



**REFERENCE:** 16/3/3/6/7/1/D1/14/0217/24

**DATE OF ISSUE:** 16 October 2024

The Managing Director  
THE MORE FAMILY COLLECTION  
15 Third Avenue  
Parktown North  
**JOHANNESBURG**  
2193

Attention: Mr. Robert More

E-mail: [robert@more.co.za](mailto:robert@more.co.za)

Dear Sir

**COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED  
EXPANSION OF THE MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190,  
REMAINDER OF ERF 2066 AND THE REMAINDER OF ERF 706, PLETTENBERG BAY**

1. The pre-application Basic Assessment Report (Ref: MLKW/EXP/PB/06/24) dated 5 September 2024 compiled on your behalf by your appointed registered Environmental Assessment Practitioner ("EAP"), Mr. Michael Bennett (EAPASA No: 2021/3163) and assisted by Candidate EAP, Ms. Lu-Anne de Waal (EAPASA No: 2024/7962) of *Sharples Environmental Services cc*, as received by the Directorate: Development Management (Region 3) ("this Directorate") on 12 September 2024, refers.
2. The Directorate: Development Management (Region 3) ("this Directorate") has reviewed the pre-application Basic Assessment Report ("pBAR") and provides the following comment:

**2.1. BAR Requirements**

The BAR must contain all the information outlined in Appendix 1 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (Government Notice No. R. 982 of 4 December 2014, as amended) and must also include the information requested in this letter. Omission of any of the said information may result in the application for Environmental Authorisation being refused. In this regard, please note the following:

● **Relevant listed activities**

The National Environmental Management: Integrated Coastal Management Act, Act 24 of 2008, as amended ("NEM: ICMA") defines the *littoral active zone* ("LAZ") as any land forming part of, or adjacent to, the seashore that is—

- a) *unstable and dynamic as a result of natural processes; and*

- b) *characterised by dunes, beaches, sand bars and other landforms composed of unconsolidated sand, pebbles or other such material which is either unvegetated or only partially vegetated.*

With due consideration of the above, this Directorate is of the considered view that the proposed beach shower deck will be located in the LAZ. Therefore, the placement of the proposed shower deck will prevent the free movement of sand within the LAZ. The information provided in the pBAR suggests that the proposed shower deck will exceed 10m<sup>2</sup>. Therefore, you are advised to consider the inclusion of EIA Regulations, 2014 Listing Notice 1 (Government Notice No. R. 983 of 4 December 2014, as amended) Activity No. 18 in the application for environmental authorisation.

Furthermore, the development footprint of the proposed shower deck has not been provided and it is unclear whether the footprint will exceed 50m<sup>2</sup> in extent. You are therefore advised to consider the inclusion of Listing Notice 1 Activity No. 17 in the application for environmental authorisation.

The applicability of Listing Notice 1 Activity No. 15 must be reconsidered. In this regard, please be advised that the composition of coastal public property has been defined in Section 7 of NEM: ICMA as consisting of –

- (a) coastal waters;
- (b) land submerged by coastal waters, including—
  - (i) land flooded by coastal waters which subsequently becomes part of the bed of coastal waters; and
  - (ii) the substrata beneath such land;
- (c) any natural island within coastal waters;
- (d) the seashore, including—
  - (i) the seashore of a natural or reclaimed island; and
  - (ii) the seashore of reclaimed land;
- (e) subject to section 66A of NEM: ICMA, any admiralty reserve owned by the State;
- (f) any land owned or controlled by the State declared under section 8 to be coastal public property;
- (g) land reclaimed in terms of section 7C of NEM: ICMA; or
- (h) any natural resources on or in any coastal public property of a category mentioned in paragraphs (a) to (g).

Please be reminded that the onus is on the applicant / proponent to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

## 2.2. Coastal aspects

### ● Garden Route Coastal Management Lines, 2018

The project on the delineation of the Coastal Management Lines for the Eden District (Garden Route District), was commissioned in 2016 to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The principal purpose of the Coastal Management Line ("CML") is to protect coastal public property ("CPP"), private property and public safety, to protect the coastal protection

zone ("CPZ"), and to preserve the aesthetic value of the coastal zone. The use of CML's is of importance in response to the effects of climate change, as it involves both a quantification of risks and pro-active planning for future for future development.

An analysis of the data from this project indicates that the proposed new shower deck located seaward of the CML and CPZ, while the remainder of the proposed development is located landward of the CML but seaward of the CPZ. In this regard, please be informed of the purpose of the CPZ in accordance with Section 17 the NEM: ICMA, being:

The CPZ is established for enabling the use of land that is adjacent to coastal public property or that plays a significant role in a coastal ecosystem to be managed, regulated or restricted in order to –

- (a) protect the ecological integrity, natural character and the economic, social and aesthetic value of coastal public property;
- (b) avoid increasing the effect or severity of natural hazards in the coastal zone;
- (c) protect people, property and economic activities from risks arising from dynamic coastal processes, including the risk of sea-level rise;
- (d) maintain the natural functioning of the littoral active zone;
- (e) maintain the productive capacity of the coastal zone by protecting the ecological integrity of the coastal environment; and
- (f) make land near the seashore available to organs of state and other authorised persons for -
  - (i) performing rescue operations; or
  - (ii) temporarily depositing objects and materials washed up by coastal waters.

This Directorate is aware that the site and surrounding areas were significantly impacted by a storm event and movement of the river mouth during 2007/2008 which resulted in loss of property at Milkwood Manor. A rock revetment was subsequently constructed around the restaurant to protect the facility from similar event. According to the Coastal Engineering Assessment (Ref: AFP240047-PR-MILKWOOD-R00; Date: 1 August 2024) undertaken by PRDW Consulting Port and Coastal Engineers, the location of the mouth may be considered as being in a state of dynamic equilibrium as a function of fluvial flooding, prevailing sea level and ocean storm events. It is therefore expected that the conditions which led to the need to construct the revetment in 2007/08 is expected to occur in the future.

With due consideration of the above, it is advised that an alternative location, landward of the CML and outside the LAZ for the proposed shower deck be identified and comparatively assessed in the BAR.

### 2.3. *Designs of the proposed expansion to Milkwood Manor House*

This Directorate notes the designs of the proposed expansion of the Milkwood Manor House as included in Appendix B1 of the pBAR. It is noted that the proposed expansion is limited to the area inside the revetment. The findings of the coastal assessment indicate that sea level rise, higher flooding levels and increased wave heights on the seaward will impact on the seaward portion of the revetment with resultant higher levels of overtopping and flooding behind the revetment.

However, "NEW EXTENSION 1" and "NEW EXTENSION 9" are located close to the revetment with limited space between the new extension and the revetment for any emergency measures should the need arise. Furthermore, no space is being allowed for any future maintenance work on the revetment unless access is obtained via the beach side of the revetment.

