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NEAS REFERENCE: WCP/EIA/0001554/2024
DATE OF ISSUE: 09 May 2025

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION (EA) IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED KEURBOOMS LIFESTYLE VILLAGE, PORTION 38 OF THE FARM GANSE VALLEI 444, PLETTENBERG BAY, WESTERN CAPE

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith—

- **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to **Alternative 1 (Preferred Alternative)**, described in the Final Basic Assessment Report ("FBAR"), 27 January 2025 as prepared and submitted by the appointed environmental assessment practitioner ("EAP"), Ms. Louise-Mari van Zyl (EAPASA No: 2019/1444), and assisted by Candidate Environmental Assessment Practitioner ("Candidate EAP"), Mr. Francois Byleveld (EAPASA No: 2023/6770) of Cape Environmental Assessment Practitioners (Cape EAPrac).

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Managing Director
Intergreen (Pty) Ltd.
PO Box 55265
NORTHLANDS
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Attention: Mr. Nils Brink van Zyl
Email: nils@intergreen.co.za | christopher@intergreen.co.za

The abovementioned applicant is the holder of this Environmental Authorisation (hereinafter referred to as "**the Holder**").

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
Environmental Impact Assessment Regulations Listing Notice 1 (Government Notice No. 983 of 4 December 2014 (as amended))	
<p>Activity Number: 17</p> <p>Activity Description:</p> <p>Development—</p> <ul style="list-style-type: none"> (i) in the sea; (ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; <p>in respect of—</p> <ul style="list-style-type: none"> (a) fixed or floating jetties and slipways; (b) tidal pools; (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; or (e) infrastructure or structures with a development footprint of 50 square meters or more – <p>but excluding –</p> <ul style="list-style-type: none"> (aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or (dd) where such development occurs within an urban area. 	<p>The eastern portion of the proposed development site falls within 100m from the highwater mark of the Keurbooms Estuary.</p>
<p>Activity Number: 19 A</p> <p>Activity Description:</p> <p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</p> <ul style="list-style-type: none"> (i) the seashore; 	<p>The portion on eastern side of the proposed development site is located within 100 meters inland of the high-water mark of the Keurbooms Estuary.</p>

<p>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater; or</p> <p>(iii) the sea; —</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	
<p>Activity Number: 27</p> <p>Activity Description:</p> <p>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The proposed development entails the clearance of more than one hectare of indigenous vegetation, but less than 3.17 hectares.</p>
<p>Environmental Impact Assessment Regulations Listing Notice 3 (Government Notice No. 985 of 4 December 2014 (as amended))</p>	
<p>Activity Number: 12</p> <p>Activity Description:</p> <p>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</p> <p>i. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p>	<p>The proposed development entails the development of 5.5m wide internal access roads in an area containing indigenous vegetation outside an urban area.</p>

(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.	
<p>Activity Number: 12 Activity Description:</p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>(i). Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>(ii). Within critical biodiversity areas identified in bioregional plans;</p> <p>(iii). Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>(iv). On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>(v). On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>The proposal will require the clearance of more than 300m² of Endangered Garden Route Shale Fynbos. Furthermore, a small portion of the proposed development site is located in mapped Goukamma Dune Thicket (Least Concern).</p>

The abovementioned list is hereinafter referred to as “**the listed activity**”.

The Holder is herein authorised to undertake the following alternative (Alternative 1 – Preferred Alternative) that trigger includes the listed activities as it relates to the development and development footprint area:

The development entails the establishment of a low-density residential estate, with private amenities and a conservation area / open space. The development allows for private in-house care and support, should ill/elderly residents require such services.

The proposed development will comprise of the following:

- Twelve (12) sectional title single storey group housing units (i.e., Residential Zone II),
- Entrance gate,
- Guard house,
- Maintenance and staff rooms,
- Communal area (club house, conference room, gym, pool, doctor/nurse office and admin office),
- Six (6) visitor parking bays at the communal buildings / facilities,
- Internal access roads (5.5m wide),

- Engineering services and engineering link services (including a waterline and sewer within the road reserve as part of Municipal infrastructure; sewage pumpstation); and
- An integrated opens space network (i.e., Open Space Zone III).

This EA will be implemented in accordance with the Site Development Plan attached to this EA as Annexure 2.

C. SITE DESCRIPTION AND LOCATION

The site, Portion 38 of Farm Ganse Vallei 444, Plettenberg Bay, Western Cape Province. The property is situated east of the N2 national road and is bordered by the Goose Valley Golf Estate (west/south), Keurbooms Estuary (east) and the Meadows Residential Estate (north/west). Access to the proposed development will be directly from Rietvlei Road (Minor Road 7214).

