



Visual Compliance Statement for the Proposed Amendment to the Commercial Node of the Herolds Bay Country Estate on Portion 7 of the Farm Buffelsfontein No. 204, Herolds Bay, Western Cape

*SUBMITTED FOR ENVIRONMENTAL AUTHORISATIONS IN TERMS OF THE NATIONAL ENVIRONMENTAL
MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (NEMA) (AS AMENDED).*

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STATEMENT OF INDEPENDENCE

Neither ETC nor any of the authors of this Report have any material present or contingent interest in the outcome of this Report, nor do they have any pecuniary or other interest that could be reasonably regarded as being capable of affecting their independence or that of ETC.

ETC has no beneficial interest in the outcome of the assessment which is capable of affecting its independence.



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LIST OF ABBREVIATIONS

Abbreviation	Description
BAR	Basic Assessment Report
DFFE	Department of Forestry, Fisheries and the Environment
EA	Environmental Authorisation
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
ETC	Eco Thunder Consulting (Pty) Ltd
HBCE	Herolds Bay Country Estate
NEMA	National Environmental Management Act (No. 107 of 1998)
VAC	Visual Absorption Capacity
VCS	Visual Compliance Statement
VIA	Visual Impact Assessment

GLOSSARY LIST

Glossary Item	Description
Aesthetic Value	Aesthetic value is the emotional response derived from the experience of the environment with its natural and cultural attributes. The response can be either to visual or non-visual elements and can embrace sound, smell and any other factor having a strong impact on human thoughts, feelings, and attitudes (Ramsay, 1993). Thus, aesthetic value encompasses more than the seen view, visual quality, or scenery, and includes atmosphere, landscape character and sense of place (Schapper, 1993).
Landscape Character	The individual elements that make up the landscape, including prominent or eye-catching features such as hills, valleys, woods, trees, water bodies, buildings, and roads. They are generally quantifiable and can be easily described.
Study area	For the purposes of this report this Project the study area refers to the proposed Project footprint / Project site as well as the 'zone of potential influence' (the area defined as the radius about the centre point of the Project beyond which the visual impact of the most visible features will be insignificant) which is a 5,0km radius surrounding the proposed Project footprint / site.
Project Footprint / Site	For the purposes of this report the Project site / footprint refers to the actual layout of the Project as described.



Glossary Item	Description
Sense of Place (Genius loci)	Sense of place is the unique value that is allocated to a specific place or area through the cognitive experience of the user or viewer. A genius locus literally means 'spirit of the place'.
Visibility	The area from which Project components would potentially be visible. Visibility depends upon general topography, aspect, tree cover or other visual obstruction, elevation, and distance.
Visual Impact	Visual effects relate to the changes that arise in the composition of available views because of changes to the landscape, to people's responses to the changes, and to the overall effects with respect to visual amenity available views because of changes to the landscape, to people's responses to the changes, and to the overall effects with respect to visual amenity.
Visual Intrusion	The nature of intrusion of an object on the visual quality of the environment resulting in its compatibility (absorbed into the landscape elements) or discord (contrasts with the landscape elements) with the landscape and surrounding land uses.
VAC	VAC is defined as the landscape's ability to absorb physical changes without transformation in its visual character and quality. The landscape's ability to absorb change ranges from low-capacity areas, in which the location of an activity is likely to cause visual change in the character of the area, to high-capacity areas, in which the visual impact of development will be minimal (Amir & Gidalizon 1990).
Worst-case Scenario	Principle applied where the environmental effects may vary, for example, seasonally or collectively to ensure the most severe potential effect is assessed.



1 Background

1.1 Introduction and Purpose

This Visual Compliance Statement (VCS) has been prepared to evaluate the proposed amendment to the commercial component of the authorised Herolds Bay Country Estate (HBCE) on Portion 7 of the Farm Buffelsfontein 204, near Herolds Bay in the George Municipal Area.

The purpose of this statement is to:

- Confirm whether the proposed amendment is consistent with the visual assumptions, impact findings and mitigation measures of the originally approved development; and
- Determine whether the amendment would increase, maintain or reduce the level of visual impact previously assessed and accepted as part of the Basic Assessment Report (BAR) and associated Visual Impact Assessment (VIA).

