, and the maintenance of ecological connectivity between the conservation area and adjacent natural habitats.

Climate change resilience:

Climate change projections for the Overberg region indicate rising temperatures, increased evaporation, reduced average rainfall, more intense rainfall events, heightened drought risk, and accelerated coastal erosion. In light of these projected impacts, it is critical that all development incorporates robust climate resilience planning.

Accordingly, the application should integrate comprehensive stormwater management measures, fire risk management provisions, and appropriate building controls that promote energy efficiency and water conservation. These interventions are essential to ensure long-term resilience and to safeguard both communities and ecosystems in a changing climate.

Waste Management:

The application should clearly address the following waste-management considerations:

- Waste reduction, reuse and recycling: Describe how these principles will be incorporated during both the construction and operational phases. Specific measures, targets or processes to minimise waste generation and promote material recovery should be outlined.
- Waste disposal arrangements: Indicate where all residual waste will be disposed of, confirming that the receiving facility is licensed and has capacity to accept the relevant waste streams.
- During the construction phase, it is essential that waste-separation protocols are implemented on site. Waste streams—such as construction and demolition waste, organic waste, and general domestic waste—must be kept separate, as each category requires distinct handling and treatment processes. Proper segregation not only improves recycling and recovery rates but also reduces environmental impacts and ensures compliance with applicable waste-management legislation.

The ODM reserves the right to revise its comments and request further information based on any information that may be received.

Yours sincerely



pp

MR E. PHILIPS
ACTING MUNICIPAL MANAGER

Department of Environmental Affairs and Development Planning
D'mitri Matthews
Directorate: Development Management, Region 1
Dmitri.Matthews@westerncape.gov.za | Tel: 021 483 8350

REFERENCE: 16/3/3/6/7/1/E2/10/1484/25
DATE: 20 July 2026

The Board of Directors
Danger Point Ecological Development Co (Pty) Ltd.
11092 Steenberg Estate
TOKAI
7945

Attention: Mr. D. Mostert

Cell: 082 908 8888
Email: david@mosterts.co.za

Dear Sir

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPOR ("BAR:") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) ("EIA") FOR THE PROPOSED REZONING, SUBDIVISION & SUBSEQUENT ROMANSBAAI RESIDENTIAL DEVELOPMENT ON PORTION 40 OF FARM NO. 711, KLIP FONTEYN, GANSBAAI

1. The Notice of Intent dated 5 November 2025, as received by the Directorate: Development Management Region 1 (hereinafter referred to as "this Directorate") on 24 November 2025 and the telephonic discussion with the environmental assessment practitioner ("EAP") on 3 February 2026, refer.

2. The BAR dated May 2026, as received by the Directorate: Development Management Region 1 (hereinafter referred to as "this Directorate") on 8 May 2026, refers.

3. Following review of the information submitted to this Directorate, the following is noted:
   3.1 It is the intention of the owner of Portion 40 of Farm 711 to rezone and subdivide the subject property in order to create a residential development consisting of 6 additional residential erven, a private road, a private open space, a conservation usage erf, and a utilities erf that will be integrated into the Romansbaai Beach & Fynbos Estate. The proposed development entails the following:

   - 6 Residential Erven (±750m² x 6)
   - Private Road (±3 313m²)
   - Private Open Space Zone (±20 733m²)
   - Utility Services Zone (±1039m²)
   - Conservation Zone (±35 389m²)

   3.2 The new private road will be accessed via the internal road infrastructure of the Romansbaai Beach & Fynbos Estate and an access servitude from an existing cul-de- sac. The private road will have a road reserve width of 8m and a proposed 3.5m wide road surface that will provide access to the 6 residential erven and the conservation usage erf. The proposed rezoning, subdivision and subsequent development can be interpreted as an extension of the existing Romansbaai Beach & Fynbos Estate.

3.3 The proposed 6 additional single residential erven will link with the existing services infrastructure of the Romansbaai Beach and Fynbos Estate development. According to the Romansbaai Beach and Fynbos Estate, there is sufficient municipal services capacity to provide the proposed 6 residential erven with the required services such as water, sewage, electricity and refuse removal, given that they abide to the conditions as set out by the Overstrand Municipality regarding Bulk Services Contribution Levies (BSCL).

4. This Directorate comments on the draft BAR:

4.1 Lawfulness of the existing structures and associated infrastructure

4.1.1. It is noted that various structures, roads and a solar plant is located on the site. However, the lawfulness of the existing structures and associated infrastructure have not been confirmed.

4.1.2. Please note that a timeline must be provided as when the existing structures and associated infrastructure was developed on the site with their relevant footprints.

4.2 Alternatives

4.2.1. It is noted that 2 alternatives have been investigated. A clear description of what this entailed must be included in the section on alternatives in the BAR.

4.2.2. It is further noted that the Botanical specialist prefers alternative 2. However, the BAR indicates that alternative 1 is preferred.

4.2.3. Please be advised that the alternative with the least impacts on the environment must be considered as the preferred option.

4.2.4. The above must be clarified in the BAR with a motivation for the preferred alternative.

4.3 Please note that the municipality must confirm whether sufficient, spare, unallocated capacity is available to provide the proposed development with water, electricity, sewage treatment and solid waste management. The confirmation of services must be included in the BAR for decision making.

4.4 Confirmation must be provided that the proposed development is intended solely for residential purposes and will not be used for overnight accommodation or any other form of tourist accommodation.

4.5 The existing lawful use of the borehole must be provided.

5. The applicant Regulatory Requirements:

5.1 Proof of the notifications sent to registered I&APs for the commenting purposes must be included in the BAR.

5.2 A dated photograph of erecting a site notice must be provided.

5.3 Proof of placing an advertisement must be provided.

5.4 Any new representations and comments received in connection with the application must be included in the BAR.

5.5 Any new responses by the EAP to the aforementioned representations and comments must be tabulated in a comments and response report that must be included in the BAR.

5.6 The minutes of any meetings held by the environmental assessment practitioner ("EAP") with I&AP's and other role players which record the views of the participants must be included in the BAR.

5.7 Please be advised that the signed and dated applicant declaration is required to be submitted with the BAR during the formal application process to this Directorate 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. 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.

5.8 In addition to the above, please ensure that the signed and dated EAP and specialist declarations are also submitted with the BAR during the formal application process for decision-making.

5.9 You are furthermore reminded that the BAR must contain all the information outlined in Appendix 1 and 4 of the Environmental Impacts Assessment Regulations, 2014 (as amended).

6. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.

Yours faithfully



Digitally signed by
Melanese Schippers
Date: 2026.07.20
14:05:29 +02'00'

pp HEAD OF COMPONENT
DIRECTORATE: DEVELOPMENT MANAGEMENT: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc to: (1) Ms. J. Howard (PHS Consulting) Email: josie@phsconsulting.co.za
(2) Ms. L. de Villiers (Overstrand Municipality) Email: ldevilliers@overstrand.gov.za