



**LORNAY**  
ENVIRONMENTAL CONSULTING

## **APPENDIX F2B**

### **PART 2: PUBLIC COMMENTS**

COMMENTS RECEIVED FROM THE I&APS PART 2			
Number	NAME:	COMMENT:	DATE & REF:
155	Lee Hedin	<p><b>Email dated 17 February 2025</b></p> <p><b>Subject:</b> Objection against Proposed Spookdraai Residential Development Struisbaai</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>15 FEBRUARY 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p>INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I am representing myself Elin Hedin,</li> <li>• I have a direct interest in the application as I live in L'Agulhas, in a family owned home.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; L'Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as "Guidelines" it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards Elin Hedin Mobile 0824217151 Email <a href="mailto:lee@digitalcolour.biz">lee@digitalcolour.biz</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	<p>Date: 17/02/25 Time: 11:20</p>

156	DJJ De Wet	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Objection re spookdraai</p> <p>Hi Michelle, Please see below.</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Name, Surname ID # Daniel Jacobus Johannes de Wet, 8207165210082</li> <li>• I have a direct interest in the application as I own property in Struisbaai/L Aghulas area. Hoofweg 85, erf 258</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards Daniel Jacobus Johannes de Wet 8207165210082 Mobile: 0834443800 Email: <a href="mailto:Johann dewet@dewetshof.com">Johann dewet@dewetshof.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	<p>Date: 17/02/25</p> <p>Time: 12:03</p>
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157	Fanie Pretorius	Email dated 17 February 2025	
		<p><b>Subject:</b> Objection against proposed Spookdraai residential development Struisbaai</p> <p>Good day,</p> <p>Please find attached my letter of objection.</p> <p>Kind regards, JS Pretorius To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> 15 FEBRUARY 2025 RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI. A. INTRODUCTION  <input checked="" type="checkbox"/> I am representing myself Johannes Stephanus, Pretorius ID # 690507 5150 080  <input checked="" type="checkbox"/> I have a direct interest in the application as I own property in Struisbaai – 16 Skulphoek, Landa street, Struisbaai.  <input checked="" type="checkbox"/> I have a close emotional bond with this area and have been visiting this area since my childhood.  <input checked="" type="checkbox"/> The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.  <input checked="" type="checkbox"/> There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact”</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> <input checked="" type="checkbox"/> I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.  <input checked="" type="checkbox"/> The grounds and detail of my objection is given below.  Regards  Johannes Stephanus Pretorius  Mobile 076-979-3507  Email faniep78@gmail.com</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	Date: 17/02/25 Time: 12:11

158	<b>Theo Terblanche</b>	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Registrering vir geaffekteerde party en belangstellende - Spookdraai ontwikkeling</p> <p>Michelle – kan jy my registreer asb. Dankie</p> <p>Ook annelie@zealkonsult.co.za jeandre@zealkonsult.co.za</p>	<p>Date: 17/02/25 Time: 12:20</p>
159	<b>Thys Oberholster</b>	<p><b>Email dated 17 February 2025</b></p> <p><b>Subject: SPOOKDRAAI RESIDENTIAL DEVELOPMENT</b></p> <p>Hi Michelle Kan jy my asb registreer as belangstellende en geaffekteerde party met betrekking tot hierdie ontwikkeling. Groete Thys</p>	<p>Date: 17/02/25 Time: 12:23</p>
160	<b>ANORINA BURGER</b>	<p>Email dated 17 February 2025</p> <p>I wish to register to be able to STRONGLY OBJECT to the SPOOKDRAAI DEVELOPMENT on Remainder of the Farm No 281 Struisbaai</p>	<p>Date: 17/02/25 Time: 12:41</p>
161	<b>Roux Crafford</b>	<p><b>Email dated 17 February 2025</b></p> <p><b>Subject: SPOOKDRAAI RESIDENTIAL DEVELOPMENT.</b></p> <p>I, Roux Crafford resident of Agulhas hereby request that you register me  as an Interested &amp; Affected Party to this application for SPOOKDRAAI RESIDENTIAL DEVELOPMENT Erf 281 Paapenkul fontein.</p> <p>Regards</p> <p>Roux Crafford</p>	<p>Date: 17/02/25 Time: 13:16</p>
162	<b>Jan Scriven</b>	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Spookdraai</p> <p>Hi , Registreer my op spookdraai geaffekteerde group asb.</p>	<p>Date: 17/02/25  Time: 13:19</p>

		Dankie Jan	
163	<b>Amanda Van der Merwe</b>	<p>Email dated 17 February 2025 Subject: SPOOKDRAAI</p> <p>Goeie middag</p> <p>Dit is skokkend om te lees van die sinlose besluit om te oorweeg dat daar in Spookdraai see se kant gebou gaan word. Ek woon feitlik op Spookdraai se kronkel. Die pad is baie besig met voertuie en is smal. Daar is soveel fietsryers, drawwers, stappers &amp; mammas met stootkarretjies wat elke dag daar die pad stap. Die stranddeel word ook gereeld besoek met toeriste &amp; kuiergaste asook inwoners. Dit gaan verkeer onnodig gevaarlik &amp; moeilik maak. Te praat vd estetiese verkragting vd kuslyn is daar nie genoeg woorde nie. Dis onaanvaarbaar, ondenkbaar &amp; verregaande projek.</p> <p>Dit is 'n definitiewe NEE!!!</p> <p>STOP DIE MALLIGHEID!!!</p> <p>Amanda Rust Inwoner van Oceanview. Sent from my iPhone</p>	<p>Date: 17/02/25 Time: 13:22</p>
164	<b>Gail Barnard</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Spookdraai residential development</p> <p>Middag Michelle, Sal waardeer as jy my naam asb op jul toekomstige korrespondensie lys kan sit rakende bg ontwikkeling. Dankie en mooi week Gail Barnard</p>	<p>Date: 17/02/25 Time: 13:28</p>
165	<b>Hennie Niemand</b>	<p><b>Email dated 17 February 2025</b> Subject: Re:</p> <p>L'Agulhas Spookdraai development</p>	<p>Date: 17/02/25 Time: 13:25</p>

166	Marius Basson	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Objection - Struisbaai/Agulhas Spookdraai development</p> <p>Hi Michelle</p> <p>Attached a letter as objection to the planned Spookdraai Development in Struisbaai/Agulhas for your attention.</p> <p>Kind Regards  Marius Basson (as representative of the Le Seur Family Trust)  Owner: 118 Main Road, Struisbaai</p> <p>To: Lornay Environmental Consulting  Attention: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  17 FEBRUARY 2025  RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.  A. INTRODUCTION  ☑ I am representing the following trust: Le Seur Family Trust / Registration number IT3355/2002.  ☑ We have a direct interest in the application as I own property in Struisbaai – 118 Main Road, Struisbaai.  ☑ I have a close emotional bond with this area and have been visiting this area since my childhood which is for the last 30 years.  ☑ The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.  ☑ There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact’</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> ☑ I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.  ☑ The grounds and detail of my objection is given below.</p> <p>Regards  Marius Basson  Mobile: 0828212004  Email: <a href="mailto:mariusbasson13@gmail.com">mariusbasson13@gmail.com</a></p>	<p>Date: 17/02/25</p> <p>Time: 14:28</p>
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		<b>Refer to Spookdraai generic objection 1.</b>	
167	<b>Hildegard Reyneke</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Spookdraai ontwikkeling</p> <p>Subject: Spookdraai, Struisbaai</p> <p>Goeiedag Michelle</p> <p>Ek wil graag registreer as n geaffekteerde party teen die ontwikkeling by Spookdraai.</p>	<p>Date: 17/02/25</p> <p>Time: 13:44</p>
168	<b>Coreen Swanepoel</b>	<p>Email dated 17 February 2025</p> <p>Goeiedag ek is n huiseienaar in die onmiddellike omgewing van die beoogde Spookdraai ontwikkeling. Ek teken ten sterkste beswaar aan teen enige verdere uitleg van erwe tussen die kuslyn en die Hoofweg tussen Struisbaai en Agulhas. Die area is rotsagtig, na aan die hoogwatermerk en nie geskik vir verdere ontwikkeling nie! Die inpak van ontwikkeling gaan nie net esteties afbreek doen aan die omgewing nie maar ook die klaar oorlaaide infrastruktuur (paaie) verder oorlaai. My stem is ten sterkste teen die ontwikkeling!! C Swanepoel</p>	<p>Date: 17/02/25</p> <p>Time: 13:51</p>
169	<b>Leon Ekermans</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Struisbaai ontwikkeling</p> <p>Stuur asb besonderhede oor Spookdraai ontwikkeling in Struisbaai.</p> <p>Ek besit 'n eiendom in Struisbaai.</p> <p>Dankie</p> <p><b>Leon Ekermans</b> <b>Director: Specialised Feed Additives</b></p> <p>+27 (0) 21 809 2500   +27 (0) 82 600 7281 <a href="mailto:leon.ekermans@bester.co.za">leon.ekermans@bester.co.za</a>   <a href="http://www.bester.co.za">www.bester.co.za</a></p>	<p>Date: 17/02/25</p> <p>Time: 14:32</p>



**Belangrike kennisgewing:** Ons bankbesonderhede het nie verander nie. Enige kommunikasie wat ontvang word wat anders aandui, moet geïgnoreer word en aan ons gestuur word vir ondersoek.

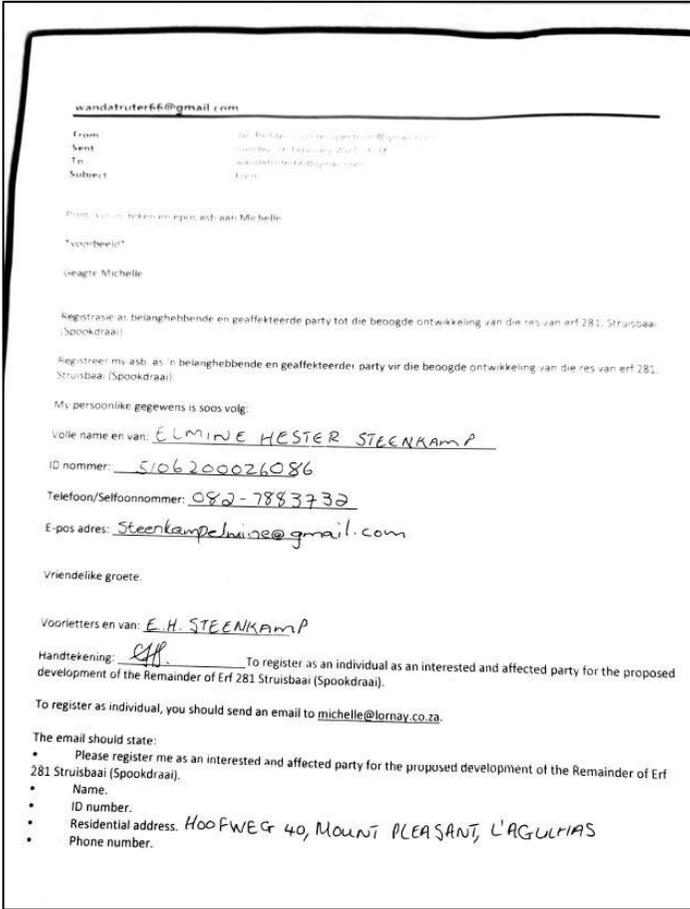
**Vrywaring:** Die inligting vervat in hierdie kommunikasie is vertroulik. Dit is uitsluitlik bedoel vir gebruik deur die ontvanger, en ander wat gemagtig is om dit te ontvang. As jy nie die ontvanger is nie, word jy hiermee in kennis gestel dat enige openbaarmaking, kopiëring, verspreiding of optrede met betrekking tot die inhoud van hierdie inligting streng verbode is en onwettig kan wees. Hierdie e-pos is geskandeer vir virusse en wanware en is moontlik outomaties deur Mimecast Bpk geargiveer.

		 <p><b>Belangrike kennisgewing:</b> Ons bankbesonderhede het nie verander nie. Enige kommunikasie wat ontvang word wat anders aandui, moet geïgnoreer word en aan ons gestuur word vir ondersoek.</p> <p><b>Vrywaring:</b> Die inligting vervat in hierdie kommunikasie is vertroulik. Dit is uitsluitlik bedoel vir gebruik deur die ontvanger, en ander wat gemagtig is om dit te ontvang. As jy nie die ontvanger is nie, word jy hiermee in kennis gestel dat enige openbaarmaking, kopiëring, verspreiding of optrede met betrekking tot die inhoud van hierdie inligting streng verbode is en onwettig kan wees. Hierdie e-pos is geskandeer vir virusse en wanware en is moontlik outomaties deur Mimecast Bpk geargiveer.</p>	
170	<b>Stephane du Toit</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Spookdraai residential development</p> <p>Hi</p> <p>Please include me in future comms.</p> <p>Thank you Stephane 0609807478</p> <p>Sent from my iPhone</p>	<p>Date: 17/02/25 Time: 14:35</p>
171	<b>Marius de Villiers</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Objection to Spookdraai development</p> <p>Dear Michelle,</p> <p>Please find attached my objection to the proposed development in Spookdraai, Struisbaai.</p> <p>Kindly send me a confirmation letter acknowledging receipt of my objection.</p>	<p>Date: 17/02/25 Time: 14:36</p>

		<p>Thank you.</p> <p style="text-align: center;"><b>Marius de Villiers</b> MANAGING DIRECTOR</p>  <p>T +27 21 883 3551 C +27 83 265 9105 Skype: viewprotect Website: <a href="http://www.viewprotect.co.za">www.viewprotect.co.za</a> 35 George Blake street, Stellenbosch</p>	
172	<b>Retha Leask</b>	<p>Email dated 17 February 2025 <b>Subject:</b> RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself , Fred Michau Leask, ID : 5602125061083</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 5 Kusweg, Struisbaai .</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>• Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>• Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>• Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>• Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset</i></li> </ul> </li> </ul>	<p>Date: 17/02/25 Time: 14:37</p>

		<p><i>available to the developer.</i></p> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Fred Leask Mobile : 0827838290 Email : <a href="mailto:leaskretha@gmail.com">leaskretha@gmail.com</a></p> <p>Retha Leask Financial Manager U-Mac Egg Farm Tel: 045 933 1711</p>	
173	<b>Dirk Stoffberg</b>	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Condensed objection Dirk Stoffberg</p> <p>Goeie middag Michelle,</p> <p>In die bylage is my beswaar teen die ontwikkeling op Marine Drive te Struisbaai aangeheg. As julle nog hulp nodig het om die ontwikkeling stop te sit, laat my asseblief weet.</p> <p>Met vriendelike groete, Dirk Stoffberg</p>	<p>Date: 17/02/25 Time: 14:50</p>
174	<b>Jan Hendrik Gysbert Richter</b>	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Erf 281 Registrasie - 17-Feb-2025, 14:50</p> <p>Scanned by FastScanner app!</p> <p>Geagte Michell</p> <p>Registrasie as belandhebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)</p> <p>Registreer my asb. As 'n belanghebbende en geaffekteerder party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai).</p>	<p>Date: 17/02/25 Time: 14:52</p>

		<p>My persoonlike gegewens is soos volg:          Volle name van Jan Hendrik Gysbert Richter          ID nommer: 5805245085086          Telefoon/Selffoonnommer: 0662660019          E-pos adres: <a href="mailto:Richter.spectrum@gmail.com">Richter.spectrum@gmail.com</a></p> <p>Voorletters van: JHG Richter</p>	
175	<b>Wanda Richter</b>	Email dated 17 February 2025	Date: 17/02/25  Time: 14:52
176	<b>Elmine Hester Steenkamp</b>	Email dated 17 February 2025	Date: 17/02/25 Date: 14:53

		 <p>wandatruter66@gmail.com</p> <p>From: wandatruter66@gmail.com Sent: 17 February 2025, 14:54 To: michelle@lornay.co.za Subject: Erf 281</p> <p>Hi, I am writing to register as an interested and affected party to the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</p> <p>Register me as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</p> <p>My personal details are as follows:</p> <p>Full name: <u>ELMINE HESTER STEENKAMP</u></p> <p>ID number: <u>5106200026086</u></p> <p>Telephone/Cell number: <u>082-7883732</u></p> <p>E-mail address: <u>Steenkampelmine@gmail.com</u></p> <p>Friendly regards,</p> <p>Initials: <u>E.H. STEENKAMP</u></p> <p>Signature: <u>[Signature]</u> To register as an individual as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</p> <p>To register as individual, you should send an email to <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>.</p> <p>The email should state:</p> <ul style="list-style-type: none"> <li>• Please register me as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</li> <li>• Name.</li> <li>• ID number.</li> <li>• Residential address. <u>HOOFWEG 40, MOUNT PLEASANT, L'AGULFIAS</u></li> <li>• Phone number.</li> </ul>		
177	Leesha Richardson	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Objection to proposed Spookdraai residential development</p> <p>To whom it may concern</p> <p>See attached my objection to the proposed Spookdraai development plan.</p> <p>Regards</p>		<p>Date: 17/02/2025 Time: 14:54</p>

		<p>Leesha Richardson</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>17 FEBRUARY 2025</b> <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b> <b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Leesha Richardson ID: 8909200133084</li> <li>• I have a direct interest in the application as I own property in Struisbaai/L'Agulhas – 125 Main Road, L'Agulhas, 7287.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions       <ul style="list-style-type: none"> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards Leesha Richardson Mobile: 0723214064 Email: <a href="mailto:richardsonleesha@gmail.com">richardsonleesha@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
178	Alta du Toit	<p><b>Email dated 17 February 2025</b></p> <p><b>Subject:</b> RE: OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</p> <p>I am representing myself: Alta du Toit, ID 6302010033086 living in Struisbaai for the past 40 years. I have a direct interest in the application as I rent a home but was an owner many years till my husband passed and I had to sell due to his medical costs.</p>	<p>Date: 17/02/25 Time: 15:11</p>

		<p>I have a close emotional and environmental bond with this area since 1982. I have been active in all developments as a interested buyer and as a Property Consultant and as a Chamber Member since 1988 in the KAM area.</p> <p>The Application for this very sensitive area and also dangerous for traffic where most of our accidents have taken place the last few years will have a very big negative impact for Permanent and Holiday residents. The road runs already basically on the rocks and the area that will be set out for the stands is on the rocks within the 100 meter setback line. Complete affecting our bird and wildlife roaming currently freely on this wonderful and beautiful land. The Municipality has also just spent Hundreds of Thousands of rand to finish the walkabout in this dangerous area due to the road being so narrow and residents have been pleading for this walk about for walking, riding bikes and wheelchairs and the cost and planning was exorbitant. Now the Development will change it forever and where will people and visitors be able to stroll down to Agulhas which is one of the Top venues to visit in South Africa.</p> <p>There is no way that a Development can turn of or into the land as it is a problem now already for the Fisherman and this specific spot is one of the best Fishing Spots on our coast. The Development will impact this very negatively and will this piece of land be only accessible for the owner of so said Properties.</p> <p>The road also is in the Process of being upgraded by Provincial from Bredasdorp to the Lighthouse there is no area on land to build any said houses on. Clearly the Coastal Management Act should be considered and is this Development a NO GO for any consideration of approval whatsoever. The Developer does own a very large piece of land that he or they can develop and will be a better area.</p> <p>Furthermore our weather patterns have changed drastically the last few years and often now with Spring and High Tide the tides do come so close to the current road that the water has risen to the level of the road so how do they want to develop on the sea side of the ocean as Global warming has given us enough reason with the water levels growing higher each year. One such a Property was our Restaurant Nostra that had to be demolished due to currents and high level water demolished the lower level of the Restaurant in Struisbaai not so long ago and we have pictures of it.</p> <p>I reserve my Right to supplement this letter of objection and most of all I object as this Development will cause even more danger on the road for all residents and visitors driving along the Marine Drive past the Spookdraai area.</p> <p>Regards Alta du Toit Cell: 0795358598 <a href="mailto:Alta.dutoit@lregroup.co.za">Alta.dutoit@lregroup.co.za</a></p>	
179	Tiaan Truter	<p><b>Email dated 17 February 2025</b></p> <p><b>Importance:</b> High</p> <p><b>To :</b> Lornay Environmental Consulting   Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>17 FEBRUARY 2025</b></p> <p><b>Dear Michelle,</b> <b>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</b></p> <ul style="list-style-type: none"> <li>I am representing myself, Tiaan Truter 8704045055083 Address: 6 Impala Street , Modimolle , Limpopo</li> </ul>	<p>Date: 17/02/25 Time: 15:12</p>

		<ul style="list-style-type: none"> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person</u></li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> </ul> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
180	<b>Atel Streicher</b>	<p>Email dated 17 February 2025</p> <p>Subject: Spookdraai Struisbaai</p> <p>Hallo Michelle</p> <p>Ek is n eienaar van 'n vakansiehuis in Struisbaai en wil beswaar aanteken teen die beplande ontwikkeling.</p> <p>Ek hoor graag van jou.</p> <p>Groete Atel</p>	<p>Date: 17/02/25 Time: 15:17</p>
181	<b>Dewet Wolhuter</b>	<p>Email dated 17 February 2025</p> <p>Subject:</p> <p>Hi ek wil asb register vir die spookdraai ontwikkeling.</p> <p>Groete</p>	<p>Date: 17/02/25 Time: 16:05</p>

		Jacobus De Wet Wolhuter Sent from my iPhone	
182	Braam Rust	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Re: Regiatriation for OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</p> <p>Good day Find attached my objections letter Regards AA Rust</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>17 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>B. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Abraham Albertus Rust (ID: 5707075033089)</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Adress: 1 Adelle Str, Struisbaai (just above Spookdraai)</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	Date: 17/02/25 Time: 16:27

AA Rust  
(082-8220799)  
Email: braamrust@gmail.com

**OBJECTION 1: THE APPLICATION IS AGAINST THE LAW.** (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)

The purpose of the ICM Act that came into effect in 2008 is to ensure that:

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending **100 metres inland is protected.**
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “*as does the entire town of Struisbaai*” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

**OBJECTION 2 : NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai,** providing opportunities for residential growth in a controlled and sustainable manner.
- The project **will support local economic development through job creation during the construction** and operational phases and contribute to the economic growth of the region by attracting residents and **potential tourists.**

		<p><b>My objection is based on:</b></p> <ul style="list-style-type: none"> <li>• The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li> <li>• The housing demand in Struisbaai is for <u>the previously disadvantaged people in Struisbaai</u>- North that is living in make- shift huts in backyards. <u>This development will only favour a few rich persons.</u></li> <li>• Job creation will only be short term and will <u>not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa.</u> (and invariably, once the project is completed stays behind with no work adding to the social problems)</li> <li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.</li> </ul> <p><b>OBJECTION 3 : TECHNICAL CONSIDERATION</b></p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE Page 25</b></li> </ul> <p><b>Sewer</b></p> <p>→ The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. <u>No municipal gravity pipeline system currently exists.</u></p> <p>→ <u>The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.</u> If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be</p> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b>  In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!  <b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>OBJECTION 4: Sandy beach</b>  The Spookdraai beach is the only sandy beach about 3-4 km from the main beach of Struisbaai. Many families use this beach for having picnics and fishing and enjoying the area.  <b>I object against this application as the sandy area will be removed from public usage.</b></p> <p><b>OBJECTION 5: The Spookdraai aura</b>  Spookdraai is a very special area for the Struisbaai and Agulhas people. It is pretty and has heritage characteristics and values.  <b>I object against this application as this place will be ruined from its aura as the 5 story building in Skulpiesbaai does. It is plain wrong to allow this development.</b></p>	
183	Derick Erasmus	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Objection to Proposed Coastal Development before Spook Draai and the Sea leading to Cape Agulhas.</p>	<p>Date: 17/02/25 Time:</p>

**Objection to Proposed Coastal Development before Spook Draai and the Sea leading to Cape Agulhas.****To whom it may concern:**

I am writing to formally express My concerns regarding the proposed coastal development in Struisbaai just before Spook Draai and the Sea leading to Cape Agulhas. I feel the need to bring attention to several critical issues that remain unresolved and which, in My view, would have detrimental effects on the local environment and community.

**Environmental Impact:**

- **Damage to fragile ecosystems:** The area is home to unique ecosystems, and construction could significantly disrupt the delicate balance of wildlife, plant life, and local water quality.
- **Impact on marine life:** There are concerns about increased pollution, habitat destruction, and disturbances to marine species.
- **Biodiversity loss:** The coastal area and surrounding regions support various species, many of which are endangered or have limited habitats. Development could cause long-term environmental damage that will be irreversible.

**Traffic and Safety Issues:**

- **Increase in traffic congestion:** The proposed development would likely lead to a surge in local traffic, especially considering the area's limited road infrastructure. This could cause significant congestion and delays, affecting residents and visitors alike.
- **Safety concerns:** An increase in traffic volume will increase the risk of accidents, particularly in an area where roads are not designed for heavy traffic.
- **Access to emergency services:** With the added traffic, emergency services might face delays in responding to incidents, especially during peak tourist seasons or adverse weather conditions.

**Lack of Community Consultation:**

- **Exclusion of local voices:** I am deeply concerned that the community has not been adequately consulted about this development. It is crucial that residents and stakeholders have an opportunity to discuss and express their views on the potential long-term consequences.
- **Transparency:** There has been a lack of transparency regarding the full extent of the development, including the potential environmental and

		<p>social impacts. This lack of communication undermines the trust between the developers and the community.</p> <ul style="list-style-type: none"> <li>• <b>Community interests disregarded:</b> The development, as proposed, seems to prioritize commercial interests over the well-being and preservation of the local environment and community, which will ultimately impact residents and visitors who value the natural beauty of the area.</li> <li>• <b>Conclusion</b>  Myself and My family have been a regular visitors to this part of Struisbaai, fishing off the rocks, swimming, cycling, enjoying the undisturbed nature.  Realising development is important for economic growth, this must be balanced with the preservation of our environment and community interest.  I strongly urge you to reconsider the proposed development and explore alternative solutions that prioritize the protection of our natural heritage and ensure the safety and well-being of local residents.</li> </ul> <p><b>Thank you for considering my objections.</b></p> <p>I trust that you will take these concerns into account in the decision-making process.</p> <p>Your Sincerely</p> <p>Derick Erasmus</p> <p><b>Address:</b> 22 on L’Afrique Verte Eco Estate Franschhoek</p> <p><b>Cell:</b> 0823674442</p> <p><b>Email:</b> <a href="mailto:derickerasmus@xsinet.co.za">derickerasmus@xsinet.co.za</a></p>	
184	<b>Bouwina Boonzaier</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Objections against proposed Spookdraai residential development!</p> <p><b>To :</b> Lornay Environmental Consulting   Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>17 FEBRUARY 2025</b></p> <p><b>Dear Michelle,</b></p>	<p>Date: 17/02/25 Time: 16:40</p>

**SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .**

- I am representing myself, Bouwina Boonzaier , ID 5708250127084 Address: 194 Oceanview drive, Struisbaai 7285 as owner of Cliff Haven Guesthouse.
- I have a direct interest in the application please register me as an Interested and affected person
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- **The grounds and detail of my objection is that we visit Struisbaai often due to beautiful scenery and object against this development as we need to protect nature.**

*As the owner of Cliff Haven Guesthouse, we are directly affected by the proposed residential development in our area. Our guests, primarily from Europe and various other countries, visit to experience the tranquillity and natural beauty surrounding our guesthouse. They enjoy scenic walks along the beach and rocky shoreline, admiring the unique plant life found in this region. This beach is also renowned for its rare shark teeth and distinctive shells, treasures that make it truly one of a kind.*

Regards  
Bouwina Boonzaier  
Owner of Cliff Haven

**Refer to Spookdraai generic objection 1.**

185	Nina Reynolds	<p><b>Email dated 17 February 2025</b></p> <p>Subject: SPOOKDRAAI ONTWIKKELING</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>C. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Name, Surname ID #</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Adress or I vacation here ..or ...</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Name Surname: Nina Edmunds</p> <p>Mobile: 0725499937</p> <p>Email: reynoldsnina@gmail.com</p>	<p>Date: 17/02/25 Time: 16:41</p>

		Refer to <b>Spookdraai Generic Objection 1.</b>	
186	<b>Robert Boonzaier</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p><b>Importance:</b> High</p> <p>Refer to generic objection 1 .</p>	<p>Date: 17/02/25</p> <p>Time: 16:54</p>
187	<b>Marcia Bester</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Condensed Objection 15022025.docx</p> <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> 15 FEBRUARY 2025</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>D. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself arcia Bester ID 491222 0014 080</li> <li>• I have a direct interest in the application as I own property in Struisbaai at Marinedrive 61</li> <li>• I have a close emotional bond with this area and have been visiting this area since 1978.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai&amp;Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bardocument <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> </ul> </li> </ul>	<p>Date: 17/02/25</p> <p>Time: 17:34</p>

		<ul style="list-style-type: none"> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Marcia Bester Mobile 083 235 7645 Email: <a href="mailto:bestermarcia@telkomsa.net">bestermarcia@telkomsa.net</a></p> <p><b>Refer to Spookdraai objection 1.</b></p>	
188	<b>Sarel Grobbelaar</b>	<p><b>Email dated 17 February 2025</b></p> <p><b>Subject:</b> FW: Public Participation - Spookdraai Residential Development</p> <p>Goeie middag Michelle,</p> <p>Ek wil graag registreer as 'n belangstellende en geafekteerde person aangaande die bogenoemde beplande ontwikkeling tussen Struisbaai en L'Ahulhas. Kan ek aanvaar dat ek ingelig sal word aangaande bv. enige toekomstige korispondensie / inligting hieroor?.</p> <p>Baie Dankie,</p> <p>S. D. Grobbelaar Hoofweg 150 L'Agulhas 080 820 3957</p>	<p>Date: 17/02/25 Time: 18:05</p>
189	<b>Bettie Nel</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> Objection against proposed Spookdraai Residential Development</p> <p>Good Day Michelle,</p> <ul style="list-style-type: none"> <li>• I have a direct interest in the application as I have been visiting Struisbaai/Agulhas since the 90s, I hereby formally <b>object against</b> the proposed Spookdraai Residential Development – specifically referring to the <b>Pre-application / Draft basic assessment report</b> (<a href="https://lornay.co.za/wp-">https://lornay.co.za/wp-</a></li> </ul>	<p>Date: 17/05/25 Time: 18:10</p>

		<p><a href="content/uploads/2025/01/Pre-App-Draft-BAR-re281-Struisb-310125.pdf">content/uploads/2025/01/Pre-App-Draft-BAR-re281-Struisb-310125.pdf</a>)</p> <ul style="list-style-type: none"> <li>The specific part of the purposed development is an iconic heritage spot of Spookdraai (most persons who drive to the most Southern point of Africa will take a photo of the iconic bay just before Spookdraai), which is used by everyone who walk along the footpaths and fish from the coast, many people enjoy the beaches here with family and friends for a beach day/picnic etc.</li> <li>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> </ul> <p>Michelle, grateful if you could please confirm receipt of my objection as I strongly believe the proposed development is against the <b>Integrated Coastal Management Act, 2008 and is situated within the Coastal protection zone</b> – This will be an undesirable development from a future sustainability point of view as the coast of Struisbaai/Agulhas needs to be protected for future generations.</p> <p>Regards,</p> <p>Bettie Nel  ID # 680906 013 9084  Mobile: 082 920 9917  Email: <a href="mailto:Bettie.nel68@gmail.com">Bettie.nel68@gmail.com</a></p> <p><b>Further detail of my objection below:</b></p> <p><b>Refer to Generic Obejction 1.</b></p>	
190	<b>Elsabe Maree</b>	<p>Email dated 17 February 2025</p> <p>Subject: Registration as objector -Spookdraai development</p> <p>Good evening</p> <p>I wish to register as objector regarding the above.</p> <p>Kindly provide information regarding this process.</p> <p>Regards Adv Maree</p>	<p>Date: 17/02/25  Time: 18:24</p>
191	<b>Leonard Robert Richardson</b>	<p>Email dated 17 February 2025</p> <p>Subject: Fwd: Objection - Spookdraai Residential development</p> <p>Michelle</p>	<p>Date: 17/02/25  Time: 20:07</p>

		<p>Find attached formal objections by E. Richardson and LR Richardson against the proposed Spookdraai Residential development mentioned above.</p> <p>Kindly forward all future correspondence regarding to. email address "richardsonlr.rl@gmail.com"</p> <p>Thanks</p> <p>L R &amp; E Richardson 0825569665</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>17 FEBRUARY 2025</b> <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b> <b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Leonard Robert Richardson ID: 5310265016087</li> <li>• I have a direct interest in the application as I own property in Struisbaai/L'Agulhas – 127 Main Road, L'Agulhas, 7287.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my youth.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document o Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions       <ul style="list-style-type: none"> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></li> <li>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards Leonard Robert Richardson Mobile: 0825569665 Email: richardsonlr.rl@gmail.com <b>Refer to Spookdraai Generic objection 1.</b></p>	
192	Elna	Email dated 27 February 2025	

	<p><b>Richardson</b></p>	<p>To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>17 FEBRUARY 2025 RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A.INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>•I am representing myself Elna Richardson ID: 5101300022085</li> <li>•I have a direct interest in the application as I own property in Struisbaai/L’Agulhas – 127 MainRoad, L’Agulhas, 7287.</li> <li>•I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>•The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>•There are numerous incorrect statements made by the EAP in the draft Bar document referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions <ul style="list-style-type: none"> <li>o Asserting that the proposed development is in line with existing residential development in this area while it is entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>•I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>•The grounds and detail of my objection is given below.</li> </ul> <p>Regards  Elna Richardson  Mobile: 0845895403  Email: elnarichardson5@gmail.com</p> <p><b>Refer to Spookdraai objection 1.</b></p>	
193	<p><b>Leesha Richardson</b></p>	<p><b>Email dated 17 February 2025</b></p> <p>Subject: Objection to proposed Spookdraai residential development</p> <p>To whom it may concern</p> <p>See attached my objection to the proposed Spookdraai development plan.</p> <p>Regards  <b>Leesha Richardson</b></p> <p><b>INTRODUCTION</b></p>	

		<ul style="list-style-type: none"> <li>• I am representing myself Leesha Richardson ID: 8909200133084</li> <li>• I have a direct interest in the application as I own property in Struisbaai/L'Agulhas – 125 Main Road, L'Agulhas, 7287.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact’</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
194	<b>Andre (Ampie) Burger</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> AB-Spookdraai-Objection-17Feb 2025.pdf</p> <p>Michelle</p> <p>Herewith my Objection to the Spookdraai Development</p> <p>Groete/Regards</p> <p><a href="#">André (Ampie) Burger</a>  <a href="mailto:ampie.huis@abri.co.za">ampie.huis@abri.co.za</a>  Huis E-pos/Home E-mail</p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>17 FEBRUARY 2025</b>  <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p>	

		<p>INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I am representing myself André Burger, ID 650713 5015 087</li> <li>• I have a direct interest in the application as I've owned property in Struisbaai since 2019 and currently has a house at 26 Keurtjie Avenue</li> <li>• I have also a close emotional bond with this area and have been visiting (camping) this area since my childhood circa 1972.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as "Guidelines" it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards  André Burger Pr. Eng  Mobile : 083 627 1724  Email andre@abri.co.za 2</p> <p>Refer to Spookdraai generic objection 1.</p>	
195	<b>Friedrich Neethling</b>	<p>Email dated 17 February 2025</p> <p>Subject: Register as interested and effected party</p> <p>Dear Me</p> <p>Please register me as interested and effected party to the proposed development at Spookdraai, erf 281, Struisbaai.</p> <p>Regards</p> <p>Friedrich Neethling  Sent from my iPhone</p>	<p>Date: 17/0225  Time: 22:53</p>
196	<b>Gawie Viljoen</b>	<p>Email dated 17 February 2025</p>	<p>Date: 17/02/25</p>

**Subject:** Struisbaai : Spookdraai proposed development

Michelle

Please find attached our objection letter for your attention and feedback.

*Groete / Regards*



**ESELFONTEIN  
BOERDERY**  
SINCE 1894

**GAWIE VILJOEN**

T 023 312 2179 | S 083 553 7250

GAWIE@ESELFONTEIN.CO.ZA

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ESELFONTEIN, POSBUS 37, CERES, 6835

REG NR. 2003/008319/07 | BTW NR. 4690 210 382

ESELFONTEIN BOERDERY (EDMS) BPK



To

Lornay Environmental Consulting

Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

17 FEBRUARY 2025

RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL  
DEVELOPMENT STRUISBAAI.

A. INTRODUCTION

I am representing company Van Wyk Capital Investments (Pty) Ltd (Registration:  
2017/109661/07) in my capacity as director, Johannes Wilhelm van Wyk (ID: 660526  
5084 087).

I have a direct interest in the application as our mentioned company owns property in  
Struisbaai – erven 1175, 91 Marine Drive.

I have a close emotional bond with this area and as such believe that the proposed  
development will permanently alter the look, feel and heritage value in a significant  
manner that is not acceptable to me.