Site Coordinates:

Position:	Latitude (South)			Longitude (East)		
Proposed site (development area)	34°	01'	29.47"	23°	23'	14.22"
Sewer Pipeline:						
Starting point co-ordinates	34°	01'	26.28"	23°	23'	13.82"
Middle Point co-ordinates	34°	01'	21.08"	23°	22'	54.31"
End point co-ordinates	34°	01'	34.92"	23°	22'	45.70"
Water pipeline upgrades in Rietvlei Road reserve						
Starting point co-ordinates	34°	01'	26.08"	23°	23'	12.80"
Middle point co-ordinates	34°	01'	24.88"	23°	23'	08.72"
End point co-ordinates	34°	01'	23.94"	23°	23'	08.72"
Water pipeline installation at Goose Valley Reservoir (Preferred Route)						
Starting point co-ordinates	34°	01'	49.17"	23°	22'	17.31"
Middle point co-ordinates	34°	01'	54.79"	23°	22'	22.60"
End point co-ordinates	34°	02'	02.87"	23°	22'	25.15"
Upgrade of Rietvlei Road						
Starting point co-ordinates	34°	01'	26.59"	23°	23'	16.11"
Middle point co-ordinates	34°	01'	23.71"	23°	23'	05.16"
End point co-ordinates	34°	01'	20.84"	23°	22'	54.36"

Property description:	SG digit code:
Rietvlei Road reserve (Portion 4 of Remainder of Farm Ganse Vallei No. 444).	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 0 0 4
Portion 128 of Farm 444 (N2 road reserve).	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 1 2 8
Portion 127 of Farm 444 (N2 road reserve).	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 1 2 7
Portion 126 of Farm 444 (N2 road reserve).	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 1 2 6
Portion 125 of Farm 444 (N2 road reserve).	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 1 2 5
Portion 72 of Farm Ganse Vallei No 444.	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 0 7 2
Portion 122 of Farm 444 (N2 road reserve for connection to the existing municipal water line).	C 0 3 9 0 0 0 0 0 0 0 0 0 0 4 4 4 0 0 1 2 2

Refer to Annexure 1 of this Environmental Authorisation for the Locality Plan and Annexure 2 of this Environmental Authorisation for the Site Development Plan.

The above is hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

Ms Louise-Mari van Zyl (EAPASA Registration No: 2019/1444)

Assisted by Candidate EAP:

Mr Francois Byleveld (EAPASA Registration No: 2023/6770)

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E. CONDITIONS OF AUTHORISATION

Scope and Validity Period of authorisation

1. This Environmental Authorisation is granted for the period from date of issue until **31 May 2030** (validity period), during which period the Holder must ensure that the—
 - (a) physical implementation of the authorised listed activities is started with and concluded by the date stipulated for the non-operational aspects;
 - (b) construction monitoring and reporting requirements are undertaken and submitted to the Competent Authority in time to allow said authority to process such documents timeously;
 - (c) post construction rehabilitation and monitoring requirements is undertaken and completed;
 - (d) environmental auditing requirements are complied with; and that such auditing is finalised in time to allow the competent authority to be able to process the environmental audits timeously within the specified validity period.

Failing which, this Environmental Authorisation shall lapse, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act no. 107 of 1998).

2. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Alternative 1 described in Section B above on the site as described in Section C above. The development may only take place in the areas identified and depicted on the Site Layout Map in Annexure 2 of this Environmental Authorisation.
3. The Holder shall be responsible for ensuring compliance with the conditions of this environmental authorisation by any person acting on his/her behalf, including an agent, sub-contractor, employee, or any person rendering a service to the Holder.
4. Any changes to, or deviations from the scope of Alternative 1 (preferred alternative) described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

Notification and administration of appeal

5. The Holder must in writing, within 14 (fourteen) calendar days of the date of this decision—

- 5.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 5.1.1. the decision reached on the application;
 - 5.1.2. the reasons for the decision as included in Annexure 3;
 - 5.1.3. the date of the decision; and
 - 5.1.4. the date when the decision was issued.
- 5.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2025 (as amended) detailed in Section G below;
- 5.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
- 5.4. provide the registered I&APs with the:
 - 5.4.1. name of the Holder (entity) of this Environmental Authorisation,
 - 5.4.2. name of the responsible person for this Environmental Authorisation,
 - 5.4.3. postal address of the Holder,
 - 5.4.4. telephonic and fax details of the Holder,
 - 5.4.5. e-mail address, if any, of the Holder,
 - 5.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2025 National Appeals Regulations (as amended).
- 5.5. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.
- 5.6. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided (i.e. the listed activities, including site preparation, must not commence until the appeal is decided).

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2. The notice must also include proof of compliance with the following conditions described herein:
Conditions: 5 and 12.
7. Seven calendar days' written notice must be given to the Competent Authority on completion of the construction activities of the following:
 - 7.1. Completion of the roads and engineering services; and
 - 7.2. Completion of the residential development (i.e., top-structures, roads and engineering services).
8. The Holder must notify the competent authority if the non-operational phase (construction activities and rehabilitation measures) has been abandoned prior to completion thereof, or if the construction activities and rehabilitation process will be placed on hold for a period of six (6) months or longer.
 The competent authority must be notified in writing—
 - 8.1. within 30-calendar days of the cessation of the activities on site; and
 - 8.2. seven calendar days' notice, must be given prior to any activities continuing on site again.

Management of activity

9. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is herewith approved in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 (as amended).
10. The EMPr must be updated to incorporate all the conditions contained in this Environmental Authorisation and all those measures for the avoidance, management, mitigation, monitoring, rehabilitation and reporting as identified in this Environmental Authorisation additional to those contained in the approved EMPr.

The updated EMPr must be re-submitted to the Competent Authority prior to commencement of the construction activities.