In light of the above, you are advised to consider a setback further away from the revetment. Should this not be possible, an alternative which omits "NEW EXTENSION 1" and "NEW EXTENSION 9" should be considered in the BAR.

Furthermore, this Directorate notes the proposed new raised reception and bar on the western side to the existing building. Furthermore, it is understood that a timber deck was constructed on the rock revetment which encroaches onto the Remainder of Erf 706 (Re/706), which is owned by the Bitou Municipality. While it is understood that the existing deck on Re/706 will be removed, it is unclear whether the deck required environmental authorisation as the development footprint of the deck has not been provided. As such, you are required to provide this Directorate with the details of the existing deck as well as the timeline the deck was developed.

#### 2.4. Maintenance Management Plan

The coastal engineer expects that conditions which led to the need to construct the revetment around Milkwood Manor will occur again. Furthermore, the assessment indicates that no units (rocks) appear to have been displaced; however, minor settlement of parts of the structure have been noted but is not of concern which indicates that additional rock should be added in future to ensure that the crest level is maintained.

In light of the above and with due consideration of the effects of climate change and the resultant increased severity of the site conditions, the assessment recommends *inter alia* that additional rock armour be added to the revetment as part of the existing management plan to ensure that it is resilient into the future. The Maintenance Management Plan ("MMP") appended as Appendix H2 to the pBAR is noted in this regard. The following comment pertains to the MMP:

##### ● Request for adoption of an MMP

Please be advised that this Department has developed a form (Request for the adoption of a Maintenance Management Plan in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014) which must accompany an MMP which must be agreed to. The form as well as all other Departmental templates are available on the Departmental website at URL: <https://www.westerncape.gov.za/eadp/resource-library/forms>.

While it is acknowledged that the MMP forms part of the BAR which is subject to public participation, you are requested to inform potential and registered Interested and Affected Parties ("I&APs") that an MMP has been developed for the maintenance of the rock revetment and that comment on the MMP is also being requested.

##### ● Access to the beach

According to the MMP access to the revetment shall be gained by constructing a temporary track over the rock revetment. This implies that earthmoving vehicles will

access the revetment via the beach. In this regard, please be advised that in terms of Regulations 2(1) of the Control of use of vehicles in the coastal area Regulations (Government Notice No. R. 496 of 27 June 2014) no person may use a vehicle in the coastal area unless that use –

- (a) is a permissible use under Regulation 3;
- (b) is authorised in terms of a permit granted under Regulations 4;
- (c) is authorised in terms of an exemption granted under Regulation 16; or
- (d) is lawful in terms of Regulation 18

It is acknowledged that the MMP specifies that the relevant permissions pertaining to beach access must be obtained. However, it is strongly advised that the details of the relevant Department and the relevant application form for the permit, or any other application forms be included in the MMP.

#### ■ *Monitoring and reporting*

The monitoring and reporting included in Section 14 of the MMP is considered to be inadequate. In this regard, the MMP must specify reporting to the relevant authorities. Reporting must include, but is not limited to:

- seven calendar days' notice of commencement of maintenance activities, including proof that the necessary permits to undertake the maintenance have been obtained; and
- specify when monitoring reports must be submitted to the relevant authorities.

#### ■ *Existing authorisation(s)*

This Directorate is aware that an authorisation in terms of Section 24G of the National Environmental Management Act, Act 107 of 1998, as amended ("NEMA") has been issued by this Department. Therefore, you are required to attach all authorisations that have been issued in respect of the rock revetment to the MMP.

### 2.5. *Geospatial data*

Please be advised that you are required to provide this Directorate with the geospatial data of the proposed development. The accepted formats for such data include Keyhole Markup Language (.kml), Zip-compressed Keyhole Markup Language (.kmz) and Shapefiles (.shp). The data must be included with the application for environmental authorisation.

### 2.6. *Government Policies and Plans, Guidelines, Environmental Management Instruments:*

You are advised that when undertaking the EIA process, it is the responsibility of the EAP and Specialists to take into account all the government policies and plans, guidelines, environmental management instruments and other decision making instruments in respect of the application process or the kind of activity which will be the subject of the application, including the guidelines, information documents or circulars developed by this Department which include *inter alia*, the following:

- Circular 0004/2021: The Consideration of Coastal Risk in Land Use Decisions as well as the way forward with respect to the establishment and implementation of Coastal Management Lines in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 Of 2008) ("NEM: ICMA").
- Guideline for Environmental Management Plans (June 2005).
- Guideline for determining the scope of specialist involvement in EIA processes, June 2005.
- Guideline for involving biodiversity specialists in the EIA process, June 2005.

- Guideline for involving hydrogeology specialists in the EIA process, June 2005.
- Guideline for environmental management plans, June 2005.
- Guideline for involving visual and aesthetic specialists in the EIA process, June 2005.
- Guideline for involving heritage specialists in the EIA process, June 2005.
- Guideline for involving social assessment specialists in the EIA process, February 2007.
- Guideline for involving economists in the EIA process, June 2005.
- Western Cape Provincial Spatial Development Framework, November 2014 (as amended)
- DEA (2017), Guideline on Need and Desirability, Department of Environmental Affairs (DEA), Pretoria, South Africa (ISBN: 978-0-9802694-4-4)

3. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department.

No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:

- that additional information or documents will not be requested
- of the outcome of the application.


4. Please note that a listed activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("NEMA") for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.

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

Yours faithfully

pp **Francois Naudé**

 Digitally signed by Francois Naudé  
Date: 2024.10.16 10:33:21 +02'00'

**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Ref.: 16/3/3/6/7/1/D1/14/0217/24

Copied to:

**SEScC:**

EAP: Mr. Michael Bennett

Candidate EAP: Ms. Lu-Anne de Waal

E-mail: [michael@sesc.net](mailto:michael@sesc.net)

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**physical** 4<sup>th</sup> Floor, York Park Building,  
York Street, George, 6530

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**Reference** LE14/2/6/1/6/1/RE ERVEN 10190&2066&706\_  
Estuarine\_Plettenberg Bay

**date** 30 October 2024

Sharples Environmental Services cc,  
P.O.Box 9087,  
George,  
6530

Attention: Ms Lu-anne de Waal  
By email: [luanne@sescs.net](mailto:luanne@sescs.net)

Dear Ms Lu-anne de Waal

**THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED  
EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190,  
REMAINDER OF ERF 2066, AND REMAINDER OF ERF 706, PLETTENBERG BAY,  
BITOU LOCAL MUNICIPALITY, WESTERN CAPE.**

**DEA&DP Reference: I6/3/3/6/7/D1/14/0217/24**

CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature we wish to make the following comments:

According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet *et al.* 2017)<sup>1</sup> the property has Critical Biodiversity Areas (CBA 1: Aquatic; Estuary) and abuts the Keurbooms River Nature Reserve Seagull Colony. Furthermore, the property is within the Keurbooms Estuarine Functional Zone (Nel *et al.* 2011)<sup>2</sup>, which is poorly protected (Van Deventer *et al.* 2019)<sup>3</sup>.