Time:  
23:24

	<p> <input checked="" type="checkbox"/> The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.  <input checked="" type="checkbox"/> There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact’</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> <input checked="" type="checkbox"/> I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.  <input checked="" type="checkbox"/> The grounds and detail of my objection is given below.  Regards  Johannes Wilhelm van Wyk  Mobile: 082 855 9904  Email: wilhelm@lvboer.co.za  B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)  Note Page numbers “Page xx” refer to the page number on the BAR document right bottom  The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)  <input checked="" type="checkbox"/> The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.  <input checked="" type="checkbox"/> The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.  <input checked="" type="checkbox"/> Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.  <input checked="" type="checkbox"/> Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom  The applicant admits that the application is against the Law  <input checked="" type="checkbox"/> (Page 42 top) “conflict with the Law  <input checked="" type="checkbox"/> (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.  The Coastal Management Section -Department of Environmental Affairs and Development </p>	
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	<p>Planning Western Cape Government should reject this application immediately.</p> <p>☒ As indicated in their table Page 13 only 89m2 of the existing total of 7,113m2 will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</p> <p>☒ To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</p> <p>☒ This footpath has been there for generations and will now disappear</p> <p>☒ As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</p> <p>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p><b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</p> <p>☒ This is based on the following copy and paste extracts below from the applicant’s own experts which is self-explanatory (!)</p> <p>☒ Cindy Postlethwayt –Heritage Impact Assessment</p> <p>☒ John Pether – Palaeontological Impact Assessment</p> <p>☒ Jonathan Kaplin – Archaeological Impact Assessment</p> <p>☒ Terra + Landscape Architects – Visual Impact Assessment</p> <p>☒ Page 49: “Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semirural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</p> <p>☒ Page 50: “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</p>	
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	<p>☒ Heritage Resources and Significance “ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.</p> <p>The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</p> <p>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</p> <p>☒ Page 51 top: It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</p> <p>☒ Page 52 middle: Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</p> <p>In overall terms, the heritage (and related visual) impacts are expected to be High, negative.</p> <p>Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity</p> <p>The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</p> <p>☒ Page 53: Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported</p> <p>☒ Page 62: Visual Resources identified</p> <p>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</p>	
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	<p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes. The urban patterns are adhoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <p>→ Coastal landscape with intact and indigenous vegetation. Small footpaths that lead to areas of recreation and amenities.</p> <p>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</p> <p>☒ Page 63 The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</p> <p>☒ Page 77 Significance of Sensitivity to Visual Change</p> <p>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</p> <p>☒ Page 78 Contextual Significance</p> <p>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</p> <p>I object against this application as the visual representation below is misleading:</p> <p>☒ Page 78 The homes shown below is all presented as small "monopoly "size houses. If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</p> <p>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</p> <p>I object against this application as a false presentation is made regarding the alternatives available</p> <p>Below is the misleading statement "the subject property is the sole asset available to the developer. (which is not true) see Page 84:</p> <p>Thereafter follows a lengthy discussion of 4 possible "alternatives "and bogus discussion of 'pro's/ cons" and presenting a façade of "we have no options". But the developer has other options!</p>	
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	<p>Meaning</p> <p>☒ Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein  Important to note here is that Helemika owns the very large area shown as in the <b>dotted red</b> area as well within the CAM Urban Edge</p> <p>.</p> <p>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:  I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</p> <p>☒ Page 37  My objection is based on:</p> <p>☒ The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</p> <p>☒ The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</p> <p>☒ Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</p> <p>☒ This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</p> <p>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:  ☒ SEWERAGE Page 25  I object against this application as the existing sewerage system in the area is already overloaded.  In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!  This development will add to this mess! Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p>H: CONCLUSION  ☒ In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</p> <p>☒ The proposed process of development authorization is non-compliant with national,</p>	
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		<p>provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</p> <p><input checked="" type="checkbox"/> There is no site-specific motivation to support the development.</p> <p><input checked="" type="checkbox"/> The environmental authorisation application must be refused.</p> <p>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</p>	
197	Jenna Bruwer Kruger	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</p> <p><b>ATT:</b> Michelle Naylor</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>E. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Jenna Kruger ID no: 8905270104088</li> <li>• I have a direct interest in the application as our family owns a propert at 35 Kusweg Oos, Struisaai.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Jenna Kruger  Mobile 0726022991  Email <a href="mailto:jenna@springfieldestate.com">jenna@springfieldestate.com</a></p> <p><b>F. <u>OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW.</u> (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal</b></p>	<p>18/02/25  Time:  08:50</p>

**protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8

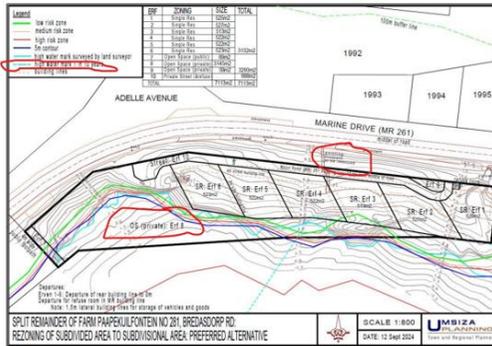


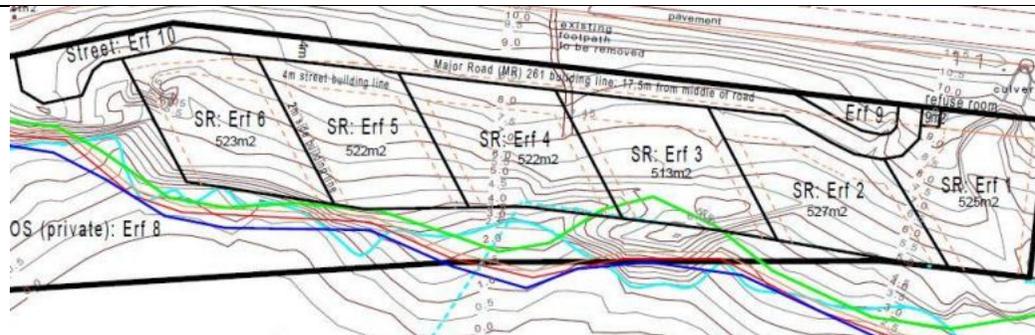
Figure 11: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin, (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
  - Jonathan Kaplin – Archaeological Impact Assessment
  - Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *"Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed"*
- **Page 50:** *" Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L'Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"*
- **Heritage Resources and Significance** *" Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the historical raison d'etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.
- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the **heritage (and related visual) impacts are expected to be High, negative**.

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value**.

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**”
- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities**.

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas**.

- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

- **Page 77** *Significance of Sensitivity to Visual Change*

*As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance*

- **Page 78** *Contextual Significance*

*The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.*

**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity. Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort? Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebreidelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



**Figure 33:** Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see **Page 84:**

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- **The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.**
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- **No other alternative properties were considered and therefore, no site selection matrix was utilised.**

Provide a full description of the process followed to reach the preferred alternative within the site.

**The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- **Page 37**

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

		<p><b><u>H:</u> CONCLUSION</b></p> <ul style="list-style-type: none"><li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li><li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li><li>• There is no site-specific motivation to support the development.</li><li>• <b>The environmental authorisation application must be refused.</b></li></ul> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
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**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**A User-friendly Guide to the  
INTEGRATED COASTAL  
MANAGEMENT ACT  
of South Africa**

EASY TO READ VERSION

## ENVIRONMENTAL AUTHORISATIONS

### 1. What must the competent authority take into account when considering an application for environmental authorisation?

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

### 2. Under what circumstances may the competent authority NOT issue an environmental authorisation?

#### If the development/activity:

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

### 3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

Kind regards,  
**JENNA BRUWER KRUGER**  
Springfield Estate

		R317 Road/ PO BOX 770 Robertson 6705 +27 (0)23 626 3661 <a href="http://www.springfieldestate.com">www.springfieldestate.com</a>	
198	<b>Christopher Maarman</b>	Email dated 18 February 2025	Date: 18/02/25 Time: 09:17
199	<b>Norman Roux</b>	Email dated 18 February 2025  <b>Subject:</b> Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)  Beste Michelle  Sien asseblief die aangehegde dokument vir registrasie as n geaffekteerde party by die ontwikkeling van erf 281, Struisbaai  Groete  Norman Roux  Geagte Michelle  Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)  Registreer my asb. As 'n belanghebbende en geaffekteerder party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai).  My persoonlike gegewens is soos volg:  Volle name en van: Norman Peter Roux	Date: 18/02/25 Time: 09:30
200	<b>Nikki Smit</b>	<b>Email dated 18 February 2025</b>  <b>Subject: register as I&amp;AP Ref REM-281 Struisbaai</b>  Good morning,  I would like to register as an I&AP.	Date: 18/02/25 Time: 9:31

		<p>I would also be grateful if you could answer a few questions I have regarding the proposed development to help me understand better the potential impact it would have on the public and specifically shore anglers.</p> <p>In terms of the Integrated Coastal Management Act, of which I have a limited knowledge, how does this development affect the historical fishing access rights as well as current day fishing access of the public. I have been asked to comment on this development on Behalf of SASACC (South African Sports Angling and Casting Confederation), but before I do so I would like to inform myself of the correct information. Is it possible to forward to me a copy of the proposal along with the possible repercussions should this development be successful.</p> <p>Regards <b>Nikki Smit</b></p>				
201	<b>Aletta Combrink</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Dr Piet Olivier - OBJECTION AGAINST PROPOSED DEVELOPMENT</p> <p>Good day Michelle</p> <p>Attached please find the signed objection signed by Dr Olivier.</p> <p>Kind regards/Vriendelike groete</p> <p><i>Please ensure that all correspondence you receive from me, comes from <a href="mailto:reception@drpietolivier.co.za">reception@drpietolivier.co.za</a> Should this not be the case, please inform us of this as soon as possible.</i></p> <div data-bbox="454 995 1207 1034" style="background-color: #003366; color: white; padding: 2px;"> <b>Aletta Combrink</b> Office Administrator </div> <div data-bbox="454 1058 1207 1369" style="border: 1px solid black; padding: 10px; text-align: center;"> <p><b>DR PIET OLIVIER INCORPORATED</b>  M.B., Ch.B.(Stell), M.Med. Orthop.(UOVS) CIME  Registration number: 2017/293138/21</p> <p><b>ORTOPEDIESE CHIRURG / ORTHOPAEDIC SURGEON</b>  PR no 2804689      MP 0248363</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> 14 Herold Street  Stellenbosch  7600  Tel: (021) 882-9834 </td> <td style="width: 33%; vertical-align: top; text-align: center;"> <b>For Appointments:</b>  Tel: (043) 743-3530  Fax: (043) 743-5088 </td> <td style="width: 33%; vertical-align: top;"> 43 St Marks Road  Southernwood  East London  Tel: (043) 743-3530 </td> </tr> </table> <p style="font-size: small; margin-top: 5px;">www.oliviermedicolegal.co.za</p> </div>	14 Herold Street Stellenbosch 7600 Tel: (021) 882-9834	<b>For Appointments:</b> Tel: (043) 743-3530 Fax: (043) 743-5088	43 St Marks Road Southernwood East London Tel: (043) 743-3530	Date:  18/02/25  Time: 09:41
14 Herold Street Stellenbosch 7600 Tel: (021) 882-9834	<b>For Appointments:</b> Tel: (043) 743-3530 Fax: (043) 743-5088	43 St Marks Road Southernwood East London Tel: (043) 743-3530				

		<p><b>DISCLAIMER</b> This e-mail may contain confidential information and may be legally privileged and is intended only for the person to whom it is addressed. If you are not the intended recipient, you are notified that you may not use, distribute or copy this document in any manner whatsoever. Kindly also notify the sender immediately by telephone, and delete the e-mail. When addressed to clients of the company from where this e-mail originated ("the sending company") any opinion or advice contained in this e-mail is subject to the terms and conditions expressed in any applicable terms of business or client engagement letter. The sending Company does not accept liability for any damage, loss or expense arising from this e-mail and/or from the accessing of any files attached to this e-mail.</p> <p>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <ul style="list-style-type: none"> <li>• I, Peter Andreas Olivier (5701035075082) am representing Piet O/97). livier Familietrust (IT1687</li> <li>• I have a direct interest in the application as the Trust owns a property in Struisbaa (Erf 41, 1 Beach Road) where my family and I regularly reside weekends and holidays.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Piet Olivier</p>	
202	<b>Fiona Ross</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Attn: Michelle Naylor. Objection to Spookdraai proposal</p> <p>Dear Ms Naylor and Lornay Consulting. Please find my letter of objection to the Spookdraai proposal attached. I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions. Please acknowledge receipt of this email. Thank you Fiona Ross.</p>	<p>Date: 18/02/25 Time: 09:44</p>

**To**

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**18 FEBRUARY 2025**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**G. INTRODUCTION**

I am representing myself : Fiona Ross 6803070973087

I have a direct interest in the application as I own property in the municipality (Erf 167 Suiderstrand), visit regularly and intend to live here.

The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.

There are numerous incorrect statements made by the EAP in the draft Bar document

- Referring to the NEMA act and ICM Act as "Guidelines": they are legislative provisions
- Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
- Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
- Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*

In effect, the proposal secures coastal access for the privileged few, breaks the coastal linkages between Suiderstrand and Agulhas, and does not develop the actual developmental needs of the area.

I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.

The grounds and detail of my objection are given below.

Yours sincerely



**Fiona Ross**

**Phone: 0820969239**

**Email: [Fionahacks7@gmail.com](mailto:Fionahacks7@gmail.com)**

**H. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law"
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

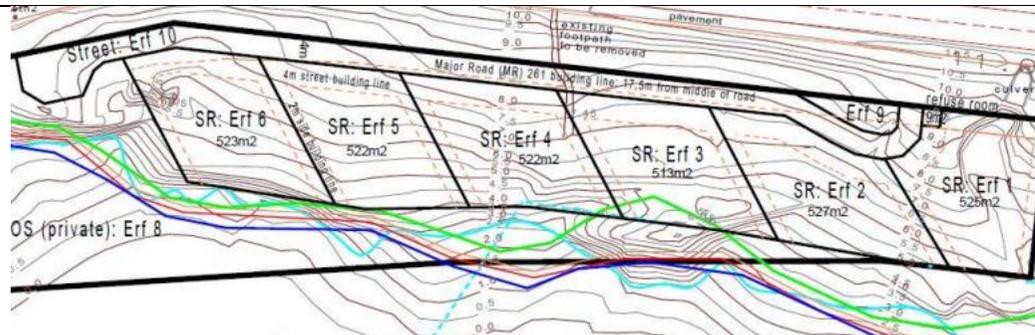
The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8"





**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
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In overall terms, the heritage (and related visual) impacts are expected to be High, negative.

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As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

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**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

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(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

I object against this application as the visual representation below is misleading:

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If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

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**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.. (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- **Page 37**

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:

80 No. 31884

GOVERNMENT GAZETTE, 11 FEBRUARY 2009

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



203 **Maryke Nel**

Email dated 18 February 2025

**Subject:** Objection against proposed Spookdraai Residential Development

Date:  
18/02/25  
Time:

Hi Michelle

Please accept the below summary as my formal **objection** against the proposed Spookdraai Residential Development: <https://lornay.co.za/wp-content/uploads/2025/01/Pre-App-Draft-BAR-re281-Struisb-310125.pdf>

**I. INTRODUCTION**

- I am representing myself [Maryke Nel](#).
- I have a direct interest in the application please register me as an Interested and affected person.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document:
  - Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

**Michelle, grateful if you could please confirm receipt of my objection?** I strongly believe the proposed development is against the **Integrated Coastal Management Act, 2008 and is situated within the Coastal protection zone** – This will be an undesirable development from a future sustainability point of view as the coast of Struisbaai/Agulhas needs to be protected for future generations.

Regards,  
[Maryke Nel](#)

Mobile: [082 568 5597](tel:0825685597)  
Email: [maryke.nel87@gmail.com](mailto:maryke.nel87@gmail.com)

**Further detail of my objection below:**

**J. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract at bottom)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8”

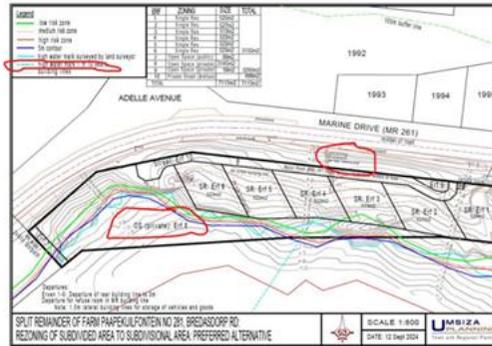


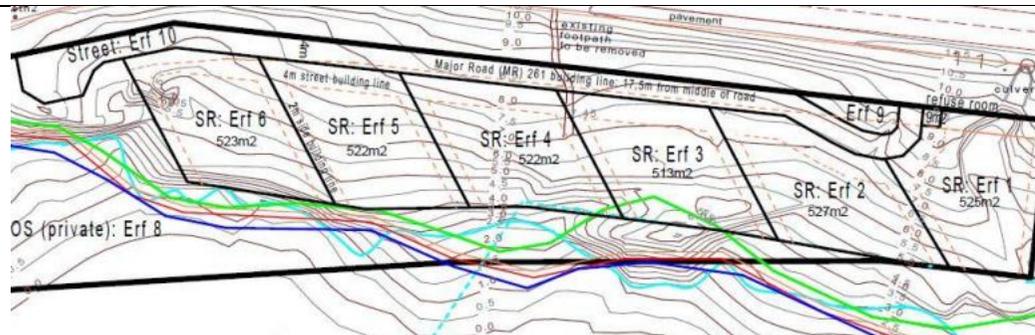
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
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  - John Pether – Palaeontological Impact Assessment
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Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion:** The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and efficient land use within designated growth areas.
- The development contributes to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.
- The project will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in

backyards. This development will only favour a few rich persons.

- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

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MANAGEMENT ACT**  
of South Africa

EASY TO READ VERSION

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

7

- If the development/activity:**
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

204 Albert Gerber

Email dated 18 February 2025

Subject: Spookdraai Objection

Hi Michelle

Attached please find my objection letter to the proposed Spookdraai development.

Regards

Albert Gerber

To

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

18 FEBRUARY 2025

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**K. INTRODUCTION**

- I am representing myself, Albert Gerber, 670612 5013 082
- I have a direct interest in the application as I own property in Struisbaai – Oliverstraat 11, Struisbaai.
- My family spend their Dec/Jan holidays in Struisbaai and we also frequently visit it over weekends during the year. One of the main attractions of choosing Struisbaai as our destination is the beauty of the town and its surroundings. The open pieces of land in and around the town contribute to Struisbaai's charm. The open areas on the seaside of the main road are probably Struisbaai's biggest asset and should be protected for generations to come.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as "Guidelines" it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it is entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards



Name: Albert Gerber

Mobile: 082 415 9004

Email: albert.gerber@heineken.com

L. **OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW.** (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)

The purpose of the ICM Act that came into effect in 2008 is to ensure that: (NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

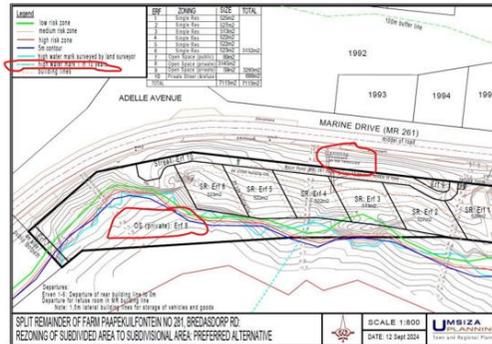


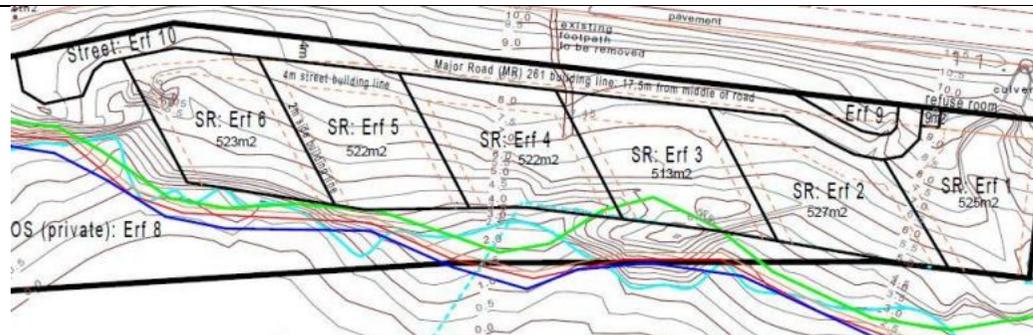
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: OTHER OBJECTIONS - HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

We have seen the damage that the new building next to Skulpiesbaai has done to the visual impact spoiling the clean coastline and sea view from Marine Drive for all inhabitants, visitors and tourists visiting the town. Let us note make the mistake again!

**C: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

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  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
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  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
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- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

7

		<p>CHAPTER SEVEN: Protection of Coastal Environment</p> <p><b>ENVIRONMENTAL AUTHORISATIONS</b></p> <p><b>1. What must the competent authority take into account when considering an application for environmental authorisation?</b></p> <ul style="list-style-type: none"> <li>→ Representations made by the applicant and by interested and affected parties;</li> <li>→ The applicant's past record in complying with similar authorisations;</li> <li>→ If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;</li> <li>→ Estuarine management plans, CMPs and coastal management objectives;</li> <li>→ The socio-economic impact if that activity or action is authorised or not authorised;</li> <li>→ The likely impact on the coastal environment including the cumulative effect (collective effect);</li> <li>→ The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and</li> <li>→ The objectives of the ICM Act which apply to the activity.</li> </ul> <p><b>2. Under what circumstances may the competent authority NOT issue an environmental authorisation?</b></p> <p><b>If the development/activity:</b></p> <ul style="list-style-type: none"> <li>→ Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;</li> <li>→ Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;</li> <li>→ Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;</li> <li>→ Is likely to be significantly damaged or affected by dynamic coastal processes;</li> <li>→ Will prejudice the achievement of any coastal management objective; or</li> <li>→ Will not be in the interests of the community as a whole.</li> </ul> <p><b>3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?</b></p> <ul style="list-style-type: none"> <li>→ If the proposed activity or development cannot be located anywhere else; or</li> <li>→ If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.</li> </ul>	
205	Norman Roux	<p><b>Email dated 18 February 2025</b></p> <p>Subject: Re: Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)</p> <p>Thank you Michelle Please see my letter to you attached. It contains my objections Sincerely Norman Roux</p> <p><b>To</b></p>	<p>Date: 18/02/25 Time: 10:25</p>

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

15 FEBRUARY 2025

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

I am representing myself Norman Peter Roux ID 5510145074087

I have a direct interest in the application as I own property in Struisbaai – 11 Watsonia Street.

I have a close emotional bond with this area and have been visiting this area since 1983 when my family bought property here and now I am a co-owner.

The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.

There are numerous incorrect statements made by the EAP in the draft Bar document

o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions

o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive

o Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*

o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*

I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.

The grounds and detail of my objection is given below.

The detailed motivation given below is sufficient I believe, but I would like to emphasise a few critically important points:

o I was involved in the objections to the Herman Pooles Bar development which was successfully stopped. If this project is not stopped, then for sure future generations will have to battle unscrupulous developers who favour only the money they can generate and use weak motivation such as creating jobs while they destroy a natural wonder that can never be reclaimed.

o Case in point is the monstrosity been built in Skulpiesbaai unfortunately approved by previous administrators and now is much a done deal and for generations will be destroying what should have been a green belt preservation for future generations.

o The lesson is, once these types of projects are approved there appears to be no successful recourse so that is why I object now.

Regards

Norman Peter Roux 2

Mobile 0824562610

Email [normanpeterroux@gmail.com](mailto:normanpeterroux@gmail.com) 3

**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

		<p> <input type="checkbox"/> The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.  <input type="checkbox"/> The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.  <input type="checkbox"/> Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.  <input type="checkbox"/> Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom </p> <p> The applicant <b>admits</b> that the application is against the Law  <input type="checkbox"/> (Page 42 top) “<i>conflict with the Law</i>”  <input type="checkbox"/> (Page 33 bottom) “<i>the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</i>” </p> <p> The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.  <input type="checkbox"/> As indicated in their table Page 13 <b>only 89m2</b> of the existing total of <b>7,113m2</b> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public. </p> <p> <input type="checkbox"/> To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8 4” </p> <p> <input type="checkbox"/> This footpath has been there for generations and will now disappear </p> <p> <input type="checkbox"/> As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama) </p> <p> <b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b>  The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.) </p> <p> <b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b>  <b>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</b> </p> <p> <input type="checkbox"/> This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!)  <input type="checkbox"/> Cindy Postlethwayt –Heritage Impact Assessment  <input type="checkbox"/> John Pether – Palaeontological Impact Assessment  <input type="checkbox"/> Jonathan Kaplin – Archaeological Impact Assessment  <input type="checkbox"/> Terra + Landscape Architects – Visual Impact Assessment </p> <p>5</p>	
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☒ **Page 49:** “Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”

☒ **Page 50:** “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”

☒ **Heritage Resources and Significance** “ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages**. The coastline **should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible**.

The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas. 6

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

☒ **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

☒ **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the **heritage (and related visual) impacts are expected to be High, negative**.

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value**.

☒ **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

☒ **Page 62:** Visual Resources identified

	<p>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</p> <p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</p> <p>The urban patterns are adhoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <p>→ Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></p> <p>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b> 7</p> <p>☒ <b>Page 63</b> The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</p> <p>☒ <b>Page 77</b> Significance of Sensitivity to Visual Change</p> <p>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</p> <p>☒ <b>Page 78</b> Contextual Significance</p> <p>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> highlighting its local importance in maintaining the cultural and aesthetic qualities of the region. 8</p> <p><b>I object against this application as the visual representation below is misleading:</b></p> <p>☒ <b>Page 78</b> The homes shown below is all presented as small "monopoly "size houses.</p> <p>If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>2</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</p> <p><b>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</b></p> <p><b>I object against this application as a false presentation is made regarding the alternatives available</b></p> <p>Below is the misleading statement "the subject property is the sole asset available to the developer. (which is not true) see <b>Page 84:</b></p> <p>Thereafter follows a lengthy discussion of 4 possible "alternatives "and bogus discussion of "pro's/ cons" and presenting a façade of "we have no options". But the developer has other options! 9</p> <p><b>Meaning</b></p>	
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☒ **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

☒ **Page 37**

**My objection is based on:**

☒ The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

☒ The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.

10

☒ Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)

☒ This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

☒ **SEWERAGE Page 25**

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

☒ In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.

☒ The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.

☒ There is no site-specific motivation to support the development.

☒ **The environmental authorisation application must be refused.**

11

		ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:	
206	Rinette Praat	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> SPOOKDRAAI</p> <p>Hello Michelle!</p> <p>Jong, ons klomp kan gladnie daardie brief ooggemaak kry nie!</p> <p>Kan jy dit asb weer appart vir ons stuur? Strepies het ons name &amp; e-mail adresse.</p> <p>Baie dankie by voorbaar.</p> <p>Rinette Pratt (082 923 1282)</p>	
207	Christelle Kriel	<p>Email dated 18 Fbruary 2025</p> <p><b>Subject:</b> Spookdraai objeksie registrasie</p> <p>Michelle</p> <p>Hiermee aangeheg ons registrasie om objeksie aan the teken teen die Spookdraai ontwikkeling.</p> <p><b>Vriendelike groete,</b></p> <p><b>Christelle Kriel</b></p>  <p>Christelle Kriel 3 Adriaan Moorreesstraat, Karindal, Stellenbosch, 7600</p>	

		<p>18 Februarie 2025 Geagte Michelle</p> <p>Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai) Registreer my asb. as 'n belanghebbende en geaffekteerder party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai).</p> <p>My persoonlike gegewens is soos volg: Volle name en van: Christelle Kriel ID nommer: 7408230032086 Telefoon/Selfoonnommer: 0823238026 E-pos adres: <a href="mailto:christelle@redpeppercatering.co.za">christelle@redpeppercatering.co.za</a> Adres: Lizasingel 3 Vriendelike groete. C KRIEL</p>	
208	<b>Dawid Kriel</b>	<p><b>Email dated 18 February 2025</b></p> <p>Dawid Kriel</p> <p>3 Adriaan Moorreesstraat, Karindal, Stellenbosch, 7600 18 Februarie 2025</p> <p>Geagte Michelle</p> <p>Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai) Registreer my asb. as 'n belanghebbende en geaffekteerder party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai).</p> <p>My persoonlike gegewens is soos volg: Volle name en van: Dawid Kriel ID nommer: 7404035236089 Telefoon/Selfoonnommer: 0823238110 E-pos adres: <a href="mailto:dawid@redpeppercatering.co.za">dawid@redpeppercatering.co.za</a> Adres: Lizasingel 3 Vriendelike groete. DJ KRIEL</p>	<p>Date: 18/02/25 Time: 10:42</p>
209	<b>Jessy Versfeld</b>	<p>Email dated 18 February 2025</p>	<p>Date: 18/02/25</p>

		<p><b>Subject:</b> Spookdraai Residential Development</p> <p>Good afternoon Michelle,</p> <p>Please can you send me more information on the Spookdraai residential Development as well as how to possibly object to the proposal?</p> <p>Kind regards          Jessy Viljoen          083 611 8151</p>	<p>Time: 11:47</p>
210	<b>Toon Maree</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Beswaar teen Spookdraai ontwikkeling</p> <p>Sien asb aangehegte dokument.          Groete          Toon Maree</p> <p>Aandag: Michelle Naylor</p> <p>Epos: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>          BCC: <a href="mailto:suidpuntinwoners@gmail.com">suidpuntinwoners@gmail.com</a></p> <p>Beswaar teen voorgestelde ontwikkeling in Spookdraai, Struisbaai</p> <ul style="list-style-type: none"> <li>• Ek besit elendom on Agulhas, 15 Wessels straat, en besoek die beoogde ontwikkeling gebied gereeld – hetsy visvang of stap. Indien die ontwikkeling voortgaan sal die aktwiteit vir ons almas en ons nageslag vir ewig verlore wes</li> <li>• N Ontwikkeling daar gaan n ernstige afbreek aan die natuurskoon van hierdie ikoniese “draai” he.</li> <li>• Die beoogde ontwikkeling is na my mening by verre te na aan die hoogwatermerk.</li> </ul>	<p>Date: 18/02/25          Time: 11:54</p>
211	<b>Aletia Barkhuizen</b>	<p>Email dated 17 February 2025</p> <p><b>Subject:</b> RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p>Dear Michelle,</p> <p>Please find attached.</p> <p>Kind regards,          Aletia Barkhuizen</p> <p>To</p>	<p>Date: 18/02/25          Time: 12:38</p>

	<p>Lornay Environmental Consulting A6: Michelle Naylor Email: michelle@lornay.co.za 15 FEBRUARY 2025 RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI. A. INTRODUCTION</p> <ul style="list-style-type: none"><li>• I am representing myself, Ale?a Barkhuizen ID 8705150207088</li><li>• I have a direct interest in the application as I own property in Struisbaai – Address or I vacation here - Marine Drive 57, Struisbaai.</li><li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li><li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li><li>• There are numerous incorrect statements made by the EAP in the draft Bar document<ul style="list-style-type: none"><li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li><li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with proper uses seaward of Marine Drive</li><li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact’</li><li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li></ul></li><li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li><li>• The grounds and detail of my objection is given below.</li></ul> <p>Regards, Ale?a Barkhuizen Mobile: 0732328446 Email: ale3abarkhuizen@gmail.com</p> <p>2</p> <p>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”) Note Page numbers “Page xx” refer to the page number on the BAR document right below The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)</p> <ul style="list-style-type: none"><li>• The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li><li>• The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li><li>• Coastal economic development opportunities must be optimized to meet society’s needs and to promote the wellbeing of coastal communities.</li><li>• Coastal management efforts must ensure that all people, including future</li></ul>	
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	<p>generations, enjoy the rights of human dignity, equality and freedom</p> <p>The applicant admits that the application is against the Law</p> <ul style="list-style-type: none"> <li>• (Page 42 top) "conflict with the Law</li> <li>• (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>• As indicated in their table Page 13 only 89m<sup>2</sup> of the existing total of 7,113m<sup>2</sup> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>• To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 83</li> <li>• This footpath has been there for generations and will now disappear</li> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</li> </ul> <p>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long 4</p> <p>before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p><b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "</p> <ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the applicant's own experts which is self-explanatory (!)</li> <li>• Cindy Postlethway –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> <li>• Jonathan Kaplin – Archaeological Impact Assessment</li> <li>• Terra + Landscape Architects – Visual Impact Assessment</li> <li>• Page 49: "Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity,</li> </ul>	
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	<p>and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</p> <ul style="list-style-type: none"> <li>• Page 50: “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</li> <li>• Heritage Resources and Significance “ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’être of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.</li> </ul> <p>The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</p> <p>5</p> <p>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</p> <ul style="list-style-type: none"> <li>• Page 51 top: It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</li> <li>• Page 52 middle: Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</li> </ul> <p>In overall terms, the heritage (and related visual) impacts are expected to be High, negative. Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity</p> <p>The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural</p>	
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	<p>landscape with high visual / scenic amenity value.</p> <ul style="list-style-type: none"> <li>• Page 53: Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported</li> <li>• Page 62: Visual Resources identified</li> </ul> <p>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</p> <p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</p> <p>The urban patterns are ad hoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <p>→ Coastal landscape with intact and indigenous vegetation. Small footpaths that lead to areas of recreation and amenities.</p> <p>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</p> <p>6</p> <ul style="list-style-type: none"> <li>• Page 63 The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>• Page 77 Significance of Sensitivity to Visual Change</li> </ul> <p>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</p> <ul style="list-style-type: none"> <li>• Page 78 Contextual Significance</li> </ul> <p>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This position of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</p> <p>7</p> <p>I object against this application as the visual representation below is misleading:</p> <ul style="list-style-type: none"> <li>• Page 78 The homes shown below is all presented as small “monopoly” size houses.</li> </ul> <p>If (heaven forbid!) this application is approved, because the proposed houses are all very small (530m<sup>2</sup>) -All the houses to be built will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</p> <p>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</p>	
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	<p>I object against this application as a false presentation is made regarding the alternatives available  Below is the misleading statement “the subject property is the sole asset available to the developer.  (which is not true) see Page 84:  Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/  cons” and presenting a façade of “we have no options”. But the developer has other options!  8  Meaning  • Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein  Important to note here is that Helemika owns the very large area shown as in the dotted red area as  well within the CAM Urban Edge  .  Conclusion: The developer does have other more suitable alternatives, no need to develop in this  very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also  partially falls in the designated CAM Urban edge.  E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:  I object against this application as the motivations and need statement is false and misleading and  for the reasons below in comments:  • Page 37  My objection is based on:  • The proposed area for this development is very small and given the complexities and  infrastructure to be squeezed in will definitely not be economical. The developer does own  other land much larger, less sensitive, and more suitable for development.  • The housing demand in Struisbaai is for the previously disadvantaged people in  Struisbaai- North that is living in make- shift huts in backyards. This development will only  favour a few rich persons.  9  • Job creation will only be short term and will not favour the local community as lately most  construction work is done by out of town companies using craftsmen from outside South  Africa. (and invariably, once the project is completed stays behind with no work adding to  the social problems)  • This development will spoil the environment as admitted by the applicants own experts and  shown above and will in practice not attract tourists.  F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:  • SEWERAGE Page 25  I object against this application as the existing sewerage system in the area is already overloaded.  In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7  days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these  trucks on a Sunday at the Agulhas campsite and the restaurant area!  This development will add to this mess! Impact of MORE (Higher demand) speeding sewerage  trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p>	
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		<p>H: CONCLUSION</p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authoriza3on is non-compliant with na3onal, provincial, and municipal legislaioon and good prac3ce, cannot be supported and should not be permi6ed.</li> <li>• There is no site-specific mo3va3on to support the development.</li> <li>• The environmental authorisa?on applica?on must be refused.</li> </ul> <p>10</p> <p>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</p>	
212	Heidi Derbyshire	<p>Email dated 18 February 2025</p> <p><b>Subject: Condensed Objection 15022025</b></p> <p>Good day</p> <p>Attached find objection against Spookdraai, Struisbaai development.</p> <p>Kind Regards</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>M. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Heidi Derbyshire ID # 7610200105087</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 206 Mainroad.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> </ul> </li> </ul>	<p>Date: 18/02/25 Time: 12:54</p>

- Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
- Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
- Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards  
 HDerbyshire  
 Heidi Derbyshire  
 0824435495  
 heidi@dvines.co.za

**N. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law
- (Page 33 bottom) "*the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai"* showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
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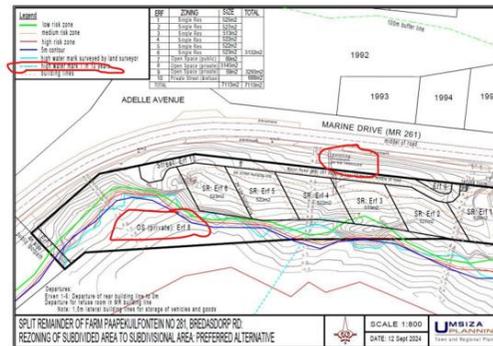