The statement is based on a review of:

- The original VIA and BAR for the HBCE;
- The Environmental Authorisation (EA) and associated design and mitigation parameters as reflected in the BAR and EMPr;
- The original approved site development plan ; and
- The amended site development plan.

1.2 Specialist Details

ETC is a 100% woman-owned, private company that specialises in a range of specialist studies, such as visual impact assessments, air quality impact assessments, noise impact assessments socio-economic impact assessments, socio-economic research, economic development planning, development program design and implementation as well as community trust management. Based across South Africa, Eco-Thunder has established itself as an expert on the conditions, needs and assets of communities that are linked to independent power generation facilities.

2 Project Information

2.1 Project and Amendment Description

The currently authorised HBCE comprises of:

- 102 single residential erven (Single Residential Zone I);
- Approximately 68 general residential units (General Residential Zone II) in grouped housing portions;
- A commercial node at the south-western corner of the estate, adjacent to the main access road and dam/aquatic buffer; and



- Private open space (including the dam and buffer), private internal roads, public streets, and services servitudes (including the sewer package plant and electrical servitudes).

In the originally approved layout:

- Portion 106 was zoned Business Zone IV – Service Station, with approved use for a restaurant and shop; and
- Portion 112 accommodated a 300 m² office component.

The commercial node thus consisted of a filling station forecourt with underground fuel storage, a convenience shop, a restaurant, and an office building, located within a combined area of approximately 0.859 ha.

In the amended layout:

- Portions 106 and 112 are consolidated into Portion 113;
- Portion 113 is zoned Business Zone II – Shop, with consent uses for a restaurant, place of leisure (gymnasium), liquor store, and flats; and
- The overall erf size ±0.859 ha and location of the commercial node remain unchanged relative to the approved plan.

The remainder of the estate layout, including the residential erven, road network, dam and open space configuration, remains as previously authorised. The amendment therefore relates solely to the land-use mix and internal configuration of the commercial node and does not expand the development footprint.