According to Vlok and de Villiers (2007)<sup>4</sup> fine scale vegetation maps the area is described as Wilderness Forest Thicket. According to the National Biodiversity Assessment (Skowno *et al.* 2018)<sup>5</sup> the vegetation is Goukamma Dune Thicket which is Least Concerned (SANBI 2022)<sup>6</sup>.

<sup>1</sup> Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature.

<sup>2</sup> Nel, J.L., Murray, K.M., Maherry, A.M., Petersen, C.P., Roux, D.J., Driver, A., Hill, L., Van Deventer, H., Funke, N., Swartz, E.R., Smith-Adao, L.B., Mbona, N., Downsborough, L. & Nienaber, S. (2011). Technical Report for the National Freshwater Ecosystem Priority Areas project. WRC Report No. K5/1801.

<sup>3</sup> Van Deventer, H., van Niekerk, L., Adams, J., Dinala, M.K./ Gangat, R., Lamberth, S.J., Lötter, M., MacKay, F., Nel, J.L., Ramjukadh, C.J., Skowno, A., Weerts, S. 2019. National Wetland Map 5-An Improved Spatial Extent and representation of inland aquatic and estuarine ecosystems in South Africa.

<sup>4</sup> Vlok JHJ, de Villiers R (2007) Vegetation Map for the Riversdale Domain. Unpublished 1:50 000 maps and report supported by CAPE FSP task team and CapeNature.

<sup>5</sup> Skowno, A. L., Poole, C. J., Raimondo, D. C., Sink, K. J., Van Deventer, H., Van Niekerk, L., Harris, L. R., Smith-Adao, L. B., Tolley, K. A., Zengeya, T. A., Foden, W. B., Midgley, G. F. and Driver, A. 2019. National Biodiversity Assessment 2018: The status of South Africa's ecosystems and biodiversity. Synthesis Report. Pretoria, South Africa. 214 pp.

<sup>6</sup> Government of South Africa (2022) South African Red List of Terrestrial Ecosystems: assessment details and ecosystem descriptions. Technical Report #7664, SANBI Pretoria, South Africa.



Following a review of the dBAR and Estuarine Assessment, CapeNature wishes to make the following comments:

1. CapeNature does not support the development within the coastal dune section of the Estuarine Function Zone (EFZ) as this is within coastal habitat which is an important ecological infrastructure that provides a range of regulatory services to coastal communities (Cadman 2016)<sup>7</sup>. The coastal habitat has an essential role in providing physical buffering against sea storm surges and other potential climate change related impacts. Ecological infrastructure must be in a functional and natural state as they have an important role in landscape connectivity, as well as supporting the functioning of PAs or CBAs (Pool-Stanvliet et.al. 2017).
2. The impacts of climate change such as increase in rainfall, flooding, rise in sea-level and storm events must be considered for this application. Considering that the Keurbooms estuary has flooded in the past.
3. CapeNature does not support any clearing of vegetation that will destabilize the banks of the estuary. However, we do recommend bank stabilization to mitigate the impacts of future storm events.
4. Enhancements of existing rights should not be allowed; however, maintenance of existing approved infrastructure can be.
5. CapeNature does not support any development/ expansion on the floodplain (1:100-year flood line) as this would be a risk area.
6. In terms of the Sea Shore Act, 1935 (Act No. 21 of 1935) a lease agreement is required from CapeNature for any structure's seawards or on the High-Water Mark of the Sea on state-owned land. Please note that in terms of section 3(5) of the Sea-Shore Act, 1935 (Act No 21 of 1935)  
*"Before any lease is entered into under subsection (1) or any permit is granted under subsection (2), the Minister shall, at the expense of the person with or to whom it is proposed to enter into such lease or to issue such permit, cause a notice to be published in the Gazette and in not less than one newspaper circulating in the neighbourhood wherein the portion of the sea-shore or the sea concerned is situated, wherein-*
  - (a) the proposal to enter into the lease or to issue the permit is made known.*
  - (b) the place where and the times at which full particulars of the proposed lease or permit will be open for inspection are specified; and*
  - (c) it is specified that objection to the proposed lease or permit may be lodged with a person specified in the notice, before a date so specified, which shall be not less than 30 days after the date on which the notice is published."*
7. It is assumed that some work will be required on Coastal Public Property (CPP). In terms of the NEM: ICM Act<sup>8</sup>, CPP exists to:
  - (i) improve public access to the seashore;*
  - (ii) protect sensitive coastal ecosystems;*
  - (iii) secure the natural functioning of dynamic coastal processes;*
  - (iv) protect people, property and economic activities from risk arising from dynamic coastal processes, including the risk of sea-level rise; or*
  - (v) to facilitate the achievement of any of the objects of the ICM Act.*

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<sup>7</sup> Cadman, M. (ed.). 2016. Fynbos Forum Ecosystem Guidelines for Environmental Assessment in the Western Cape, Edition 2. Fynbos Forum, Cape Town.

<sup>8</sup> National Environmental Management: Integrated Coastal Management Amendment Act, 2014 Act (No. 36 of 2014).

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Mervyn Burton, Prof Denver Hendricks, Dr Colin Johnson, Mr Paul Slack



8. Please note that no structures should be placed on CPP unless it complies with the purpose of CPP as detailed in Section 7A of the NEM:ICM Act. In this regard, Section 15 of the ICM Act states:

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

*(2) No person may construct, maintain or extend any structure, or take other measures on coastal public property to prevent or promote erosion or accretion of the seashore except as provided for in this Act, the National Environmental Management Act or any other specific environmental management Act.”*

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

Yours sincerely,



**Megan Simons**  
**For: Manager (Conservation Intelligence)**

REFERENCE: 4/10/2/K60G/ERF 10190, PLETTENBERG BAY

Sharples Environmental Services  
P.O. Box 9087  
George  
6529

**Attention: Lu-anne de Waal**

**RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE**

The Breede Olifants Catchment Management Agency has assessed the above referenced document, and the following comments are applicable.

1. The proposed development has been confirmed not to trigger any water uses as defined under Sections 21(c) and (i) of the National Water Act, 1998 (Act 36 of 1998), as it does not encroach upon or impact any regulated areas of a watercourse.
2. Appropriate measures must be implemented to protect the estuary.
3. The development must not result in any pollution of water resources.
4. All conditions and mitigation measures outlined in the Aquatic Biodiversity Specialist Assessment (Appendix G1) must be strictly adhered to and enforced.
5. Regular audits of compliance with the final approved Environmental Management Programme (EMPr) must be conducted by the designated Environmental Control Officer.
6. This office reserves the right to revise or amend these comments, or to request additional information, as necessary. For further queries, please contact us and reference the number provided above.