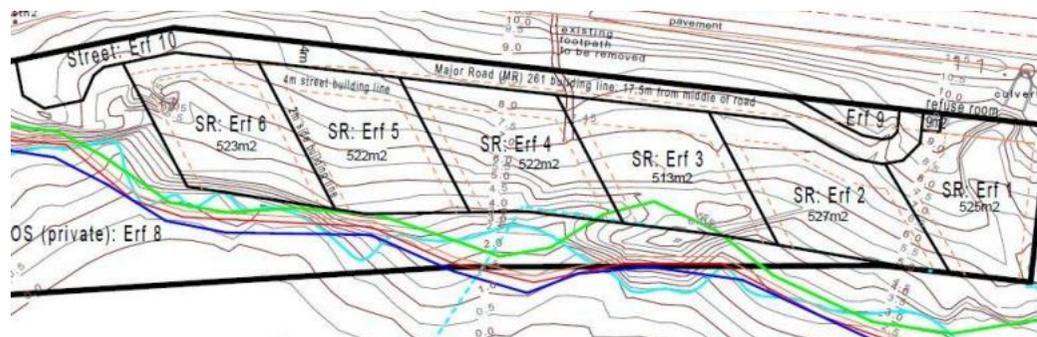
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*The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.***

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	<ul style="list-style-type: none"> <li> <p>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> </li> <li> <p>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></p> </li> <li> <p>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></p> </li> <li> <p>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></p> </li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

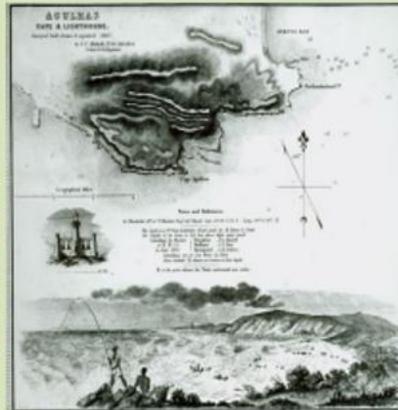
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



I object against this application as the visual representation below is misleading:

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in \_\_\_\_\_ Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



		<p style="text-align: center;">CHAPTER SEVEN: Protection of Coastal Environment</p> <p style="text-align: center;"><b>ENVIRONMENTAL AUTHORISATIONS</b></p> <p><b>1. What must the competent authority take into account when considering an application for environmental authorisation?</b></p> <ul style="list-style-type: none"> <li>→ Representations made by the applicant and by interested and affected parties;</li> <li>→ The applicant's past record in complying with similar authorisations;</li> <li>→ If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;</li> <li>→ Estuarine management plans, CMPs and coastal management objectives;</li> <li>→ The socio-economic impact if that activity or action is authorised or not authorised;</li> <li>→ The likely impact on the coastal environment including the cumulative effect (collective effect);</li> <li>→ The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and</li> <li>→ The objectives of the ICM Act which apply to the activity.</li> </ul> <p><b>2. Under what circumstances may the competent authority NOT issue an environmental authorisation?</b></p> <p><b>If the development/activity:</b></p> <ul style="list-style-type: none"> <li>→ Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;</li> <li>→ Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;</li> <li>→ Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;</li> <li>→ Is likely to be significantly damaged or affected by dynamic coastal processes;</li> <li>→ Will prejudice the achievement of any coastal management objective; or</li> <li>→ Will not be in the interests of the community as a whole.</li> </ul> <p><b>3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?</b></p> <ul style="list-style-type: none"> <li>→ If the proposed activity or development cannot be located anywhere else; or</li> <li>→ If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.</li> </ul>	
213	Emile Fourie	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</p> <p><b>Importance:</b> High</p>	<p>Date: 18/02/25</p> <p>Time: 13:01</p>

Dear Michelle,

- I am representing myself, Emile Fourie , ID 6609125117087 Address: 28 Peeka Street Stellenbosch
- I have a direct interest in the application, please register me as an Interested and affected person.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- **The grounds and detail of my objection is that we visit Struisbaai often due to beautiful scenery and object against this development as we need to protect nature.**

**O. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract at bottom)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this

application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
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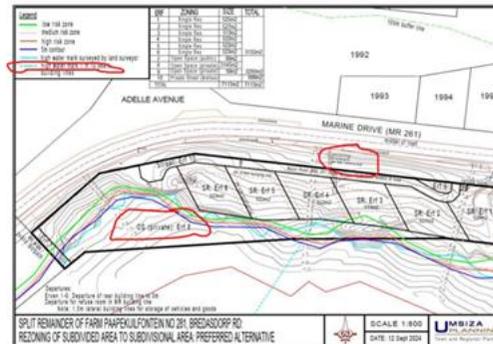


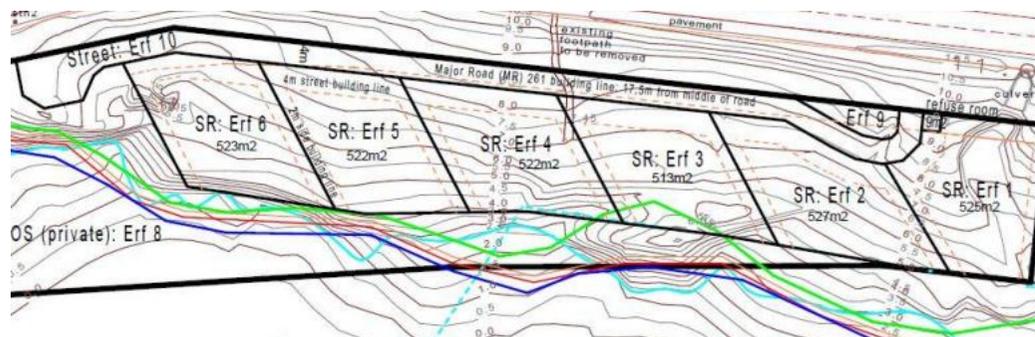
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- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

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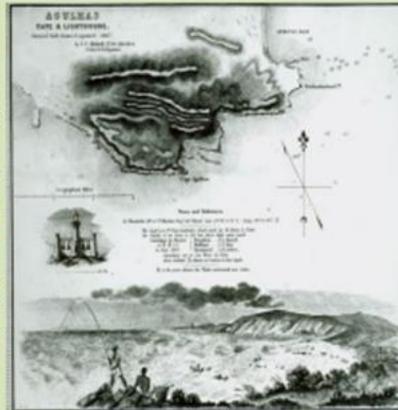
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Figure 33: Visual representation of the proposed site development plan (Alternative 4).

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The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

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- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
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Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in \_\_\_\_\_ Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.

- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50



EASY TO READ VERSION

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

7

- If the development/activity:**
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

Regards

**Emile Fourie** | Project Engineer | Lactalis South Africa (Pty) Ltd

Mobile: +2783 400 5075 | Email: [emile.fourie@za.lactalis.com](mailto:emile.fourie@za.lactalis.com) | Website: [www.lactalis.co.za](http://www.lactalis.co.za) | [LinkedIn](#)

214 Laura Barnard

Email dated 28 February 2025

To

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

Date:  
18/02/25  
Time:  
13:39

18 FEBRUARY 2025

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself L Burke ID6805060068083
- I have a direct interest in the application as I own property in Struisbaai – 9 Kusweg Noord.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- I still frequent this area either as part of a hike, picnic or fishing.
- I have read through the few impact studies that have already been completed and find it difficult to understand the results. I live here permanently and experience the traffic in and out of season.
- I think the development between the shoreline and the road will be a terrible eyesore and offensive to what makes this such an attractive part of South Africa.
- The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

L Burke  
Mobile 0660131855  
Email laurabarnard0711@gmail.com

**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that:

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the applicant is contradictory and against the Law

- (Page 42 top) *“conflict with the Law*
- (Page 33 bottom) *“the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.*

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the *“existing footpath to be removed”* and also that the beach is shown as *“Private: Erf 8*

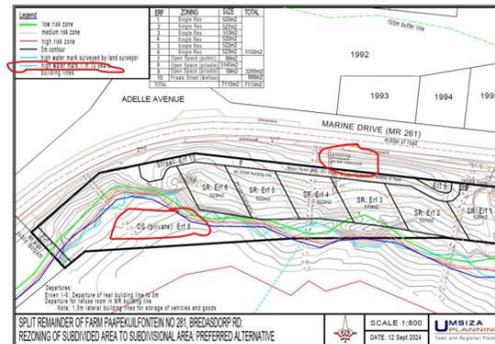


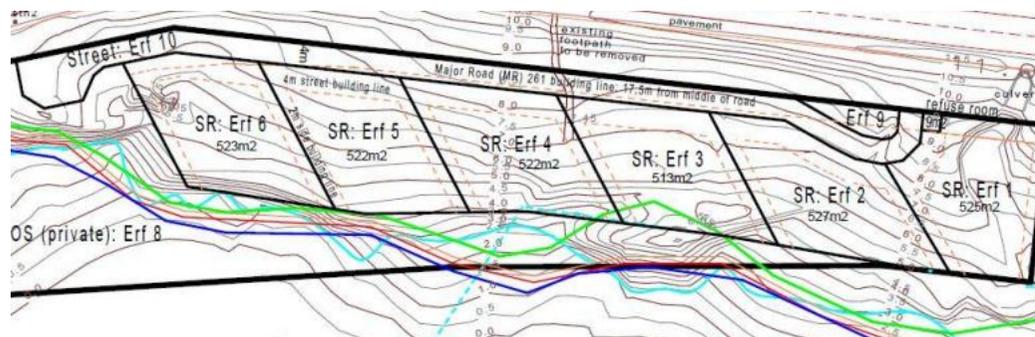
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will be impossible.



**Recommendation:** This piece of land should be transferred to Cape Agulhas Municipality as public land.

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this constructed before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**C: OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
  - Jonathan Kaplin – Archaeological Impact Assessment
  - Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struis Baai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*
- **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*
- **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*  
*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*  
  
*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*  
**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**
  - **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*
  - **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*  
*In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.***  
*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity***  
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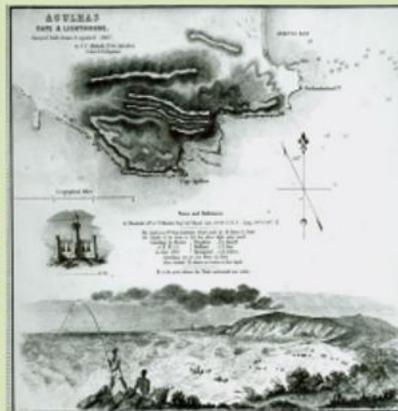
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**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- SEWERAGE Page 25

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

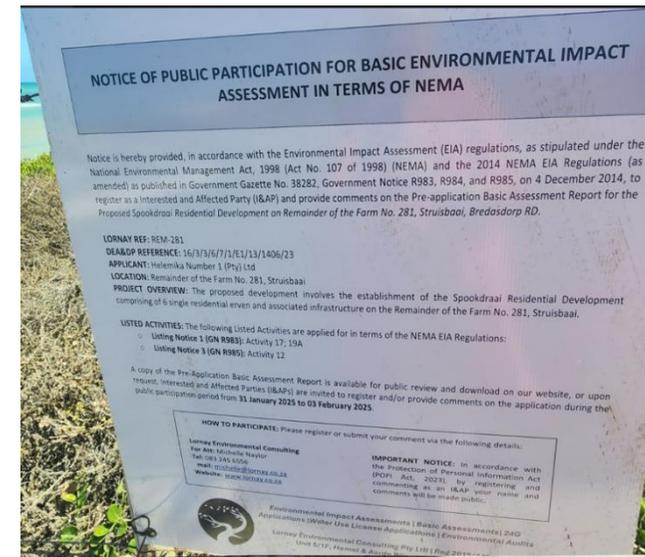
In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**G: OBJECTIONS: 6 PROCEDURELY PROCESS**

**I object against this application as the public notice placed (!) on the erf is purposefully misleading (and not as required by the law.?)**

- The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be 'behind' the notice. A more appropriate placement would have been on the northern centre side of the property on the road,



- The public participation notice does not illustrate the intended development .... Note the date of closing! **3 February** which is procedurally incorrect.

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and

provincial heritage, economic and future sustainability point of view.

- The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- The environment authorisation application must be refused.



Yours faithfully  
JW (Ters) Conradie

**ADDENDUM: EXTRACT FROM THE LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

		<p>(2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—</p> <ul style="list-style-type: none"> <li>(a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30</li> <li>(b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;</li> <li>(c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;</li> <li>(d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35</li> <li>(e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;</li> <li>(f) would substantially prejudice the achievement of any coastal management objective; or 40</li> <li>(g) would be contrary to the interests of the whole community.</li> </ul> <p>(3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—</p> <ul style="list-style-type: none"> <li>(a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45</li> <li>(b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50</li> </ul>	
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**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

7

- If the development/activity:**
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

		<p style="text-align: center;">CHAPTER SEVEN: Protection of Coastal Environment</p> <p style="text-align: center;"><b>ENVIRONMENTAL AUTHORISATIONS</b></p> <p><b>1. What must the competent authority take into account when considering an application for environmental authorisation?</b></p> <ul style="list-style-type: none"> <li>→ Representations made by the applicant and by interested and affected parties;</li> <li>→ The applicant's past record in complying with similar authorisations;</li> <li>→ If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;</li> <li>→ Estuarine management plans, CMPs and coastal management objectives;</li> <li>→ The socio-economic impact if that activity or action is authorised or not authorised;</li> <li>→ The likely impact on the coastal environment including the cumulative effect (collective effect);</li> <li>→ The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and</li> <li>→ The objectives of the ICM Act which apply to the activity.</li> </ul> <p><b>2. Under what circumstances may the competent authority NOT issue an environmental authorisation?</b></p> <p><b>If the development/activity:</b></p> <ul style="list-style-type: none"> <li>→ Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;</li> <li>→ Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;</li> <li>→ Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;</li> <li>→ Is likely to be significantly damaged or affected by dynamic coastal processes;</li> <li>→ Will prejudice the achievement of any coastal management objective; or</li> <li>→ Will not be in the interests of the community as a whole.</li> </ul> <p><b>3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?</b></p> <ul style="list-style-type: none"> <li>→ If the proposed activity or development cannot be located anywhere else; or</li> <li>→ If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.</li> </ul>	
215	Tania Fourie	<p>Email dated 18 February 2025</p> <p>Hallo Michelle</p> <p>Please will you register me as an individual and affected party for the proposed development of the remainder of Erf 281 Struisbaai (Spookdraai).</p>	<p>Date: 18/02/25</p> <p>Time: 13:53</p>

		<p>Tania Fourie 6804220037088 24 Kara Street, Struisbaai 7285 0829904578</p> <p>Regards</p> <p>Tania</p>	
216	<b>Emmerentia de Kock</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Comments on Pre-Application Public Participation   RE281, Struisbaai</p> <p>Good day Here follows my comments on this proposed development on the coast between Struisbaai and L'Agulhas, Spookdraai specific:</p> <ol style="list-style-type: none"> <li>1. It is totally unacceptable, ridiculous to even propose this development and to think that the Southern Tip community will be fine with it.</li> <li>2. The Cape Agulhas coastline is a pristine undeveloped, except for the monstrosity on the Struisbaai side who managed to slip in (for which the Cape Agulhas Municipality and the Western Cape government are blamed), strip of coast and we as a community tend for it to stay that way.</li> <li>3. The Cape Agulhas coastline is dotted with shell middens, fish traps, remnants of and artefacts from shipwrecks, shipwreck sites, possible graves, coastal fynbos used for food and medicine and traditional fishing spots, thus <b>"a very important heritage conservation zone, not to mention a scenic drive route zone."</b></li> <li>4. Spookdraai has its own story to tell since the Stone Ages into the 21st century, whether historic, cultural, geological, botanical and marine; a story we all know and is being documented; no matter what your report writers say.</li> <li>5. "Inkommers" and developers tend to forget the community who establish and built the Southern Tip villages, their heritage in other words; totally unacceptable and we will not put up with it.</li> </ol> <p>Regards</p> <p><b>Emmerentia de Kock</b> L'Agulhas</p>	<p>Date: 18/02/25 Time: 13:55</p>
217	<b>Michele Tameris</b>	<p>Email dated 18 February 2025</p> <p><b>Subject: Objection to development in Struisbaai (Spookdraai)</b></p> <p>Good day Please see attached my objection to the development mentioned in header</p>	<p>Date: 18/02/25 Time: 13:59</p>

regards  
Michele Bruwer

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself Michele Bruwer 5701050015088
- I have a direct interest in the application as I vacation here.
- The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statement made by the EAP in the draft BAR document.
  - Referring to the NEMA act and ICM Act as “Guidelines” It is legislative provisions
  - Assertion by the EAP that the proposed development will have a “*moderate negative visual impact*”
  - Blatantly misleading and false statement *that the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Michele Bruwer  
Mobile 0828016096

**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that:

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant admits that the applicant is contradictory and against the Law

		<ul style="list-style-type: none"> <li>• (Page 42 top) “conflict with the Law</li> <li>• (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>• As indicated in their table Page 13 only 89m2 of the existing total of 7,113m2 will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> </ul> <ul style="list-style-type: none"> <li>• To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</li> </ul> <ul style="list-style-type: none"> <li>• This footpath has been there for generations and will now disappear</li> </ul> <ul style="list-style-type: none"> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.</li> </ul> <p>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this constructed before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p>C: OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</p> <p>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</p> <ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the applicant’s own experts which is self-explanatory (!)</li> <li>• Cindy Postlethwayt –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> <li>• Jonathan Kaplin – Archaeological Impact Assessment</li> <li>• Terra + Landscape Architects – Visual Impact Assessment</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Page 49: “Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struis Baai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</li>   <li>• Page 50: “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</li>   <li>• Heritage Resources and Significance “ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible. The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</li>   <p>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance  Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</p> <li>• Page 51 top: It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</li>   <li>• Page 52 middle: Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive  In overall terms, the heritage (and related visual) impacts are expected to be High, negative.  Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity  The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</li>   <li>• Page 53: Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported</li>   <li>• Page 62: Visual Resources identified  It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</li> </ul>	
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	<p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</p> <p>The urban patterns are adhoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <p>→ Coastal landscape with intact and indigenous vegetation. Small footpaths that lead to areas of recreation and amenities.</p> <p>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</p> <ul style="list-style-type: none"> <li>• Page 63 The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>• Page 77 Significance of Sensitivity to Visual Change As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</li> <li>• Page 78 Contextual Significance The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</li> </ul> <p>I object against this application as the visual representation below is misleading:</p> <ul style="list-style-type: none"> <li>• Page 78 The homes shown below is all presented as small “monopoly “size houses.</li> </ul> <p>If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</p> <p><b>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</b></p> <p>I object against this application as a false presentation is made regarding the alternatives available</p> <p>Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see Page 84:</p> <p>Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p>Meaning</p>	
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- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well

Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

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My objection is based on:

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

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In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

This development will add to this mess! Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

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- The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be 'behind" the notice. A more appropriate placement would have been on the northern centre side of the property on the road,

- The public participation notice does not illustrate the intended development ....

Note the date of closing! 3 February which is procedurally incorrect.

		<p>H: CONCLUSION</p> <ul style="list-style-type: none"> <li>In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>There is no site-specific motivation to support the development.</li> <li>The environment authorisation application must be refused.</li> </ul> <p>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</p>	
218	<b>Arno Le Roux</b>	<p>Email dated 18 February 2025</p> <p>Subject: Struisbaai petition</p> <p>Hi Michelle</p> <p>As per our WhatsApp conversation, I would like to participate in the struisbaai spookdraai petition.</p> <p>Can you please assist me on how?</p> <p>Regards Arno le roux</p>	<p>Date: 18/02/25 Time: 14:17</p>
219	<b>Carin Niemand</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Objection - Proposed Spookdraai Residential Development</p> <p>Good afternoon Michelle,</p> <p>Please find attached hereto an objection letter against the proposed Spookdraai Residential Development from Abrie Bruwer, owner of property at 33 Kusweg Oos, Struisbaai.</p> <p>Kind Regards</p> <p><b>Carin Niemand on behalf of Abrie Bruwer</b> <b>SPRINGFIELD ESTATE</b> <b>T: +27 (0) 23 626 3661</b></p>	<p>Date: 18/02/25 Time: 14:16</p>

		E: <a href="http://www.springfieldestate.com">www.springfieldestate.com</a>	
220	Abrie Bruwer	<p><b>Email dated 18 February 2025</b></p> <p><b>Subject:</b> Objection - Proposed Spookdraai Residential Development</p> <p>Good afternoon Michelle,</p> <p>Please find attached hereto an objection letter against the proposed Spookdraai Residential Development from Abrie Bruwer, owner of property at 33 Kusweg Oos, Struisbaai.</p> <p>Kind Regards</p> <p><b>Carin Niemand on behalf of Abrie Bruwer</b>  <b>SPRINGFIELD ESTATE</b>  T: +27 (0) 23 626 3661  E: <a href="http://www.springfieldestate.com">www.springfieldestate.com</a></p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>18 FEBRUARY 2025</b>  <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b>  <b>INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Abrie Bruwer with ID # 620330 5162 087.</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Adress: 33 Kusweg Oos, Struisbaai.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p>	<p>Date: 18/02/25 Time: 14:16</p>

I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.

The grounds and detail of my objection is given below.

Regards

Abrie Bruwer

Mobile: 084 604 6655

Email: admin@springfieldestate.com 2

**OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)** The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.

The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.

Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.

Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

The applicant **admits** that the application is against the Law

- (Page 42 top) “*conflict with the Law*”
- (Page 33 bottom) “*the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.*”

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 83

- This footpath has been there for generations and will now disappear

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)

**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.) 4

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
- Cindy Postlethwayt –Heritage Impact Assessment
- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment
  
- **Page 49:** *“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*
  
- **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*
  
- **Heritage Resources and Significance “** *Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages.** The coastline **should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.***

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas. 5*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

- **Page 52 middle:** *Visual Corridors and Green Connections* The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

*In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.***

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity***

*The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.***

- **Page 53:** *Significance of anticipated visual impacts* “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

- **Page 62:** *Visual Resources identified*

*It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.*

*The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.*

*The urban patterns are adhoc and mostly intrusive in this landscape.*

*Visual resources across the scales are summarised as follows: Site Attributes:*

*→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.***

*→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.** 6*

- **Page 63** *The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.*

- **Page 77** *Significance of Sensitivity to Visual Change*

*As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance*

- **Page 78** *Contextual Significance*

*The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation,***

*highlighting its local importance in maintaining the cultural and aesthetic qualities of the region. 7*

**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see **Page 84:**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options! 8

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- **Page 37**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
  - The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- 9

- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)

- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

		<p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• <b>The environmental authorisation application must be refused.</b></li> </ul> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
221	<b>Emily Stemmet</b>	<p>Email dated 18 February 2025</p> <p>Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Emily Stemmet  For and on behalf of Stemmet Kwekery  Tel: 023 614 1405 / 082 783 0196  E-mail: <a href="mailto:emily@stemmetkwekery.co.za">emily@stemmetkwekery.co.za</a></p>	<p>Date: 18/02/25  Time: 14:22</p>

		<p>To Lornay Environmental Consulting  Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p>18 FEBRUARY 2025</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAL.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, EMILY STEMMET, 750630 0036 083.</li> <li>• I have a direct interest in the application as I own property on Hoofweg, Agulhas.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed development will have a 'moderate negative visual impact"</li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>  <p>EMILY STEMMET  082 783 0196  emily@stemmetkwekery.co.za</p>		
222	Christo Stemmet	Email dated 18 February 2025 Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT	Date: 18/02/25 Time: 14:22	

		<p style="text-align: center;">1</p> <p>To Lornay Environmental Consulting  Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p>18 FEBRUARY 2025</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, CHRISTO STEMMET, 720722 5108 087</li> <li>• I have a direct interest in the application as I own property on Hoofweg, Agulhas.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed development will have a "moderate negative visual impact"</li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards    CHRISTO STEMMET  082 338 9377</p>	
223	<b>W Barry Pratt</b>	Email dated 18 February 2025  <b>Subject:</b> WB Pratt - Beswaar Spookdraai ontwikkeling  Dear Michelle	Date: 18/02/25 Time: 14:38

Attached please find an objection to proposed Spookdraai Development.

Please confirm receipt.

Thank you

Regards

**Lourenda Lourens**  
**Sekretaresse: AJ De Wet**  
**Villet & De Wet Ing**  
**Geregistreeerde Rekenmeesters & Ouditeure**  
**Posbus 764 / Firlaan 4, Bredasdorp, 7280**  
**Tel: 028 424 2950/1, Faks: 028 424 2954**  
**Epos: [info@villetdewet.co.za](mailto:info@villetdewet.co.za)**  
**[www.villetterberg.co.za](http://www.villetterberg.co.za)**



To  
Lornay Environmental Consulting Att: Michelle Naylor  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

18 FEBRUARY 2025

RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.

A. INTRODUCTION

I am representing myself WB Pratt (Id6607035003082)

I have a direct interest in the application as I own property in Struisbaai – 147 Marine drive.

I have a close emotional bond with this area and have been visiting this area since my childhood.

The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.

I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.

The grounds and detail of my objection is given below.

Regards

W B PRATT

Mobile 0824601258

Email: [barrypratt@whalemail.co.za](mailto:barrypratt@whalemail.co.za)

2

	<p>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)  Note Page numbers “Page xx” refer to the page number on the BAR document right bottom  The purpose of the ICM Act that came into effect in 2008 is to ensure that:</p> <ul style="list-style-type: none"> <li>☑ The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>☑ The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>☑ Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>☑ Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant admits that the application is against the Law</p> <ul style="list-style-type: none"> <li>☑ (Page 42 top) “conflict with the Law</li> <li>☑ (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>☑ As indicated in their table Page 13 only 89m2 of the existing total of 7,113m2 will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>☑ To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8  3</li> <li>☑ This footpath has been there for generations and will now disappear</li> <li>☑ As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.</li> </ul> <p>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this constructed before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p>4</p> <p>C: OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS  I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</p>	
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	<p>☒ This is based on the following copy and paste extracts below from the applicant's own experts which is self-explanatory (!)</p> <p>☒ Cindy Postlethwayt –Heritage Impact Assessment</p> <p>☒ John Pether – Palaeontological Impact Assessment</p> <p>☒ Jonathan Kaplin – Archaeological Impact Assessment</p> <p>☒ Terra + Landscape Architects – Visual Impact Assessment</p> <p>☒ Page 49: “Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struis Baai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</p> <p>☒ Page 50: “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</p> <p>☒ Heritage Resources and Significance “ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.</p> <p>The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</p> <p>5</p> <p>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</p> <p>☒ Page 51 top: It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to</p>	
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	<p>maintaining the accessibility and character of the coastline.</p> <p>☒ Page 52 middle: Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</p> <p>In overall terms, the heritage (and related visual) impacts are expected to be High, negative. Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity</p> <p>The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</p> <p>☒ Page 53: Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported</p> <p>☒ Page 62: Visual Resources identified</p> <p>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</p> <p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</p> <p>The urban patterns are adhoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <p>→ Coastal landscape with intact and indigenous vegetation. Small footpaths that lead to areas of recreation and amenities.</p> <p>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</p> <p>6</p> <p>☒ Page 63 The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</p> <p>☒ Page 77 Significance of Sensitivity to Visual Change</p> <p>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</p> <p>☒ Page 78 Contextual Significance</p> <p>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and</p>	
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	<p>the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</p> <p>7</p> <p>I object against this application as the visual representation below is misleading:</p> <p>☒ Page 78 The homes shown below is all presented as small “monopoly “size houses. If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</p> <p>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</p> <p>I object against this application as a false presentation is made regarding the alternatives available Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see Page 84: Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p>8</p> <p>Meaning</p> <p>☒ Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein Important to note here is that Helemika owns the very large area shown as in the <b>dotted red</b> area as well</p> <p>.</p> <p>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</p> <p>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</p> <p>☒ Page 37</p> <p>My objection is based on:</p> <p>☒ The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</p> <p>☒ The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</p> <p>9</p> <p>☒ Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</p>	
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		<p><input checked="" type="checkbox"/> This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</p> <p>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</p> <p><input checked="" type="checkbox"/> SEWERAGE Page 25</p> <p>I object against this application as the existing sewerage system in the area is already overloaded. In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p>This development will add to this mess! Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p>G: OBJECTIONS: 6 PROCEDURALLY PROCESS</p> <p>I object against this application as the public notice placed (!) on the erf is purposefully misleading (and not as required by the law.?)</p> <p><input checked="" type="checkbox"/> The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be 'behind" the notice. A more appropriate placement would have been on the northern centre side of the property on the road,</p> <p>10</p> <p><input checked="" type="checkbox"/> The public participation notice does not illustrate the intended development ....</p> <p>Note the date of closing! 3 February which is procedurally incorrect.</p> <p>H: CONCLUSION</p> <p><input checked="" type="checkbox"/> In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</p> <p><input checked="" type="checkbox"/> The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.</p> <p><input checked="" type="checkbox"/> There is no site-specific motivation to support the development.</p> <p><input checked="" type="checkbox"/> The environment authorisation application must be refused.</p> <p>Yours faithfully</p> <p>ADDENDUM: EXTRACT FROM THE LAW:</p>	
224	Emma Bruwer	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</p> <p><b>ATT:</b> Michelle Naylor</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p>1. INTRODUCTION</p>	<p>Date: 18/02/25 Time: 14:46</p>

- I am representing myself Emma Bruwer ID no: 9108130240080
- I have a direct interest in the application as our family owns a property at 35 Kusweg Oos, Struisbaai.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*”
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Emma Bruwer  
 Mobile 0829098805  
 Email [emma@springfieldestate.com](mailto:emma@springfieldestate.com)

2. **OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW.** (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law"
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ"" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8"

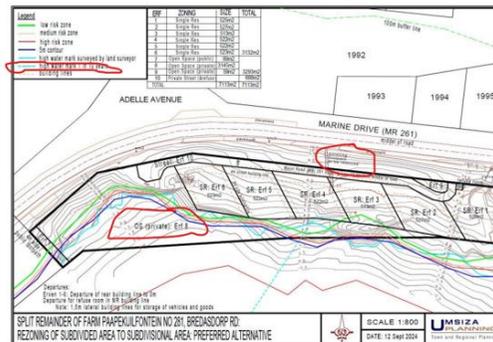


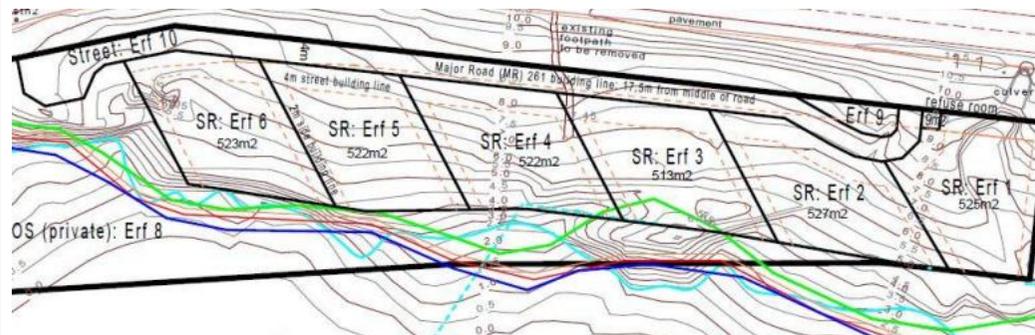
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kanlin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible. (remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethway –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*
- **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*
- **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*
- **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.***

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is*

	<p>deemed to have a Medium to <b>High Visual Sensitivity</b>  The site falls within proposed (as yet approved) urban edge, <b>but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</b></p> <p>-</p> <ul style="list-style-type: none"> <li>• <b>Page 53:</b> Significance of anticipated visual impacts “The proposed development will have a <b><u>Significantly High Negative Visual Impact and cannot be supported</u></b></li> <li>• <b>Page 62:</b> Visual Resources identified  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suidstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></li> <li>• <b>Page 63</b> The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>• <b>Page 77</b> Significance of Sensitivity to Visual Change  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></li> </ul> <p>-</p> <ul style="list-style-type: none"> <li>• <b>Page 78</b> Contextual Significance  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

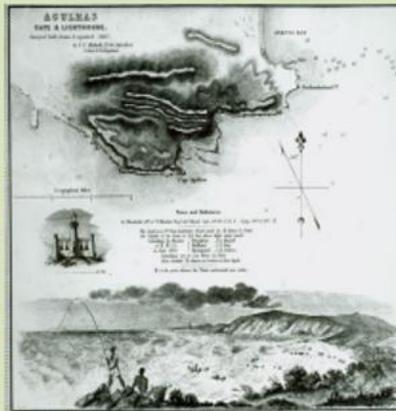
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



I object against this application as the visual representation below is misleading:

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be

economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.

-  
**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

-

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:

80 No. 31884

GOVERNMENT GAZETTE, 11 FEBRUARY 2009

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

A User-friendly Guide to the  
**INTEGRATED COASTAL  
MANAGEMENT ACT**  
of South Africa

EASY TO READ VERSION

## ENVIRONMENTAL AUTHORISATIONS

### 1. What must the competent authority take into account when considering an application for environmental authorisation?