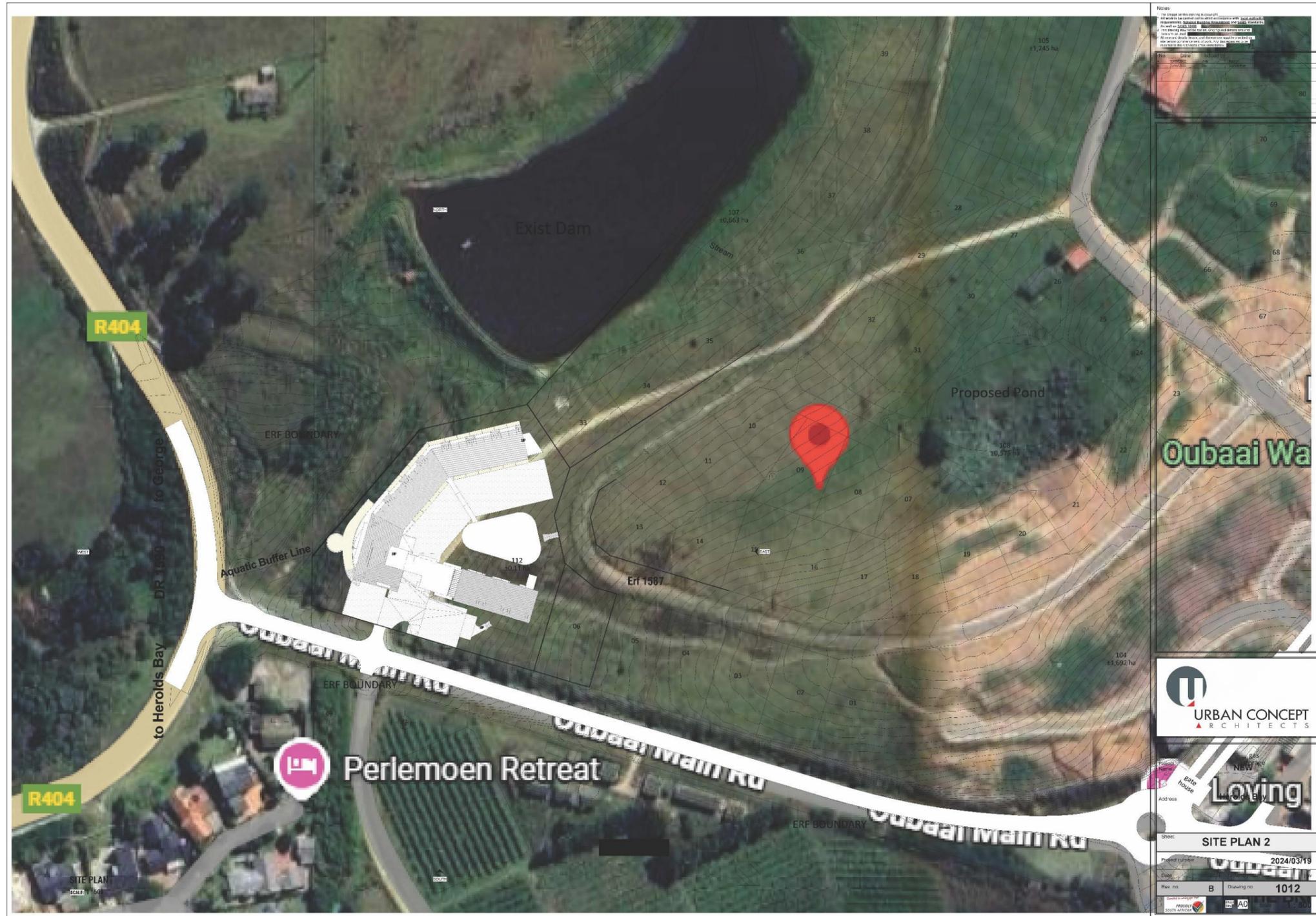


Figure 1: Locality Map

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Figure 2: 3D Model of the Proposed HBCE View 1