Yours faithfully,

Pp RM Mphahlele

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**pp MR. JAN VAN STADEN**  
**CHIEF EXECUTIVE OFFICER (ACTING)**  
**21/10/2024**

The EAP  
Sharples Environmental Services  
P.O. Box 9087  
GEORGE  
6530

**Attention: Lu-anne Beets**

Tel: 044 873 4923  
Email: [luanne@sesc.net](mailto:luanne@sesc.net)

**RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY**

Good day Madam

Your request for comment from the Sub-directorate: Coastal Management on the above-mentioned pre-application basic assessment report received on 12 September 2024, refers.

## **1. CONTEXT**

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

- 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027") is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and may be viewed at [Western Cape PCMP 2022-2027](#).
- 1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans. Both draft and approved plans may be viewed at [DEA&DP: Coastal Management](#).
- 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 on the Departmental website at [DEA&DP: Coastal Management](#).

## **1. COMMENT**

- 2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:
  - 2.1.1. The applicant is proposing to expand the Milkwood Manor Guest House and both public and private parking areas on Erf 10190, Remainder of Erf 2066 and Remainder of Erf 706. The proposed expansion will entail the:
    - 2.1.1.1. Expansion of the Milkwood Manor Guest House by adding 10 new rooms
    - 2.1.1.2. Upgrading of the restaurant, bar, lounge area and spa of the guest house
    - 2.1.1.3. Expansion of the hotel parking by adding 5 new parking bays
    - 2.1.1.4. Expansion of the public parking by adding 27 new parking bays
    - 2.1.1.5. Construction of a new public beach shower east of the parking on Erf RE/2066
    - 2.1.1.6. Construction of a new public ablution block next to the existing pump station
    - 2.1.1.7. Removal of the existing deck on the rock revetment
    - 2.1.1.8. Adding of new landscape
    - 2.1.1.9. Construction of a new pergola and deck
    - 2.1.1.10. Construction of a new bus stop and drop-off area
    - 2.1.1.11. Implementation of new stormwater management measures

- 2.1.2. It is also noted that an application was made by Planning Space and Town Planners to relax the southern boundary building line of 4m to 0m in order to create an enclosed service area to contain service infrastructure such as water tanks, refuse storage, a generator room and a delivery area which is presently located in the municipal parking area.
- 2.1.3. The SD: CM notes that land consent was required for the construction of additional parking on Erf 706 and a letter from the Western Cape Department of Agriculture Land Reform and Rural Development: Office of Surveyor-General dated 30 May 2024 confirmed that the open space may be used for public parking. Land consent was also obtained from the Bitou Municipality to construct additional parking bays on Erf RE/2066.
- 2.1.4. The applicant accurately identified all critical biodiversity and ecological support areas on the subject erven in accordance with the Western Cape Biodiversity Spatial Plan (2017) and also indicated that the subject area falls partially within the Keurbooms River Nature Reserve Seagull Colony.
- 2.1.5. Be advised that Erf 10190, Remainder of Erf 2066 and Remainder of Erf 706 are all located within the Coastal Protection Zone ("CPZ") as defined in Section 16 of the NEM: ICMA and the purpose of the CPZ is to avoid increasing the effect or severity of natural hazards in the coastal zone and to protect people and properties from risks arising from dynamic coastal processes, including the risk of sea level risks. Due to the subject property's location within the CPZ, Section 63 of the NEM: ICMA must be considered where an authorisation is required in terms of Chapter 5 of the NEMA. Furthermore, Section 62 of the 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 should be considered by local authorities for land use decision making.
- 2.1.6. In Appendix A2 (Coastal Risk Lines) the applicant identified the subject properties in relation to erosion risk lines. In terms of coastal risk modelling commissioned by the SD: CM, Erf 10190 is located landward of the Garden Route District coastal management line ("CML") and is also a development island. Erven RE/2066 and RE/706 fall partially seaward of the CML (see Figure 1 below). The technical delineation of the CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, zoning, *inter alia* and was delineated in conjunction with and supported by other organs of state including Local and District municipalities as well as CapeNature and all other organs of state represented on the steering committee for the Garden Route District CML project. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and pro-active planning for future development.

2.1.7. Be advised that a development island is considered outside or landward of the CML in order to recognise existing development rights. In this regard, all the proposed activities within the boundaries of Erf 10190 falls within the development island and thus landward of the CML. Furthermore, all proposed activities directly south of Erf 10190 are also considered landward of the CML (see Figure 1 below). However, it must be noted that the development islands is to limit the enhancement of existing development rights and/or the expansion of development within these development islands in order to reduce risk of human life and properties as a result of coastal processes and impacts of climate change.



(Figure 1 depicting the proposed property in relation to the CML as well as the development island around Erf 10190)

2.1.8. Although the proposed expansions to the Milkwood Manor Guest House fall within the development island, the SD: CM is concerned that with the relaxation of the building line from 4m to 0m, may result in an insufficient buffer to absorb the effects of coastal processes. Although the applicant made reference to a flood event in 2007 that lead to the need to construct a rock revetment during 2007/2008, and the applicant also alluded to the fact that the subject area may be subject to more flooding events in the distant future, this particular proposal was not considered in the context of all the recent storm events (September 2023 and June/July2024). The applicant also did not demonstrate how the subject area was affected by these events.

2.1.9. Notwithstanding the position of the CML, it must be noted that the position of the property at the mouth of an estuary renders it vulnerable to both coastal processes such as wave run-up and coastal erosion but also from impacts from inland flooding. This has been observed by the increase in frequency and magnitude of storm and flood events along



the coast and estuaries as a result of impacts of climate change. It is therefore advised that caution be applied in considering any additions to the existing building.

2.1.10. The proposal has also not been considered in the context of any Disaster Risk Management Plan on a municipal or district level. Due to the subject area's proximity to the coast and estuary it would be crucial to consider this information. Figure 3 below shows the extent of the impact of the 2007 Storm event on the subject area and it is clear that flooding and wave impact are issues of concern in this area along with a migrating estuary mouth and coastal processes. In this regard the applicant is advised to consider appropriate coastal buffers in their design proposal to address issues with potential coastal flooding and damages associated with sea-level rise.



*(Figure 2 showing the impact of the 2007 Storm event on the Milkwood Manor)*

2.1.11. In terms of the location of the proposed wooden deck and public showers, although this would be a public benefit, recent storm events have shown how destructive these storm events can be especially to wooden decks. The September 2023 coastal storm surge destroyed the wooden decking of the Ficks Pool restaurant in Hermanus despite the location of the restaurant within in a sheltered bay as well its very elevated position – see Figure 2 below. As such, in terms of public safety, the SD: CM does not support any such infrastructure. There is also no clarity as to who will be liable for such infrastructure since it is proposed to be located on CPP.