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

### 2. Under what circumstances may the competent authority NOT issue an environmental authorisation?

#### If the development/activity:

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

### 3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

		<p><b>Winemaker</b></p> <p><b>SPRINGFIELD ESTATE</b></p> <p>T: +27 (0) 23 626 3661</p> <p>M: +27 (0) 82 909 8805</p> <p>E: <a href="http://www.springfieldestate.com">www.springfieldestate.com</a></p>	
225	<b>Laura-Jean De Vries</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Objection against Spookdraai development</p> <p>Lornay Environmental Consulting  Att: Michelle Naylor  Attached, please find an objection letter for the proposed development in Spookdraai, Struisbaai, Western Cape..  Regards  Laura de Vries</p>	<p>Date: 18/02/25</p> <p>Time: 14:47</p>
226	<b>Jeanine Viljoen</b>	<p>Email dated 18 February 2025</p> <p>Subject: Spookdraai beswaar  Importance: High</p> <p>Goeie Middag Michelle</p> <p>Hoop dit gaan goed! Aangeheg my en my man se vorms. Moet sê hierdie storie krap 'n mens so om, maar ons het gedink sulke dinge gaan nou begin gebeur nadat daai Woonstel blok in Struisbaai op'n BAIE verdagte maniere Gebou is.</p> <p>Sou nogsteeds graag die oudit op daai hele storie wou sien want hoe 2x boeties alleen geweet het van die veiling, R400k vir daai prima erf betaal het en dan net kan bou en net blykbaar aanhou die bou boetes betaal is amazing!!  Dit skreeu korrupsie! Anyway werk ek myself nou weer mooi op!</p> <p>Ons tel al vir 20jr elke Des haai tande op daai strandjie by Spookdraai op met ons kinders, hierdie projek gaan die Baan weg vir net meer en meer van hierdie goed en op die ou end is Struisbaai/L'Aghulas nooit weer dieselfde nie.</p> <p>Mooi dag!</p>	<p>Date: 18/02/25</p> <p>Time: 15:11</p>

		<p>Jeanine Viljoen</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Jeanine Viljoen ID # 750970007084</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 31 Highlevel St, L’Aghulas.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	
227	Gert Viljoen	<p>Email dated 18 February 2025</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Gert Viljoen ID # 7107195222084</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 31 Highlevel St, L’Aghulas.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document</li> </ul>	<p>Date: 18/02/25 Time: 15:11</p>

		<ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i>”</li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> <ul style="list-style-type: none"> <li>● I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>● The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Gert Viljoen 083 703 7620 <a href="mailto:gert@roofspan.co.za">gert@roofspan.co.za</a></p>	
228	<b>Boyboy Bruwer</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> proposed spookdraai developement</p> <p><b>18 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>P. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>● I am representing myself Pieter Bruwer, ID nr: 9505235353082</li> <li>● I have a direct interest in the application as my family owns property at 35 Kusweg Oos Struisbaai.</li> <li>● I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>● The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>● There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i>”</li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>● I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> </ul>	<p>Date: 18/02/25 Time: 15:26</p>

		<ul style="list-style-type: none"> <li>The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Pieter Bruwer 0822204760 boyboy@springfieldestate.com</p> <p>Kind regards. Boyboy bruwer <b>SPRINGFIELD ESTATE</b> T: +27 (0) 23 626 3661 C: 0822204760</p>	
229	<b>BERINDA STEYN</b>	<p><b>Email dated 18 February 2025</b></p> <p>Subject: SPOOKDRAAI RESIDENTIAL DEVELOPMENT. PUBLIC PATICIPATION: 31 January 2025 to 03 March</p> <p>Goeiedag</p> <p>Ek wil registreer as belangstellende party.</p> <p>Berinda Steyn</p>	<p>Date: 18/02/25 Time: 16:10</p>
230	<b>Pierre Uys</b>	<p>Email dated 18 February 2025</p> <p>Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI. - [External Email]</p> <p>APPLICANT: Helemika Number 1 (Pty) Ltd LOCATION: Remainder of the Farm No. 281, Struisbaai</p> <p>PROJECT OVERVIEW: The proposed development involves the establishment of the Spookdraai Residential Development comprising of 6 single residential erven and associated infrastructure on the Remainder of the Farm No. 281, Struisbaai.</p>	<p>Date: 18/02/25 Time: 16:13</p>

	<p>LISTED ACTIVITIES: The following Listed Activities are applied for in terms of the NEMA EIA Regulations: Listing Notice 1 (GN R983): Activity 17; 19A Listing Notice 3 (GN R985): Activity 12</p> <p>I Pierre Uys , ID 7510305093081 am writing to express my strong opposition to the proposed residential development on RE281,Struisbaai.</p> <p>As a long-time resident living directly across from the site, I have serious concerns about the environmental, legal and safety implications of this proposed project ,within the Coastal Protection Zone. This area holds significant environmental, historical and community value, and the development poses several serious concerns.</p> <p>PAGE 76,77,78 Pre application Report</p> <p>This project will only benefit the developers, while the residents of Struisbaai, local visitors, and tourist will suffer the consequences. This development does not serve the best interest of the community and will have a long lasting negative impact., The only party set to gain from this development is the developers. Meanwhile,the people of Struisbaai – longtime residents, visitors who contribute to the town’s economy and character, will face irreversible damage to their beloved environment and lifestyle. This development will disadvantage the broader community by restricting access to the sea. The loss is inconsistent with the fundamental objectives of conserving and enhancing coastal public property for both current and future generations.</p> <p>Instead of adding value, this development will devalue surrounding properties. Increased traffic, environmental degradation, and the destruction of open spaces will make the area less attractive to potential buyers, negatively impacting the investments of homeowners. The proposed development will be an eyesore in a coastal area that has remained largely untouched and natural. Struisbaai is known for its scenic beauty and unique coastal charm, and this development does not align with the character or history.</p> <p>I STRONGLY DISAGREE WITH THE BELOW ! This will negatively impact surrounding properties value!</p> <p>As per the below pictures, no properties on the left-hand side of the road, a clear green buffer is left open between Marine drive and the ocean. This proposed development would be the only new residential site in Struisbaai( From the Harbour to Spookdraai only the 1 plot that was approved in 1975)on the seaside of the road. Historically , no development has ever been permitted on this side, preserving the natural beauty and ecological balance of the area. Over the past 35 years, there has never been any indication or discussion of plots being planned for this site.</p> <p>The proposed development is situated on the high-water mark, which lies within the Coastal Protection Zone. Global warming is already causing rising sea levels, which have visibly impacted Struisbaai. Parts of the Struisbaai campsite have been lost to the rising water, and historically, the Nostra building was destroyed.</p> <p>As indicated below, only 89m2 of the existing total of 7,113m2 will be allowed to the public. Fishing ,hiking swimming and picnic will be lost to the public. For generations , this open space has been a cherished spot for families and individuals. It offers access to the sea for fishing, swimming and kids playing</p>	
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		<p>on the rocks. It's also a popular location for wedding photography and favoured spot to watch sunsets and enjoy the surrounding nature, including views of Spookdraai. Spookdraai is an area steeped in local legend history.</p> <p>Pages 49,50</p> <p>A pair of Cape Grysbok has been living in the proposed development site for many years, and my family and I have observed them on a weekly basis. Additionally, porcupines are frequently seen in this area, further demonstrating its importance as a natural habitat. Development in this location would disrupt and likely displace these animals, erasing and irreplaceable part of the local ecosystem.</p> <p>ALTERNATIVES CONSIDERED The below statement is incorrect. The developer does have other more suitable alternatives. See below outlined in dotted red, owned by developer</p> <p>I strongly disagree with the below. Please re visit the site in high season. The traffic is a nightmare and access to Marine drive from the residential properties is very difficult. Sewerage system is already overloaded and trucks running multiple trips a day to keep the tanks not overflowing. The proposed development will exacerbate existing traffic issues in the area, leading to increased congestion and potential safety hazards.</p> <p>There is no specific motivation to support this development. It does not provide meaningful benefits to the local community. This development is undesirable, offering no value to Struisbaai while having a negative impact on the greater Struisbaai and Agulhas area. I strongly urge the relevant authorities to reject this proposal and prioritise the long- term protection of Struisbaai heritage and natural landscape.</p> <p>Please confirm receipt of this email.</p> <p>Kind Regards Pierre Uys</p>	
231	Stephanie Hugo	<p><b>Email dated 18 February 2025</b></p> <p><b>Subject:</b> Erf 281 Struisbaai (Spookdraai).</p>	<p>Date: 18/02/25 5 Time: 16:14</p>

		<p>Hi Michelle</p> <p>Please register me as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</p> <ul style="list-style-type: none"> <li>• Name Stephanie Hugo</li> <li>• ID number. 88122901640884</li> <li>• Residential address. Excelsior, Swellendam, 6740</li> <li>• Phone number. 0845044059</li> </ul> <p>Kind regards</p> <p><b>Stephanie Hugo</b> Head of Special Projects</p> <hr/>  <p><b>Headspace Technologies</b> 0861 477 774 <a href="mailto:stephanie@headspacetech.com">stephanie@headspacetech.com</a> <a href="http://www.commspace.co.za">www.commspace.co.za</a></p>	
232	<b>Ronica Frick</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Spookdraail ontwikkeling</p> <p>Registreer my asseblief as 'n belanghebbende en geaffekteerde party vir die beoogde ontwikkeling van die res van die erf 281 STRUISBAAI { Spookdraai}</p> <p>NAAM: Ronica Frick,</p> <p>ID: 4708220010080</p> <p>WOONDRES: TRUTERSTRAAT 8, STRUISBAAI.</p> <p>SEL NO: 083-2613016</p>	

		<p>Geagte Michelle</p> <p>Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)</p> <p>Registreer my asb. as 'n belanghebbende en geaffekteerde party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai).</p> <p>My persoonlike gegewens is soos volg:</p> <p>Volle name en van: <u>Stephanie Hugo</u></p> <p>ID nommer: <u>8812290164086</u></p> <p>Telefoon/Selfoonnommer: <u>0845044059</u></p> <p>E-pos adres: <u>steph.mostert41@gmail.com</u></p> <p>Vriendelike groete.</p> <p>Voorletters en van: <u>S Hugo</u></p> <p>Handtekening: </p>		
233	Lorraine van Zyl	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Re: Lorraine van Zyl has shared a file with you</p> <p>Hi Michelle</p> <p>This is an objection against the proposed Spookdraai development in Struisbaai.</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b> <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b> <b>A.INTRODUCTION</b></p>	<p>Date: 18/02/25 Time: 17:15</p>	

- I am representing my self. Lorraine Ellen van Zyl, 6512030161085
- I have a direct interest in the application as I own property in Suiderstrand, 29 Pondokkie Street
- I have a close emotional bond with this area and have been visiting this area for many years.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & L'Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
- Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provision
- Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
- Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
- oBlatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards Lorraine van Zyl 082 899 2129 vanzylloiraine@gmail.com

**B.OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

• The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.

- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

The applicant **admits** that the application is against the Law

- (Page 42 top) "*conflict with the Law*"
- (Page 33 bottom) "*the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.*"

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf

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3

- This footpath has been there for generations and will now disappear

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will be impossible. (remember Hermanus Pooles bar drama)

**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.) 4

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
- Cindy Postlethway – Heritage Impact Assessment
- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *"Cultural landscape Context -At the western-most coastal edge of the rural holidaytown of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed"*
- **Page 50:** *" Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L' Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"*
- **Heritage Resources and Significance "** *Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the historical raison d'etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas. 5*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*  
**Grade IIIA significance is defined by Google as "a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations"**

	<ul style="list-style-type: none"> <li>• <b>Page 51 top:</b> <i>It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters' edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</i></li>   <li>• <b>Page 52 middle:</b> <i>Visual Corridors and Green Connections The planning parameters provided for.... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</i></li> </ul> <p><i>In overall terms, the <b>heritage (and related visual) impacts are expected to be High, negative.</b></i></p> <p><i>Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to <b>High Visual Sensitivity</b></i></p> <p><i>The site falls within proposed (as yet approved) urban edge, <b>but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</b></i></p> <ul style="list-style-type: none"> <li>• <b>Page 53:</b> <i>Significance of anticipated visual impacts "The proposed development will have a <b>Significantly High Negative Visual Impact and cannot be supported</b></i></li>   <li>• <b>Page 62:</b> <i>Visual Resources identified</i></li> </ul> <p><i>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</i></p> <p><i>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</i></p> <p><i>The urban patterns are adhoc and mostly intrusive in this landscape.</i></p> <p><i>Visual resources across the scales are summarised as follows: Site Attributes:</i></p> <p><i>→Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></i></p> <p><i>→At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></i></p> <ul style="list-style-type: none"> <li>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></li>   <li>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i></li> </ul> <p><i>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</i></p> <ul style="list-style-type: none"> <li>• <b>Page 78</b> <i>Contextual Significance</i></li> </ul> <p><i>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly</i></p>	
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notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region. 7

**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently beenconveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see **Page 84:**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options! 8

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- **Page 37**

**My objection is based on:**

- **The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.**

- **The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.**

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- **Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)**

- **This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.**

		<p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>•SEWERAGE Page 25</li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b>  In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!  <b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>•In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>•The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>•There is no site-specific motivation to support the development.</li> <li>•<b>The environmental authorisation application must be refused.</b></li> </ul> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
234	Rene du Toit	<p>Email dated 18 February 2025</p> <p><b>Subject: Objection to the proposed development in Struisbaai</b></p> <p>Also, the "flats/apartments" building that has already been erected is an eyesore  Attached my objection to any further development right next to the beach  To build so close to the shoreline is utter madness with the rate that erosion is taking place along coastal beaches  Regards  Rene du Toit</p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>Q. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Rene du Toit ID # 561221 0101 082</li> <li>• I have a direct interest in the application as we vacation here on a regular basis since the mid 1980's</li> <li>• I have a close emotional bond with this area and have been visiting this area since my before my child was born and we spent our vacations here</li> </ul>	<p>Date::  18/02/25  Time:  17:55</p>

teaching him to fish and swim as well as love and respect the beautiful coastline. We were absolutely horrified to see the ugly block of apartments that has been erected on the coastline. It is hideous and looks out of place

- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Rene du Toit

Mobile 0721341553

Email dutoitfamily@gmail.com

**R. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “*the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai”* showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this

application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
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- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

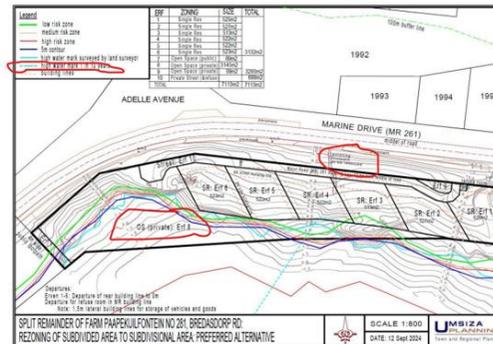


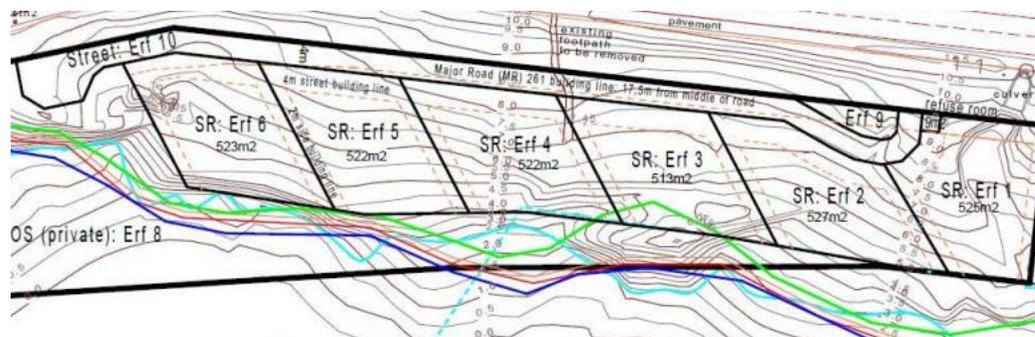
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
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- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
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• **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

• **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

• **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the heritage (and related visual) impacts are expected to be High, negative.*

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity*

*The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.*

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported*

	<ul style="list-style-type: none"> <li> <p>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> </li> <li> <p>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></p> </li> <li> <p>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></p> </li> <li> <p>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></p> </li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebreidelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- SEWERAGE Page 25

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

		EASY TO READ VERSION	
235	<b>Gary du Toit</b>	<p>Email dated 18 February 2025</p> <p><b>Subject:</b> Objection to the proposed development in Struisbaai</p> <p>Also, the "flats/apartments" building that has already been erected is an eyesore  <b>Attached my objection to any further development right next to the beach</b>  To build so close to the shoreline is utter madness with the rate that erosion is taking place along coastal beaches  Regards</p> <p>Gary du Toit</p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>S. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Gary du Toit ID # 550407 5135 083</li> <li>• I have a direct interest in the application as we vacation here on a regular basis since the mid 1980's</li> <li>• I have a close emotional bond with this area and have been visiting this area since before my child was born and we spent our vacations there teaching him to fish and swim as well as love and respect the beautiful coastline. We were absolutely horrified to see the ugly block of apartments that has been erected on the coastline. It is hideous and looks out of place.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to</i></li> </ul> </li> </ul>	<p>Date: 18/02/25 Time: 17:56</p>

*the developer.*

- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

**Gary du Toit**

**Mobile 0832356414**

**Email dutoitfamily@gmail.com**

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The applicant **admits** that the application is against the Law

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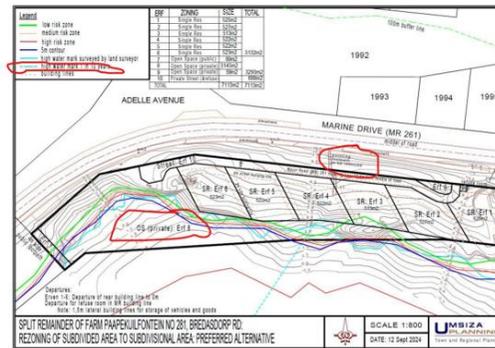


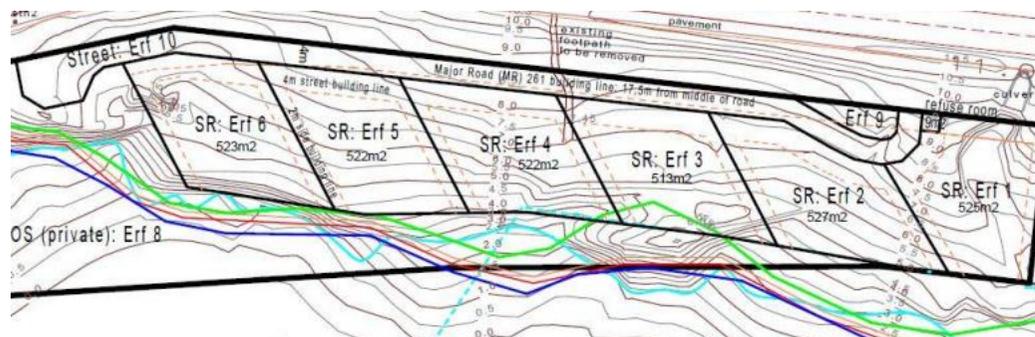
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- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

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**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

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*The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.*

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported*

		<ul style="list-style-type: none"> <li>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></li> <li>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></li> </ul> <p><b><u>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</u></b>  <b><u>I object against this application as a false presentation is made regarding the alternatives available</u></b>  Below is the <u>misleading statement “the subject property is the sole asset available to the developer.”</u> (which is not true) see <b>Page 84:</b></p> <p>Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”.  But the developer has other options!</p>	
236	Izak Loftus	<p><b>Email dated 18 February 2025</b></p> <p>Subject: Spookdraai ontwikkeling</p> <p>Beste Michelle</p> <p>As trustees van die Loftus Familietrust en eienaars van erf 998, Ocean View rylaan 88, wil ons graag ons besware teen bogenoemde ontwikkeling en die afbrekende effek daarvan op die omgewing, registreer.</p> <p>Ons ons asseblief ingelig oor verdere ontwikkelings in die verband, asook die proses om besware formeel aan te teken.</p> <p>Vriendelike groete</p>	Date: 18/02/25 Time: 19:01

		Izak Loftus	
237	Renee Roux	<p><b>Email dated 28 February 2025</b></p> <p>Subject: Spookdraai development</p> <p>Good day,</p> <p>I am a property owner in Struisbaai. Can you please register me as a party with interest in this case?</p> <p>My details are:  Name: CJ Roux (Reneé)  ID: 5910060149080  Cell: 082 461 5442  eMail: reneerouxcj@gmail.com</p> <p>Much appreciated  CJ Roux (Reneé)</p>	Date: 18/02/25 Time: 19:26
238	Jean Rall	<p><b>Email dated 18 February 2025</b></p> <p>Subject: FW: I am sharing 'Condensed Objection 15022025' with you</p> <p>I object.  Regards  Jean Rall</p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>U. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>I am representing myself Jean Rall ID # 7703270094081</li> </ul>	Date: 18/02/25 Time: 19:54

- I have a direct interest in the application as I own property in Struisbaai – Adress Marinedrive 87.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Jean Rall  
 Mobile 0829263769  
 Email hjrall@wispernet.co.za

**V. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

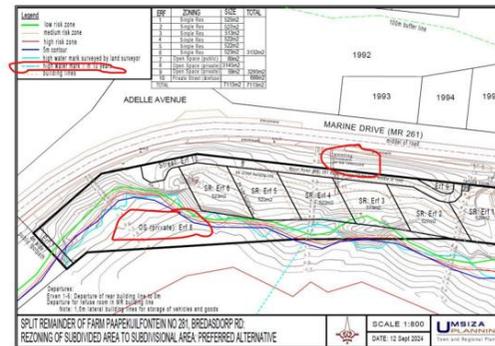


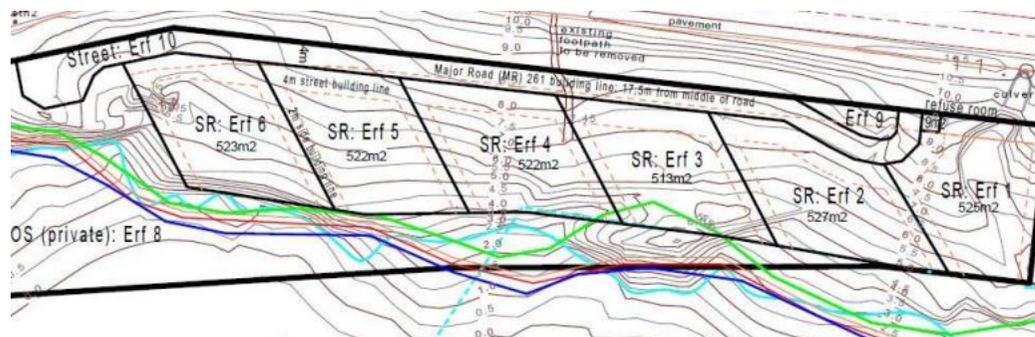
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.***

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a **Grade IIIA** significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

• **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

• **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.***

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity***

*The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.***

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported***

	<ul style="list-style-type: none"> <li> <p>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> </li> <li> <p>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></p> </li> <li> <p>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></p> </li> <li> <p>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></p> </li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

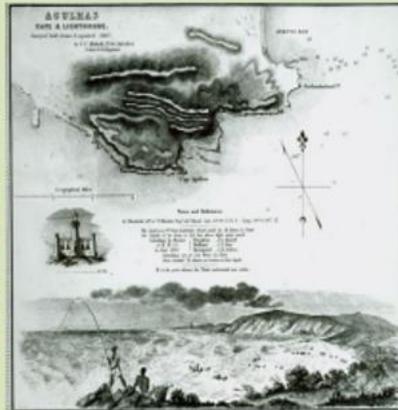
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebreidelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

		EA	
239	<b>Anjanet Liebenberg</b>	<p><b>Email dated 18 February 2025</b></p> <p>Subject: Struisbaai ontwikkeling</p> <p>Hi daar,</p> <p>Nie seker hoe om betrokke te raak teen die ontwikkeling nie, maar ek sit graag my naam op die lys. Ons het 'n huis in Oceanview height. Sal jammer wees om die lekker strandjie te sien gaan.</p> <p>Groete</p>	<p>Date: 18/02/25 Time: 20:23</p>
240	<b>Carin van Rooyen</b>	<p><b>Email dated 18 February 2025</b></p> <p>Subject: SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Dagse Michelle ek wil graag registreer as belangstellende vir hierdie ontwikkeling.</p> <p>Groete</p> <p>Carin van Rooyen</p>	<p>Date: 18/02/25 Time: 20:34</p>
241	<b>Mindie Krause</b>	<p><b>Email dated 18 February 2025</b></p> <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: michelle@lornay.co.za 15 FEBRUARY 2025</p> <p>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p><b>A. INTRODUCTION</b></p>	

- I am representing myself Mindie Krause 0108110181089
- I have a direct interest in the application as I own property in Struisbaai – L’Agulhas hoofweg 154 or I vacation here ..or ...
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact”
  - o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Mindie Krause  
 Mobile 07938319555  
 Email mindiek65@gmail.com

B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant admits that the application is against the Law

- (Page 42 top) “conflict with the Law
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this

		<p>application immediately.</p> <ul style="list-style-type: none"> <li>As indicated in their table Page 13 only 89m2 of the existing total of 7,113m2 will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> </ul> <ul style="list-style-type: none"> <li>To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</li> </ul> <ul style="list-style-type: none"> <li>This footpath has been there for generations and will now disappear</li> </ul> <ul style="list-style-type: none"> <li>As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</li> </ul> <p>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.  The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p><b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</p> <ul style="list-style-type: none"> <li>This is based on the following copy and paste extracts below from the applicant’s own experts which is self-explanatory (!)</li> <li>Cindy Postlethwayt –Heritage Impact Assessment</li> <li>John Pether – Palaeontological Impact Assessment</li> <li>Jonathan Kaplin – Archaeological Impact Assessment</li> <li>Terra + Landscape Architects – Visual Impact Assessment</li> </ul> <ul style="list-style-type: none"> <li>Page 49: “Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</li> </ul> <ul style="list-style-type: none"> <li>Page 50: “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It</li> </ul>	
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		<p>forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L'Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"</p> <ul style="list-style-type: none"> <li>Heritage Resources and Significance " Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the historical raison d'être of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible. The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</li> </ul> <p>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance  Grade IIIA significance is defined by Google as "a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations"</p> <ul style="list-style-type: none"> <li>Page 51 top: It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters' edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</li> <li>Page 52 middle: Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive  In overall terms, the heritage (and related visual) impacts are expected to be High, negative.  Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity  The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</li> <li>Page 53: Significance of anticipated visual impacts "The proposed development will have a Significantly High Negative Visual Impact and cannot be supported</li> <li>Page 62: Visual Resources identified  It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. Small footpaths that lead to areas of recreation and amenities.  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a</li> </ul>	
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	<p>scenic bend in the road) between Struisbaai and Agulhas.</p> <ul style="list-style-type: none"> <li>• Page 63 The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>• Page 77 Significance of Sensitivity to Visual Change As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</li> <li>• Page 78 Contextual Significance The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</li> </ul> <p>I object against this application as the visual representation below is misleading:</p> <ul style="list-style-type: none"> <li>• Page 78 The homes shown below is all presented as small “monopoly “size houses. If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</li> </ul> <p>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED I object against this application as a false presentation is made regarding the alternatives available Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see Page 84:  Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p>Meaning</p> <ul style="list-style-type: none"> <li>• Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge .</li> </ul> <p>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</p>	
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		<p>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</p> <ul style="list-style-type: none"><li>• Page 37</li></ul> <p>My objection is based on:</p> <ul style="list-style-type: none"><li>• The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li><li>• The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</li><li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li><li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.</li></ul> <p>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</p> <ul style="list-style-type: none"><li>• SEWERAGE Page 25</li></ul> <p>I object against this application as the existing sewerage system in the area is already overloaded. In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area! This development will add to this mess! Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p>H: CONCLUSION</p> <ul style="list-style-type: none"><li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li><li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li><li>• There is no site-specific motivation to support the development.</li><li>• The environmental authorisation application must be refused.</li></ul> <p>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</p>	
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		EASY TO READ VERSION	
242	Pk Pratt	<p><b>Email dated 18 February 2025</b></p> <p>Subject: Document from Pk</p> <p>Condensed Objection 15022025</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>W. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself PK Pratt</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Marine drive 147 or I vacation here ..or ...</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>PK Pratt</p>	

Mobile 072 159 0633  
 Email pkpratt12345@gmail.com

**X. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

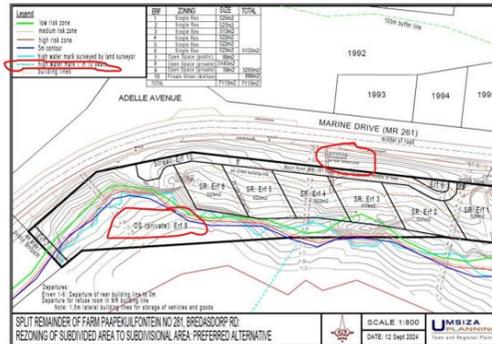


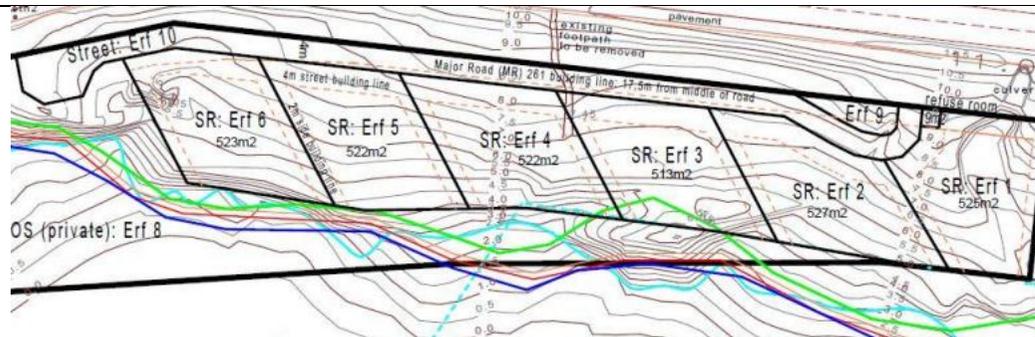
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
  - Jonathan Kaplin – Archaeological Impact Assessment
  - Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *"Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed"*
- **Page 50:** *" Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L'Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"*
- **Heritage Resources and Significance** *" Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the historical raison d'etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still*

part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the heritage (and related visual) impacts are expected to be High, negative.

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity

The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas**.

- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

- **Page 77** Significance of Sensitivity to Visual Change

As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

- **Page 78** Contextual Significance

The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

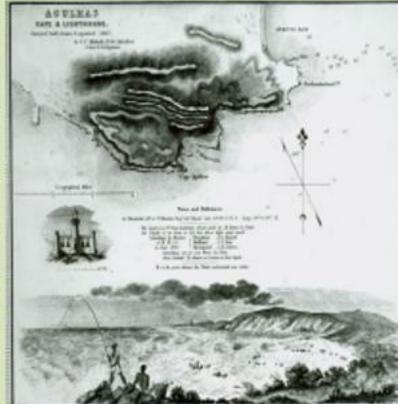
Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

I object against this application as the visual representation below is misleading:

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.. (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- **Page 37**

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties; 5
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas; 15
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



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**Christal Mostert**

**Email dated 18 February 2025**

**Subject: FW: Erf 281 Struisbaai (Spookdraai)**



[michelle@lornay.co.za](mailto:michelle@lornay.co.za) .  
BCC: [terscon@gmail.com](mailto:terscon@gmail.com)

Hi Michelle

Please register me as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).

- Name Christal Mostert
- ID number. 5307020084087
- Residential address. Excelsior, Swellendam, 6740
- Phone number. 0824178179

Please find attached my objection letter

Kind regards  
Christal Mostert

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**Moira  
Hanekom**

**Email dated 19 February 2025**

**Subject: Re: Beswaarde spookdraai**

To add to my objection.

1. Destroying our wildlife that is already in danger with all the developments.
2. High water level
3. Climate change
4. Xtra pressure on our already insufficient water and power supply.
5. Destroying normal excess to beach area as well as natural walking paths.

		<p>6. Eyesaw and Destroying greenbelt.  7. Current law on coastal protection law  More facts can be provided should you require that. Thank you</p>	
245	<b>Karla Tomlinson</b>	<p><b>Email dated 19 February 2025</b></p> <p>Subject: ATT: Michelle - Struisbaai Environmental Consulting</p> <p>Good Morning  I hope all is well</p> <p>Please see attached signed document</p> <p>Thank you</p> <p style="text-align: center;"><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, Karla Tomlinson, 9410260074085</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 14B Marine Drive, Erf 1818.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards  Karla Tomlinson  076609 4661</p>	
246	<b>Melchior Johnson</b> <b>B</b>	<p><b>Email dated 19 February 2025</b></p> <p>Dear Michelle,</p>	

		<p>I want my objection duly noted to this development.</p> <p>This area is an integral part of the Community Life in the ares and the development will not only be detrimental to the environment as a whole but will take away usage of a traditional.public area.</p> <p>Is it even legal to develop so close to the highwater mark.</p> <p>Kindly acknowledge receipt.</p> <p>Kind Regards.</p> <p>Melchior B Johnson</p>	
247	<p><b>Michael Hindon</b></p>	<p><b>Email dated 19 February 2025</b></p> <p>Subject: REM-281 Spookdraai</p> <p>Good morning,</p> <p>Please will you register me as an Interested and Affected Party to this application.</p> <p>I have attached a document (that you will no doubt have received from other parties) the conclusions and comments with which I concur.</p> <p>Sincerely,</p> <p>Michael Hindon  Mobile: 0837662088  e-mail: <a href="mailto:michael.hindon@gmail.com">michael.hindon@gmail.com</a>  e-mail: <a href="mailto:michael.hindon@gmail.com">michael.hindon@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	

248	Stephanie Hugo	<p><b>Email dated 18 February 2025</b></p> <p><b>Subject:</b> Re: Erf 281 Struisbaai (Spookdraai).</p> <p>Hi Michelle</p> <p>Please find attached. Please advise if this is what you need.</p> <p>Kind regards</p> <p><b>Stephanie Hugo</b> Head of Special Projects</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>15 FEBRUARY 2025</b> <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Christal Mostert (5307020084087)</li> <li>• I have a direct interest in the application as <i>I vacate in Struisbaai – 3 Liza Close, and this will impact our beautiful view and take away the bliss of looking at the sea and especially watching how people catch fish. Our children also play on the little beach of Spookdraai and this will take these fond memories away.</i></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	
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Stephanie Hugo  
0845044059  
Steph.mostert41@gmail.com

2

**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “*conflict with the Law*”
- (Page 33 bottom) “*the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.*”

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.
- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

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- This footpath has been there for generations and will now disappear
- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)

**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the

new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

4

#### **OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/Agulhas area and total “Loss of Sense of Place “**

• This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)

- Cindy Postlethway –Heritage Impact Assessment
- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance “** *Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.***

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

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*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*  
**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site**

**..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters' edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.** Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.**

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.**

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- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

- **Page 77** Significance of Sensitivity to Visual Change

As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

	<ul style="list-style-type: none"> <li>• <b>Page 78 Contextual Significance</b>  <i>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</i> </li> </ul> <p>7</p> <p><b>I object against this application as the visual representation below is misleading:</b></p> <ul style="list-style-type: none"> <li>• <b>Page 78</b> The homes shown below is all presented as small “monopoly “size houses. If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</li> </ul> <p><b>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</b></p> <p><b>I object against this application as a false presentation is made regarding the alternatives available</b>  Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see <b>Page 84:</b>  Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p>8</p> <p><b>Meaning</b></p> <ul style="list-style-type: none"> <li>• <b>Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein</b>  Important to note here is that Helemika owns the very large area shown as in the <b>dotted red</b> area as well within the CAM Urban Edge</li> </ul> <p>.</p> <p><b>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.</b> To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p><b>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</b></p> <p><b>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</b></p> <ul style="list-style-type: none"> <li>• <b>Page 37</b></li> </ul> <p><b>My objection is based on:</b></p> <ul style="list-style-type: none"> <li>• The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li> <li>• The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only</li> </ul>	
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		<p>favour a few rich persons.</p> <p>9</p> <ul style="list-style-type: none"> <li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li> <li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</li> </ul> <p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE Page 25</b></li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• <b>The environmental authorisation application must be refused.</b></li> </ul> <p>10</p> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
249	Boyce Lloyd	<p><b>Email dated 19 February 2025</b></p> <p>Subject: spookdraai navraag</p> <p>Dear Michelle,</p> <p>I note you are the spookdraai enviro consultant.</p> <p>I would be interested in purchasing an erf/house from the developers when completed. Could you please advise a contact number/email for them/person?</p> <p>I am not a "protestor" in disguise 😊</p>	

		<p>Regards Boyce Lloyd</p>	
250	Nadine Pieters	<p><b>Email dated 19 February 2025</b></p> <p>Subject: Objection</p> <p>Goeie more Michelle,</p> <p>Sien asb aangeheg.</p> <p>Groete</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>19 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>Y. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Name, Surname ID # xxxxxx xxxx xxx</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Adress or I vacation here ..or ...</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	

**NADINE PIETERS**

Mobile: 082 443 6492

Email: nadine@casupport.co.za

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- (Page 42 top) “conflict with the Law”
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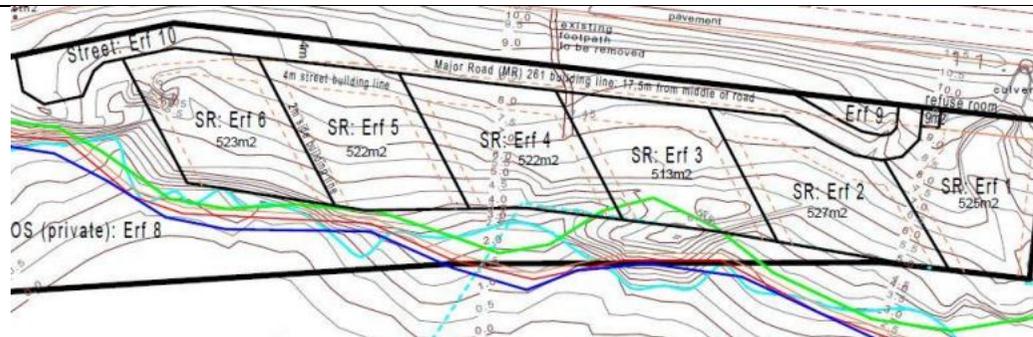
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ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8





**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

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In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

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In overall terms, the heritage (and related visual) impacts are expected to be High, negative.

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value**.

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It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

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- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

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As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

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The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

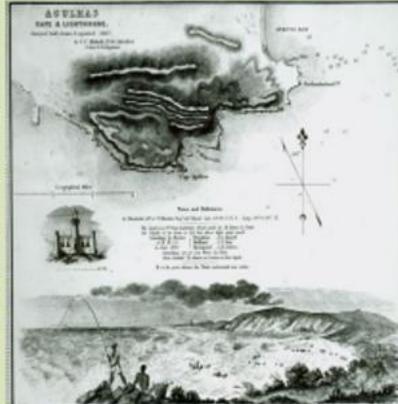
Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

I object against this application as the visual representation below is misleading:

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.. (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selectin matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- **Page 37**

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:

80 No. 31884

GOVERNMENT GAZETTE, 11 FEBRUARY 2009

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



		<p style="text-align: center;">CHAPTER SEVEN: Protection of Coastal Environment</p> <p style="text-align: center;"><b>ENVIRONMENTAL AUTHORISATIONS</b></p> <p><b>1. What must the competent authority take into account when considering an application for environmental authorisation?</b></p> <ul style="list-style-type: none"> <li>→ Representations made by the applicant and by interested and affected parties;</li> <li>→ The applicant's past record in complying with similar authorisations;</li> <li>→ If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;</li> <li>→ Estuarine management plans, CMPs and coastal management objectives;</li> <li>→ The socio-economic impact if that activity or action is authorised or not authorised;</li> <li>→ The likely impact on the coastal environment including the cumulative effect (collective effect);</li> <li>→ The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and</li> <li>→ The objectives of the ICM Act which apply to the activity.</li> </ul> <p><b>2. Under what circumstances may the competent authority NOT issue an environmental authorisation?</b></p> <p><b>If the development/activity:</b></p> <ul style="list-style-type: none"> <li>→ Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;</li> <li>→ Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;</li> <li>→ Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;</li> <li>→ Is likely to be significantly damaged or affected by dynamic coastal processes;</li> <li>→ Will prejudice the achievement of any coastal management objective; or</li> <li>→ Will not be in the interests of the community as a whole.</li> </ul> <p><b>3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?</b></p> <ul style="list-style-type: none"> <li>→ If the proposed activity or development cannot be located anywhere else; or</li> <li>→ If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.</li> </ul>	
251	<p><b>Monique Stemmet</b></p>	<p><b>Email dated 19 February 2025</b>  <b>Subject: Objection Development Struisbaai L'Agulhas</b></p> <p><b>To</b>                  Lornay Environmental Consulting Att: Michelle Naylor</p>	

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

18 FEBRUARY 2025

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**AA. INTRODUCTION**

- I am representing myself Monique Stemmet, ID Nr 6204250112085
- I have a direct interest in the application as I own property in Struisbaai/L'Agulhas– Address: Dassiesingel Nr 1 Struisbaai
- The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & L'Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards,



Monique Stemmet  
Mobile 0839606634  
Email moniques@global.co.za

**BB. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of

coastal communities.

- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law"
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law."

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed to the public, indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8"

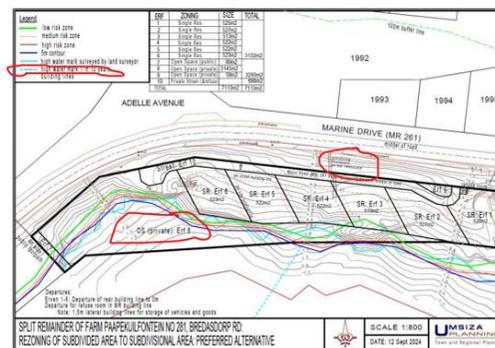


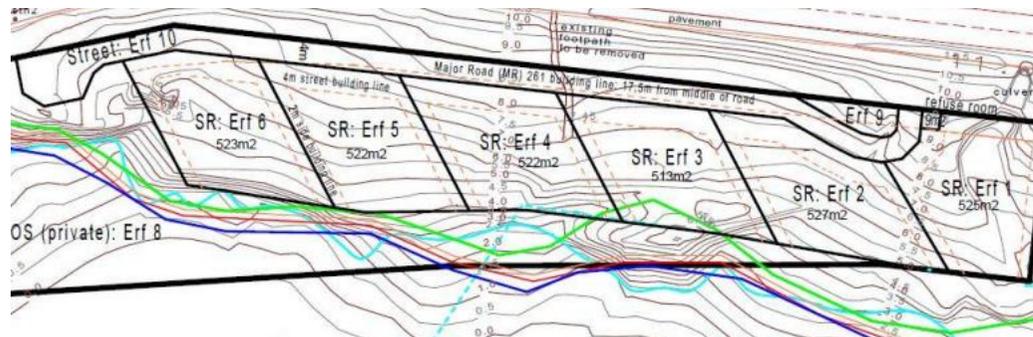
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplan. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible. (remember Hermanus Poole's bar drama)



**Recommendation:** This piece of land should be transferred to Cape Agulhas Municipality as public land.

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai.

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)

- Cindy Postlethwayt –Heritage Impact Assessment
- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context - At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages.** The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

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*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

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Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

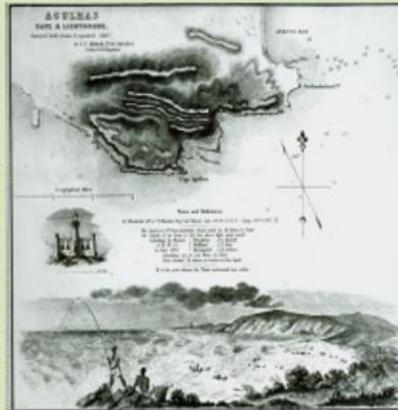
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.
- **Traffic:**
- Marine drive is frequently used by pedestrians, joggers and cyclists and is the only access road between Struisbaai, Suiderstrand and L'Agulhas. The area of the proposed development is on a curve in the road and has the potential to create traffic problems and even accidents.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to the pressure on the already overloaded system**

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view;
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted;
- There is no site-specific motivation to support the development;

**It is therefore clear the environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties; 5
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas; 15
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



252 Axel Urban

Email dated 19 February 2025

Subject: AW: Notice of Pre-Application Public Participation | RE281, Struisbaai

Dear Michelle,

Today we are able to send you our comments to the proposed Spookdraai Residential Development.

Of course we are not able to support these ideas.

Kind regards

Axel Urban, erf 2023 Struisbaai

Proposed Spookdraai Residential Development on Remainder of the Farm No. 281, Struisbaai.

Dear Michelle

I hereby would like to register as an I&AP for the above mentioned development in Struisbaai.

My concerns and comments on the **rezoning** and proposed development are as follows:

1. In 2002 we bought our house on erf 2023. Before we did we looked for informations if there are possibilities of affects which could be view, value, nature and others in closer surroundings. We asked neighbours, real estate agents and members of the municipality. All of them confirmed that the law and other official regulations will not allow any buildings and other construction projects in these protected areas. See the Coastal Protection Zone in terms of the ICM Act No. 24 of 2008 with a coastal set-back line of 100 meters based on the risk zones.

We never heard that the legal conditions have been modified. Therefore in our opinion your proposal can be called illegal.

2. We learned in the past 23 years that storms together with the impact of the sea can bring the seawater up to the Marine Drive, e.g. 2023. These events will reach the region in the near future more often by the climate change. We do not want to see parts of the sewage swimming in the new 6 erfes.

I furthermore would like to comment the effects:

		<p>By implementation of your plans</p> <ol style="list-style-type: none"> <li>3. You destroy the view from the existing properties,</li> <li>4. You destroy the value of the existing properties,</li> <li>5. You destroy the nature and the biodiversity of the site, Till today we have a lot of different animals and birds especially within the coastal area.</li> <li>6. You destroy the possibility of recreation of the public. It is ridiculous if you mention that by your plans the access for the public and the fishermen will become easier.</li> </ol> <p>Regards</p> <p>Axel Urban, erf 2023 Struisbaai</p>	
253	Niel Louwrens	<p><b>Email dated 18 February 2025</b></p> <p><b>Subject:</b> STRUISBAAI BESWAAR -SPOOKDRAAI.</p> <p>Hi Michelle  Hiermee my beswaar soos versoek.  Let net op dat dit nie geteken is nie en dat die bladsy nommers nog nie voltooi is nie.</p> <p>Kind regards,</p> <p><b>Adv. Niel Louwrens</b>  Phone +27 21 929 5300   Cell +27 (0) 83 444 5293  <a href="mailto:nlouwrens@tmt.africa">nlouwrens@tmt.africa</a></p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>19 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>CC. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself <b>NIEL LOUWRENS ID 5907035141085</b></li> <li>• I have a direct interest in the application as I own property in Struisbaai – at <b>96 Ocean View Drive and 21 Keurtjie Laan Struisbaai</b></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater</li> </ul>	

Struisbaai & Agulhas area.

- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to amplify my objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Adv. NIEL LOUWRENS  
Mobile: 0834445293  
Email; [nlouwrens@tmt.africa](mailto:nlouwrens@tmt.africa)

**DD. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

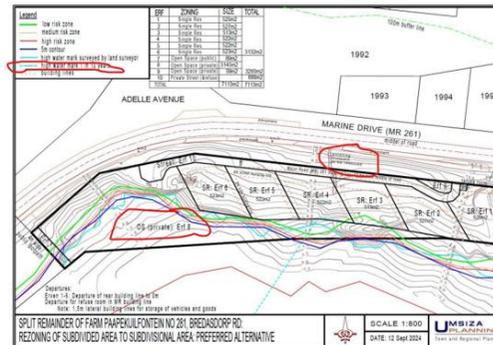


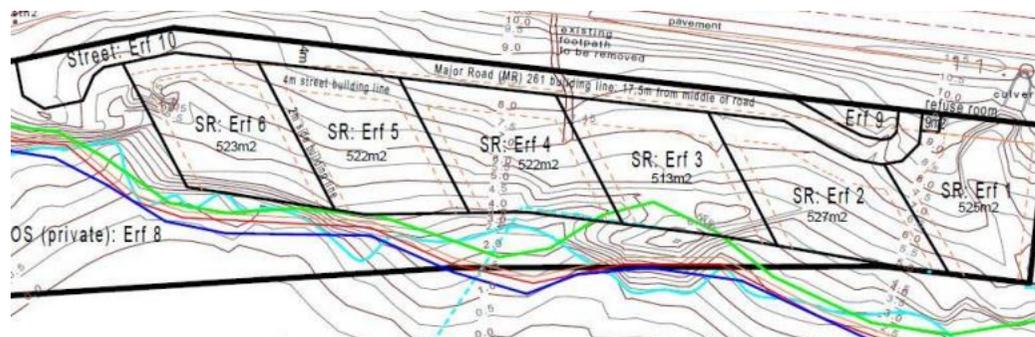
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

• **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

• **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the heritage (and related visual) impacts are expected to be High, negative.*

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity*

*The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.*

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported*

	<ul style="list-style-type: none"> <li> <p>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> </li> <li> <p>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></p> </li> <li> <p>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></p> </li> <li> <p>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></p> </li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

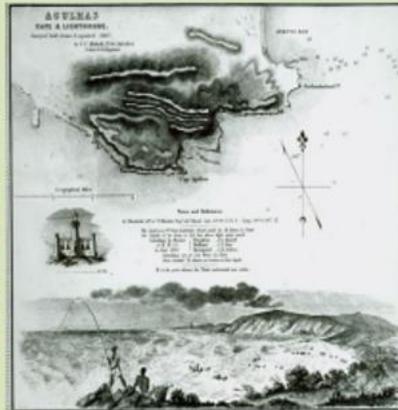
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

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If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

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- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
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**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

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- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties; 10
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas; 15
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

- If the development/activity:**
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



		<p style="text-align: center;">CHAPTER SEVEN: Protection of Coastal Environment</p> <p style="text-align: center;"><b>ENVIRONMENTAL AUTHORISATIONS</b></p> <p><b>1. What must the competent authority take into account when considering an application for environmental authorisation?</b></p> <ul style="list-style-type: none"> <li>→ Representations made by the applicant and by interested and affected parties;</li> <li>→ The applicant's past record in complying with similar authorisations;</li> <li>→ If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;</li> <li>→ Estuarine management plans, CMPs and coastal management objectives;</li> <li>→ The socio-economic impact if that activity or action is authorised or not authorised;</li> <li>→ The likely impact on the coastal environment including the cumulative effect (collective effect);</li> <li>→ The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and</li> <li>→ The objectives of the ICM Act which apply to the activity.</li> </ul> <p><b>2. Under what circumstances may the competent authority NOT issue an environmental authorisation?</b></p> <p><b>If the development/activity:</b></p> <ul style="list-style-type: none"> <li>→ Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;</li> <li>→ Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;</li> <li>→ Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;</li> <li>→ Is likely to be significantly damaged or affected by dynamic coastal processes;</li> <li>→ Will prejudice the achievement of any coastal management objective; or</li> <li>→ Will not be in the interests of the community as a whole.</li> </ul> <p><b>3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?</b></p> <ul style="list-style-type: none"> <li>→ If the proposed activity or development cannot be located anywhere else; or</li> <li>→ If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.</li> </ul>	
254	<b>Bergh Evert</b>	<p><b>Email dated 19 February 2025</b></p> <p>Subject: Objection to Spookdraai development</p> <p>I want to raise my concern and object the development at Spookdraai</p>	
255	<b>Cornelia Bester</b>	<p><b>Email dated 19 February 2025</b></p> <p><b>Subject: Spookdraai Objection</b></p> <p>Lornay Environmental Consulting Attention: Michelle Naylor</p>	

19 FEBRUARY 2025

**OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI**

**EE. INTRODUCTION**

- I am representing myself, Cornelia Bester, ID 6501270181085.
- I have a direct interest in the application as I own property in Struisbaai, 6 Elizabeth Street, Struisbaai.
- I have a close emotional bond with this area and have been visiting this area since my childhood. My parents also owned property in Agulhas before they passed away a couple of years ago.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Cornelia Bester

Mobile: 0832706879

Email: corneliabester65@gmail.com

**FF. OBJECTION 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

The purpose of the ICM Act that came into effect in 2008 is to ensure that: The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.

- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom.

The applicant **admits** that the application is against the Law

- “conflict with the Law
- “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

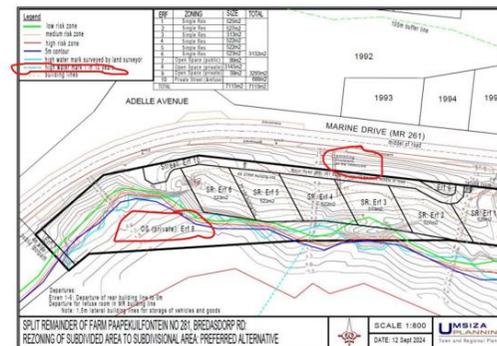


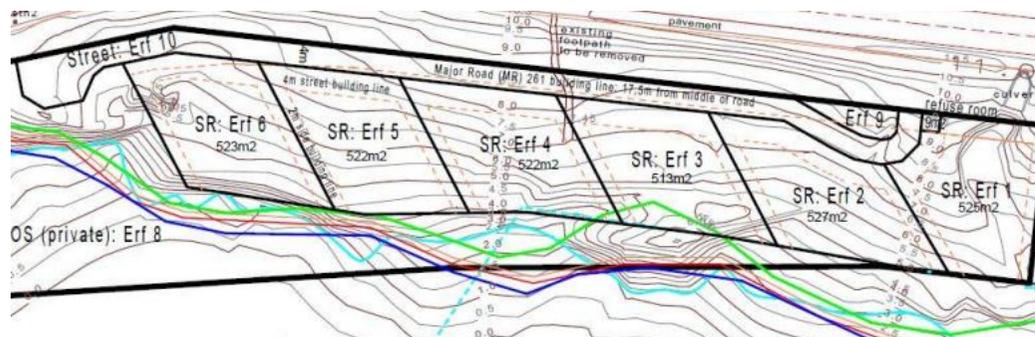
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear.



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will be impossible.



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975. Today it would be impossible.

**OBJECTION 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

- *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

- *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

- **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages.** The coastline **should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.***

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In my opinion, the cultural landscape aspects warrant a Grade IIIA significance.*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site that is locally significant and has a high degree of intrinsic value, and are considered to be important enough to warrant regulations on any alterations.**

- *It is acknowledged that the property has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

- *Visual Corridors and Green Connections. The planning parameters provided for 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive.*

*In overall terms, the **heritage (and related visual) impacts are expected to be highly, negative.***

*Visual sensitivity of this area (landscape sensitivity). The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity.*

*The site falls within proposed urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.***

- *Significance of anticipated visual impacts. “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported.*

	<ul style="list-style-type: none"> <li>• <i>Visual Resources identified.</i>  <i>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</i>  <i>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</i>  <i>The urban patterns are adhoc and mostly intrusive in this landscape.</i>  <i>Visual resources across the scales are summarised as follows:</i>  <i>Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></i>  <i>At the site scale: Site is located in between Marine Drive, the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></i></li> <li>• <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></li> <li>• <i>Significance of Sensitivity to Visual Change.</i>  <i>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance.</i></li> <li>• <i>Contextual Significance.</i>  <i>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation.</b></i>  <i>High lighting its local importance in maintaining the cultural and aesthetic qualities of the region.</i></li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

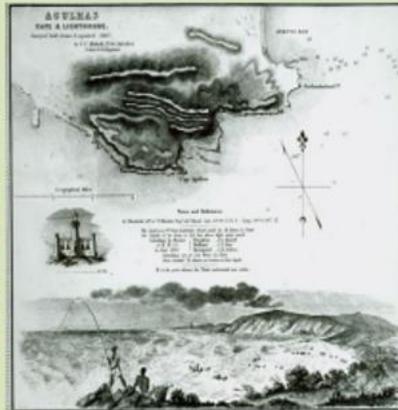
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>2</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**OBJECTION 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available.**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true)

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

- **Alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge.



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion:** The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**OBJECTION 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and efficient land use within designated growth areas.
- The development contributes to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.
- The project will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in \_\_\_\_\_ Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.

		<ul style="list-style-type: none"> <li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South_Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li> <li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.</li> </ul> <p><b><u>OBJECTION 5: TECHNICAL CONSIDERATIONS:</u></b></p> <p style="text-align: center;"><b><i>Sewer</i></b></p> <p>→ The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. <b>No municipal gravity pipeline system currently exists.</b></p> <p>→ <b>The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.</b> If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be</p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE</b></li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists.</p> <p><b>CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• <b>The environmental authorisation application must be refused.</b></li> </ul> <p style="text-align: center;"><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
256	Marius Fuchs	<p><b>Email dated 19 February 2025</b></p> <p>Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</p> <p>Hi</p> <p>Attached my and my wife's objections</p>	

Regards

To

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

12 FEBRUARY 2025

**OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI( erf 281)**

**GG. INTRODUCTION**

- I am representing myself Marius Fuchs ID 5610035112086
- I have a direct interest in the application as I own property in Struisbaai -Erf 2744
- I have been visiting this area since 1985
- The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards



Marius Fuchs

Marius Fuchs

0824694487

Mariusfuchs110@gmail.com

**HH. OBJECTION 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that:

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.

- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the applicant is contradictory and against the Law

- (Page 42 top) "conflict with the Law"
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be public zoning -indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
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7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

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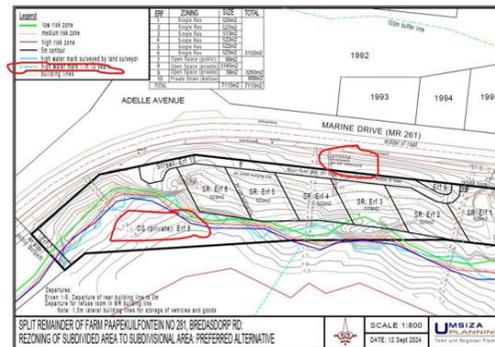


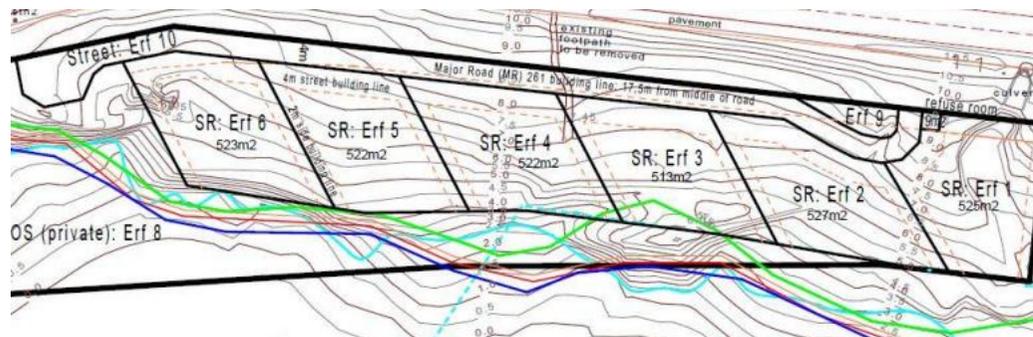
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Photo 4: Site 152 view facing east. Kaplan. (2023)

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No new erven or development has been approved in the 100m “CPZ” in Struisbaai since the Integrated Coastal Management Act “ICM act” came into effect in 2008 as such the development (if approved) will be a major deviation and I believe will be illegal)

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I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “

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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

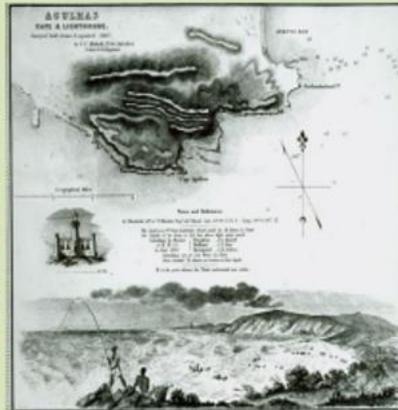
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebreidelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

The proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion:** The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and efficient land use within designated growth areas.
- The development contributes to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.
- The project will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.

**My objection is based on:**

- The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North, that is living in make- shift huts in

backyards

- Job creation will only be short term and will not favour the local community as most construction work is done by out of town companies using craftsmen from outside South\_Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

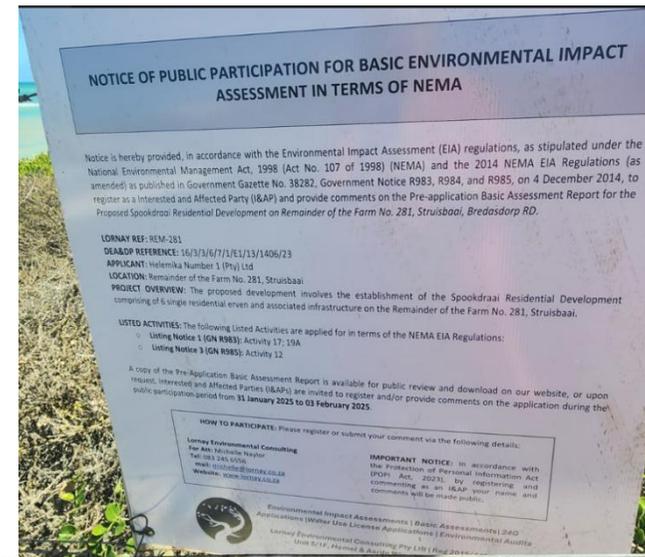
In the peak season ,sewerage trucks running multiple trips 12 hours per day 7 days a week between Struisbaai and Aghulas to keep the tanks from overflowing.

**This development will add to the problem**

**G: OBJECTIONS: 6 PROCEDURELY PROCESS**

**I object against this application as the public notice placed on the erf is purposefully misleading (and not as required by the law)**

- The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be 'behind" the notice. A more appropriate placement would have been on the northern centre side of the property on the road,



provincial heritage, economic and future sustainability point of view.

- The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- The environment authorisation application must be refused.

**Yours faithfully**



Marplis Fuchs

**ADDENDUM: EXTRACT FROM THE Integrated Coastal Management Act 2008**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties; 10
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas; 15
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

		<p>(2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—</p> <ul style="list-style-type: none"> <li>(a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30</li> <li>(b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;</li> <li>(c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;</li> <li>(d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35</li> <li>(e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;</li> <li>(f) would substantially prejudice the achievement of any coastal management objective; or 40</li> <li>(g) would be contrary to the interests of the whole community.</li> </ul> <p>(3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—</p> <ul style="list-style-type: none"> <li>(a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45</li> <li>(b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50</li> </ul>	
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**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



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**Email dated 19 February 2025**

Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .

Hi

Attached my and my wife's objections

Regards

To  
Lornay Environmental Consulting Att: Michelle Naylor  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
12 FEBRUARY 2025

**OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI(erf 281)**

**II. INTRODUCTION**

- I am representing myself Maria Magdalena Fuchs ID 6403050234087
- I have a direct interest in the application as I own property in Struisbaai -Erf 2002
- I have been visiting this area since 1995
- The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards



Marius Fuchs

Maria Magdalena Fuchs  
0828568388  
[mandifuchscreations@gmail.com](mailto:mandifuchscreations@gmail.com)

**JJ. OBJECTION 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that:

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the applicant is contradictory and against the Law

- (Page 42 top) *“conflict with the Law*
- (Page 33 bottom) *“the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.*

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be public zoning -indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

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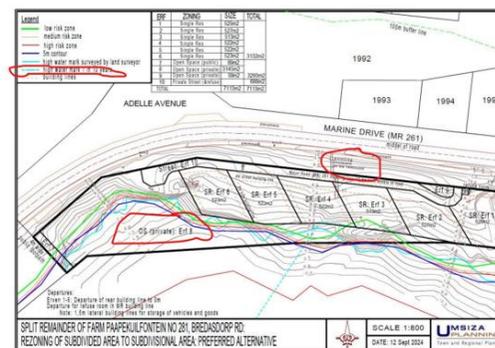


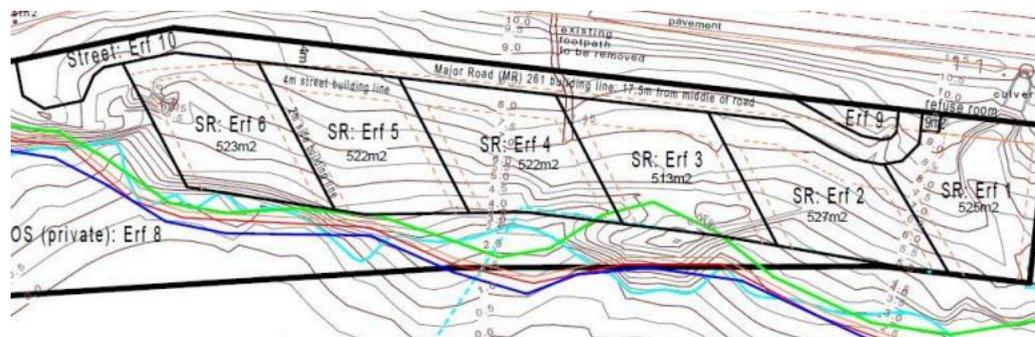
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*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

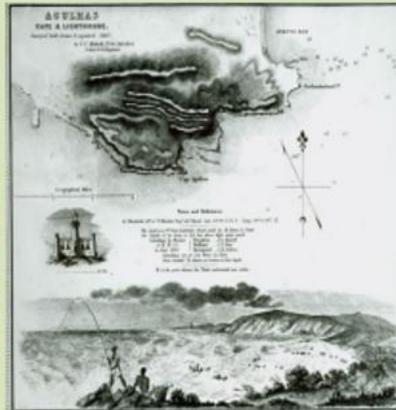
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

The proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion:** The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North, that is living in make- shift huts in

backyards

- Job creation will only be short term and will not favour the local community as most construction work is done by out of town companies using craftsmen from outside South\_Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

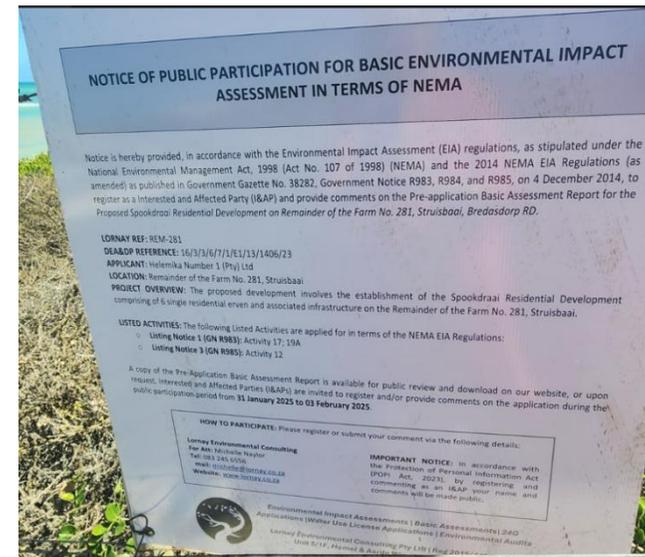
In the peak season ,sewerage trucks running multiple trips 12 hours per day 7 days a week between Struisbaai and Aghulas to keep the tanks from overflowing.

**This development will add to the problem**

**G: OBJECTIONS: 6 PROCEDURELY PROCESS**

**I object against this application as the public notice placed on the erf is purposefully misleading (and not as required by the law)**

- The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be 'behind" the notice. A more appropriate placement would have been on the northern centre side of the property on the road,



provincial heritage, economic and future sustainability point of view.

- The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- The environment authorisation application must be refused.

**Yours faithfully**



Marplis Fuchs

**ADDENDUM: EXTRACT FROM THE Integrated Coastal Management Act 2008**

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT, INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

		<p>(2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—</p> <ul style="list-style-type: none"> <li>(a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30</li> <li>(b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;</li> <li>(c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;</li> <li>(d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35</li> <li>(e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;</li> <li>(f) would substantially prejudice the achievement of any coastal management objective; or 40</li> <li>(g) would be contrary to the interests of the whole community.</li> </ul> <p>(3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—</p> <ul style="list-style-type: none"> <li>(a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45</li> <li>(b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50</li> </ul>	
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**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

7

- If the development/activity:**
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

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Christelle Kriel

Email dated 19 February 2025

Michelle

Aangeheg ons objeksie teen ontwikkeling by Spookdraai.

Vriendelike groete,

Christelle Kriel

**To**

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**15 FEBRUARY 2025**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself \_\_\_\_\_ (ID: \_\_\_\_\_)
- I have a direct interest in the application as \_\_\_\_\_

- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - o Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

\_\_\_\_\_  
Name:

Tel:

Email:

Christelle Kriel 7408230032086

beneficiary of the Trust that own 3 Liza Singel

Christelle Kriel

0823238026

[christelle@redpeppercatering.co.za](mailto:christelle@redpeppercatering.co.za)

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**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page

	<p>11)</p> <ul style="list-style-type: none"> <li>• The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>• The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>• Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>• Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant <b>admits</b> that the application is against the Law</p> <ul style="list-style-type: none"> <li>• (Page 42 top) “<i>conflict with the Law</i>”</li> <li>• (Page 33 bottom) “<i>the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</i>”</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>• As indicated in their table Page 13 <b>only 89m2</b> of the existing total of <b>7,113m2</b> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>• To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8 3</li> <li>• This footpath has been there for generations and will now disappear</li> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</li> </ul> <p><b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b></p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p>4</p> <p><b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p><b>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</b></p> <ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!)</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Cindy Postlethway –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> <li>• Jonathan Kaplin – Archaeological Impact Assessment</li> <li>• Terra + Landscape Architects – Visual Impact Assessment</li> <li>• <b>Page 49:</b> <i>“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</i></li> <li>• <b>Page 50:</b> <i>“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</i></li> <li>• <b>Heritage Resources and Significance</b> <i>“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the <b>historical raison d’etre of these two coastal villages.</b> The coastline <b>should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.</b></i>  <i>The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</i>  5  <i>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance <b>Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</b></i></li> <li>• <b>Page 51 top:</b> <i>It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</i></li> <li>• <b>Page 52 middle:</b> <i>Visual Corridors and Green Connections The planning parameters provided for</i></li> </ul>	
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	<p>.... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</p> <p>In overall terms, the <b>heritage (and related visual) impacts are expected to be High, negative.</b></p> <p>Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to <b>High Visual Sensitivity</b></p> <p>The site falls within proposed (as yet approved) urban edge, <b>but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</b></p> <ul style="list-style-type: none"> <li>• <b>Page 53:</b> Significance of anticipated visual impacts “The proposed development will have a <b>Significantly High Negative Visual Impact and cannot be supported</b></li> <li>• <b>Page 62:</b> Visual Resources identified</li> </ul> <p>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</p> <p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</p> <p>The urban patterns are adhoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <p>→ Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></p> <p>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> <p>6</p> <ul style="list-style-type: none"> <li>• <b>Page 63</b> The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>• <b>Page 77</b> Significance of Sensitivity to Visual Change</li> </ul> <p>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</p> <ul style="list-style-type: none"> <li>• <b>Page 78</b> Contextual Significance</li> </ul> <p>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b></p>	
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highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

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**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3)

-All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.

(which is not true) see **Page 84:**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

8

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge

.

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- **Page 37**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.

9

- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

		<p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE Page 25</b></li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b>  In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!  <b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• <b>The environmental authorisation application must be refused.</b></li> </ul> <p>10</p> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
259	Dawid Kriel	<p><b>Email dated 19 February 2025</b></p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>15 FEBRUARY 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself _____ (ID: _____)</li> <li>• I have a direct interest in the application as _____</li> </ul> <hr/> <hr/> <ul style="list-style-type: none"> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual</i></li> </ul> </li> </ul>	

*impact”*

o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*

- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.

- The grounds and detail of my objection is given below.

Regards

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Name:

Tel:

Email:

Dawid Jacobus Kriel 7404035236089

a holiday resident of 3 Liza singel

Dawid Jacobus Kriel

0823238110

dawid@redpeppercatering.co.za

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**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.

- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.

- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.

- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “*conflict with the Law*”

- (Page 33 bottom) “*the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.*”

The Coastal Management Section -Department of Environmental Affairs and Development Planning

Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

	<ul style="list-style-type: none"> <li>• To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8 3</li> <li>• This footpath has been there for generations and will now disappear</li> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</li> </ul> <p><b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b></p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p>4</p> <p><b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p><b>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</b></p> <ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!)</li> <li>• Cindy Postlethway –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> <li>• Jonathan Kaplin – Archaeological Impact Assessment</li> <li>• Terra + Landscape Architects – Visual Impact Assessment</li> <li>• <b>Page 49:</b> <i>“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</i></li> <li>• <b>Page 50:</b> <i>“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</i></li> <li>• <b>Heritage Resources and Significance “</b> <i>Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the <b>historical raison d’etre of these</b></i></li> </ul>	
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**two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.**

The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

5

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance **Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.** Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.**

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.**

6

- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

- **Page 77** Significance of Sensitivity to Visual Change

As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

- **Page 78** Contextual Significance

The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

7

**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>)

-All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement "the subject property is the sole asset available to the developer.

(which is not true) see **Page 84:**

Thereafter follows a lengthy discussion of 4 possible "alternatives" and bogus discussion of 'pro's/ cons' and presenting a façade of "we have no options". But the developer has other options!