Figure 3: 3D Model of the Proposed HBCE View 2



Figure 4: 3D Model of the Proposed HBCE View 3

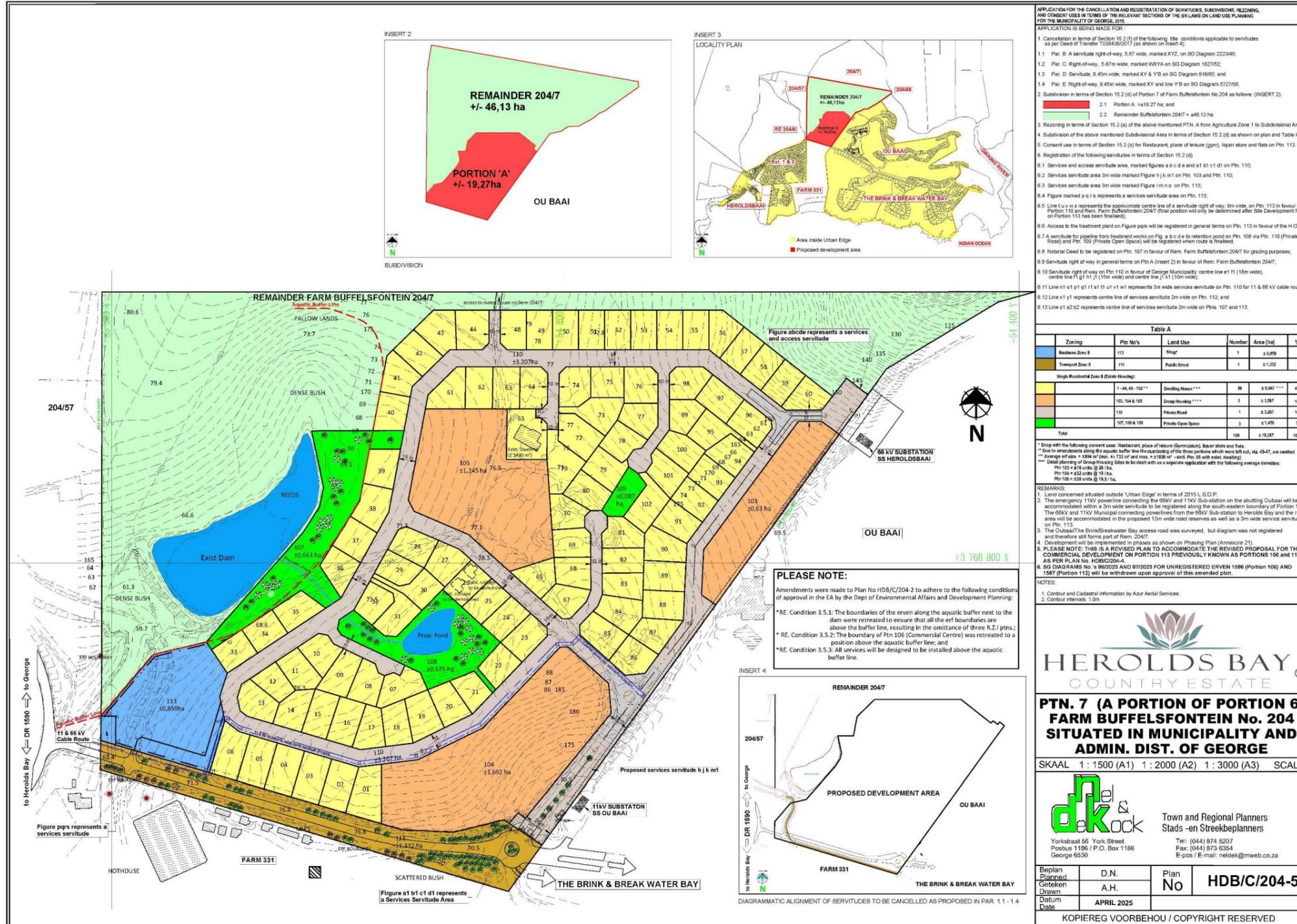


Figure 5: Detailed Layout of the Proposed HBCE Amendment



3 Applicable Visual Planning and Policy Context

The visual assessment and compliance statement have been prepared with reference to:

- The 2014 EIA Regulations (as amended) and Appendix 6, as applicable to the original VIA;
- The Western Cape provincial guidelines for Visual Impact Assessments and the approach used in the original VIA (view catchment analysis, viewshed, visibility bands and receptor-based assessment); and
- The design and mitigation framework captured in the BAR, EMPr and estate design parameters (ridgeline setbacks, dam buffer, building height and massing controls, colours and materials, vegetation retention, and lighting controls).

The key requirement is to determine whether the proposed amendment:

- Remains within the spatial and visual assumptions of the originally assessed development; and
- Continues to adhere to the mitigation measures and visual design controls that underpinned the original finding of an acceptable, medium-significance visual impact.

4 Summary of Baseline Visual Environmental and Authorised Visual Impacts

4.1 Baseline Landscape and Visual Character

The original VIA characterises the site and surroundings as:

- A pastoral “bowl” landscape with a dam at its focal point, enclosed by surrounding ridgelines;
- A setting with high scenic quality, where the dam and grassed slopes form the foreground to long-distance views towards the Outeniqua Mountains; and
- A landscape already influenced by existing residential development in Herolds Bay and Oubai, but retaining a rural and natural character in the immediate project area.

Key visual receptors identified include:

- Residents and visitors within Herolds Bay Extensions 1 and 2 (notably the northern parts with elevated views towards the site and mountains);
- Receptors within the Oubai area and along its access road; and
- Users of local access roads and public viewpoints in the vicinity

4.2 Original authorised visual impacts

For the preferred estate layout (Alternative 2), which included the service station and commercial node, the original VIA concluded:



- A medium visual significance for the estate as a whole, including the commercial and infrastructure components, after implementation of mitigation measures;
- The commercial node at the south-western corner (service station, convenience centre and offices) would be one of the most visually prominent elements, particularly by day due to its activity and by night due to lighting; and
- The change from pastoral landscape to residential and commercial estate would be noticeable and long-term, but acceptable in the context of an expanding suburban landscape, provided that specific design and mitigation measures were implemented.

Mitigation measures central to the visual acceptability of the project included, inter alia:

- No-build/setback zones on ridgelines, to prevent new structures breaking the skyline;
- A dam buffer of approximately 10–20 m from full supply level, with riparian vegetation and public access maintained around the dam;
- Stepped building heights, spacing between blocks and protection of view corridors towards the Outeniqua Mountains;
- A controlled colour and material palette (subdued, earth-toned roofs and walls) and appropriate road surfacing;
- Retention and strengthening of indigenous vegetation, including key tree groups and slope treatment; and
- A lighting strategy that minimises glare, light spill, and skyglow, particularly from prominent nodes.

The visual acceptability of the estate, including the service station, thus rests on both spatial controls and design-level mitigation.