(Figure 2 depicting the damage of the September 2023 storm event with the wooden decks, furniture and balustrade completely destroyed)

- 2.1.12. The proposed wooden deck and public showers seems to be located within the littoral active zone ('LAZ'). Any activities within this area that does not support natural coastal processes may result in erosion. The NEM: ICMA regards the LAZ to be a dynamic system where the free movement of sand must not be interfered with. It is essential that the competent authority not only considers the impact(s) the proposal and its associated activities will have on the receiving environment, but also the impact(s) that environment, including dynamic coastal processes would have on the proposed wooden deck and public showers.
- 2.1.13. In terms of the Departmental Circular, [DEA&DP 0004/2021](#), regarding '*The consideration of coastal risk in land use decisions as well as the way forward with respect to the establishment and implementation of Coastal Management Lines in terms of the NEM: ICMA*', a precautionary approach must be adopted with respect to land use decisions within coastal risk areas. The Circular also suggests that development parameters be considered for development within general risk areas. This includes maintaining coastal quality; reducing public liability; reducing risk to human life; preventing intensification of development in general risk areas but allow the exercising of existing rights; prevention of encroachment that will impact the integrity of the shoreline ecology; and enables safe evacuation in an emergency.
- 2.1.14. Although the rock revetment was constructed during 2007/2008, the applicant must be reminded that the erection of any protection measures against erosion or accretion is prohibited in terms of Section 15 of the NEM: ICMA, which states:
- (1) *No person, owner or occupier of land adjacent to the seashore or other coastal public property capable of erosion or accretion may require any organ of state or may require any organ of state or any other person to take measures to prevent the erosion or accretion of the seashore or such other coastal public property, or of land adjacent*

*to coastal public property, unless the erosion is caused by an intentional act or omission of that organ of state or other person;*

- (2) No person may construct, maintain or extent any structure, or take measures on coastal public property to prevent or promote erosion or accretion of the seashore except as provided for in this Act, the NEMA or nay other specific environmental management Act.*

As such, any measures proposed to counter the processes of erosion or accretion may only occur within the boundaries of the subject property. Erosion protection or bank stabilisation should only be considered in exceptional circumstances where such measures are in the interest of the whole community (which includes fauna and flora).

2.1.15. Furthermore, with respect to the location of the subject property, the applicant must be informed of risk pertaining to the loss of property should the high-water mark of the sea move inland of the property boundary. In this regard, Section 14 of the NEM: ICMA and the [Advisory Note from the Office of the Chief Surveyor-General](#), dated 15 October 2021, is applicable.

2.1.16. The SD: CM supports the proposed expansion of the public parking bays as well as the proposed bus stop/drop off area as they align to the Western Cape Provincial Coastal Access Strategy and Plan (2017) as well as Priority Area 3 of the [Western Cape PCMP 2022-2027](#), provided that the parking bays are in the interest of the whole community and not for the exclusive use of guests of the Milkwood Manor Guest House. Also, clarity is needed as to who will maintain the parking area in the long-term as this area will be subject to impacts from coastal processes.

2.1.17. Be advised that the entire subject area is located in the estuarine functional zone ('EFZ') which equates to the 5m contour along an estuary, and it encapsulates the most dynamic areas influenced by long-term estuarine sedimentary processes. It also provides a buffer zone that allows an estuary to swell within the floodplain of an estuary in the event of flood events, inundation as well as sea-level rise due to climate change. It allows for the inclusion of some terrestrial fringe vegetation that contribute detritus to the system and refuge areas for many animal species during floods. It must be noted that in general the SD: CM does not support any development within EFZ however the development island is recognised for Erf 10190, but the applicant must note their property is still at risk to coastal processes and therefore it is advised that caution be applied in considering any expansions to the property.

2.1.18. Although the applicant noted the relevance of the Keurbooms Estuary Estuarine Management Plan (2023), the subject area is situated right at the Keurbooms estuary mouth and the applicant must be mindful that the estuary mouth migrates naturally. As such, it is advised that a precautionary approach be adopted by the competent authority with the consideration of this application.




- 2.1.19. Furthermore, the [Western Cape EMFIS: Best Practice Guidelines \(2019\)](#) recommends that unless essential, no development should be approved to take place in the EFZ or the highly dynamic littoral active zone. These Guidelines recommends that developments must take into consideration any adopted CML and applicable controls, and/or coastal risk lines where high risk areas are identified. Furthermore, avoiding development in at-risk or sensitive areas will help to maintain the ecological integrity of the estuarine environment, prevent disruption of the natural coastal processes, maintain the aesthetic quality, and ultimately protect coastal development.
- 2.1.20. It is imperative that property owners consider the impact of climate change along the coast especially considering the increasing frequency and severity of storm events along the coast that have occurred in the last four years. The risk to both property and human life as of concern to the state and as such, considering the information at hand and evidence of recent storms events the state is obliged to adopt a precautionary approach to considering land use decisions along the coast and estuaries.
- 2.1.21. In terms of the ablution block, the SD: CM supports the preferred layout of the ablution block being located adjacent to the existing system.
- 2.1.22. The SD: CM notes that part of the proposal is to remove the existing unlawful deck that is encroaching onto public land. The SD: CM supports the removal of the unlawful deck and the rehabilitation of the encroached area.
- 2.1.23. Although the applicant emphasised how the proposed expansion and associated activities will contribute towards the local economy in terms of the PSDF and IDP, the applicant failed to highlight the proposed expansions in the context of coastal resilience especially the property's vulnerable position in the coastal zone.
- 2.1.24. The SD: CM is very concerned that the proposed expansion does not allow for sufficient buffers between the subject area and coastal processes and the presence of the existing rock revetment demonstrates that the subject area will always be affected by either coastal flooding, the migrating estuary mouth and coastal processes. Therefore, a precautionary approach is recommended for the consideration of this proposal. The SD: CM supports the expansion of the parking bays for public use as it facilitates public access to coastal public property. However, the SD: CM does not support the expansion of the manor and any activities (wooden deck and showers) that may interfere with coastal processes such as the free movement of sand in the highly dynamic LAZ or that increases risk to human life. The applicant is advised to take all the abovementioned items into consideration during the next phases of public participation.

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

**leptieshaam  
Bekko**

 Digitally signed by leptieshaam  
Bekko  
Date: 2024.10.16 11:16:38 +02'00'

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**leptieshaam Bekko**  
**CONTROL ENVIRONMENTAL OFFICER**  
**SUB-DIRECTORATE: COASTAL MANAGEMENT**  
**DATE: 16 October 2024**



**Enquiries**

A Minne

**Contact Details**

044 501 3318

**E-Mail**

[aminne@plett.gov.za](mailto:aminne@plett.gov.za)

**File Ref: 18/Erf 10190/ Milkwood Manor/PB**

18 October 2024

**Attention: Ms L Beets**

Tel:

044 873 4923

E-Mail:

[luanne@sescs.net](mailto:luanne@sescs.net)

Dear Madam

**COMMENT ON PRE-APPLICATION BASIC ASSESSMENT REPORT IN TERMS OF THE NEMA ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY**

**DEAD&P Reference Number: 16/3/3/6/7/1/D1/14/0217/24**

Bitou Local Municipality would like to thank you for the opportunity to review and comment on the Pre-Application BAR for the proposed development on the Erf 10190, Remainder of Erf 2066 and Remainder of Erf 706 within the Bitou Municipal area. Please note that these comments have been drafted by the Land Use and Environmental Management department within the Planning and Development directorate. Additional comments may be required from other relevant departments within the Bitou Local Municipality.