11. The EMPr must be included in all contract documentation for all phases of the development.

Monitoring

12. The Holder must appoint a suitably experienced ECO, prior to commencement of any works (i.e., removal and movement of soil) and for the duration of the clearance and rehabilitation phases of the implementation contained herein.
13. The ECO must–
 - 13.1. be appointed prior to commencement of any works (i.e. removal and movement of soil);
 - 13.2. ensure compliance with the EMPr and the provision contained herein;
 - 13.3. keep record of all activities on the site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO;
 - 13.4. remain employed until all development activities are concluded, and the post development implementation, rehabilitation and monitoring requirements are finalised.
14. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has a website, such documents must be made available on such publicly accessible website.
15. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

16. The Holder must, for the period during which the environmental authorisation; and EMPr remain valid ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited.
17. The frequency of auditing of compliance with the conditions of the environmental authorisation and of compliance with the EMPr, must adhere to the following programme:

- 17.1. During the period which the activities have been commenced with on site, the Holder must ensure annual Environmental Audit Report(s) are undertaken and submitted to the Competent Authority within 30-days of either—
- (a) the environmental audit being completed, or
 - (b) the findings and recommendations of the environmental audit report, which had been subjected to a public participation process agreed to with the competent authority, has been completed.

- 17.2. A final Environmental Audit Report for the construction phase (non-operational component) must be submitted to the Competent Authority within **three (3) months** of completion of the post construction rehabilitation and monitoring requirements.

Note: The final auditing requirements must be completed at least three months prior to expiry of the validity period of the environmental authorisation to ensure the Holder is able to comply with all the environmental auditing and reporting requirements and for the competent authority to be able to process it timeously.

18. The Environmental Audit Report(s), must –

- 18.1. be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;
- 18.2. provide verifiable findings, in a structured and systematic manner, on—
 - 18.2.1. the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and
 - 18.2.2. the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
- 18.3. identify and assess any new impacts and risks as a result of undertaking the activity;
- 18.4. evaluate the effectiveness of the EMPr;
- 18.5. identify shortcomings in the EMPr;
- 18.6. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
- 18.7. indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
- 18.8. include a photographic record of the site applicable to the audit; and
- 18.9. be informed by the ECO reports.

19. The Holder must, within 7 calendar days of the submission of the audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

20. The Holder must adopt and implement the following measures / requirements for the avoidance, management, mitigation, monitoring and reporting of the impacts of the activity on the environment and ensure they are implemented together with the EMPr—

20.1. The development on Portion 38 of Farm Ganse Vallei 444, Plettenberg Bay must be set back behind the development line as depicted on the Site Development Plan in Appendix 2 of this Environmental Authorisation.

Further to the above—

20.1.1. prior to commencement of any physical works on site, the development setback line must be demarcated. The demarcation of the development setback line must be maintained for the duration of the project;

20.1.2. the portion of land on the estuary side of the development setback must be managed for a conservation use and no further development, erection of structures or clearance of indigenous vegetation is permitted on this portion of land, unless authorised by the competent authority;

20.1.3. a buffer area of at least 5-metres wide must be established and maintained landward of the development setback line;

20.1.4. no permanent structures are permitted within this buffer area, and it must serve as an accessible fire-scape between the permanent structures and the indigenous vegetation on the estuary side of the development setback line.

20.2. An integrated open space system must be established incorporating the sensitive indigenous vegetation on the remainder of Portion 38 of Farm Ganse Vallei 444, Plettenberg Bay.

Further to the above—

20.2.1. The Holder must ensure that the integrated open space is managed in accordance with a "Conservation Management Plan" (CMP) which must, as a minimum, address—

- (a) biodiversity management objectives and targets to promote biodiversity, including the ecological process and pattern and vegetation composition; movement of fauna species and conservation uses;
- (b) apart from the rehabilitation of portion of Portion 38 of Farm Ganse Vallei 444, Plettenberg Bay, no earthworks or any form of development or structures are permitted, unless approved by the competent authority;
- (c) no landscaping or planting of vegetation, unless approved by the competent authority;
- (d) no collection or damaging of fauna, flora, soil and water resources; and
- (e) removal of alien invasive species. The alien invasive clearing programme must include a dedicated follow-up programme to be completed during validity period of the Environmental Authorisation.

Note: In terms of the provisions of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 Of 2004), an Invasive Species Control Plan should be submitted to the National Department of Forestry, Fisheries and the Environment: Branch - Biosecurity ("DFFE: Biosecurity") for consideration and agreement.

20.3. The Holder will be responsible for funding all conservation measures, or until it can be demonstrated that a formal commitment / agreement is made by a conservation body to manage the conservation area.

20.4. The existing inner-fence located in the mesic thick vegetation must be—

20.4.1. maintained along the same alignment, as depicted on the Site Development Plan in Annexure 2 the Environmental Authorisation, unless it is decommissioned and removed, in which instance it may then be established further inland on the alignment of the development setback line;

20.4.2. modified/adapted to be permeable to allow reptiles, tortoises and small antelope and mammals through.

20.5. The pedestrian pathway across a portion of Portion 38 of the Farm Ganse Valleï 444, Plettenberg Bay, which provides access to the estuary, must be maintained on its current alignment. Unless authorised by the competent authority—

(a) the pathway may not be widened; and

(b) no structures may be developed in said pathway (i.e., boardwalks).

20.6. Storm water infrastructure designs must ensure that the concentration/intensity of runoff along the hardened surfaces are reduced to dissipate the energy and erosion potential of the flow from the roads into the open space areas.