8

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge

	<p><b>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.</b> To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p><b>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</b></p> <p><b>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</b></p> <ul style="list-style-type: none"><li>• <b>Page 37</b></li></ul> <p><b>My objection is based on:</b></p> <ul style="list-style-type: none"><li>• The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li><li>• The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</li></ul> <p>9</p> <ul style="list-style-type: none"><li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li><li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</li></ul> <p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"><li>• <b>SEWERAGE Page 25</b></li></ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"><li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li><li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li><li>• There is no site-specific motivation to support the development.</li><li>• <b>The environmental authorisation application must be refused.</b></li></ul> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL</b></p>	
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		<b>MANAGEMENT LAW:</b>	
260	Jackie Swart	<p><b>Email dated 19 February 2025</b></p> <p><b>Subject:</b> BEPLANDE SPOOKDRAAI ONTWIKKELING - BESWAAR</p> <p>Good day,</p> <p>Please find attached signed objection in collaboration with other objectors regarding the planned development of Spookdraai.</p> <p>We are of the view that said development will impact us negatively and will not be in the best interest of Agulhas and surrounds.</p> <p>Please don't hesitate to contact us if any further information is required.</p> <p>Kind regards</p> <p>Jackie Swart 0837038757</p> <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> 18 FEBRUARY 2025 RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p>A. INTRODUCTION</p> <p><input checked="" type="checkbox"/> I am representing myself WB Pratt (Id6607035003082)</p> <p><input checked="" type="checkbox"/> I have a direct interest in the application as I own property in Struisbaai – 147 Marine drive.</p> <p><input checked="" type="checkbox"/> I have a close emotional bond with this area and have been visiting this area since my childhood.</p> <p><input checked="" type="checkbox"/> The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</p> <p><input checked="" type="checkbox"/> I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p><input checked="" type="checkbox"/> The grounds and detail of my objection is given below.</p> <p>Regards W B PRATT Mobile 0824601258 Email: <a href="mailto:barrypratt@whalemail.co.za">barrypratt@whalemail.co.za</a></p> <p>2</p> <p>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)</p> <p>Note Page numbers “Page xx” refer to the page number on the BAR document right bottom</p>	

	<p>The purpose of the ICM Act that came into effect in 2008 is to ensure that:</p> <ul style="list-style-type: none"> <li>☑ The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>☑ The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>☑ Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>☑ Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant admits that the application is against the Law</p> <ul style="list-style-type: none"> <li>☑ (Page 42 top) “conflict with the Law</li> <li>☑ (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>☑ As indicated in their table Page 13 only 89m2 of the existing total of 7,113m2 will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>☑ To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8 3</li> <li>☑ This footpath has been there for generations and will now disappear</li> <li>☑ As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.</li> </ul> <p>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this constructed before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p>4</p> <p>C: OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</p> <p>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</p> <ul style="list-style-type: none"> <li>☑ This is based on the following copy and paste extracts below from the applicant’s own experts which is self-explanatory (!)</li> <li>☑ Cindy Postlethwayt –Heritage Impact Assessment</li> </ul>	
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	<p> <input type="checkbox"/> John Pether – Palaeontological Impact Assessment  <input type="checkbox"/> Jonathan Kaplin – Archaeological Impact Assessment  <input type="checkbox"/> Terra + Landscape Architects – Visual Impact Assessment  <input type="checkbox"/> Page 49: “Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”  <input type="checkbox"/> Page 50: “ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”  <input type="checkbox"/> Heritage Resources and Significance “ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.  The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.  5  In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance  Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”  <input type="checkbox"/> Page 51 top: It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.  <input type="checkbox"/> Page 52 middle: Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure </p>	
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		<p>7</p> <p>I object against this application as the visual representation below is misleading:</p> <p>☒ Page 78 The homes shown below is all presented as small “monopoly “size houses.  If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3)  -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</p> <p>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</p> <p>I object against this application as a false presentation is made regarding the alternatives available Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see Page 84:  Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p>8</p> <p>Meaning</p> <p>☒ Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein  Important to note here is that Helemika owns the very large area shown as in the <b>dotted red</b> area as well</p> <p>.</p> <p>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</p> <p>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</p> <p>☒ Page 37</p> <p>My objection is based on:</p> <p>☒ The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</p> <p>☒ The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</p> <p>9</p> <p>☒ Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</p> <p>☒ This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.</p> <p>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</p>	
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		<p>☒ SEWERAGE Page 25</p> <p>I object against this application as the existing sewerage system in the area is already overloaded. In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p>This development will add to this mess! Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p>G: OBJECTIONS: 6 PROCEDURELY PROCESS</p> <p>I object against this application as the public notice placed (!) on the erf is purposefully misleading (and not as required by the law.?)</p> <p>☒ The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be “behind” the notice. A more appropriate placement would have been on the northern centre side of the property on the road,</p> <p>10</p> <p>☒ The public participation notice does not illustrate the intended development ....</p> <p>Note the date of closing! 3 February which is procedurally incorrect.</p> <p>H: CONCLUSION</p> <p>☒ In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</p> <p>☒ The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.</p> <p>☒ There is no site-specific motivation to support the development.</p> <p>☒ The environment authorisation application must be refused.</p> <p>Yours faithfully</p> <p>ADDENDUM: EXTRACT FROM THE LAW:</p>	
261	Charmaine Thomas	<p><b>Email dated 19 February 2025</b></p> <p>Subject: I am sharing 'JamesCondensed Objection 15022025[1].doc' with you from WPS Office</p> <p>Here is a document for you, please see the attachment for details.</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p>	

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**KK. INTRODUCTION**

- I am representing myself JAMES ANDREW THOMAS ID 5607145008089
- I have a direct interest in the application as I own property in L'Agulhas
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & L'Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

JAMES THOMAS  
Mobile 0781417540  
Email : jetballie1956@gmail.com

**LL. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) *“conflict with the Law*
- (Page 33 bottom) *“the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.*

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

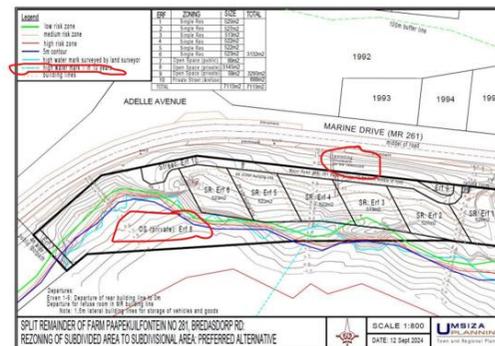


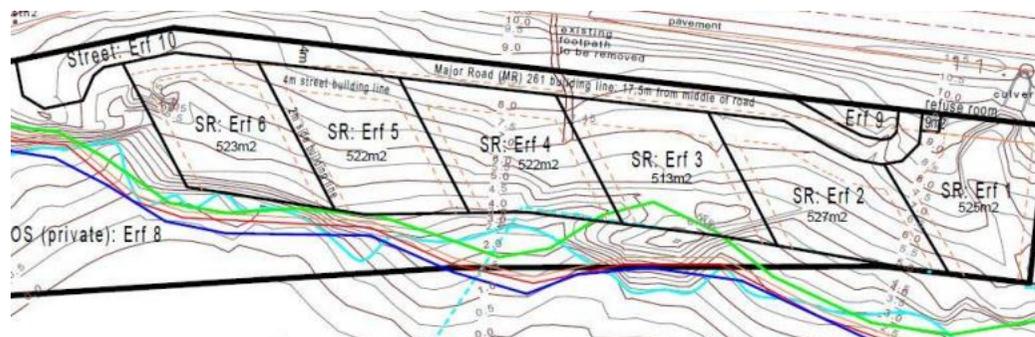
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- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

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**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

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Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

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(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geidentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

262	Barry Reynolds	<p><b>Email dated 19 February 2025</b></p> <p><b>Subject:</b> Objection to Proposed Spookdraai Residential Development - Struisbaai</p> <p>Dear Ms. Naylor,</p> <p>I am writing to formally object to the proposed Spookdraai Residential Development in Struisbaai. As someone with a direct and longstanding connection to this area, I am deeply concerned about the irreversible impact this development will have on the environment, heritage, and character of Struisbaai and Agulhas.</p> <p>I have been visiting this area since childhood and have strong emotional ties to its unspoiled beauty. My family owns a property here, and I have spent countless holidays enjoying the open coastal landscape. The proposed development threatens to permanently alter this unique and treasured coastal environment.</p> <p><b>Legal and Environmental Concerns</b></p> <p>The development falls within the <b>Coastal Protection Zone (CPZ)</b> and is therefore in conflict with <b>South Africa’s Integrated Coastal Management Act (ICM Act, 2008)</b>. The applicant themselves acknowledge that the land in question is within the CPZ, yet they attempt to downplay this by stating that much of Struisbaai also falls within this zone. However, no new developments have been approved in the CPZ since the Act came into effect, making this proposal highly problematic from a legal standpoint.</p> <p>Additionally, the developer’s claims regarding the <b>environmental impact assessment</b> contain several inaccuracies, including the assertion that the project will only have a “moderate” visual impact. In reality, this area’s <b>natural beauty, public accessibility, and cultural significance</b> will be greatly diminished if construction proceeds. Public access to well-loved fishing, hiking, and picnic areas will be lost, and a long-standing coastal footpath will disappear.</p> <p><b>Heritage and Visual Impact</b></p> <p>The proposed development is <b>completely out of character</b> with the surrounding landscape and will significantly alter the town’s <b>sense of place</b>. The area is a historically and visually significant stretch of coastline, forming part of a <b>semi-rural cultural landscape</b> with high aesthetic and heritage value. Experts in <b>heritage, palaeontology, archaeology, and landscape architecture</b> have all identified this site as highly sensitive to change, with the proposed development set to cause a <b>highly negative visual impact</b>.</p> <p><b>Need for the Development &amp; Alternatives</b></p> <p>The argument that there are <b>no alternative locations</b> for the development is misleading. The developer owns <b>other, more suitable land</b> that does not fall within a legally protected coastal zone. There is no justifiable reason to build in this specific environmentally and culturally sensitive area. Furthermore, this development does not address the <b>actual housing needs of the local community</b>. The real demand in Struisbaai is for affordable housing, not high-end residential properties. This project will not provide long-term employment opportunities, as most construction work is outsourced</p>	

to non-local companies.

### Infrastructure Concerns

The existing **sewerage system is already overloaded**, particularly during peak holiday seasons when sewage trucks run non-stop between Agulhas and Struisbaai to manage demand. Adding more high-density housing to this area will only worsen this already strained system, increasing risks to both public health and road safety.

### Conclusion

Given the numerous legal, environmental, and social concerns outlined above, I strongly oppose the approval of this development. It is **non-compliant with national, provincial, and municipal legislation** and will have a permanent negative impact on one of South Africa's most beautiful and ecologically important coastal regions.

I urge the **Western Cape Department of Environmental Affairs and Development Planning** to **reject this application** outright.

I have attached to this email a summary of my detailed objections related to the proposed development - please refer to this attachment for additional detail.

I reserve the right to submit further supporting objections and documentation should additional information become available.

### **OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW.** ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone "CPZ" consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this

application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

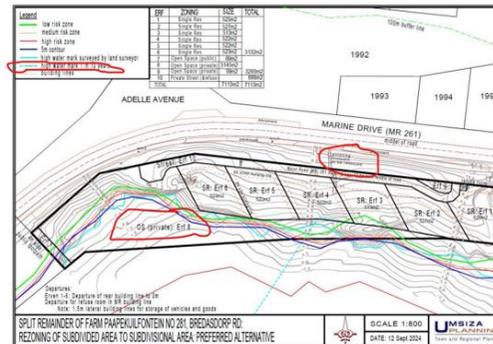


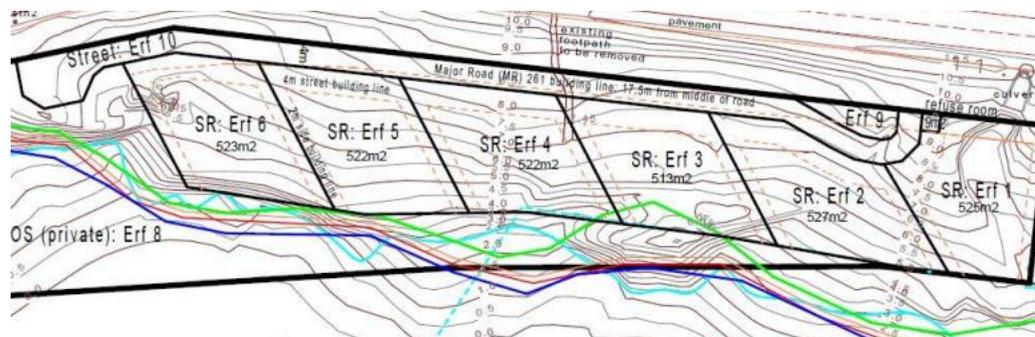
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Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



		<p style="text-align: center;">CHAPTER SEVEN: Protection of Coastal Environment</p> <p style="text-align: center;"><b>ENVIRONMENTAL AUTHORISATIONS</b></p> <p><b>1. What must the competent authority take into account when considering an application for environmental authorisation?</b></p> <ul style="list-style-type: none"> <li>→ Representations made by the applicant and by interested and affected parties;</li> <li>→ The applicant's past record in complying with similar authorisations;</li> <li>→ If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;</li> <li>→ Estuarine management plans, CMPs and coastal management objectives;</li> <li>→ The socio-economic impact if that activity or action is authorised or not authorised;</li> <li>→ The likely impact on the coastal environment including the cumulative effect (collective effect);</li> <li>→ The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and</li> <li>→ The objectives of the ICM Act which apply to the activity.</li> </ul> <p><b>2. Under what circumstances may the competent authority NOT issue an environmental authorisation?</b></p> <p><b>If the development/activity:</b></p> <ul style="list-style-type: none"> <li>→ Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;</li> <li>→ Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;</li> <li>→ Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;</li> <li>→ Is likely to be significantly damaged or affected by dynamic coastal processes;</li> <li>→ Will prejudice the achievement of any coastal management objective; or</li> <li>→ Will not be in the interests of the community as a whole.</li> </ul> <p><b>3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?</b></p> <ul style="list-style-type: none"> <li>→ If the proposed activity or development cannot be located anywhere else; or</li> <li>→ If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.</li> </ul>	
263	Samantha Marais	<p>Email dated 19 February 2025</p> <p>Subject: SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Good dayE</p> <p>Would like to register as an interested and affected party for this development.</p>	

		Kind regards	
		Samantha Marais Cell: 076 909 0084	
264	<b>Francois Croukamp</b>	<p><b>Email dated 19 February 2025</b></p> <p><b>Subject:</b> Res Erf 281 Struisbaai</p> <p>Goeiedag,</p> <p>Registreer my asseblief as 'n belangebende en geaffekteerde party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai&gt;</p> <ul style="list-style-type: none"> <li>• Naam - George Francois Croukamp</li> <li>• ID - 610107 5093 088</li> <li>• Adres -Erf 1079 L'Agulhas Natuurresewaat, Oceanview Drive Agulhas 7286</li> <li>• Tel No - 082 554 7768</li> </ul> <p>Vriendelike Groete,</p> <p><i><b>Francois Croukamp</b></i></p> <p><b>1079 L'Agulhas Nature Reserve</b>  <b>Oceanview Drive</b>  <b>Agulhas</b>  <b>7287</b>  <a href="mailto:francois.croukamp@gmail.com"><b>francois.croukamp@gmail.com</b></a>  <b>082 554 7768</b></p>	
265	<b>Werner Du Plessis</b>	<p><b>Email dated 19 November 2025</b></p> <p><b>Subject:</b> ATT : MICHELLE NAYLOR</p> <p>Good afternoon, Michelle</p> <p>Please find attached for your attention regarding Spookdraai, Struisbaai.</p> <p>Regards</p> <p>Werner Du Plessis</p>	

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**MM. INTRODUCTION**

- I am representing myself Wener Du Plesis. ID 760606 5024 082
- I have a direct interest in the application as I own property in Struisbaai – Vygielaan 2.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & L'Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*

Regards

Werner du Plessis  
Mobile 082 456 5744

**NN. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law

- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

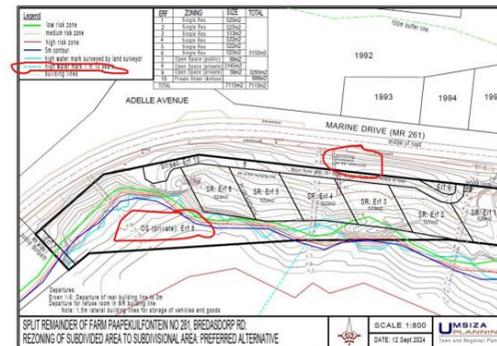


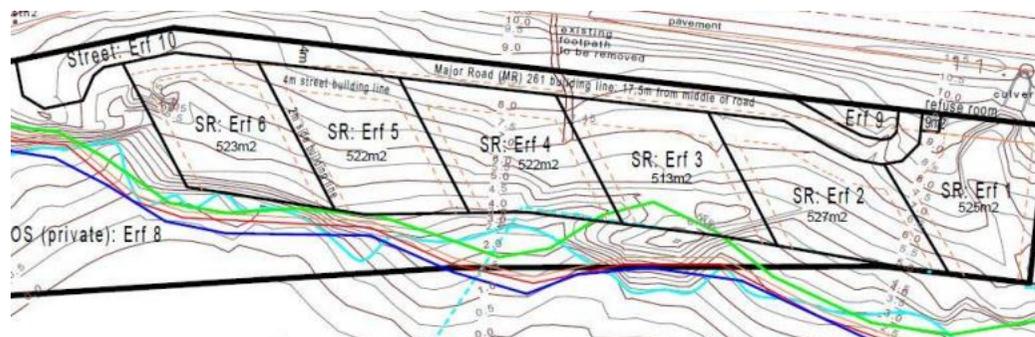
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

• **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

• **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the heritage (and related visual) impacts are expected to be High, negative.*

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity*

*The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.*

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported*

	<ul style="list-style-type: none"> <li> <p>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> </li> <li> <p>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></p> </li> <li> <p>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></p> </li> <li> <p>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></p> </li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geidentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
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Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

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**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

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**Need for the development**

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- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

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- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

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- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
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- **SEWERAGE Page 25**

***Sewer***

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- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

266	Mark Oldale	<p><b>Email dated 19 February 2025</b></p> <p>Subject: Rem - 281</p> <p>I would like to object to the proposed project to build 6 homes in the area that thousands of us local fisherman travel from far to fish for generations . This is an absolute travesty if allowed to go ahead .</p> <p>Thanks Mark</p> <p>Sent from my iPhone</p>	
267	Karen van Niekerk	<p><b>Email dated 19 February 2025</b></p> <p><b>Subject:</b> SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT.</p> <p>Lornay Environmental Consulting</p> <p>Att: Michelle Naylor</p> <p>18 January 2025</p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Karen van Niekerk, ID 6605230182081</li> <li>• I have direct interest in the application <u>please register me as an Interested and affected person</u></li> <li>• I have a close emotional bond with this area and have been visiting this area for many years.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the</li> </ul>	

greater Struisbaai & Agulhas area.

- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- **The grounds and detail of my objection is given below.**

B. **OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW.** (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract at bottom)

- The coastal protection zone “CPZ” consists of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland.
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- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
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The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law"
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

(2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—

(a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30

(b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17; 30

(c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18; 35

(d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35

(e) is likely to be significantly damaged or prejudiced by dynamic coastal processes; 40

(f) would substantially prejudice the achievement of any coastal management objective; or 40

(g) would be contrary to the interests of the whole community.

(3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—

(a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45

(b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8"

Provide a description of any other property and site alternatives investigated.
The investigation is only limited to the subject property. No other sites were considered or investigated for this project.
Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.
<ul style="list-style-type: none"> <li>→ The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.</li> <li>→ The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.</li> <li>→ The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.</li> <li>→ No other alternative properties were considered and therefore, no site selection matrix was utilised.</li> </ul>
Provide a full description of the process followed to reach the preferred alternative within the site.
The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

- This footpath has been there for generations and will now disappear

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and efficient land use within designated growth areas.
- The development contributes to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.
- The project will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to

fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation:** This piece of land should be transferred to Cape Agulhas Municipality as public land.

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

· This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)

- Cindy Postlethwayt –Heritage Impact Assessment
- John Pether – Palaeontological Impact Assessment
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· **Page 49:** *"Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the*

seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed"

· **Page 50:** " Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L'Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"

· **Heritage Resources and Significance** " Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the **historical raison d'etre of these two coastal villages**. The coastline **should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.**

The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as "a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations"**

· **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters' edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

· **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.**

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is

deemed to have a Medium to **High Visual Sensitivity**

The site falls within the proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.**

-

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suidstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.**

- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

· **Page 77** *Significance of Sensitivity to Visual Change*

*As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance*

-

· **Page 78** *Contextual Significance*

*The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation,***

*highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.*

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

**Environmental authorisations**

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**Spookdraai: a portal into paradise – Dr Nico Walters**

Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity. Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village. When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort? Any development left of Spookdraai will totally and utterly destroy the ambience of the town and make a mockery of its rich history, heritage and culture. (Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**




In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkkrant van die Agulhas Berg van verdig en die roek wat ons verdig Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingetekene. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebreidelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement "the subject property is the sole asset available to the developer." (which is not true) see **Page 84:**

## *Sewer*

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

Thereafter follows a lengthy discussion of 4 possible “alternatives” and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

### **Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Papkuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

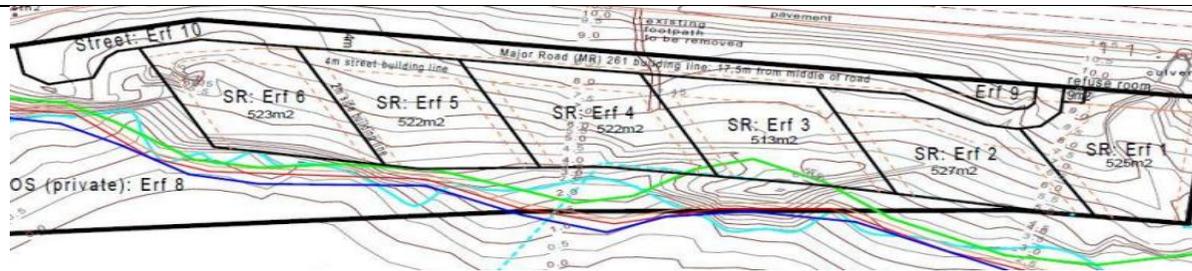
ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

My objection is based on:

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

· SEWERAGE Page 25



**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

		<b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b>	
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**Photo 4:** Site 152 view facing east. Kaplan. (2023)



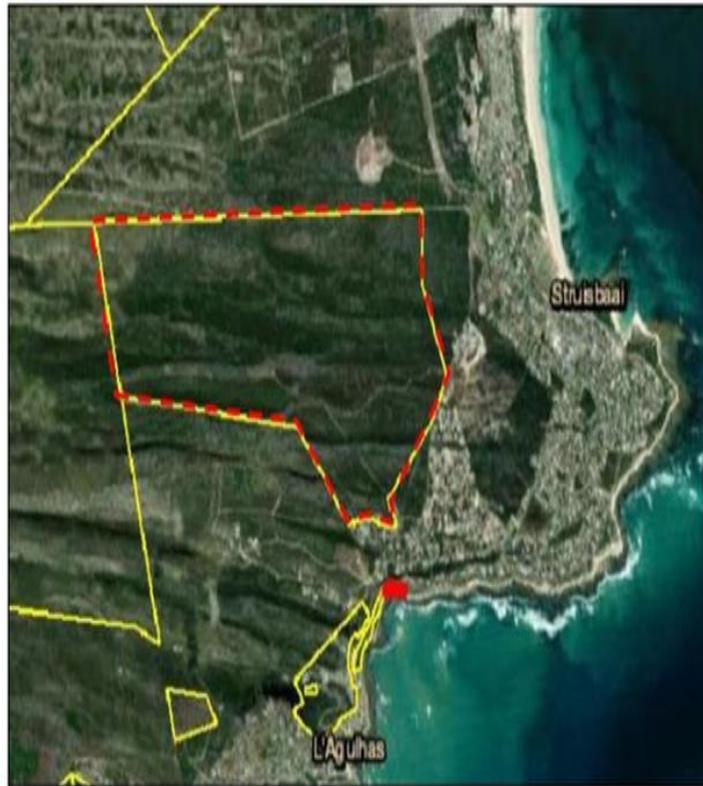


Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

Kind regards

Karen van Niekerk

		Tel: 083 303 8568	
268	Jan Frick	<p><b>Email dated 19 February 2025</b></p> <p><b>Subject:</b></p> <p>Registreeer my asseblief as 'n belanghebbende en ge-afekteerde party vir die be-oogde ontwikkeling van die res van die erf 281 Struisbaai (Spookdraai )</p> <p>Naam : J.S. Frick  ID ; 4311025022085  Truterstraat 8  Struisbaai 7285</p> <p>Sel : 083 270 6350  E-Pos : <a href="mailto:janfrick43@gmail.com">janfrick43@gmail.com</a></p>	
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Regards

Erik Bester

Mobile: 079-296-0045

Email: [bester.erik1971@gmail.com](mailto:bester.erik1971@gmail.com)

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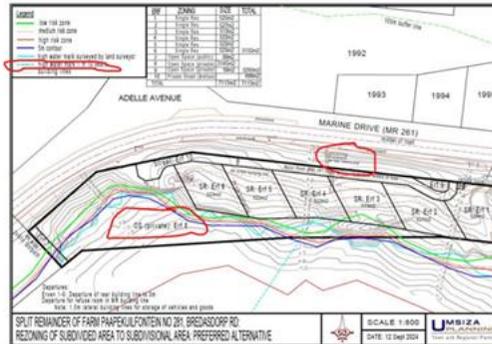


Figure 11c: Alternative 4 (preferred)

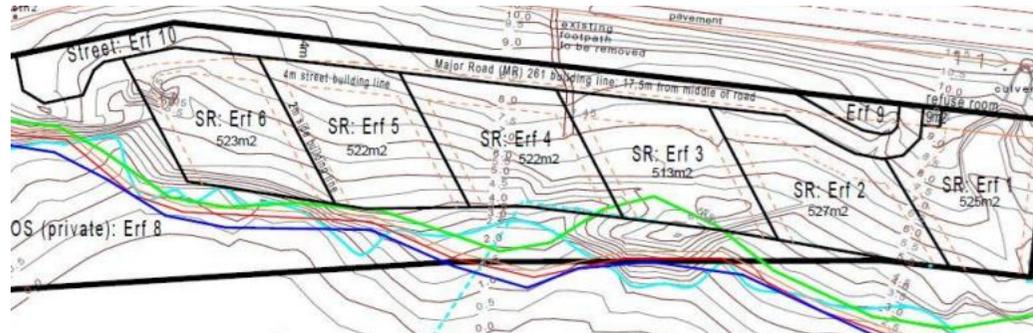
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Photo 4: Site 152 view facing east. Kaplin. (2023)

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**Recommendation:** This piece of land should be transferred to Cape Agulhas Municipality as public land.

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**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

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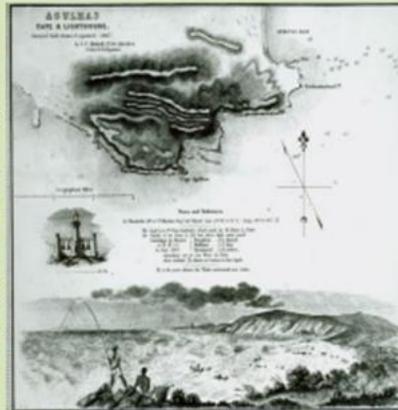
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**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



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**Figure 33:** Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.. (which is not true) see Page 84:

		<p>Provide a description of any other property and site alternatives investigated.</p> <p>The investigation is only limited to the subject property. No other sites were considered or investigated for this project.</p> <p>Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.</p> <ul style="list-style-type: none"> <li>→ The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.</li> <li>→ The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.</li> <li>→ The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.</li> <li>→ No other alternative properties were considered and therefore, no site selection matrix was utilised.</li> </ul> <p>Provide a full description of the process followed to reach the preferred alternative within the site.</p> <p>The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.</p>		
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Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion:** The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot. To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

· SEWERAGE Page 25

**Sewer**

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists.

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:

80 No. 31884

GOVERNMENT GAZETTE, 11 FEBRUARY 2009

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

A User-friendly Guide to the  
**INTEGRATED COASTAL  
MANAGEMENT ACT**  
of South Africa

EASY TO READ VERSION

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

7

270

Hilary Marshall

Email dated 29 February 2025

**Subject:** Spookdraai development - Objection

Good day.

Please find attached, my objection to the Spookdraai development.

Regards  
Hilary Marshall

**To**  
Lornay Environmental Consulting Att: Michelle Naylor  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
**15 FEBRUARY 2025**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**OO. INTRODUCTION**

- I am representing myself Hilary Marshall, Main Road Agulhas.
- I have a direct interest in the application as I own property in Struisbaai/L'Agulhas – Main Road Agulhas.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & L'Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Hilary Marshall  
Mobile 0824717094  
Email [info@south-point.co.za](mailto:info@south-point.co.za)

**PP. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100

metres inland is protected.

- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society's needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8

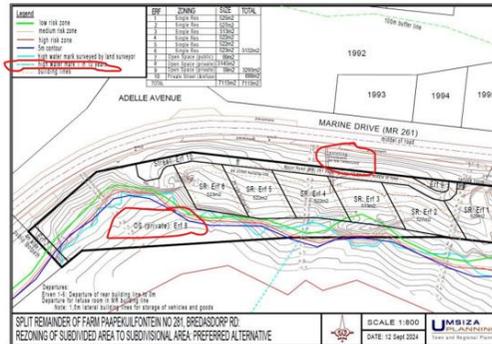


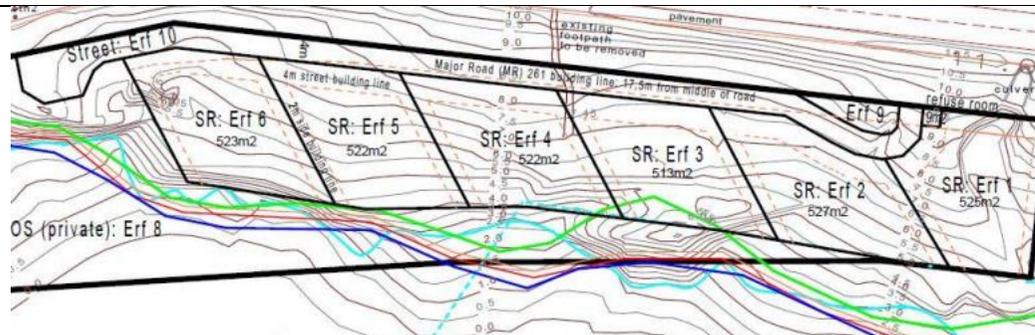
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
  - Jonathan Kaplin – Archaeological Impact Assessment
  - Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*
- **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*
- **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the **historical raison d’etre of these two coastal villages.** The coastline **should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.***

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still*

part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.**

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.**

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

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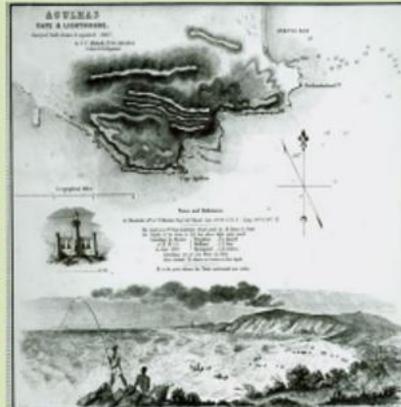
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- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:

80 No. 31884

GOVERNMENT GAZETTE, 11 FEBRUARY 2009

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

7

- If the development/activity:**
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

271

Ansie Williams

Email dated 19 February 2025

**Subject:** Condensed Objection

Hi Michelle, please see the attached for your attention.

Ansie Williams

ERF	ZONING	SIZE	TOTAL (m²)
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>	<b>7113</b>	

**proposed action;**

- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

**activities:**

(g) the likely impact of coastal environmental processes on the proposed activity;

**and**

(h) the objects of this Act, where applicable.

area.

- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*

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To  
Lornay Environmental  
Consulting Att: Michelle  
Naylor  
Email:  
[michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
**15 FEBRUARY 2025**

**RE OBJECTIONS AGAINST  
PROPOSED SPOOKDRAAI  
RESIDENTIAL  
DEVELOPMENT  
STRUISBAAI.**

A. **INTRODUCTION**

- I am representing myself Ansonette Williams, ID 4703310040089
- I have a direct interest in the application as I own property in Struisbaai – Adress or I vacation here ..or ...
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas

- Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*

- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Ansonette Williams  
0723377953  
[ansiewilliams@gmail.com](mailto:ansiewilliams@gmail.com)

A. **OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW.** (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “*as does the entire town of Struisbaai*” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
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7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

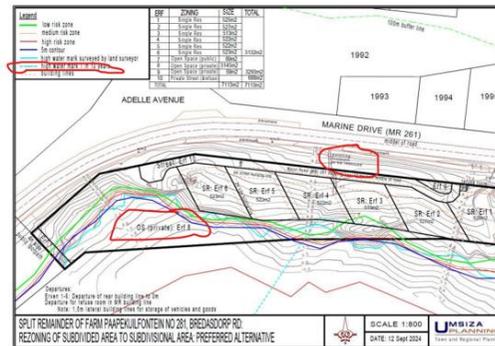


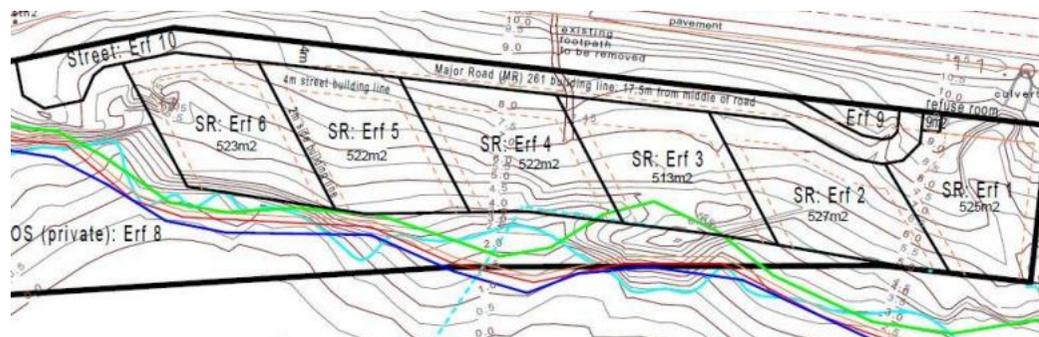
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethway –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

• **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

• **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the heritage (and related visual) impacts are expected to be High, negative.*

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity*

*The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.*

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported*

	<ul style="list-style-type: none"> <li>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></li>   <li>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></li>   <li>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></li>   <li>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

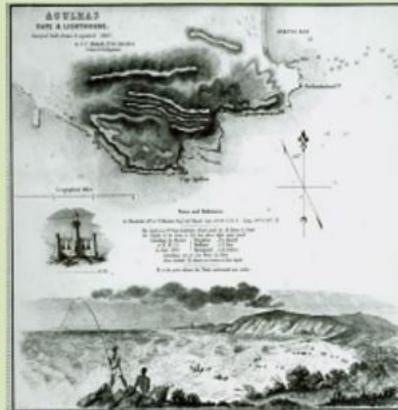
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geidentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer. \_ (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilfontein 281 also partially falls in the designated CAM Urban edge.

#### **E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

#### **Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

#### **My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

272	Zaheer Khan	<p><b>Email dated 19 February 2025</b></p> <p>Dear Michelle,</p> <p>Kindly register myself, Mr. Zaheer Khan as an Interested and Affected Party as part of the Spookdraai development located in Struisbaai, Western Cape Province, to ensure that I am informed off all draft reports available for review, invitations to any public engagement meeting of approvals/refusals.</p> <p>My preliminary concerns regarding the project are not in favour of this project I object</p> <p>Please acknowledge receipt of this email.</p> <p>Kind regards,</p> <p>Zaheer Khan .</p>	
273	Yolanda Du Toit	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> Voorgestelde ontwikkeling te Spookdraai</p> <p>Môre Michelle</p> <p>Hoop dit gaan goed.</p> <p>Ek wil graag op hoogte bly van die voorgestelde ontwikkeling te Spookdraai, L'Agulhas.</p> <p>Behalwe vir die hoogwatergevaar is my gevoel daar is meer as genoeg plek vir ontwikkeling as om ons pragtige natuurlike kuslyn te ontsier met onooglike geboude strukture. Die een seeroog in Skulpiesbaai is 'n voorbeeld van hoe ongepas en lelik dit kan lyk.</p> <p>Ek is beslis nie gekant teen die vooruitgang van 'n dorp binne perke nie. Maar dit is beslis nie nodig dat elke kuslyn tot in die niet toe ontwikkel word nie.</p> <p>Groete Yolanda du Toit 0824244051 Bredasdorp</p>	
274	Riaan Louw	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> Objection to proposed development at Spookdraai, Struisbaai</p>	

To  
Lornay Environmental Consulting Att: Michelle Naylor  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
20 FEBRUARY 2025

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself, Adriaan Philippus Louw, (SA ID 8107085017080)
- I have a direct interest in the application as me and my family are spending about 3 months per year in Struisbaai vacationing. During these periods we enjoy the amazing natural beauty of the Spookdraai area. It is really a special place.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - o Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions
  - o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - o Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
  - o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Adriaan P. Louw

0835651303

[riaan@lclog.com](mailto:riaan@lclog.com)

**B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. ("ICM Act ": Integrated Coastal Management Act, 2008) and situated within the "Coastal protection zone- "CPZ")**

Note Page numbers "Page xx" refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law”
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m<sup>2</sup>** of the existing total of **7,113m<sup>2</sup>** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.
- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8”
- This footpath has been there for generations and will now disappear
- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)

**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

· This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)

- Cindy Postlethwayt –Heritage Impact Assessment
- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

· **Page 49:** *“Cultural landscape Context -At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

· **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

· **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the **“sense of place”**. It is indeed the **historical raison d’etre of these two coastal villages**. **The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.** The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

· **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

· **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.***

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity***

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.**

· **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

· **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.**

· **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

· **Page 77** Significance of Sensitivity to Visual Change

As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

· **Page 78** Contextual Significance

The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation,** highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

**I object against this application as the visual representation below is misleading:**

· **Page 78** The homes shown below is all presented as small “monopoly”size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see **Page 84:**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- **Page 37**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

		<p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>· In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>· The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>· There is no site-specific motivation to support the development.</li> <li>· <b>The environmental authorisation application must be refused.</b></li> </ul> <p>Kind Regards/Vriendelike Groete,</p> <p><b>Riaan Louw   Business Developer</b></p> <p>Tel: 021 943 6760   Cell: 083 565 1303   <a href="mailto:riaan@lclog.com">riaan@lclog.com</a>   <a href="http://www.lclog.com">www.lclog.com</a>  Brickfield Office 2   13 Alberto Drive   Devonbosch   Cnr Bottelary Road and R304   Stellenbosch   7605</p>	
275	Nadia Sadie	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> Erf 281, Struisbaai (Spookdraai)</p> <p>Hi Michelle</p> <p>Please register me as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</p> <ul style="list-style-type: none"> <li>• Name: Helena Barendina (Nadia) Sadie</li> <li>• ID number: 8401170185088</li> <li>• Residential address: 27 Bergzicht Street, Malmesbury, 7299</li> <li>• Phone number: 0823271061</li> </ul> <p>Kind regards Nadia</p> <p>Geagte Michelle  Registrasie as belanghebbende en geaffekteerde party tot die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)  Registreer my asb. as 'n belanghebbende en geaffekteerder party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai).  My persoonlike gegewens is soos volg:  Volle name en van: <b>Helena Barendian Sadie</b>_____</p>	

ID nommer: 8401170185088  
Telefoon/Selfoonnommer: 0823271061  
E-pos adres: nadia@davidnadia.com

Vriendelike groete.