The following information was taken from the supplied report and summarise the proposed activities.

**DESCRIPTION OF ACTIVITY**

It is proposed to expand the existing Milkwood Manor through the addition of new rooms, a store and a spa increasing the total ground floor of the building to 1112.07m<sup>2</sup>. An additional 27 parking bays are to be added to the existing public parking as well as various upgrades to the parking area with the addition of ablutions and a shower deck for public use.

**LOCATION**

The property is situated adjacent to the Keurbooms Estuary at Lookout Beach and contains an existing guesthouse and public and parking facilities.

Following a review of the documentation and appendices the following comments are made:

1. As mentioned within the report the area in question has experienced erosion in the past due to coastal process and the east-west migration of the Keurbooms river mouth. Historically, the area was densely vegetated with what seemed to be Goukamma Dune Thicket. The image below shows the vegetated area in 2004.





*Figure 1 – Historical aerial imagery of the area in 2004, Google Earth*

2. It is requested that the specialists evaluate, and that the EIA include the active rehabilitation of the dune in front of the parking area (indicated in blue in Figure 2 below). This active rehabilitation should include soft measures such as the use of sand fencing and the planting of appropriate indigenous dune vegetation. This can be included as a Maintenance Management Plan. This active rehabilitation will ensure the stabilisation of the dune and will provide valuable buffer protection to the structures present.



*Figure 2 – Aerial Imagery of the Lookout area in 2022, Google Earth.*

3. The Environmental Management Plan should give direction as to the operational maintenance of the parking area, specifically what should be done with sand that overtops and blows into the parking area.

Sand should be replaced in areas where accretion is required. Please can the coastal engineers provide comment and inputs in this regard.

4. All lighting should be downward facing to limit light pollution.
5. The use of Sustainable Urban Drainage Systems within the parking area is supported.
6. Future maintenance and operations of the proposed shower deck going forward, including removal of sand, should be included in the Environmental Management Programme.
7. Although it is acknowledged that the Coastal Engineers have confirmed that the rock revetment protection measures should be sufficient to protect structures the potentially flooding as a result of overtopping waves during extreme conditions is a concern. Mitigation measures in this regard (raising of floor levels) should be implemented.

The Bitou Municipality reserves the right to revise initial comments and request further information based on any additional information that might be received. The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorisation for.

Should you require any additional information please do not hesitate to contact this office.

Yours faithfully,



Anjé Minne

**Environmental Management Officer**

**Planning and Development: Land Use and Environmental Management**

**Bitou Municipality**



**FORESTRY WESTERN CAPE:** Private Bag X 12, Knysna 6570

Reference: EIA-WC-GR-0017-2024-25

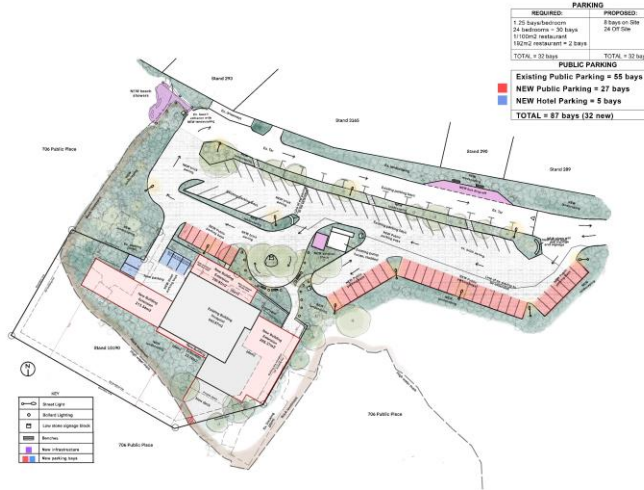
Enquiries: M Koen/ Tel: (044) 302 6900/ Fax: (044) 382 5461/ E-mail: [MKoen@dffe.gov.za](mailto:MKoen@dffe.gov.za)

**Sharples Environmental**  
**Attention: Luanne Beets**  
Email: [luanne@sescs.net](mailto:luanne@sescs.net)  
Cell/ Tel: 044 873 4923

**COMMENTS ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY:**

- 1 Forestry is responsible for the implementation and the enforcement of the National Forest Act (NFA), Act 84 of 1998 as amended and the National Veld and Forest Fire Act, Act 101 of 1998 as amended (NVFFA). Thank you for giving Forestry this opportunity to comment on above application.
- 2 Forestry studied the supporting documents for the above mentioned application and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable

- a. According to the report the: "Erf is zoned as residential- situated specifically on the western edge of the Keurbooms River estuary; The eastern side of the site falls within the estuary itself and is prone to being eroded as the estuary is constantly migrating in an east-west direction; The western side of the site has been stabilised with rocks to protect the buildings from erosion due to flooding and tidal movement within the estuary; The development proposal includes additions and alterations to the existing buildings as well as construction of both internal and public parking bays and public ablution facilities to service visitors to the adjacent public beach; the existing ground floor of the building is 563.87 m<sup>2</sup> and the existing first floor is 401.91 m<sup>2</sup>. It is proposed to add new rooms, a reception, a bar, a transport area and pergola to the ground floor increasing the total ground floor to 1112.97 m<sup>2</sup>. Upgrades to the first floor includes new rooms, a store and a spa increasing the total first floor to 957.98m<sup>2</sup>. This will bring the total floor area of the new hotel to approx. 2,071m<sup>2</sup>; To accommodate the expansion of the guest house, the existing parking lot must also be expanded- 1.25 parking bays is required for every room in the hotel-30 parking bays is required; Currently Lookout Beach has no public amenities such as toilets and showers- Part of the proposal is to provide these facilities for the public's benefit- The new ablution block will be located adjacent to the existing municipal pump station on Remainder of Erf 2066 " According to the report- "The property consists of Milkwood trees; As well as a small pocket of Coastal forest at the beach access point- which includes a few individuals of species including *Tarchonanthus littoralis*, *Carpobrotus acinaciformis*, *Eriocephalus paniculatus*, *Helichrysium patulum*, *Selago burchellii*, *Stenotaphrum secundatum*, *Azima tetracantha*, *Carissa bispinosa*, *Euclea racemosa*, *Grewia occidentalis*, *Metalasia muricata*, *Scutia myrtina*, *Searsia crenata*, *Cynanchum viminale* & *Cynanchum ellipticum*"



- b. Forestry request that the proposed extensions- as well as the proposed layout incorporate the protected trees. Protected trees to be retained and indicated as no-go areas
- c. Indigenous forest as well as protected trees are protected under the National Forest Act (NFA) (Act No. 84 of 1998) as amended.
- d. This letter is not a NFA licence.