5 Description of the Proposed Amendment from a Visual Perspective

From a visual perspective, the amendment entails:

- Retention of the same erf footprint and location for the commercial node (now Portion 113), adjacent to the main access road and above the aquatic buffer and dam;
- Replacement of the service station and separate office with a mixed commercial and residential building/s accommodating:
 - Shop/retail uses;
 - Restaurant;
 - Place of leisure (gymnasium);
 - Liquor store; and
 - Flats (residential units) as a consent use; and
- Continued functioning of this area as the gateway and activity node of the estate.



No changes are proposed to:

- The overall estate layout, road structure, dam configuration, or open space network;
- The ridgeline no-build zones, building height restrictions, or dam buffer requirements specified in the BAR and EMPr; or
- The visual mitigation measures that are already embedded in the approved development framework.

6 Assessment of Visual Compliance

6.1 Development Footprint, Scale and Visual Envelope

The spatial extent of the commercial node remains identical to the combined footprint of the previously authorised Portions 106 and 112 (± 0.859 ha). The position of the commercial node relative to the dam, aquatic buffer, internal roads, and surrounding erven is unchanged. No outward shift towards the dam or buffer occurs, and no additional land take along ridgelines or open space is proposed.

On this basis, the amendment does not extend the visual envelope of the authorised development. The area within which the estate, including its commercial node, is visible to external receptors remains as previously modelled and assessed in the original VIA.

6.2 Landscape Character and Sense of Place

The original estate concept introduced a suburban, country-estate character into a previously pastoral “bowl”, with the commercial node functioning as a vehicular and service-oriented gateway.

Under the amendment:

- The node transitions from a fuel-forecourt and office focus to a mixed-use commercial and residential focus.
- The anticipated built form is likely to be more building-dominated (continuous façades with shopfronts and flats) and less dominated by forecourt infrastructure (pumps, canopies, large hardstand areas and fuel-related structures), subject to final design.

In terms of sense of place:

- The node will continue to act as an estate entrance and activity focus, consistent with the original concept;
- The underlying character of the broader landscape is unchanged, as no additional landform alteration or expansion of development is proposed; and
- Provided that architectural design, materials and landscaping conform to the existing guidelines and EMPr requirements, the amended node is expected to reinforce the estate character rather than introduce a more intrusive, highway-oriented service station aesthetic.



Overall, the degree of change in landscape character relative to the original authorised state is considered limited and compatible with the previously accepted estate typology.

6.3 Visual Exposure and Key Receptors

The visual exposure of the node to key receptors (Herolds Bay Extensions 1 and 2, Oubai and local access roads) is controlled primarily by:

- The bowl topography and enclosing ridgelines;
- The elevation of the commercial node relative to surrounding ground and to the dam; and
- The distance to external receptors.

As the node remains in its original location and within the same footprint, the primary visual exposure relationships do not change. External observers will continue to perceive:

- A developed estate basin with built form around the dam; and
- A commercial/entrance node in the south-western corner.

The nature of activity and built form within the node may change (fewer forecourt elements; more continuous buildings), but this occurs within the same visual window already assessed in the VIA. The visibility band classification (high/medium/low) for this area therefore, remains applicable.

6.4 Night Time Character and Lighting

The originally authorised service station would ordinarily be associated with:

- High-intensity forecourt lighting, often operating for extended hours or 24/7;
- Branded signage, potentially including illuminated high pylon signs and canopy branding; and
- Large areas of reflective hard surfacing, contributing to glare and light spill.

Under the amendment:

- The node is expected to function as a local mixed-use estate centre rather than a regional fuel stop;
- Although there will be internal and external lighting for retail, restaurant, gym and flats, the intensity and configuration of lighting can reasonably be expected to be more comparable to estate-scale commercial/residential lighting than to a service station forecourt; and
- No fuel canopies, pump islands or associated high mast/pylon lighting are required.

Provided that the existing lighting mitigation measures (shielded luminaires, downlighting, avoidance of upward light spill, controlled operating hours, and appropriate colour temperatures) are retained and applied to the amended node, the night-time visual prominence of the commercial area is likely to be similar to or lower than that of the originally assessed service station configuration.