Note: To improve the effectiveness of this measure, it is recommended that this action be coordinated with the adjacent landowners.

20.7. No surface or groundwater may be polluted as a consequence of any construction or maintenance actions taken on the site.

20.8. Prior to the operational phase commencing on site, the Holder must register the following legally binding provisions or obligations on the land between the estuary and the development setback line to limit the use of the proposed open space area for a conservation use.

20.8.1. A Restrictive title condition, registered against the Title Deed(s) of the respective portions of land on which the Keurbooms Lifestyle Village and open space will be established (viz. portions of Portion 38 of the Farm Ganse Valleï 444, Plettenberg Bay).

The restriction must contain the following as a minimum –

(a) a “Non-User Conservation Servitude” registered on the portion of land on the estuary side of the development setback line, which servitude must be in favour of the Bitou Municipality and the Home Owners of the Keurbooms Lifestyle Village; and

(b) the portion of the property on the estuary side of the development setback lined must be managed for a conservation use in accordance with a Conservation Management Plan (“CMP”) and approved by the Western Cape provincial department responsible for environmental affairs.

20.8.2. A Public Right of Way Servitude for a pedestrian pathway across a portion of Portion 38 of the Farm Ganse Valleï 444, Plettenberg Bay to gain access from the Rietvlei Road's cul-de-sac located on the Remainder of Portion 4 of the Farm Ganse Valleï No. 444, Plettenberg Bay to a portion of the Farm Lagoon Edge No. 449.

The purpose of the public right of way servitude is to maintain public access to the Keurbooms Estuary.

21. The Holder must ensure that the following Heritage Resource management and conservation measures are adopted and implemented:

21.1. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

- 21.2. A suitably experienced archaeologist must be appointed to undertake the archaeological monitoring of bulk earthmoving activities during the non-operational phase of the proposed development on site (i.e., construction phase), particularly those areas around the two (2) stone features located in the northern portion of the property as identified in the Heritage Impact Assessment (dated March 2023) included in the Final Basic Assessment Report (FBAR)

The archaeologist must–

- (a) be appointed prior to commencement of any works (i.e. movement of soil);
 - (b) remain employed for the duration of the bulk earthmoving activities;
 - (c) notify Heritage Western Cape of any heritage remains being uncovered; and
 - (d) on conclusion of the bulk earthmoving works, compile a final archaeological monitoring report and submit it to Heritage Western Cape (HWC) and the Competent Authority.
- 21.3. The *HWC Chance Fossil Finds Protocol* must be implemented and included in the Environmental Management Programme Report.
- 21.4. For the duration the construction phase, the two (2) stone features which were identified in the Heritage Impact Assessment (dated March 2023) included in the Final Basic Assessment Report (FBAR) dated 27 January 2025 and are located in the northern portion of the property, must–
- (a) be clearly demarcated / fenced off to protect them from accidental impact; and
 - (b) have a 5-metre buffer established and maintained around them;
- unless the relevant Heritage Resources Authority confirms in writing that the two stone features are indeed not heritage resources (i.e., burial markers) but the result of other construction or landscaping actions on the property during the recent past.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the Holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

Amendment of Environmental Authorisation and EMPr

2. If the Holder does not start with and conclude each authorised listed activity within the period referred to in Section E1, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.
3. If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

Note:

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
 - (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.
 - (c) An environmental authorisation may be amended where it relates to a change of ownership or transfer of rights and obligations.
4. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

Note: An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially.

5. The manner and frequency for updating the EMPr is as follows:
- (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
 - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

6. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

Compliance with Environmental Authorisation and EMPr

7. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).
8. This Environmental Authorisation is granted for a set period from date of issue, during which period all the listed activities must be commenced with and concluded, including the post-development rehabilitation; monitoring requirements and environmental auditing requirements which must be concluded.

The validity period and conditions of the environmental authorisation has been structured to promote the effective administration of the environmental authorisation and guidance has been provided to ensure the compliance thereof within the validity period, for example:

- Failure to complete the post construction rehabilitation and monitoring requirements at least three months prior to expiry of the validity period of an environmental authorisation may result in the Holder not being able to comply with the environmental auditing requirements in time.
 - Failure to complete the final auditing requirements at least three months prior to expiry of the validity period of the environmental authorisation may result in the Holder not being able to comply with all the environmental auditing and reporting requirements and may result in the competent authority not being able to process the audit timeously.
9. This Environmental Authorisation is subject to compliance with all the peremptory conditions (i.e., 5, 6 and 12). Failure to comply with all the peremptory conditions, prior to the physical implementation of the activities (including site preparation) will render the entire EA null and void. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA.
 10. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of 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.
 11. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2025.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2025 to the Appeal Administrator;
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter; and
 - 1.3. Submit a copy of the appeal to the decision-maker (i.e., the Competent Authority that issued the decision) at: Gavin.Benjamin@westerncape.gov.za; and copied to DEADPEIAadmin.George@westerncape.gov.za
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2025 to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision.
3. The holder of the decision (the applicant) must–
 - 3.1 notify, and make a copy of the appeal(s) received in respect of section 2.2 above available to registered interested and affected parties, and to affected organs of state, within 5 calendar days of the expiry of the 20-day period in section 2 above; and
 - 3.2 submit proof of the notification contemplated in section 3.1 above to the appeal administrator within 5 calendar days of sending the last notification.
4. The appeal and the responding statement must be submitted to the Appeal Administrator at the address listed below:
 By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning

Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or
By hand: Appeal Administrator
Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Administrator at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL: <https://d7.westerncape.gov.za/eadp/resource-library/forms>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the Holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)
WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: **09 MAY 2025**

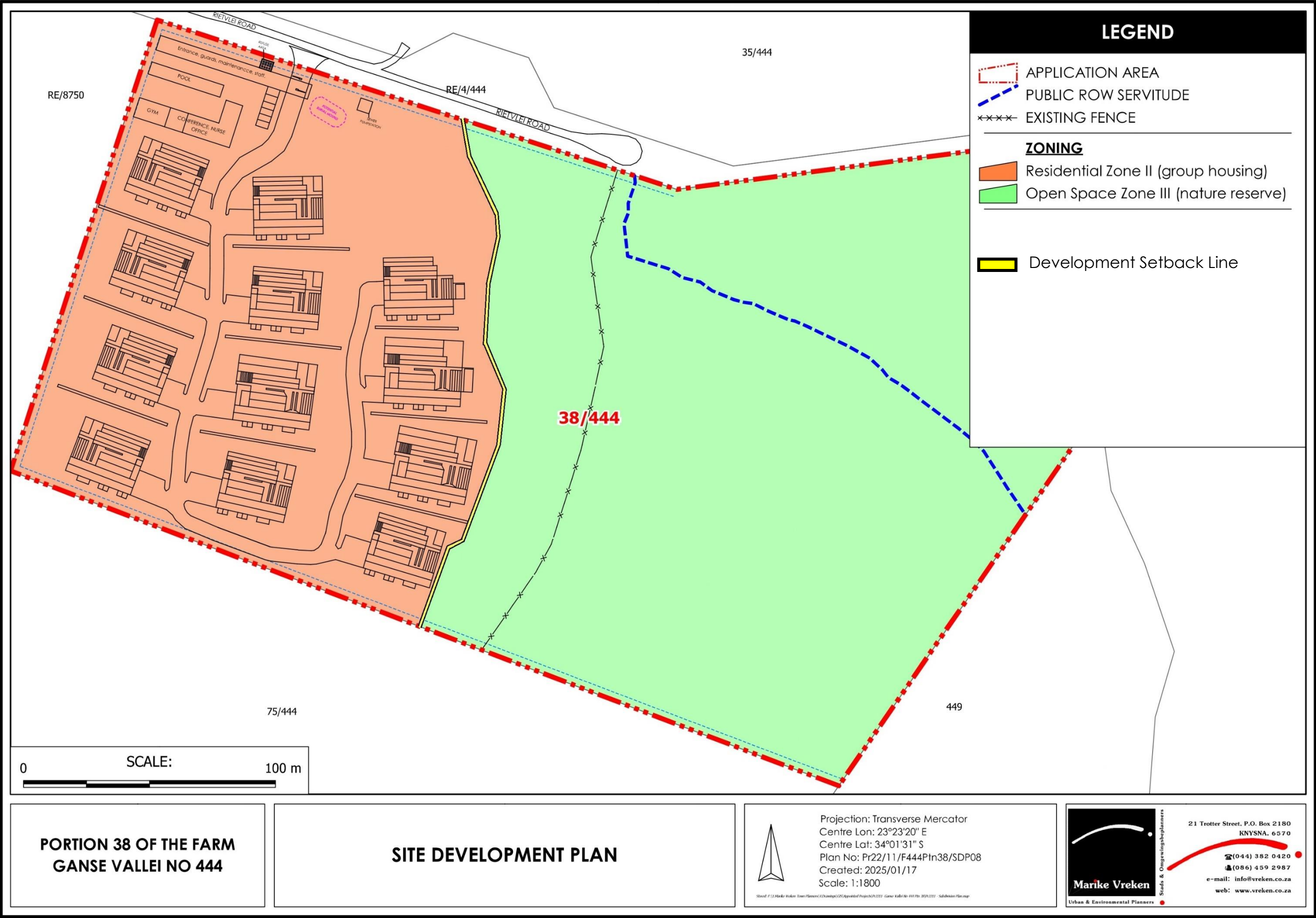
FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:
NEAS REFERENCE:

16/3/3/1/D1/6/0035/24
WCP/EIA/0001554/2024

ANNEXURE 1: LOCALITY MAP





ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form received on 08 October 2024, the Final Basic Assessment Report (FBAR) and EMPr dated 27 January 2025;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the FBAR dated 27 January 2025,
- e) The balancing of negative and positive impacts and proposed mitigation measures.

The Department had sufficient information at its disposal to understand the environmental and spatial context and the case officer is also familiar with the site and surrounding area. All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulation 2014 for public involvement. The public participation process included:

- a) identification of and engagement with interested and affected parties (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- b) fixing a notice board at the site on 22 February 2024;
- c) giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 21 February 2024;
- d) the pre-application draft BAR was made available for comment from 22 February 2024 until 25 March 2024 and the draft BAR again from 21 October until 22 November 2024.
- e) the placing of a newspaper advertisement in the 'Knysna-Plet Herold' on 22 February 2024.