Voorletters en van: HB Sadie

Handtekening: \_\_\_\_\_

Helena Barendina Sadie

8401170185088

0823271061

nadia@davidnadia.com

HB Sadie

**To**

Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**15 FEBRUARY 2025**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself \_\_\_\_\_ (ID: \_\_\_\_\_)
- I have a direct interest in the application as \_\_\_\_\_

- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - o Referring to the NEMA act and ICM Act as "Guidelines" it is legislative provisions
  - o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - o Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
  - o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

\_\_\_\_\_  
Name:

Tel:

	<p>Email:  Helena Barendina Sadie 8401170185088  we have been visiting Struisbaai as holiday destination  through the years since my childhood with frequent visits to a family house in Liza Street.  nadia@davidnadia.com  0823271061  Helena Barendina (Nadia) Sadie  2</p> <p><b>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)</b>  Note Page numbers “Page xx” refer to the page number on the BAR document right bottom  The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)</p> <ul style="list-style-type: none"> <li>• The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>• The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>• Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>• Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant <b>admits</b> that the application is against the Law</p> <ul style="list-style-type: none"> <li>• (Page 42 top) “<i>conflict with the Law</i>”</li> <li>• (Page 33 bottom) “<i>the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</i>”</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>• As indicated in their table Page 13 <b>only 89m2</b> of the existing total of <b>7,113m2</b> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>• To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</li> </ul> <p>3</p> <ul style="list-style-type: none"> <li>• This footpath has been there for generations and will now disappear</li> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</li> </ul> <p><b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b></p>	
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The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

4

#### **OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

##### **I object against the proposed development on the visual impact it will have on the entire Struisbaai/Agulhas area and total "Loss of Sense of Place "**

• This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)

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• **Heritage Resources and Significance** *" Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the **historical raison d'etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.***

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent*

	<p>town of Agulhas.</p> <p>5</p> <p><i>In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance</i></p> <p><b>Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</b></p> <ul style="list-style-type: none"> <li>• <b>Page 51 top:</b> <i>It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</i></li> <li>• <b>Page 52 middle:</b> <i>Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</i></li> </ul> <p><i>In overall terms, the <b>heritage (and related visual) impacts are expected to be High, negative.</b></i></p> <p><i>Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to <b>High Visual Sensitivity</b></i></p> <p><i>The site falls within proposed (as yet approved) urban edge, <b>but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</b></i></p> <ul style="list-style-type: none"> <li>• <b>Page 53:</b> <i>Significance of anticipated visual impacts “The proposed development will have a <b>Significantly High Negative Visual Impact and cannot be supported</b></i></li> <li>• <b>Page 62:</b> <i>Visual Resources identified</i></li> </ul> <p><i>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</i></p> <p><i>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</i></p> <p><i>The urban patterns are adhoc and mostly intrusive in this landscape.</i></p> <p><i>Visual resources across the scales are summarised as follows: Site Attributes:</i></p> <ul style="list-style-type: none"> <li>→ <i>Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></i></li> <li>→ <i>At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant as the position is below Marine drive where few developments take place and on a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></i></li> </ul> <p>6</p> <ul style="list-style-type: none"> <li>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach</i></li> </ul>	
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	<p><i>opposite a green vegetated open space on the opposite side.</i></p> <ul style="list-style-type: none"> <li>• <b>Page 77 Significance of Sensitivity to Visual Change</b>  <i>As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</i></li> <li>• <b>Page 78 Contextual Significance</b>  <i>The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation</b>, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</i></li> </ul> <p>7</p> <p><b>I object against this application as the visual representation below is misleading:</b></p> <ul style="list-style-type: none"> <li>• <b>Page 78</b> The homes shown below is all presented as small “monopoly “size houses.  If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3)  -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</li> </ul> <p><b>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</b></p> <p><b>I object against this application as a false presentation is made regarding the alternatives available</b>  Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see <b>Page 84:</b>  Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p>8</p> <p><b>Meaning</b></p> <ul style="list-style-type: none"> <li>• <b>Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein</b>  Important to note here is that Helemika owns the very large area shown as in the <b>dotted red</b> area as well within the CAM Urban Edge</li> </ul> <p>.</p> <p><b>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.</b> To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p><b>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</b></p> <p><b>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</b></p> <ul style="list-style-type: none"> <li>• <b>Page 37</b>  <b>My objection is based on:</b></li> <li>• The proposed area for this development is very small and given the complexities and</li> </ul>	
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		<p>infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</p> <ul style="list-style-type: none"> <li>• The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</li> </ul> <p>9</p> <ul style="list-style-type: none"> <li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li> <li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attracted tourists.</li> </ul> <p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE Page 25</b></li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• <b>The environmental authorisation application must be refused.</b></li> </ul> <p>10</p> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
276	Ward 5 Struisbaai Committee	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> REGISTRATION AS AN A&amp;IP: DEA&amp;DP Ref:16/3/3/6/7/1/E1/13/1406/23 LORNAY Ref: REM-281</p> <p>Good afternoon Michelle</p> <p>The Ward 5 Committee (Struisbaai, Agulhas and Suiderstrand) would like to register as an Affected and Interested Party for the Spookdraai application.</p>	

		<p>Thank you</p> <p>Manon Mc Donald Sekretaresse Wyk 5 / Secretary Ward 5</p>	
277	Marinette de Bruin	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Hereby my objection.</p> <p>SM de Bruin</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>QQ. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, Sarah Marinette de Bruin, ID 5905050008080</li> <li>• I have a direct interest in the application as I own property in Agulhas – 4 Boy Auret street, Agulhas.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	

Sarah Marinette de Bruin  
 Mobile 0829393527  
 Email: marinettedb@gmail.com

**RR. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
		<b>TOTAL</b>	<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

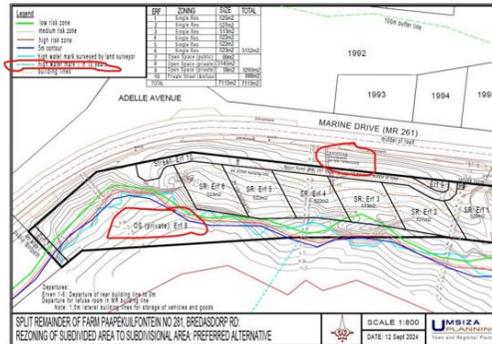


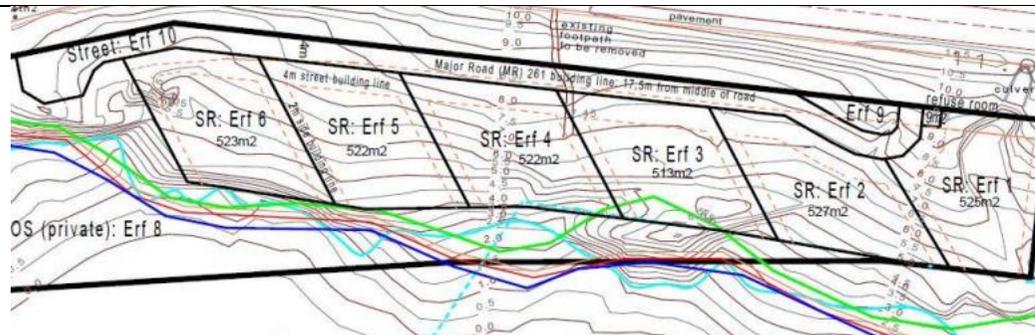
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
  - Jonathan Kaplin – Archaeological Impact Assessment
  - Terra + Landscape Architects – Visual Impact Assessment
  
- **Page 49:** *"Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed"*
  
- **Page 50:** *" Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L'Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"*
  
- **Heritage Resources and Significance** *" Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the historical raison d'etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible. The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still*

part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the heritage (and related visual) impacts are expected to be High, negative.

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity

The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas**.

- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

- **Page 77** Significance of Sensitivity to Visual Change

As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

- **Page 78** Contextual Significance

The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

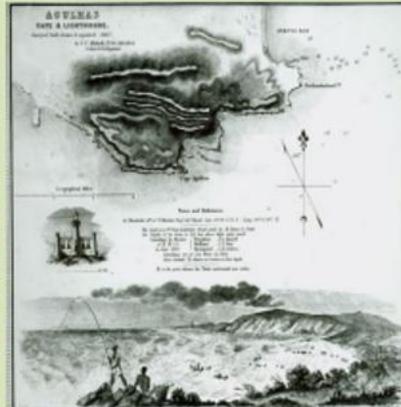
Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

I object against this application as the visual representation below is misleading:

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.. (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- **Page 37**

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:

80 No. 31884

GOVERNMENT GAZETTE, 11 FEBRUARY 2009

Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008

*Part 3*

*Environmental authorisations*

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

7

- If the development/activity:
- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
  - Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
  - Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
  - Is likely to be significantly damaged or affected by dynamic coastal processes;
  - Will prejudice the achievement of any coastal management objective; or
  - Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.

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Andre van Staden

Email dated 20 February 2025

**Subject:** OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.

**Att:** Michelle Naylor

**20 FEBRUARY 2025**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself André van Staden (SA ID 8012235155089)
- I have a direct interest in the application as I vacation there
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - o Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

André van Staden  
0813147776  
[andre38@live.co.za](mailto:andre38@live.co.za)

**To**

Lornay Environmental Consulting Att: Michelle Naylor  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**20 FEBRUARY 2025**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

- I am representing myself André van Staden (SA ID 8012235155089)
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  - o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive

	<p>o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <ul style="list-style-type: none"> <li>· I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>· The grounds and detail of my objection is given below.</li> </ul> <p>Regards  André van Staden  0813147776  andre38@live.co.za</p> <p><b>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)</b></p> <p>Note Page numbers “Page xx” refer to the page number on the BAR document right bottom  The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)</p> <ul style="list-style-type: none"> <li>· The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>· The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>· Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>· Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant <b>admits</b> that the application is against the Law</p> <ul style="list-style-type: none"> <li>· (Page 42 top) <i>“conflict with the Law</i></li> <li>· (Page 33 bottom) <i>“the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</i></li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>· As indicated in their table Page 13 <b>only 89m2</b> of the existing total of <b>7,113m2</b> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>· To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</li> <li>· This footpath has been there for generations and will now disappear</li> <li>· As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)</li> </ul> <p><b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b></p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p><b>OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p><b>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</b></p> <ul style="list-style-type: none"> <li>· This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!)</li> <li>· Cindy Postlethwayt –Heritage Impact Assessment</li> </ul>	
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	<p>Visual resources across the scales are summarised as follows: Site Attributes:</p> <ul style="list-style-type: none"> <li>→ Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></li> <li>→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></li> <li>· <b>Page 63</b> The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>· <b>Page 77</b> Significance of Sensitivity to Visual Change As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</li> <li>· <b>Page 78</b> Contextual Significance The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation</b>, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</li> </ul> <p><b>I object against this application as the visual representation below is misleading:</b></p> <ul style="list-style-type: none"> <li>· <b>Page 78</b> The homes shown below is all presented as small “monopoly “size houses. If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.</li> </ul> <p><b>D: OBJECTIONS 3: ALTERNATIVES CONSIDERED</b></p> <p><b>I object against this application as a false presentation is made regarding the alternatives available</b></p> <p>Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see <b>Page 84:</b> Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!</p> <p><b>Meaning</b></p> <ul style="list-style-type: none"> <li>· <b>Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein</b></li> </ul> <p>Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge</p> <p><b>Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.</b> To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.</p> <p><b>E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:</b></p> <p><b>I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:</b></p> <ul style="list-style-type: none"> <li>· Page 37</li> </ul> <p><b>My objection is based on:</b></p> <ul style="list-style-type: none"> <li>· The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li> <li>· The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</li> <li>· Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using</li> </ul>	
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		<p>craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</p> <ul style="list-style-type: none"> <li>· This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</li> </ul> <p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>· SEWERAGE Page 25</li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>· In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>· The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>· There is no site-specific motivation to support the development.</li> <li>· The environmental authorisation application must be refused.</li> </ul> <p><b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIRONMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b></p>	
279	JA Schoonwinkel	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject: Spookdraai proposed development 1</b></p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> (Bcc terscon@gmail.com?)</p> <p><b>19 FEBRUARY 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself JA Schoonwinkel, ID # 6410135086085</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 196 Oceanview</li> <li>• The application is against the law and undesirable as the development contemplated therein will have a significant</li> </ul>	

	<p>negative impact on the greater Struisbaai &amp; Agulhas area.</p> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>μ.  JA Schoonwinkel  Mobile 0824144754  Email johannes@ruggens.co.za</p> <p>☒</p> <p><b>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)</b></p> <p>Note Page numbers “Page xx” refer to the page number on the BAR document right bottom</p> <p>The purpose of the ICM Act that came into effect in 2008 is to ensure that:</p> <ul style="list-style-type: none"> <li>• The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>• The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>• Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>• Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant <b>admits</b> that the applicant is contradictory and against the Law</p> <ul style="list-style-type: none"> <li>• (Page 42 top) “<i>conflict with the Law</i>”</li> <li>• (Page 33 bottom) “<i>the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.</i>”</li> </ul>	
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		<p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>• As indicated in their table Page 13 <b>only 89m2</b> of the existing total of <b>7,113m2</b> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>• To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</li> <li>• This footpath has been there for generations and will now disappear</li> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.</li> </ul> <p><b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b></p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this constructed before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p><b>C: OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p><b>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</b></p> <ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!)</li> <li>• Cindy Postlethwayt –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> <li>• Jonathan Kaplin – Archaeological Impact</li> </ul>	
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*highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.*



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see

**Page 84:**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!



**Meaning**

- **Page 79: alternative property owned by Helemika:**

**Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well

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**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS**

**DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- **Page 37**

**My objection is based on:**

		<ul style="list-style-type: none"> <li>• The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li> <li>• The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</li> <li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li> <li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</li> </ul> <p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE Page 25</b></li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>G: OBJECTIONS: 6 PROCEDURELY PROCESS</b></p> <p><b>I object against this application as the public notice placed (!) on the erf is purposefully misleading (and not as required by the law.?)</b></p> <ul style="list-style-type: none"> <li>• The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be ‘behind’ the notice. A more appropriate placement would have been on the northern centre side of the</li> </ul>	
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		<p>property on the road,</p> <ul style="list-style-type: none"> <li>• The public participation notice does not illustrate the intended development ....</li> </ul> <p>Note the date of closing! <b>3 February</b> which is procedurally incorrect.</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• The environment authorisation application must be refused.</li> </ul> <p><b>Yours faithfully</b>  <b>JW (Ters) Conradie</b></p> <p><b>ADDENDUM: EXTRACT FROM THE LAW:</b></p>	
280	E Schoonwinkel	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject: Spookdraai proposed development</b></p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  (Bcc terscon@gmail.com?)</p> <p><b>19 FEBRUARY 2025</b>  <b>RE OBJECTIONS AGAINST PROPOSED</b>  <b>SPOOKDRAAI RESIDENTIAL DEVELOPMENT</b>  <b>STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself E Schoonwinkel, ID # 7007220143083</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 196 Oceanview</li> <li>• The application is against the law and undesirable as the</li> </ul>	

		<p>development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</p> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards  f lleodllf  E Schoonwinkel  Mobile 0827830155  Email esmari@ruggens.co.za</p> <p>☒</p> <p><b>B. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)</b></p> <p>Note Page numbers “Page xx” refer to the page number on the BAR document right bottom</p> <p>The purpose of the ICM Act that came into effect in 2008 is to ensure that:</p> <ul style="list-style-type: none"> <li>• The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>• The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.</li> <li>• Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.</li> <li>• Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom</li> </ul> <p>The applicant <b>admits</b> that the applicant is contradictory and against the Law</p> <ul style="list-style-type: none"> <li>• (Page 42 top) “<i>conflict with the Law</i>”</li> <li>• (Page 33 bottom) “<i>the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the</i></li> </ul>	
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		<p>Law.</p> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.</p> <ul style="list-style-type: none"> <li>• As indicated in their table Page 13 <b>only 89m2</b> of the existing total of <b>7,113m2</b> will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.</li> <li>• To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8</li> <li>• This footpath has been there for generations and will now disappear</li> <li>• As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.</li> </ul> <p><b>Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.</b></p> <p>The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this constructed before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)</p> <p><b>C: OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS</b></p> <p><b>I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “</b></p> <ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!)</li> <li>• Cindy Postlethwayt –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Jonathan Kaplin – Archaeological Impact Assessment</li> <li>• Terra + Landscape Architects – Visual Impact Assessment</li> <li>• <b>Page 49:</b> <i>“Cultural landscape Context -At the westernmost coastal edge of the rural holiday town of Struis Baai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</i></li> <li>• <b>Page 50:</b> <i>“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</i></li> <li>• <b>Heritage Resources and Significance</b> <i>“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the <b>historical raison d’etre of these two coastal villages.</b> The coastline <b>should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.</b></i>  <i>The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of</i></li> </ul>	
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the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.



In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are onsidered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive  
In overall terms, the **heritage (and related visual) impacts are expected to be High, negative.**

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value.**

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the

	<p>nuances, is of importance as a resource, both visually and as a character resource.</p> <p>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</p> <p>The urban patterns are adhoc and mostly intrusive in this landscape.</p> <p>Visual resources across the scales are summarised as follows: Site Attributes: → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b></p> <p>→ At the site scale: Site is located in between Marine Drive - the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> <ul style="list-style-type: none"> <li>• <b>Page 63</b> The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</li> <li>• <b>Page 77</b> Significance of Sensitivity to Visual Change As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</li> <li>• <b>Page 78</b> Contextual Significance The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural</li> </ul>	
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*landscape warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.*

☒

**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small “monopoly “size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m3) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer. (which is not true) see

**Page 84:**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

☒

**Meaning**

- **Page 79: alternative property owned by Helemika:**

**Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well

.

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS**

**DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- **Page 37**

	<p><b>My objection is based on:</b></p> <ul style="list-style-type: none"> <li>• The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.</li> <li>• The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.</li> <li>• Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)</li> <li>• This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.</li> </ul> <p><b>F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:</b></p> <ul style="list-style-type: none"> <li>• <b>SEWERAGE Page 25</b></li> </ul> <p><b>I object against this application as the existing sewerage system in the area is already overloaded.</b></p> <p>In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!</p> <p><b>This development will add to this mess!</b> Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists</p> <p><b>G: OBJECTIONS: 6 PROCEDURELY PROCESS</b></p> <p><b>I object against this application as the public notice placed (!) on the erf is purposefully misleading (and not as required by the law.?)</b></p> <ul style="list-style-type: none"> <li>• The public participation notice is placed on the most western part of the property against the fence creating the impression that the proposed development will be 'behind" the notice. A more appropriate placement</li> </ul>	
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		<p>would have been on the northern centre side of the property on the road,</p> <ul style="list-style-type: none"> <li>• The public participation notice does not illustrate the intended development ....</li> </ul> <p>Note the date of closing! <b>3 February</b> which is procedurally incorrect.</p> <p><b>H: CONCLUSION</b></p> <ul style="list-style-type: none"> <li>• In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.</li> <li>• The proposed process of development authorization is non-compliant with national, provincial and municipal legislation and good practice, cannot be supported and should not be permitted.</li> <li>• There is no site-specific motivation to support the development.</li> <li>• The environment authorisation application must be refused.</li> </ul> <p><b>Yours faithfully</b>  <b>JW (Ters) Conradie</b>  <b>ADDENDUM: EXTRACT FROM THE LAW:</b></p>	
281	<b>Johan &amp; E  Mocke Familie  Trust</b>	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> Objection to the proposed Spookdraai Residential Development remainder Portion 281, Struisbaai</p> <p>Good day  Please receive attached objection for your attention.</p> <p>Can you please acknowledge that you did receive this email?</p> <p>Regards</p> <p>J Mocke  0846789990</p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor</p>	

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

15 FEBRUARY 2025

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**SS. INTRODUCTION**

- I am representing Die J&E Mocke Familie Trust.
- We have a direct interest in the application as we own property in Struisbaai – Marine Drive 95.
- We have a close emotional bond with this area for longer as 30 years.
- We invested in this area because of its beautiful natural environment and its unique open beaches, uninterrupted sea views and accessibility for all. That is what make this area so beloved and popular.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Johan Mocke

Mobile 0846789990

Email: [johan@elaine.co.za](mailto:johan@elaine.co.za)

**TT. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of

coastal communities.

- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) "conflict with the Law"
- (Page 33 bottom) "the subject property lies within the "Coastal protection Zone CPZ" but immediately plays it off "as does the entire town of Struisbaai" showing a total disrespect for the Law."

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

- To note on the map on Page 34 encircled in red below is the "existing footpath to be removed" and also that the beach is shown as "Private: Erf 8"

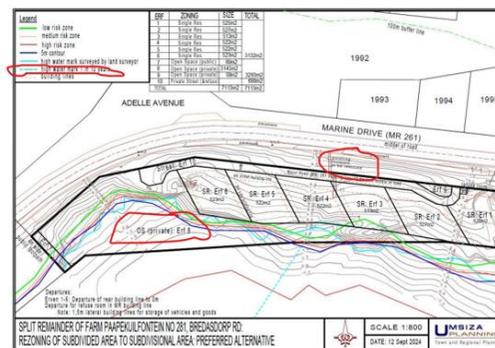


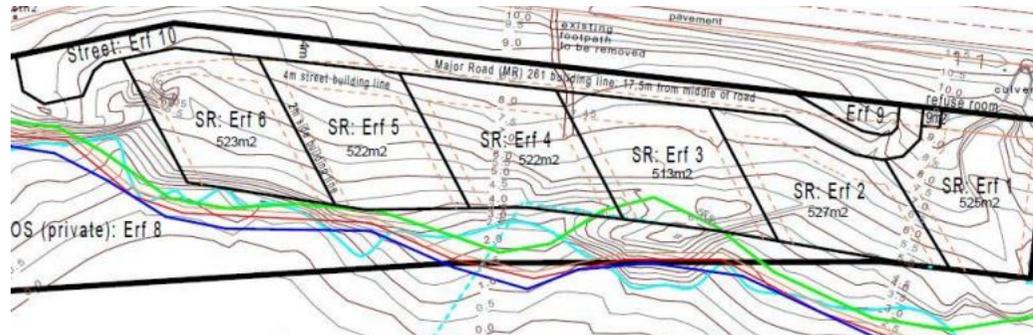
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplan. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation:** This piece of land should be transferred to Cape Agulhas Municipality as public land.

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “

	<ul style="list-style-type: none"> <li>• This is based on the following copy and paste extracts below from the <b>applicant’s own experts</b> which is self-explanatory (!) <ul style="list-style-type: none"> <li>• Cindy Postlethwayt –Heritage Impact Assessment</li> <li>• John Pether – Palaeontological Impact Assessment</li> <li>• Jonathan Kaplin – Archaeological Impact Assessment</li> <li>• Terra + Landscape Architects – Visual Impact Assessment</li> </ul> </li>   <li>• <b>Page 49:</b> <i>“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape <u>of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”</u></i></li>   <li>• <b>Page 50:</b> <i>“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a <u>long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”</u></i></li>   <li>• <b>Heritage Resources and Significance</b> <i>“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the <u>coast in this region is a critical public resource and contributes significantly to the “sense of place”.</u> It is indeed the <b>historical raison d’etre of these two coastal villages.</b> <u>The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.</u> The site currently forms part of a coastal cultural landscape which includes areas, views and component resources <u>of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape.</u> Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.</i> <p><i>In the opinion of this author, the cultural landscape aspects warrant a <u>Grade IIIA</u> significance</i></p> <p><b>Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”</b></p> <ul style="list-style-type: none"> <li>• <b>Page 51 top:</b> <i>It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well <u>as uninterrupted visual continuity of the coastline from the scenic Marine Drive.</u> In so far as is possible and reasonable, <u>the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.</u></i></li>   <li>• <b>Page 52 middle:</b> <i>Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. <u>This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive</u></i></li> </ul> <p><i>In overall terms, the <b>heritage (and related visual) impacts are expected to be High, negative.</b></i></p> <p><i>Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to <b>High Visual Sensitivity</b></i></p> <p><i>The site falls within proposed (as yet approved) urban edge, <b>but interfaces with a coastal cultural landscape with high visual / scenic amenity value.</b></i></p> </li> </ul>	
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	<ul style="list-style-type: none"> <li>• <b>Page 53:</b> <i>Significance of anticipated visual impacts</i> “The proposed development will have a <b><u>Significantly High Negative Visual Impact and cannot be supported</u></b></li>   <li>• <b>Page 62:</b> <i>Visual Resources identified</i>  <i>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</i>  <i>The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.</i>  <i>The urban patterns are adhoc and mostly intrusive in this landscape.</i>  <i>Visual resources across the scales are summarised as follows: Site Attributes:</i>  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></li>   <li>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></li>   <li>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  <i>As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></i></li>   <li>• <b>Page 78</b> <i>Contextual Significance</i>  <i>The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</b></i></li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

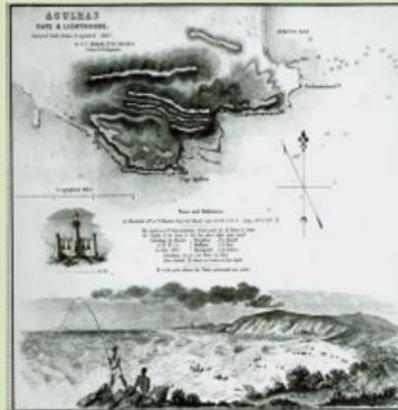
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring geveer nadat hy die plek waar die Toring gebou sou word, geidentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.



**I object against this application as the visual representation below is misleading:**

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.” (which is not true) see Page 84:

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- No other alternative properties were considered and therefore, no site selection matrix was utilised.

Provide a full description of the process followed to reach the preferred alternative within the site.

The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein

Important to note here is that Helemika owns the very large area shown as in the dotted red area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

**I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:**

- Page 37

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.

- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. No municipal gravity pipeline system currently exists.
- The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system. If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

**Act No. 24, 2008 NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED  
COASTAL MANAGEMENT ACT, 2008**

**Part 3**

***Environmental authorisations***

**Environmental authorisations for coastal activities**

**63.** (1) Where an environmental authorisation in terms of Chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all relevant factors, including—

- (a) the representations made by the applicant and by interested and affected parties;
- (b) the extent to which the applicant has in the past complied with similar authorisations; 10
- (c) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas;
- (d) the estuarine management plans, coastal management programmes and coastal management objectives applicable in the area; 15
- (e) the socio-economic impact if the activity—
  - (i) is authorised;
  - (ii) is not authorised;
- (f) the likely impact of the proposed activity on the coastal environment, including the cumulative effect of its impact together with those of existing activities; 20
- (g) the likely impact of coastal environmental processes on the proposed activity; and
- (h) the objects of this Act, where applicable. 25

- (2) The competent authority may not issue an environmental authorisation if the development or activity for which authorisation is sought—
- (a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations; 30
  - (b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17;
  - (c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18;
  - (d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated; 35
  - (e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;
  - (f) would substantially prejudice the achievement of any coastal management objective; or 40
  - (g) would be contrary to the interests of the whole community.
- (3) Notwithstanding subsection (2), the competent authority may issue an environmental authorisation in respect of an activity or a development that does not meet the criteria referred to in subsection (2)(a), (b) or (c) if—
- (a) the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land; or 45
  - (b) the proposed activity or development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area. 50

**ENVIRONMENTAL AUTHORISATIONS**

**1. What must the competent authority take into account when considering an application for environmental authorisation?**

- Representations made by the applicant and by interested and affected parties;
- The applicant's past record in complying with similar authorisations;
- If coastal public property, coastal access land or the coastal protection zone will be affected by the proposed action;
- Estuarine management plans, CMPs and coastal management objectives;
- The socio-economic impact if that activity or action is authorised or not authorised;
- The likely impact on the coastal environment including the cumulative effect (collective effect);
- The likely effect of coastal processes (such as wave, current and wind action, erosion, accretion, sea-level rise, storm surges and flooding) on the activity; and
- The objectives of the ICM Act which apply to the activity.

**2. Under what circumstances may the competent authority NOT issue an environmental authorisation?**

**If the development/activity:**

- Is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;
- Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated;
- Is likely to cause irreversible or long-lasting adverse effects on the coastal environment that cannot be properly mitigated;
- Is likely to be significantly damaged or affected by dynamic coastal processes;
- Will prejudice the achievement of any coastal management objective; or
- Will not be in the interests of the community as a whole.

**3. Under what circumstances may the competent authority allow activities or developments in coastal public property, the coastal protection zone or coastal access land?**

- If the proposed activity or development cannot be located anywhere else; or
- If the development or activity will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area.



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**John-Ross Eagar**

**Email dated 20 February 2025**

**Subject:** FW: FW: SPOOKDRAAI ONTWIKKELING - MAKLIKE MANIER OM BESWAAR AAN TE TEKEN

Hi Michelle,

Please assist with the registration process to protest the development as per below at Spookdraai.

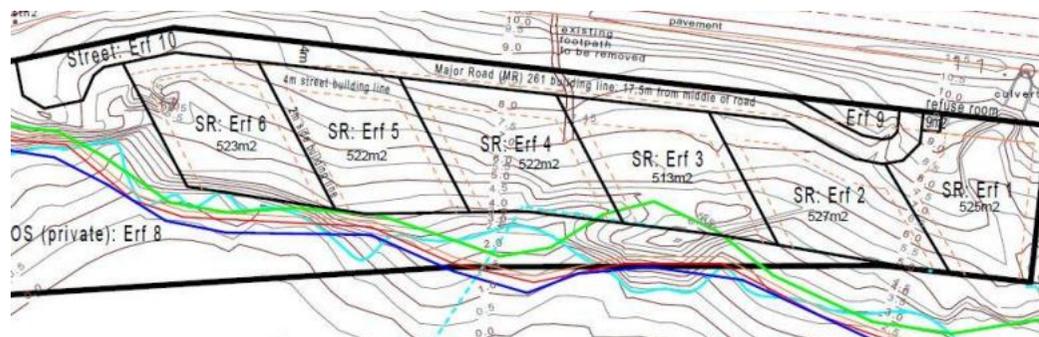
		Kind Regards	
283	Henry Urban Pratt	<p>Email dated 20 February 2025</p> <p>Subject: SPOOKDRAAI OBJECTION</p> <p>Good Afternoon</p> <p>I attach objection made by Mr HU Pratt</p> <p>Regards/Groete</p> <p>I, Henry Urban Pratt, ID 440402 5014 085, herewith confirm my objection to the proposed development of Spookdraai by Helemika. Reasons for objection are attached.</p> <p>Henry Urban Pratt (072) 290-7029 <a href="mailto:lynette.pratt@seeff.com">lynette.pratt@seeff.com</a></p> <p><b>UU. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)</b> Note Page numbers “Page xx” refer to the page number on the BAR document right bottom</p> <p>The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)</p> <ul style="list-style-type: none"> <li>• The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.</li> <li>• The coast must be retained as a national asset, <u>with public rights to access and benefit from</u> the opportunities provided by coastal resources.</li> <li>• Coastal economic development opportunities must be optimised <u>to meet society’s</u> needs and to promote the <u>wellbeing of coastal communities.</u></li> <li>• Coastal management efforts must <u>ensure that all people, including future generations,</u> enjoy the rights of <u>human dignity, equality and freedom</u></li> </ul> <p>The applicant <b>admits</b> that the application is against the Law</p> <ul style="list-style-type: none"> <li>• (Page 42 top) <u>“conflict with the Law</u></li> <li>• (Page 33 bottom) <u>“the subject property lies within the “Coastal protection Zone CPZ”</u> but immediately plays it off <u>“as does the entire town of Struisbaai”</u> showing a total disrespect for the Law.</li> </ul> <p>The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government <u>should reject this</u></p>	





Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act “ICM act” came into effect in 2008. Since then no new erven or development was approved in the 100m “CPZ” in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total “Loss of Sense of Place “**

- This is based on the following copy and paste extracts below from the **applicant’s own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment

- John Pether – Palaeontological Impact Assessment
- Jonathan Kaplin – Archaeological Impact Assessment
- Terra + Landscape Architects – Visual Impact Assessment

• **Page 49:** *“Cultural landscape Context –At the western-most coastal edge of the rural holiday town of Struisbaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L’ Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed”*

• **Page 50:** *“ Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L’Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities”*

• **Heritage Resources and Significance** *“ Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the “sense of place”. It is indeed the historical raison d’etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible.*

*The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.*

*In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance*

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

• **Page 51 top:** *It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.*

• **Page 52 middle:** *Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive*

*In overall terms, the heritage (and related visual) impacts are expected to be High, negative.*

*Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to High Visual Sensitivity*

*The site falls within proposed (as yet approved) urban edge, but interfaces with a coastal cultural landscape with high visual / scenic amenity value.*

• **Page 53:** *Significance of anticipated visual impacts “The proposed development will have a Significantly High Negative Visual Impact and cannot be supported*

	<ul style="list-style-type: none"> <li> <p>• <b>Page 62:</b> <i>Visual Resources identified</i>  <u>It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.</u>  The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.  The urban patterns are adhoc and mostly intrusive in this landscape.  Visual resources across the scales are summarised as follows: Site Attributes:  → Coastal landscape with intact and indigenous vegetation. <b>Small footpaths that lead to areas of recreation and amenities.</b>  → At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. <b>The subject site is significant</b> as the position is below Marine drive where few developments take place and on <b>a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas.</b></p> </li> <li> <p>• <b>Page 63</b> <i>The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.</i></p> </li> <li> <p>• <b>Page 77</b> <i>Significance of Sensitivity to Visual Change</i>  As a function of landscape sensitivity and anticipated magnitude of change <u>as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance</u></p> </li> <li> <p>• <b>Page 78</b> <i>Contextual Significance</i>  The site holds high contextual significance due to its position <u>within the Coastal Protection Zone (CPZ)</u> and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. <u>This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings.</u> The site's contribution to the coastal cultural landscape <b>warrants a Grade IIIA significance designation,</b> <u>highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.</u></p> </li> </ul>	
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#### Spookdraai: a portal into paradise – Dr Nico Walters



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the *brood* (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

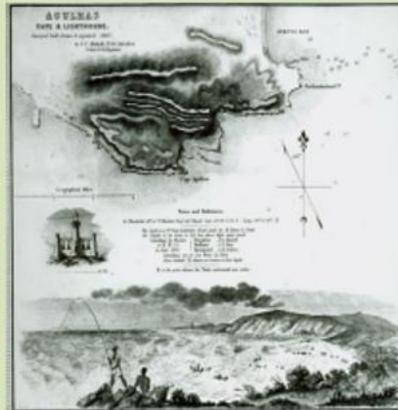
Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

#### "Spookdraai" in 1847



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**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

**ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:**

284	Catharina Hendrina Pratt	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject: SPOOKDRAAI OBJECTIONS</b></p> <p>Good Afternoon</p> <p>I attach objection from Mrs CH Pratt</p> <p>Regards/Groete</p> <p>I, Catharina Hendrina Pratt, ID 450213 0042 089, herewith confirm my objection to the proposed development of Spookdraai by Helemika. Reasons for objection are attached.</p> <p>Catharina Hendrina Pratt (072) 290-7029 <a href="mailto:bredasdorp@seeff.com">bredasdorp@seeff.com</a></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>VV. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing Die J&amp;E Mocke Familie Trust.</li> <li>• We have a direct interest in the application as we own property in Struisbaai – Marine Drive 95.</li> <li>• We have a close emotional bond with this area for longer as 30 years.</li> <li>• We invested in this area because of its beautiful natural environment and its unique open beaches, uninterrupted sea views and accessibility for all. That is what make this area so beloved and popular.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul>	
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Regards  
 Johan Mocke  
 Mobile 0846789990  
 Email: johan@elaine.co.za

**WW. OBJECTIONS 1: THE APPLICATION IS AGAINST THE LAW. (“ICM Act “: Integrated Coastal Management Act, 2008) and situated within the “Coastal protection zone- “CPZ”)**

Note Page numbers “Page xx” refer to the page number on the BAR document right bottom

The purpose of the ICM Act that came into effect in 2008 is to ensure that: ( NB see abstract on page 11)

- The coastal protection zone “CPZ” consisting of a continuous strip of land, starting from the High-Water Mark and extending 100 metres inland is protected.
- The coast must be retained as a national asset, with public rights to access and benefit from the opportunities provided by coastal resources.
- Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.
- Coastal management efforts must ensure that all people, including future generations, enjoy the rights of human dignity, equality and freedom

The applicant **admits** that the application is against the Law

- (Page 42 top) “conflict with the Law
- (Page 33 bottom) “the subject property lies within the “Coastal protection Zone CPZ” but immediately plays it off “as does the entire town of Struisbaai” showing a total disrespect for the Law.

The Coastal Management Section -Department of Environmental Affairs and Development Planning Western Cape Government should reject this application immediately.

- As indicated in their table Page 13 **only 89m2** of the existing total of **7,113m2** will be allowed public... indicating that this favourite fishing, hiking, swimming and picnic spot will forever be lost to the public.