6.5 Aquatic Buffer, Dam Edge and Public Realm

The original visual and environmental acceptability of the estate relied strongly on:

- Maintaining a vegetated buffer around the dam;
- Ensuring public access and the visual openness of the dam edge; and
- Avoiding direct hard-edged development up to the water's edge.

In the amendment:

- The commercial erf boundary remains above the aquatic buffer line, as per the original approved plans;
- No additional encroachment into the dam buffer is proposed; and
- The functional relationship between the commercial node and the dam (view over the water, pedestrian access around the dam) remains as previously envisaged.

As long as the buffer, planting and public realm provisions from the BAR and EMPr are fully implemented and maintained, the amendment does not alter the visual role of the dam as the central open-space focal point of the estate.

6.6 Architectural Character, Bulk and Height

The original visual design framework requires that:

- Building heights are stepped down-slope and kept within limits that avoid new structures breaking the skyline;
- View corridors from key external receptors towards the Outeniqua Mountains are protected; and
- Colours and materials are subdued and cohesive, reinforcing a unified estate identity.

The amendment introduces flats as a consent use within the commercial node, which may result in a more vertically articulated building form compared to the original office and single-storey forecourt structures.

From a visual compliance perspective:

- This is acceptable provided that the overall building heights remain within the same maximum height and roofline controls are applied across the estate, and that the building does not project above the relevant ridgeline or horizon when viewed from key external receptors;
- The architectural style, roof forms, colours, and materials must remain consistent with the estate's approved architectural guidelines and EMPr; and
- The building mass should be broken up through articulation, setbacks, and landscaping to avoid a monolithic block appearance at the entrance.

Subject to these conditions, the introduction of flats and associated mixed-use components is not expected to increase the level of visual impact relative to the previously authorised



commercial node. The potential for equal or improved integration with the estate character is present if design controls are rigorously applied.

6.7 Cumulative Visual Effects

The original VIA considered cumulative effects in the context of:

- Existing and planned development in Herolds Bay, Oubaai and surrounding estates; and
- The shift from a predominantly rural bowl to a more suburban, estate-based landscape.

The amendment does not introduce:

- New development nodes outside the authorised area;
- Additional linear infrastructure or services corridors; or
- New lighting sources beyond those anticipated for a commercial/estate node.

Consequently, the cumulative visual context described in the original VIA remains valid. The amendment substitutes one form of commercial activity (service station and office) with another (mixed-use commercial and flats) within the same node and does not materially alter the cumulative visual footprint of development in the area.

7 Conclusion

Based on the information reviewed and the analysis above, the following conclusions are drawn:

- The proposed amendment to the commercial node does not expand the authorised development footprint and remains within the same erf extent, location and visual envelope as the originally approved Portions 106 and 112.
- The broader estate layout, ridgeline controls, dam buffer, open space structure and visual mitigation framework established in the original VIA, BAR and EMPr are unaffected by the amendment and remain applicable.
- The replacement of a service station and office with a Business Zone II mixed-use node including shop, restaurant, gym, liquor store and flats is expected to:
 - Maintain the node's role as a gateway and activity focus for the estate;
 - Reduce or remove certain visually intrusive elements typical of service stations (pumps, canopies, extensive forecourt hard surfacing, high mast/pylon signage and associated high-intensity lighting); and
 - Allow a more architecturally integrated, estate-appropriate building form, provided that existing design and mitigation controls are adhered to.
- For key external receptors (Herolds Bay Extensions 1 and 2, Oubaai and local roads), the extent and pattern of visibility of the commercial node remain as previously assessed. The anticipated night-time visual prominence of the node is likely to be



similar to or lower than that associated with the originally authorised service station, subject to full implementation of lighting controls.

- The amendment does not alter the visual role of the dam and open space as the central landscape feature, nor does it increase encroachment into the aquatic buffer or ridgeline areas.

From a visual perspective, and subject to continued compliance with the original VIA mitigation measures, estate architectural guidelines and EMPr requirements, the proposed amendment to the commercial node of the Herolds Bay Country Estate is:

- Visually compliant with the assumptions, mitigation framework and conclusions of the original VIA and BAR; and
- Not expected to result in an increase in the level of visual impact previously assessed and accepted for the authorised development.

The residual visual impact significance of the estate, including the amended commercial node, is therefore considered to remain within the medium significance rating previously accepted in the original VIA, and may be marginally reduced in respect of night-time lighting and forecourt clutter.



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