The following Organs of State provided comment on the proposal:

- a) *Bitou Local Municipality: Land Use Management (Spatial Planner)*
- b) *Bitou Local Municipality: Land Use and Environmental Management*
- c) *Breede Olifants Catchment Management Agency ("BOCMA")*
- d) *CapeNature ("CN")*
- e) *Department of Environmental Affairs and Development Planning: Biodiversity and Coastal Management)*
- f) *Department Fisheries, Forestry and the Environment*
- g) *Garden Route District Municipality*
- h) *South African Civil Aviation Authority ("SACAA")*
- i) *Heritage Western Cape ("HWC")*
- j) *Western Cape Department of Agriculture*

Bitou Local Municipality: Land Use Management (Spatial Planner)

The Bitou Local Municipality: Land Use Management indicated that the proposed residential development is supported in principle, in light of the context of the property and the Municipal Spatial Development Framework.

Bitou Local Municipality: Land Use and Environmental Management

The Bitou Local Municipality: Land Use and Environmental Management stated that the proposed development avoids sensitive areas of the property, and the proposal also ensures that the development is set back from the sensitive Keurbooms Estuary and indicated that the Bitou Local Municipality: Land Use and Environmental Management is in support with the proposed development.

Breede Olifants Catchment Management Agency (BOCMA)

BOCMA confirms that the proposed development does not trigger the requirements for a water use authorisation in terms of Section 21 (c) a (i) of the National Water Act due to that none of the construction and operational activities will occur within a regulated watercourse.

Cape Nature ("CN")

CN indicated that the no-go area, 33m buffer area, must be incorporated into the Site Development Plan. The SDP submitted was inclusive of the 33m estuary habitat buffer area. Furthermore, CN recommended certain mitigation measures which were included in the EMP.

Department of Environmental Affairs and Development Planning: Biodiversity and Coastal Management)

Coastal Management ("CM") indicated that the proposed mitigation measures as stipulated in the EMP are appropriate and practical. Furthermore, CM indicated that they do not object to the proposed development and the preferred alternative.

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

DFFE stated that they have no objection to the proposed development but requested that the number of units be reduced in order to retain the coastal forest, which were later confirmed after a site verification to be rather Mesic thicket than coastal forest. The Mesic Thicket is incorporated into the "preferred layout" as a no-go area. The number of units have been reduced from the initial 17 down to 12 units in the preferred layout.

Garden Route District Municipality

The Garden Route District Municipality indicated that Bitou Municipality must have enough bulk water spare capacity to render the service. The Civil Engineering Report Compiled Vita Consulting Engineering regarding the water supply to the proposed development indicated that the bulk water system to Goose Valley, Wittedrift and Matjiesfontein reservoirs is at capacity and must be upgraded, however the GLS Consulting report which were done on behalf of the Bitou Municipality provided a temporary solution as part of the master plan to accommodate this development. This temporary solution entails the re-instatement of a temporary 1600mm bulk main off the existing 160mm distribution main in the N2 road reserve which will free up 860kl/day water supply that will be sufficient for this proposal. A confirmation letter was provided from the Bitou Municipality which stated that they can accommodate the development due to the small scale of the proposal.

South African Civil Aviation Authority ("SACAA")

The SACAA did require the proponent to conduct a formal obstacle assessment to determine whether the proposed development will pose as a threat towards the safety of the flights, however the EAP stated that the proposed site is earmarked as existing urban development and the portion to be developed is within the urban edge according to the Bitou Spatial Development Framework. Furthermore, the proposed development will not exceed any of the Civil Aviation Regulations in terms of height and does not pose a threat to air traffic in terms of obstruction.

Heritage Western Cape ("HWC")

HWC approved the Heritage Impact Assessment and supported Alternative 1 (Preferred Alternative). Furthermore, HWC provided specific recommendations which were incorporated into the Environmental Management Plan and as conditions into this Environmental Authorisation.

Western Cape Department of Agriculture ("WCDA")

The WCDA indicated that they have no objection to the proposed development on condition that it be rezoned out of Agriculture to the appropriate zoning.

All the comments and issues raised by the respective Organs of State that were captured in the Basic Assessment Report were responded to by the EAP. The Competent Authority is satisfied with the responses of the EAP to the comments and concerns raised by I&APs.

2. Alternatives

2.1 Site Alternatives

Site Alternative 1 (Preferred Alternative) – herein authorised.

The preferred site is on the western portion of Portion 38 of Farm Ganse Valleij 444, Plettenberg Bay, Bitou Municipality. The preferred alternative was identified considering the overall site sensitive of site. The preferred site was already disturbed as a result of historical transformation, landscaping, development and agriculture activities. Furthermore, the prolonged exclusion of burning (of fynbos) contributed to the transformation of Garden Route Shale Fynbos vegetation. In addition, the preferred site alternative avoids the delineated estuary habitat in the eastern portion of the property, where the highly sensitive riparian area of the Keurbooms Estuary will be preserved/protected.

The property is situated east of the N2 national road and bordered by the Goose Valley Golf Estate (west/south), Keurbooms Estuary (east) and the Meadows Residential Estate (north-west), as well as private residential development directly north of the site.

No other site alternatives were considered, due to the fact that the site where the expansion is proposed is owned by the applicant.