- 3 Forestry reserves the right to revise initial comment based on any additional information that may be received

Yours Faithfully

pp. AREA MANAGER FORESTRY: WESTERN CAPE  
17/10/24



ATT: Lu-anne de Waal  
Sharples Environmental Services

Via e-mail: luanne@sescs.net

18 October 2024

Dear Ms de Waal

**RE: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE**

Many thanks for the opportunity to comment on the above application. We have received the documents and would like to submit the following comments:

**Precedent for approving development in high-risk flood zones**

Considering the location of the activities proposed in this application, we are concerned about the risk of flooding, particularly during these volatile times associated with climate change. National Coastal Management Lines have been put in place to discourage development in flood risk areas. Estuarine areas have not been included in these management lines. However, in this particular instance, and considering the disaster of the 2007 floods, we are of the opinion that this application falls within a flood-risk area. Furthermore, we are concerned that approval for this application could set a precedent for future applications for development in high-risk areas.

**Stormwater Management**

While plans include new stormwater management structures, it's crucial to ensure these systems effectively mitigate runoff. This includes evaluating the design and maintenance of permeable pavements and bioswales to prevent sediment and pollutants from entering the estuary. The stormwater management infrastructure should be regularly inspected to ensure optimal performance over time.

### **Soil Erosion and Stability of the Rock Revetment**

The construction and removal of structures near the rock revetment must consider potential erosion impacts, particularly given the history of flooding in the area. Any changes to the revetment or surrounding areas could exacerbate erosion risks, threatening both the structural integrity of the revetment and the surrounding environment. We also suggest the use of erosion control measures, such as natural vegetation, to stabilise soil and dune sand in vulnerable areas after construction. Regular post-construction monitoring should also be a requirement to identify and address any erosion issues promptly. Erosion control measures should be in place during construction as well.

### **Legal High-Water Mark vs. High-Water Mark**

The proposal mentions the "legal high-water mark" (shown on the Alternative SDP) and the "high-water mark" without providing clear distinctions between the two. Clarification is needed on the SDP to specify which definition is being used and how it affects the placement of infrastructure in relation to potential coastal impacts. The recent survey of the high-water mark, mentioned in the Planning Application, was requested but not received.

### **Risk of Flooding and Coastal Infrastructure**

We would like to stress the strong possibility of flood events, particularly with the likelihood of climate change events becoming more frequent and considering the impacts experienced during the 2007 floods (images attached). There is concern that infrastructure, especially on the coastline, could be at risk of ending up in the ocean in future flood events or during storm surges. While insurance may cover the impacts to infrastructure, consideration must also be given to the additional pressures placed on Disaster Management institutions/organisations that may arise during a flood event, increased costs to the Local Municipality in such a situation, as well as possible risks to clients. Preventative measures, such as designing structures to withstand extreme weather events and coastal erosion, should be incorporated into the proposal to avoid long-term damage to infrastructure.

### **Milkwood Trees**

The proposal mentions the presence of protected Milkwood trees but presents conflicting information about their potential removal. Clear communication about which trees will be preserved or removed is necessary and indicated on the Site Development Plan. If any trees are removed, a permit will be required from the Department of Forestry and a replacement planting plan should be included, using indigenous species that can contribute to the overall biodiversity of the area. Furthermore, a tree protection plan during construction should ensure that no damage is done to retained trees.

## **Wildlife Disruption**

The expansion may affect local wildlife, particularly during construction. Strategies should be put in place to minimise disturbances to nesting sites, eelgrass beds and the estuarine environment. In addition to this, we recommend timed construction activities outside of breeding or nesting seasons for key species (i.e. Oystercatchers) in the area. The establishment of buffer zones around sensitive habitats should also be considered.

## **Invasive Species Management**

Expansion activities could inadvertently facilitate the spread of invasive plant species. A management plan should be implemented to monitor and control any invasive species that may establish during and after construction. This plan should include specific control methods.

## **Expansion of Parking into the EFZ**

The proposed expansion of the parking area into an undeveloped portion of the Estuarine Functional Zone (EFZ) is a key concern. While the area to be cleared is relatively small (170sqm of natural but partially degraded vegetation), constructing public infrastructure in a high-risk flood zone is problematic. Although damage to parking bays is less detrimental than damage to buildings, this may still result in future repair costs borne by the municipality and ultimately by ratepayers.

## **Dune Management**

We recommend that the dune embankment on the seaward side of the property boundary be vegetated with indigenous dune species [preferably as far as the foot of the hummock dune], as part of the maintenance management plan. This would create an additional natural buffer, helping reduce future risks and stabilise dune and sand movement into the property and into stormwater catchpits. Regular monitoring and maintenance of the dune's integrity, particularly after storm events, should be included in the management plan.



The Plettenberg Bay Community Environment Forum thanks you for the opportunity to comment and we look forward to your response to our queries and concerns. We reserve the right to submit further comments as additional information becomes available.

Yours sincerely

A handwritten signature in black ink that reads "Nikki Mann". The script is cursive and fluid, with the first letters of "Nikki" and "Mann" being capitalized and prominent.

OBO Plettenberg Bay Community Environment Forum

**Our Ref:** HM / EDEN/ KNYSNA / PLETTENBERG BAY/ ERVEN 10190, 706, 2066  
**Case No.:** HWC24080608CSI0812  
**Enquiries:** Chiara Singh  
**E-mail:** [Chiara.Singh@westerncape.gov.za](mailto:Chiara.Singh@westerncape.gov.za)  
**Tel:** 021 829 3325



**Stefan de Kock | Perception Planning**  
[perceptionplanning@gmail.com](mailto:perceptionplanning@gmail.com) | 082 568 4719

**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: COMMENT**  
**In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003**

**NOTIFICATION OF INTENT TO DEVELOP: PROPOSED DEVELOPMENT OF A MEDIUM DENSITY RESIDENTIAL ESTATE INCLUDING BUSINESS SITE AND ASSOCIATED SERVICES ON ERVEN 10190, 706, 2066, SALMACK ROAD VIA BEACON WAY, PLETTENBURG BAY, KNYSNA SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received. This matter was discussed at the Heritage Officers Meeting held on 19 August 2024.