2.2 Activity Alternatives

The applicant proposes to develop a low-density residential estate, with private amenities and an open space area for conservation purposes. The development allows for private, in-house care and support should ill/elderly residents require such services. The proposed development within the Residential Zone II portion will entail the following:

- Twelve (12) x sectional title group housing units (single storey),
- Entrance gate,

- Guard house,
- Maintenance and staff rooms,
- Communal area (club house, conference room, gym, pool, doctor/nurse office and admin office),
- Six (6) visitor parking bays at the communal buildings / facilities,
- Internal access roads (5.5m wide),
- External services (water line and sewer line within road reserve as part of Municipal infrastructure).

The proposed units are positioned within the transformed, flat portion of the site, which avoids higher sensitive areas identified by the independent biodiversity / botanical / faunal / aquatic specialist studies as well as inputs from Department of Forestry from there site inspection.

The following regarding service for the proposed development was taken into account for this activity alternative:

- **Sewage Network:** The proposed development will be accommodated within the existing Goose Valley Main pumping station drainage area. The existing Goose Valley Main pumping station with an accompanying 200mm diameter rising main have sufficient capacity to accommodate the proposed development.
- **Water Network:** The proposed development will be accommodated in the Goose Valley reservoir zone. Water reticulation will be connected to an existing 75mm diameter pipe located north-west of the property in Rietvlei Road reserve.
- **Road and parking areas:** The internal road network will be 5.5m wide brick paved road with formal kerbs/edgings, roadside channels and stormwater drainage network.
- **Stormwater:** An open swale stormwater network will however be designed which will have sufficient capacity to manage and convey up to a 1:5-year rainfall event. The open swale stormwater network will follow the road network and will have inlet structures and pipe culverts at road crossings.
- **Solid Waste:** Solid waste will be transferred to a communal refuse storage located at the entrance of the proposed development from where it will be removed as per the Municipal waste collection.

2.3 Design / Layout Alternatives

(a) Layout Alternative 1 (Preferred) – herein authorised

The proposed development within the residential Zone II portion will entail the following infrastructure:

- Twelve (12) x sectional title group housing units (single story), each with a double garage and two (2) additional parking bays. Each unit will have a development footprint of 655 square meters.
- Entrance gate (from Rietvlei Rd)
- Guard House
- Maintenance and staff rooms,
- Communal areas (clubhouse, conference room, gym, pool, doctor/nurse office and admin office).
- Six (6) x visitor parking bays at the communal buildings / facilities.
- Internal access roads (5.5m wide).
- External services (water line and sewer line within road reserves as part of Municipal infrastructure).

This preferred design layout alternative was specifically designed to avoid the delineated mesic thicket and estuary habitat in the eastern portion of the property. Furthermore, this alternative avoids the very steep slope leading down to the estuary flood plain and accommodates the 33m estuary habitat buffer to be adhered to. This area will be rezoned to Open Space III (conservation) and be managed for a conservation purpose/use.

(b) Layout Alternative 2

Alternative 2 entails the same development components, but with 17 x single housing units. The increase in housing units results in a slightly different layout which will encroach into identified sensitive areas on the site and impact on the protected trees. This alternative layout does not take into account the presence of the potential graves identified in the archaeological impact assessment as well as the location of protected tree species on the property.

(c) The “No-Go” Alternative

According to the BAR the No-Go alternative implies that the proposed development will not go ahead. With this alternative the current land use would continue with the primary rights of agriculture and the primary dwelling. This would then imply that there will be no link services upgrades, the current vehicle (farm) access would remain in place and the Riet Vlei Road sections (degraded tar sections and gravel) will not be resurfaced. Additionally, should the No-Go be maintained, the public access right of way servitude down to the Estuary would not be realized, as will the associated income generation (rates/taxes/salaries) and employment opportunities given the status quo.

3. Impact Assessment and Mitigation Measures

3.1. Activity Need and Desirability

Based on the information in the FBAR the need for the proposed development is in line with all the provincial, district and local development policies. The development will create employment opportunities during both construction and operational phase, in addition this development will also contribute to economic growth in Plettenberg Bay. Furthermore, this development will not negatively affect the land use rights of the neighbouring properties. The proposal will optimise the land as the property is within an urban setting. The timing and placing of this proposal is considered to be acceptable.

3.2. Western Cape Provincial Spatial Development Framework (“PSDF”)

The proposed development does align with the PSDF as the proposal does align with the “Policy R1: Protect Biodiversity and Ecosystem Services” in the Western Cape PSDF (2014). This development does optimise urban development within the urban edge. Furthermore, this development strengthens the economy in rural areas, as Plettenberg Bay is a prominent urban node and smaller erven with smaller units are deemed to be in demand. The proposal is aligned with the PSDF.

3.3. Bitou Integrated Development Plan 2017 – 2022 (IDP)

The Bitou Municipality has adopted strategic objectives of the IDP to deliver on its vision and to help realize the objectives of the district economic development. This proposed development therefore provides excellent service delivery to the residents and establishes grow and expand tourism within the Bitou Municipality. Furthermore, this proposal facilitates growth, jobs and empowerment of the people of Bitou.

3.4. Surface Water

The proposed development site is situated within the sub-quaternary catchment (SQC) 9188. According to the National Freshwater Ecosystem Priority Atlas (NFEPA). SQC 9188 has been classified as a Freshwater Ecosystem Priority Area (FEPA). However, the footprint of the development is not located within any aquatic features. Furthermore, it was stated in final Basic Assessment Report (FBAR) that any development that occurs within the proposed 33m buffer zone considered as Very High sensitivity, would not have been supported. The proposed development is limited to outside the 33m buffer zone, and the impact is considered to be "low". The BOCMA does not regard the Keurbooms Estuary to be a water resource, therefore the proposed development will not be within the regulated area of a watercourse and no water use authorisation is required for this development proposal.

3.5. Coastal Aspects

The applicant has considered the coastal aspects as it relates to the proposed development. Based on the considerations in the FBAR regarding the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA"), the proposed development will not prejudice the achievement of the coastal management objectives and is not in conflict with the interests of the surrounding community. In this regard, the proposed development is well setback from the edge of the estuary. The proposed development will be restricted to the western portion of the property and avoids steep slopes at the edge of the estuary functional zone ("EFZ") as well as the sensitive estuarine area by incorporating the establishment of a buffer from EFZ. Furthermore, the proposed development on the subject property aligns with the Western Cape Estuarine Management Framework and Implementation Strategy: Best Practice Activity Guidelines (2019). Furthermore, the proposed development will not deny the public access to the coastal environment.

With due consideration of the above, the decision-maker is satisfied that the risks to the proposed development in respect of the coastal aspects have been considered in the application for environmental authorisation.

3.6. Terrestrial Biodiversity

The FBAR indicated that the eastern portion of Portion 38 of Farm Ganse Vallei Farm 444 is located in a designated Critical Biodiversity Areas (CBA's), specifically an estuary area. A small portion of the property contains designated Ecological Support Areas, specifically ESA2. No development is proposed in the CBA areas.

Furthermore, the estuarine habitat on site (eastern portion of the property) are sensitive and must be avoided. The Mesic Thicket habitat on the sea-facing slope is sensitive and forms part of an essential buffer between estuarine and terrestrial ecosystems and no development is proposed in the identified Mesic Thicket. The habitats on Portion 38 of Farm Ganse Vallei that have the highest sensitivity and ecological value are excluded from the proposed development footprint. The development proposal acknowledges the conservation value of the remaining thicket and estuarine environment by avoiding these features and through appropriate zoning ensuring long-term protection.

3.7. Terrestrial - Botanical

According to the FBAR the proposed development site is mapped as Garden Route Shale Fynbos listed as Endangered (EN) and the remaining fynbos on the elevated portion of the site where

the development is proposed is invaded by alien invasive species and has relatively low species richness and composition. The specialist suggested that the fynbos is old secondary fynbos whilst being chronically disturbed for an extended period of time through grazing and nutrification. Although there are several plant species listed in the screening tool report that have a medium probability of occurring on site the botanical specialist did not find these species on site. The specialist provided a site ecological score of medium.

3.8. Terrestrial – Faunal

Based on the Animal Species Compliance Statement: Terrestrial Animal Species Compliance State Report for Keurbooms Lifestyle Village on Portion 38 of the Farm 444 in Plettenberg Bay in the Western Cape Province: Dated 31 January 2024, it is noted that the site is not considered to be suitable for any animal species flagged for the site in the screening tool report. Other parts of the property (outside the proposed development footprint) have a High or Very High Site Ecological Importance for the Animal Species Theme, but these areas will not be affected. Furthermore, it is noted that the proposed development site has a site sensitivity rating of “very low”, “low” and “medium”. Mitigation measures were recommended, and these measures were included in the EMPr.

3.9. Heritage Impacts

Heritage Western Cape confirmed that an Integrated Heritage Impact Assessment (“HIA”) is required due to the presence of two potential burial sites. Heritage Western Cape Committee approved the HIA compiled by Perception Planning dated March 2023 with certain conditions. The competent authority is satisfied that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of the National Heritage Resources Act, 1999 and the comments and recommendations of the relevant heritage resources authority with regard to the proposed development have been taken into account and conditions are included in this Environmental Authorisation.

3.10. Other Impacts

No other impacts of significance are anticipated for the area that has been authorised in this Environmental Authorisation. Considering the findings of the impact assessment and proposed mitigation measures to address the aforementioned impacts, this Directorate is satisfied that the activity will not negatively impact on the receiving environment, subject to the strict implementation of the conditions of this EA and the mitigation measures contained in the EMPr.

4. Scope and Validity Period of authorisation

The applicant has indicated that the construction activities (non-operational aspects) should be completed within five (5) years, by 31 May 2030. The validity period of the environmental authorisation has been granted for a period of five (5) years from the date of issue, during which period the construction activities must commence and be concluded, including the post-construction rehabilitation and monitoring and submission of the final environmental audit. Where the activity has been commenced with, the EIA Regulations, 2014 allow that (upon application) the period for which the environmental authorisation is granted may be extended for a further period of 5-years.

5. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- a) the effects of decisions on all aspects of the environment to be taken into account;
- b) the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- c) the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- d) the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- e) the selection of the best practicable environmental option.

6. Conclusion

After consideration of the information and factors listed above, the Department made the following findings:

- (a) The identification and assessment of impacts that are detailed in the FBAR dated 27 January 2025 can be regarded as a sufficient assessment of the key identified issues and impacts.
- (b) The procedure followed for the impact assessment is considered adequate for the decision-making process.
- (c) The proposed mitigation of impacts identified and assessed, curtails the identified negative impacts.
- (d) The EMPr proposed mitigation measures for the pre-construction, construction and rehabilitation phases of the development and these were included in the FBAR. The mitigation measures will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

----- **END** -----