You are hereby notified that, since there is no reason to believe that the proposed development of a medium density residential estate, business site, and associated services on Erven 10190, 706, and 2066, Salmack Road via Beacon Way, Plettenberg Bay, Knysna, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. HWC chance finds procedure to be included in the environmental authorization.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

  
.....  
Waseefa Dhansay  
**Assistant Director: Professional Services**



[www.westerncape.gov.za/cas](http://www.westerncape.gov.za/cas)

**Street Address:** Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000  
• **Tel:** +27 (0)21 483 5959 • **E-mail:** [ceoheritage@westerncape.gov.za](mailto:ceoheritage@westerncape.gov.za)

**Straatadres:** Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000  
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**Idilesi yendawo:** kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** [ceoheritage@westerncape.gov.za](mailto:ceoheritage@westerncape.gov.za)

**luanne@sesc.net**

---

**From:** Stephanie Barnardt <Stephanie.Barnardt@westerncape.gov.za>  
**Sent:** Monday, 16 September 2024 09:16  
**To:** luanne@sesc.net  
**Cc:** Chiara Singh  
**Subject:** FW: NOTICE OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE  
**Attachments:** Comment from HWC.pdf

Good day Luanne

Thank you for giving HWC the opportunity to comment.

Please note that our previous comment still stands, no further action is required from heritage.

Kind regards,

**Stephanie-Anne Barnardt-Delpont**  
**Heritage Officer (Archaeologist)**  
**Heritage Western Cape**

Heritage Resource Management Services  
Protea Assurance Building Greenmarket Square, Cape Town  
(Currently working remotely)

Website: [www.hwc.org.za](http://www.hwc.org.za) / [www.westerncape.gov.za](http://www.westerncape.gov.za)



**luanne@sescs.net**

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**From:** Melanie Koen <Mkoen@dffe.gov.za>  
**Sent:** Wednesday, 09 October 2024 09:19  
**To:** luanne@sescs.net  
**Subject:** FW: NOTICE OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE

Dear Luanne- Thank you for the telecom with SES

**From:** Melanie Koen  
**Sent:** Thursday, 12 September 2024 23:45  
**To:** luanne@sescs.net  
**Subject:** NOTICE OF THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE

Dear Luanne- Hope this email finds you well. This email serves to confirm receipt of document on 12/9/24. Kindly note that document will be placed on list for site inspection. The Departmental official who will be handling this matter is M. Koen 0609730991 and all communication with regard to this project\ activity should be directed to her. Kindly confirm receipt. Regards

**From:** Aviation Environmental Compliance <environment@caa.co.za>  
**Sent:** Thursday, 17 October 2024 14:27  
**To:** luanne@sesc.net  
**Cc:** Pamela Madondo; Evelyn Shogole  
**Subject:** RE: REMINDER: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE

**Importance:** High

**Flag Status:** Flagged

Good day,

I hope this email finds you well. SACAA has no comments for the proposed development. The proposed site for the development is outside the vicinity of aviation infrastructure and shows no significant or negative impacts on civil aviation activities and operations within the airport. However, should there be any infrastructure or structure or machinery such as excavators that are deemed too high, kindly lodge an application with Air Traffic and Navigation Services (ATNS) as published on the SACAA website: [www.caa.co.za/industryinformation/obstacles/](http://www.caa.co.za/industryinformation/obstacles/). The list and contact details of the approved obstacles assessment services providers can be obtained from the CAA website: [www.caa.co.za](http://www.caa.co.za). You are also advised to inform Plettenberg Bay Airport for their comments and inputs.

Kind regards

**Nrateng Mashiloane**

Aviation Environmental Compliance Department

Aviation Safety Infrastructure (ASI)- Aviation Environmental Compliance

Tel: +27 11 545 1199 | Fax: +27 11 545 1282 Email: [MashiloaneN@caa.co.za](mailto:MashiloaneN@caa.co.za) | [www.caa.co.za](http://www.caa.co.za)

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luanne@sescs.net

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**From:** Holiday Plett [REDACTED]  
**Sent:** Friday, 04 October 2024 11:35  
**To:** luanne@sescs.net  
**Subject:** EIA ON ERF 10190 MILKWOOD MANOR

Dear Luanne,

Please register the following as an Interested and Affected Part on the above proposal :

De Meermin Body Corporate  
3 Salmack Road,  
Plettenberg Bay  
6600

c/ Holiday Plett, Managing Agent - Mrs. J.R. Gerhard - [REDACTED]

Kindly clarify where the remainder of erf 2066 is situated. We have located remainder of erf 706.

Kind regards,

Jenny Gerhard  
Principal (CEA)



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luanne@sescs.net

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**From:** Mike Berry [REDACTED]  
**Sent:** Saturday, 26 October 2024 16:06  
**To:** luanne@sescs.net  
**Subject:** Re: Plans for my milkwood/ lemon grass

Hi  
Can you please provide the plans  
Kind Regards  
Mike Berry  
[REDACTED]

Sent from my iPhone

> On 23 Oct 2024, at 16:02, Mike Berry [REDACTED] wrote:  
>  
> Hi  
> Can you please send me documents relating to the planning and  
> envisaged on the above site Kind Regards Mike Berry  
> [REDACTED]  
> Sent from my iPhone

**luanne@sesc.net**

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**From:** Phillip Tobiansky [REDACTED]  
**Sent:** Monday, 07 October 2024 07:03  
**To:** luanne@sesc.net  
**Subject:** Re: Erf 10190, 2066 and Erf 706 Plettenberg Bay

Hi Luanne

Will the developed hotel take responsibility for the entire parking area, as they are using this public space to facilitate this development?

If not please advise

Regards  
Phillip

> On 07 Oct 2024, at 06:30, Phillip Tobiansky [REDACTED] wrote:  
>  
> I would like to register as an I&AP for this project.  
>  
> Regards  
> Phillip Tobiansky  
> [REDACTED]  
> email [REDACTED] this is preferred ERF 693 and 694 Plett

**From:** Vanessa Stoffels <Vanessa.Stoffels@westerncape.gov.za>  
**Sent:** Monday, 14 October 2024 11:29  
**To:** luanne@sesc.net  
**Subject:** RE: REMINDER: PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF MILKWOOD MANOR HOUSE AND PARKING ON ERF 10190, REMAINDER OF ERF 2066 AND REMAINDER OF ERF 706, PLETTENBERG BAY, WESTERN CAPE

Dear Luanne

This submission for comments reached this Branch only on 11<sup>th</sup> October 2024. The timeframe to provide comments in such a short notice cannot be met. This Branch would like to apply for an extension, to allow the application process to follow accordingly and provide our officials to review and provide our Branch's comments.

Trust this is in order.

Kind Regards

**Vanessa Stoffels**

Road Use Management  
Chief Directorate Road Planning, Roads Branch  
Department of Infrastructure  
Western Cape Government  
Tel: 021 483 4669

The Box 24<sup>th</sup> Floor, 9 Lower Burg Street, Cape Town: PO Box 2603, Cape Town 8000

Email: [vanessa.stoffels@westerncape.gov.za](mailto:vanessa.stoffels@westerncape.gov.za)

Website: [www.westerncape.gov.za](http://www.westerncape.gov.za)

Road Network Information System: <http://rnis.westerncape.gov.za>

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