ERF	ZONING	SIZE	TOTAL (m <sup>2</sup> )
1	Single Residential	525	
2	Single Residential	527	
3	Single Residential	513	
4	Single Residential	522	
5	Single Residential	522	
6	Single Residential	523	3132
7	Open Space (Public)	89	
8	Open Space (Private)	3145	
9	Open Space (Private)	59	3293
10	Private street and refuse		688
	<b>TOTAL</b>		<b>7113</b>

- To note on the map on Page 34 encircled in red below is the “existing footpath to be removed” and also that the beach is shown as “Private: Erf 8

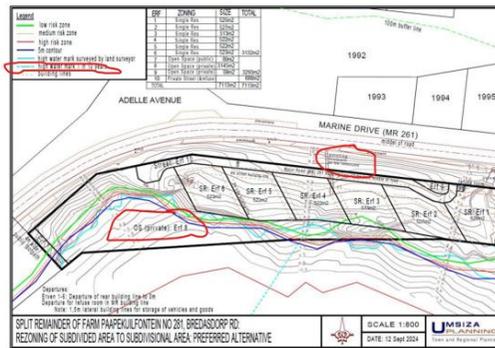


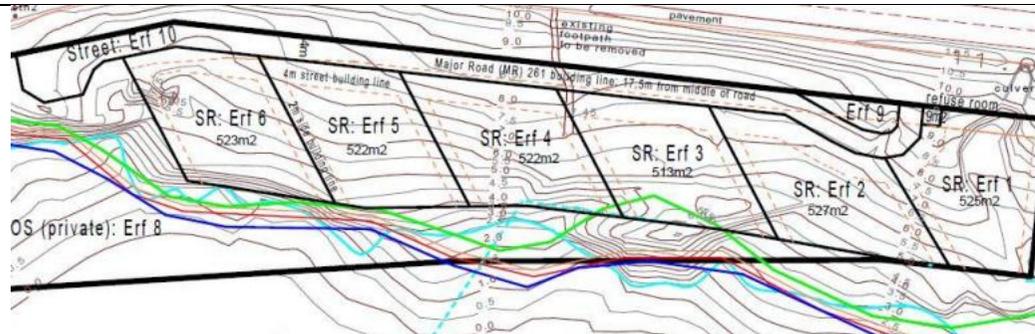
Figure 11c: Alternative 4 (preferred)

- This footpath has been there for generations and will now disappear



Photo 4: Site 152 view facing east. Kaplin. (2023)

- As the southern borders of the 6 erven will practically be on the rocks - the existing footpaths will disappear and access to fishermen and hikers will impossible.(remember Hermanus Pooles bar drama)



**Recommendation: This piece of land should be transferred to Cape Agulhas Municipality as public land.**

The only argument that Helemika has for the planned transgression of the Law is that there are some areas in Struisbaai within 100m from the High water mark but this was constructed long before the Integrated Coastal Management Act "ICM act" came into effect in 2008. Since then no new erven or development was approved in the 100m "CPZ" in Struisbaai. (To note is that the plot on which the new high-rise monstrosity near the seaside in Skulpiesbaai was already approved 50 years ago in 1975... today it would be impossible.)

**OBJECTIONS 2: HERITAGE, VISUAL AND OTHER IMPACTS**

**I object against the proposed development on the visual impact it will have on the entire Struisbaai/ Agulhas area and total "Loss of Sense of Place "**

- This is based on the following copy and paste extracts below from the **applicant's own experts** which is self-explanatory (!)
  - Cindy Postlethwayt –Heritage Impact Assessment
  - John Pether – Palaeontological Impact Assessment
  - Jonathan Kaplin – Archaeological Impact Assessment
  - Terra + Landscape Architects – Visual Impact Assessment
- **Page 49:** *"Cultural landscape Context -At the western-most coastal edge of the rural holiday town of StruisBaai, the site is located on the seaward side (south) of Marine Drive at the point that the village of Struisbaai merges into that of L' Agulhas. It is within a semi-rural cultural landscape of high visual significance and aesthetic value, (given the degree of intactness, integrity, and legibility) with a coastal character, outside the urban periphery, with important components of distinctive character, valued for tangible as well as intangible attributes. As such, it is potentially susceptible to changes of the types proposed"*
- **Page 50:** *" Marine Drive is the main road of Struisbaai that connects it to Suiderstrand to the west and Bredasdorp inland to the north-east. It forms part of a long uninterrupted open coastal strip on the seaward side of Marine Drive, from the harbour towards L'Agulhas. It is in its natural state, with public vehicular, fishing and pedestrian access along its length, punctuated by picnicking and viewing facilities"*
- **Heritage Resources and Significance** *" Whilst this site is in private ownership, it has for all practical purposes been publicly accessible. Access to the coast in this region is a critical public resource and contributes significantly to the "sense of place". It is indeed the historical raison d'etre of these two coastal villages. The coastline should, as far as possible, remain an external space (preferably open-to-the-sky), and publicly accessible. The site currently forms part of a coastal cultural landscape which includes areas, views and component resources of high scenic, cultural or historical significance. Visual quality is enhanced by the intactness of the direct landscape, and lack of visual intrusions along the coastal portion of the site. It is still*

part of a coastal landscape which has a high degree of integrity, particularly the portion below Marine Drive designating this a very good quality landscape. Due to its position on the coast and relation to the higher elevation of the surrounding areas the site is particularly visible from the surroundings areas and along the scenic route of Marine Drive and the properties along the adjacent town of Agulhas.

In the opinion of this author, the cultural landscape aspects warrant a Grade IIIA significance

**Grade IIIA significance is defined by Google as “a heritage resource classification that refers a site ..that is locally significant and has a high degree of intrinsic value.. and are considered to be important enough to warrant regulations on any alterations”**

- **Page 51 top:** It is acknowledged that the property ..... has historically provided for unrestricted public access to the beach, waters’ edge and coastal terrace, as well as uninterrupted visual continuity of the coastline from the scenic Marine Drive. In so far as is possible and reasonable, the preservation and enhancement of this quality in its context are seen as key to maintaining the accessibility and character of the coastline.

- **Page 52 middle:** Visual Corridors and Green Connections The planning parameters provided for .... 1.5m from lateral and rear boundaries. This provides no appreciable opportunity to ensure continuous corridors between units to ensure substantive and generous visual connection with the ocean from Marine Drive

In overall terms, the heritage (and related visual) impacts are expected to be High, negative.

Visual sensitivity of area (landscape sensitivity) ..The typical landscape quality and the intrusion into this unique setting creates a visual sensitivity that is deemed to have a Medium to **High Visual Sensitivity**

The site falls within proposed (as yet approved) urban edge, **but interfaces with a coastal cultural landscape with high visual / scenic amenity value**.

- **Page 53:** Significance of anticipated visual impacts “The proposed development will have a **Significantly High Negative Visual Impact and cannot be supported**

- **Page 62:** Visual Resources identified

It is critical to note that the resource of this particular site is not only visual, but the rural cultural landscape with all the nuances, is of importance as a resource, both visually and as a character resource.

The primary visual resource is the coastal edge and scenic drive. The character of this landscape is a coastal landscape shaped and defined by the natural processes.

The urban patterns are adhoc and mostly intrusive in this landscape.

Visual resources across the scales are summarised as follows: Site Attributes:

→ Coastal landscape with intact and indigenous vegetation. **Small footpaths that lead to areas of recreation and amenities.**

→ At the site scale: Site is located in between Marine Drive -the main access road that connects Struisbaai, Agulhas and Suiderstrand with one another - and the ocean. **The subject site is significant** as the position is below Marine drive where few developments take place and on **a gateway position (on a scenic bend in the road) between Struisbaai and Agulhas**.

- **Page 63** The site for the proposed development lies at this bend in the road as one approaches (Spook se Draai) Agulhas and is a pivotal point in the landscape marked with a small inlet and beach opposite a green vegetated open space on the opposite side.

- **Page 77** Significance of Sensitivity to Visual Change

As a function of landscape sensitivity and anticipated magnitude of change as a result of the development, above, the sensitivity to visual change is deemed to be of High Significance

- **Page 78** Contextual Significance

The site holds high contextual significance due to its position within the Coastal Protection Zone (CPZ) and its location on the coastal shelf. It forms part of a larger coastal cultural landscape characterized by areas and resources of scenic, cultural, and historical value. The landscape integrity is particularly notable below Marine Drive, where the absence of visual intrusions enhances the site's visual and cultural quality. This portion of the site contributes to the scenic quality of the Marine Drive route and the adjacent areas of Agulhas, making it visible and influential within its surroundings. The site's contribution to the coastal cultural landscape **warrants a Grade IIIA significance designation**, highlighting its local importance in maintaining the cultural and aesthetic qualities of the region.

**Spookdraai: a portal into paradise – Dr Nico Walters**



Spookdraai is a portal into paradise. It is the entrance into a unique sea-side village enclave in the Overberg, Cape Agulhas, as well as to the southernmost tip of Africa. A town's entrance is part of its identity, its landscape and helps to create the town's identity.

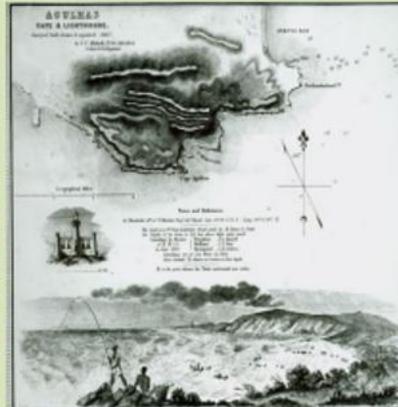
Visitors' first impression when they enter Spookdraai is the fishermen on the left catching fish on such iconic rocks as the brood (bread) as well as cyclists and people enjoying a beautiful walk with unspoiled coastal scenery. This immediately define a peaceful rural holiday village.

When they notice the unbridled gentrification of the natural limestone mountain and its UNESCO recognised biodiversity to the right they certainly must start to wonder: are we on our way to yet another bustling expensive up-market resort?

Any development left of Spookdraai will totally and utterly destroy the ambiance of the town and make a mockery of its rich history, heritage and culture.

(Above is the introduction of an article by Dr Walters which will be published in the April Agulhas Heritage Journal)

**"Spookdraai" in 1847**



In 1847 het Kol CC Michel hierdie skets van die kaap en die Vuurtoring gegraveer nadat hy die plek waar die Toring gebou sou word, geïdentifiseer het. Daar is in daardie jaar met die bouery begin, einde 1848 voltooi en is die Kaap Agulhas Vuurtoring op 1 Maart 1849 ingewy. Op hierdie skets kan die kalkrant van die Agulhas Berg van vandag en die hoek wat ons vandag Spookdraai noem, duidelik gesien word. Kol Michel het selfs vissermanne langs die kus ingeteken. Nou wie wil nog stry dat Spookdraai sy eie sin en gees van plek het? En dat ons moet toelaat dat dit deur ongebyrdelde ontwikkeling vernietig en versteur word? Al is daar alreeds 'n klomp huise aan die noordekant gebou.

I object against this application as the visual representation below is misleading:

- **Page 78** The homes shown below is all presented as small "monopoly" size houses.

If (heaven forbid!) this application is approved, because the proposed erven are all very small (530m<sup>3</sup>) -All the houses to be build will all be to the maximum height of 3- 5 storeys as has recently been conveniently approved by CAM.



Figure 33: Visual representation of the proposed site development plan (Alternative 4).

**D: OBJECTIONS 3: ALTERNATIVES CONSIDERED**

**I object against this application as a false presentation is made regarding the alternatives available**

Below is the misleading statement “the subject property is the sole asset available to the developer.. (which is not true) see **Page 84:**

Provide a description of any other property and site alternatives investigated.

The investigation is only limited to the subject property. No other sites were considered or investigated for this project.

Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.

- **The subject property is the sole asset available to the developer, making it the only viable option for the proposed development.**
- The property does not fall within the protected areas or Critical Biodiversity Areas as per Western Cape Biodiversity Spatial Plan which would otherwise have an impact on highly sensitive vegetation.
- The property falls within urban edge as demarcated by the Cape Agulhas Municipality and is within the built-up urban edge.
- **No other alternative properties were considered and therefore, no site selection matrix was utilised.**

Provide a full description of the process followed to reach the preferred alternative within the site.

**The process to reach the proposed alternative site did not involve the evaluation of other site alternatives, as the subject site is the only property available to the developer. No other property or site alternatives were investigated for this project.**

Thereafter follows a lengthy discussion of 4 possible “alternatives “and bogus discussion of ‘pro’s/ cons” and presenting a façade of “we have no options”. But the developer has other options!

**Meaning**

- **Page 79: alternative property owned by Helemika: Farm Paapekuilsfontein**

Important to note here is that Helemika owns the very large area shown as in the **dotted red** area as well within the CAM Urban Edge



Figure 30: Overall landholding Farm 281-RE outlined red dash, the split portion, being the site, outlined solid red,

**Conclusion: The developer does have other more suitable alternatives, no need to develop in this very sensitive specific spot.** To note as well is that the large section of Paapekuilsfontein 281 also partially falls in the designated CAM Urban edge.

**E: OBJECTIONS 4: NEED FOR THIS DEVELOPMENT:**

I object against this application as the motivations and need statement is false and misleading and for the reasons below in comments:

- **Page 37**

**Need for the development**

- The site is located within the built-up urban edge of Struisbaai and conforms to local and regional spatial development frameworks, promoting densification and **efficient land use within designated growth areas.**
- The development contributes **to addressing housing demand in Struisbaai, providing opportunities for residential growth in a controlled and sustainable manner.**
- The project **will support local economic development through job creation during the construction and operational phases and contribute to the economic growth of the region by attracting residents and potential tourists.**

**My objection is based on:**

- The proposed area for this development is very small and given the complexities and infrastructure to be squeezed in will definitely not be economical. The developer does own other land much larger, less sensitive, and more suitable for development.
- The housing demand in Struisbaai is for the previously disadvantaged people in Struisbaai- North that is living in make- shift huts in backyards. This development will only favour a few rich persons.
- Job creation will only be short term and will not favour the local community as lately most construction work is done by out of town companies using craftsmen from outside South Africa. (and invariably, once the project is completed stays behind with no work adding to the social problems)
- This development will spoil the environment as admitted by the applicants own experts and shown above and will in practice not attract tourists.

**F: OBJECTIONS 5: TECHNICAL CONSIDERATIONS:**

- **SEWERAGE Page 25**

***Sewer***

- The existing municipal sewer infrastructure along Marine Drive (MR261) currently comprises of septic tanks and conservancy tanks. **No municipal gravity pipeline system currently exists.**
- **The proposed development will be required to operate off conservancy tanks that are linked to a central system for the municipality to extract the sewerage with a tanker system.** If the municipality installs a gravity sewer system, the central conservancy tank could be converted to a sewer pump station and the sewerage could be

**I object against this application as the existing sewerage system in the area is already overloaded.**

In the peak season system CAM has 2 to 3 sewerage trucks running multiple trips 12 hours per day 7 days a week from Agulhas to keep the tanks overflowing. We all have seen (and smelled!) these trucks on a Sunday at the Agulhas campsite and the restaurant area!

**This development will add to this mess!** Impact of MORE (Higher demand) speeding sewerage trucks on risk of accidents on Marine drive used by pedestrians, joggers and cyclists

**H: CONCLUSION**

- In conclusion I highlight the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage, economic and future sustainability point of view.
- The proposed process of development authorization is non-compliant with national, provincial, and municipal legislation and good practice, cannot be supported and should not be permitted.
- There is no site-specific motivation to support the development.
- **The environmental authorisation application must be refused.**

		<b>ADDENDUM: EXTRACT FROM THE NATIONAL ENVIROMENTAL INTEGRATED COASTAL MANAGEMENT LAW:</b>	
285	<b>Lynette Pratt</b>	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject: SPOOKDRAAI OBJECTIONS</b></p> <p>Good Afternoon</p> <p>I attach my objection to the proposed Spookdraai development</p> <p>Regards/Groete</p> <p><b>Lynette Pratt</b></p> <p><b>Independent Owner - MPRE</b> (O) 028 425 1152 (C) 072 898 8630 (F) 028 425 1152</p> <p>I, Lynette Pratt, ID 691029 0005 085, herewith confirm my objection to the proposed development of Spookdraai by Helemika. Reasons for objection are attached.</p> <p>Lynette Pratt (079) 898-8630 bredasdorp@seeff.com</p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
286	<b>Elaine Beyers</b>	<p><b>Email dated 20 February 2025</b></p> <p>Good Afternoon</p> <p>I attach my objection to the proposed Spookdraai development</p> <p><b>Kind regards</b> <b>Elaine Beyers</b></p> <p>I, Elaine Beyers, ID 601104 0001 084, herewith confirm my objection to the proposed development of Spookdraai by Helemika. Reasons for objection are attached.</p> <p>Elaine Beyers</p>	

		(082) 827-1152 elaine.beyers@seeff.com	
		<b>Refer to Spookdraai Generic objection 1.</b>	
287	Theunis De Bruin	<p>Email dated 20 February 2025</p> <p><b>Subject:</b> Fwd: OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Hi Michelle,</p> <p>Herewith my objection against the Spookdraai residential development.</p> <p>Kind regards Theunis de Bruin 0824541288</p> <p><b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>XX. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, Theunis Petrus de Bruin, ID 60050165067086</li> <li>• I have a direct interest in the application as I own property in Agulhas – 4 Boy Auret street, Agulhas.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p><b>Refer to Spookdraai Generic objection 1.</b></p> <p>Regards Theunis Petrus de Bruin</p>	

		<p>Mobile 0824541288 Email: tpdebr@gmail.com</p>	
288	<b>Jannie Snyman</b>	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject:</b> Spookdraai objeksie</p> <p>Hallo Michelle Plaas my inligting asb op die lys van belanghebbende persone in die objeksie Dankie Mev Jeanne Snyman Marinerylaan 69 Struisbaai</p>	
289	<b>Levonne Marais</b>	<p><b>Email dated 20 February 2025</b></p> <p>Subject: Objection : Proposed Spookdraai Residential Development</p> <p>Good day Michelle, I hereby submit the following summary as my formal objection to the proposed Spookdraai Residential Development. After thoroughly reviewing the Pre-application/Draft Basis Assessment Report, I have outlined my reasons for objection in the accompanying document. In summary, this development proposal is wholly unsuitable and undesirable, both from a local and provincial heritage standpoint, as well as from an economic and long-term sustainability perspective, and should be rejected. Best regards, Levonne Marais</p> <p><b>To: Michelle Naylor</b> Lornay Environmental Consulting Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>20 FEBRUARY 2025</b> <b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>YY. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself <b>Levonne Marais</b>, ID # 9606040078086</li> <li>• I have a personal interest in this application, as my family owns property in Struisbaai – 159 Marine drive.</li> <li>• I hold countless cherished memories here: from playing with our dogs on the Spookdraai beach, enjoying sunset picnics on the rocks and exploring along the footpath. Spookdraai is deeply intertwined with my upbringing, a place where our family has come together to mourn, celebrate, and share countless moments of joy.</li> <li>• The proposed development is not in the best interest of the wider community. It violates legal provisions and is undesirable, as it would have a</li> </ul>	

		<p>considerable negative impact on the Struisbaai and Agulhas communities, affecting not only the present generation but many future ones as well.</p> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.  <b>Refer to Spookdraai Generic objection 1</b></li> </ul> <p>Regards  Levonne Marais  Mobile: 0848434863  Email: maraislevonne@gmail.com</p> <p><b>Yours faithfully  Levonne Marais</b></p>	
290	Jannie Snyman	<p><b>Email dated 20 February 2025</b></p> <p>Hi Michelle</p> <p>Attached please find my documentation for this.  My apologies for a portion attached above page 1, cannot remove it  Thank you  Mrs Jeanne Snyman</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Jeanne Snyman ID # 5207050080080</li> <li>• I have a direct interest in the application as I own property in Struisbaai/L'Agulhas– 69 Marine Drive</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• Me since I can remember, my 97 yrs old mother for 93yrs</li> <li>• We have original development layout document of L'Agulhas Ext 7 clearly showing the disputed area as PUBLIC SPACE</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; L'Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with</li> </ul> </li> </ul>	

		<ul style="list-style-type: none"> <li>○ properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below Refer to <b>Spookdraai Generic Objection 1</b></li> </ul>	
291	Willem Smit	<p>Email dated 20 February 2025</p> <p><b>Subject: Spookdraai ontwikkeling</b></p> <p>Beswaar teen ontwikkeling. Willem Smit 5412135120089 Meerminlaan 4 Agulhas Tel. 0845566933 Baie dankie (is dit al wat mens <b>moet doen, of moet ek nog die vorm teken en vir jou stuur?</b>)</p>	
292	Nico Vermeulen	<p>Email dated 20 February 2025</p> <p><b>Subject: BEPLANDE SPOOKDRAAI ONTWIKKELING</b></p> <p>See attached my objection against the proposal at Spookdraai !</p> <p>Groete</p> <p>Nico Vermeulen Sel : 082 409 7536</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>ZZ. INTRODUCTION</b></p>	

		<ul style="list-style-type: none"> <li>• I am representing myself NJico Vermeulen ID # 6709305054082</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Agulhas Hoofweg 62</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• My biggest concern is the sewerage waste What is going to happened if it is not empty in time, are that going into the see ? And how are the going to manage that ?</li> <li>• And we are fishing there for how many years, awe are not going to be able to fish there any more</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
293	<b>Martha Le Riche Smit</b>	<p><b>Email dated 20 February 2025</b></p> <p>Subject: Beswaar teen spookdraai ontwikkeling</p> <p>Martha Le Riche Smit 5509220065085 Meerminlaan 4 Agulhas Tel. 0845636272 Baie dankie</p>	
294	<b>Jeremy Mann</b>	<p><b>Email dated 20 February 2025</b></p> <p><b>Subject: Registration as a I&amp;AP to provide comments on the Pre-application Basic Assessment Report for the Proposed Spookdraai Residential Development on Remainder of the Farm No. 281</b></p> <p>Att: Michelle Naylor</p> <p>Herewith my registration as an I&amp;AP wrt the Proposed Spookdraai Residential Development on Remainder of the Farm No. 281, Struisbaai, Bredasdorp RD</p>	

		<p>LORNAY REF: REM-281  DEA&amp;DP REFERENCE: 16/3/3/6/7/1/E1/13/1406/23</p> <p>Kindly acknowledge receipt of this registration by return of email to</p> <p>email                      <a href="mailto:mannres@mweb.co.za">mannres@mweb.co.za</a>  mobile number            0832697833</p> <p>Regards  Jeremy Mann  ID no 5702275057087  A resident of Struisbaai</p>	
295	<b>Anton van Der Hoven</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Emailing: Condensed Objection 15022025 A vd Hoven, Condensed Objection 15022025 vd Hoven Familie Trust</b></p> <p>Michelle,</p> <p>Please receive two signed objections to the planned development at spookdraai. It will completely spoil the natural heritage and must be stopped.</p> <p>6 luxury homes on such a small piece of land means only the richest of rich will build there, resulting in an architect designed concrete jungle. It is on the bank, so they will extensively cut and fill land in order to make room to build. This will result in a huge scar of cut earth and concrete retaining walls in the landscape, and such surrounding 6 small palaces of concrete, glass and stainless steel for the exclusive use of a few owners, and absolutely nothing to do with being in public interest. The idea of stating that the driveway is a public space is an absolute insult to everyone with half a brain.</p> <p>Thank you for the effort to stop this  Regards  Anton</p> <p>Your message is ready to be sent with the following file or link attachments:</p> <p>Condensed Objection 15022025 A vd Hoven Condensed Objection 15022025 vd Hoven Familie Trust</p>	

		<ul style="list-style-type: none"> <li>• <b>I am representing Die van der Hoven Familie Trust ID # IT 1700/06</b></li> <li>• The members of the trust have a direct interest in the application as the trust owns property in Struisbaai/L'Agulhas– 13 Stephanie Street</li> <li>• Members of the Trust I have a close emotional bond with this area and have been visiting this area since childhood. Members use the area for vacations, recreation and sailing.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; L'Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p><b>AND</b></p> <p><b>I am representing myself Anton Gerhard van der Hoven ID # 760611 5022 086</b></p> <p>I have a direct interest in the application as I own property in Struisbaai/L'Agulhas– 10 Susan Crescent</p> <p><b>Refer to Spookdraai Generic objection 1.</b></p> <p>Regards  Representing the trust: Anton Gerhard van der Hoven  Mobile 082 448 4283  Email anton.vanderhoven@sasol.com</p>	
296	<b>Magrietjie de Villiers</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</b></p> <p>To  Lornay Environmental Consulting Att: Michelle Naylor  Email: michelle@lornay.co.za  20 FEBRUARY 2025</p>	

		<b>Refer to Spookdraai Objection 1.</b>	
297	<b>Pat Miller</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Re: Notice of Pre-Application Public Participation   RE281, Struisbaai - Closing 5 March</b></p> <p>Hi Michelle  This seems to have slipped through our system - please would you register Whale Coast Conservation (WCC) as an I&amp;AP and send all the necessaries.  Thanks and all the best  Pat</p> <p>Dr Pat Miller  tel: (028) 313-0093  cell: 082 374-9729</p>	
298	<b>Diana Deist</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Spookdraai development</b></p> <p>Goeie môre,</p> <p>Ek wil graag registreer as 'n belangstellende party en toekomstige korrespondensie oor die ontwikkeling ontvang</p> <p>Met vriendelike groete  Diana Deist  Ocean view Heights 140  Struisbaai</p>	
299	<b>Jaco Deist</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Registrasie</b></p> <p>Goeie môre,</p> <p>Ek wil graag registreer as 'n belangstellende party en toekomstige korrespondensie oor die ontwikkeling ontvang</p> <p>Met vriendelike groete  Jaco Deist  Ocean view Heights 140  Struisbaai</p>	

300	<b>SuidpuntInwoners Vereniging</b>	<p><b>Email dated 21 February 2025</b></p> <p>To: michelle@lornay.co.za  Cc: Carlene Swart &lt;swartc2@saps.gov.za&gt;; Christine Hall &lt;itschristinehall@icloud.com&gt;; Willam Eliot &lt;william@eliots.co.za&gt;; Neil Haikney &lt;nghaikney@yahoo.com&gt;; Celia Lourens &lt;cmlourens@gmail.com&gt;; Brendin Benjamin &lt;benbre001@gmail.com&gt;; Simone Rossouw &lt;rossouwlaw@gmail.com&gt;; Giel De Kock &lt;gieldekock1@gmail.com&gt;; Alta Du Toit &lt;alta.dutoit@lregroup.co.za&gt;; Alida van Zyl &lt;jpelektro@hotmail.co.za&gt;; Raymond Dennis &lt;raymondennis1984@gmail.com&gt;; Charl Olivier &lt;charl4olivier@gmail.com&gt;; Cobus Engelbrecht &lt;jacobus19607@gmail.com&gt;; Manon Mc Donald &lt;manonmcd1964@gmail.com&gt;</p> <p><b>Subject: Spookdraai Development: Registration as a A&amp;IP</b></p> <p>Good morning Michelle</p> <p>The Suidpunt Residents Association would like to register as an Affected and Interested Party for the Spookdraai development proposal.</p> <p>Kind regards</p> <p>Manon  SIV Sekretaresse / SRA Secretary</p>	
301	<b>Melisaa Wolhuter</b>	<p><b>Email dated 21 February 2025</b></p> <p>Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p>To Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>Refer to Spookdraai objection 1.</b></p>	
302	<b>Johanna Marie van Zyl</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Signed JM van Zyl.pdf</b></p> <p>Aangeheg is dokument van beswaarmaking teen die beoogte ontwikkeling by Spookdraai.  JM van Zyl</p> <p>INTRODUCTION</p> <p><input checked="" type="checkbox"/> I am representing myself Johanna Maria, van Zyl ID , ID number 5201020091087</p> <p><input checked="" type="checkbox"/> I have a direct interest in the application as I own property in Struisbaai/L'Agulhas– Adress or I vacation here ..or ...</p> <p><input checked="" type="checkbox"/> I have a close emotional bond with this area and have been visiting this area since my childhood.</p> <p><input checked="" type="checkbox"/> The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; L'Agulhas area.</p>	

		<p> <input checked="" type="checkbox"/> There are numerous incorrect statements made by the EAP in the draft Bar document         </p> <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact”</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> <p> <input checked="" type="checkbox"/> I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.         </p> <p> <input checked="" type="checkbox"/> The grounds and detail of my objection is given below.         </p> <p><b>Refer to Spookdraai Generic objection 1</b></p>	
303	Tinus		
304	Nico Fourie	<p><b>Email dated 21 February 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Nico Fourie (ID 6403095092086), 24 Kara Street, Struisbaai.</li> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li> <li>• I have a close emotional bond with this area, have been visiting this area since my childhood and am taking my morning walk past this area on most days of the week.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>In addition to the detail below I would also like to state that the development is in direct conflict with</b></li> <li>• <b>CAPE</b> <b>AGULHAS</b> <b>MUNICIPALITY</b>  <b>SPATIAL</b> <b>DEVELOPMENT</b> <b>FRAMEWORK</b>  <b>2024 (RESOLUTION :87/2024)</b></li> </ul>	

- The framework clearly states its objectives:

- to develop sustainable human settlements for the residents of the Municipality; to protect and conserve the natural assets of the Municipality; to explore and maximise tourism opportunities; to preserve and protect heritage sites; and to explore and create economic opportunities

- The three fully highlighted objectives are self explanatory. There is also an argument to be made that the development may not be sustainable due to the close proximity to the ocean. We all know how harsh and unforgiving the stormy conditions can get. Any economic opportunities will be short term and almost non-existent. Only the developers will benefit.

- The development framework also mentions 8 key strategies of which strategies 3, 4, 5, 7 and 8 speak directly to the development not being in line.

1. Create sustainable human settlements through new development in strategic locations with access to basic services, public facilities, economic opportunities and public transportation.
2. Promote infill residential development within existing settlements to increase densities and promote access to infrastructure, social services and economic opportunities.
3. Protect and conserve protected areas, critical biodiversity areas and ecological support areas by keeping these areas in a natural or near natural state and only allowing low impact, biodiversity sensitive land uses as appropriate.
4. Create diverse economic opportunities by promoting agriculture and tourism (every visitor to the most southern tip of Africa currently gets a beautiful view of this magnificent piece of coastline - the development will destroy it completely) .
5. Protect and enhance historic and culturally significant precincts and places (Spookdraai has a long and rich history - to be destroyed by an ordinary development?).
6. Eradicate informal settlements and integrate them with formal areas, social facilities and economic opportunities.
7. Limit urban sprawl and contain development within defined urban edges (there is a lot of other land available for development in Struisbaai - why here crammed in between the road and the ocean destroying a beautiful piece of coastline).
8. Protect and conserve agricultural land through strict policy and guidelines (this land should be a proper application of the new act to expropriate land for the right reasons).

Below is a list of questions that tests any development against the Municipal Spatial Development Framework (MSDF). This development should be tested thoroughly against all of these questions (if the Municipality does its work and there is no interference) before any application is made. Somehow I don't

think it will pass the test.

Ge

#### 11.4 Checklist for MSDF alignment

Checklist Question/Issue	Yes	No
<b>Biophysical resources</b>		
Is the proposal located in or does it impact on a protected area, a CBA, or an ESA?		
Does the proposal protect, reinforce, or enhance existing ecological systems?		
Will the proposal result in a loss of agricultural land or impede the viable use of agricultural land?		
Does the proposal assist to diversify agriculture, enable broader access to agricultural opportunity, and increase food security?		
<b>Is the proposal located outside or on an urban edge?</b>		
If on the edge of a settlement or green space, does the proposal assist in defining and protecting that edge appropriately?		
Is the proposal situated within a coastal setback, river or estuarine setback, or flood line?		
Does the project enable enhanced public access to natural resources, amenity, and recreational opportunities?		
Has the proposal considered recycling, rainwater collection, and alternative energy generation?		
<b>Scenic landscapes, scenic routes, and special place of arrival</b>		
Does the proposal impact on a scenic landscape, scenic routes, or special place of arrival or sense of place?		
<b>Historically or culturally significant precincts or places</b>		
Does the proposal impact on a historic or culturally significant precincts or place?		
Has the proposal considered the incorporation or re-use of existing built elements?		
<b>Infrastructure services</b>		
Does the project or investment secure CAM's regional and local space economy?		
Is the proposed infrastructure project encouraging human settlement in the desired direction?		
Does the project or investment improve or extend an existing service rather than being a stand-alone initiative?		
Was the use of alternative technologies considered?		
Is creative use made of waste and by-products?		
<b>Upgrading and integration of settlements</b>		
Does the project contribute to the upgrading of an informal settlement or affordable housing area?		
Does the project assist to integrate informal settlements and affordable housing areas with existing centres of commercial activity and employment?		
<b>Commercial development</b>		

Is the project located in a recognised business centre or in a manner which would serve to integrate an informal settlement or affordable housing area with existing centres of activity?		
Does the project significantly enhance convenience and non-motorised access in hitherto unserved areas?		
Does the project promote balance in land use in local areas?		
Does the project contribute to the public spatial environment and promote a pleasant and safe pedestrian environment (for example, no dead frontages)?		
Public facilities		
Is the location appropriate for the order of facility proposed?		
Does the project promote the clustering of public facilities in a manner which enhances user convenience, sharing, and efficient, cost effective facility management?		
Does the facility help to define public space and is the frontage onto the street active?		
Publicly assisted housing		
Does the proposal enable residential infill, densification, and a compact settlement structure?		
Is the project located in an area where the value of assets is likely to increase (in that way assisting to curtail the proportion of indigent citizens)?		
Is the scale of the project appropriate in terms of not creating ghettos of poverty?		
Is the project closely integrated with surrounding areas?		
Is the ratio between net and gross densities appropriate?		
Does the project promote appropriate choice in terms of unit, type, size, price, and tenure?		
Does the proposed erf sizes, units, and type enable changes to the unit which respond to new household needs?		
Movement infrastructure		
Does the new route enable significant development opportunity with broad public benefit and increased user convenience?		
Is the proposed new route structurally significant in that it improves inter-connectivity between different areas?		
Has the design of the route or road infrastructure considered other associated benefits, including the development of small market spaces and infrastructure for emerging entrepreneurs?		
Landscaping		
Does the landscaping reinforce or enhance a structurally significant place, corridor, gateway, or building?		
Is the proposed landscaping "clustered" to maximise impact?		
Does the design and choice of materials respect and enhance the sense of place?		
Is the choice of plant material appropriate to the place?		

		<p>Regards</p> <p>Nico Fourie</p> <p>Mobile 0829904314</p> <p>Email <a href="mailto:nsfourie@gmail.com">nsfourie@gmail.com</a></p> <p><b>Refer to Spookdraai Generic Objection 1.</b></p>	
305	<b>Igshaan Akemdien</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Spookdraai development..</b></p> <p>I object to this development ..</p>	
306	<b>Caren De Sousa Coutinho</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: RE 281 Struisbaai - Registreer as belangstellende party</b></p> <p>Hallo Michelle</p> <p>Ons is huiseienaars van Struisbaai en wil graag deelname hê in die teenkanting van die moontlike ontwikkeling te Spookdraai, Struisbaai.</p> <p>Hoe gaan ek te werk?</p> <p>Ek hoor graag van jou.</p>	
307	<b>Darren Nesbitt</b>	<p><b>Email dated 21 February 2025</b></p>	

		<p><b>Subject: REQUEST TO REGISTER AS AN I&amp;AP WITH REGARDS TO PROSPECTIVE SPOOKDRAAI DEVELOPMENT</b></p> <p>Good Day,</p> <p>I wish to register as an interested &amp; affected party with regards to the prospective development of six residential plots at Spookdraai, between Struisbaai and Cape Agulhas.</p> <p>I live just outside Struisbaai with my wife and two young sons. Weather permitting we visit Struisbaai / Cape Agulhas / Suiderstrand at least once every weekend - to swim, walk, fish, explore the rock pools or even just drive and enjoy the views. I also usually visit the area one evening per week on average to go fishing, either alone or with my older son.</p> <p>I am against this proposed development. I feel it will ruin the character of this legendary spot, as well as the (until recently) uninterrupted view of the coast / ocean between Struisbaai and Cape Agulhas. I say "until recently" due to the tragic approval of developing a 4-story block of flats a couple of kilometers from Spookdraai, at Skulpies Baai, which is currently under construction.</p> <p>I believe this proposed development will also have a significant and adverse impact on the character of the towns as a whole, which has already been diluted and eroded by a rash of developments in the last five years or so. I realize the inevitability of this sort of thing, but some measure of balance should be maintained, especially with a spot as iconic and significant as Spookdraai.</p> <p>I have further concerns regarding environmental impact as well as the area's ability to supply services - as it is, there are often power shortages and in particular, water shortages (especially during the holidays).</p> <p>And then there's my personal concern of getting cut off from one of my favourite fishing spots, which is also one of my favourite spots to explore the rock pools with my two little boys and show / teach them about the magic creatures that live there.</p> <p>Kind Regards Darren Nesbitt</p>	
308	Bingle Ferreira	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: FW: Spookdraai ontwikkeling-Struisbaai</b></p> <p><b>Dear Michelle,</b>  <b>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</b></p> <ul style="list-style-type: none"> <li>· I am representing myself, Thomas Bingle Ferreira Address: James Orchard 34</li> <li>· I have a direct interest in the application <u>please register me as an Interested and affected person</u></li> <li>· The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul>	

		<ul style="list-style-type: none"> <li>· There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>· I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>· <b>The grounds and detail of my objection is that we visit Struisbaai often due to beautiful scenery and object against this development as we need to protect nature.</b></li> </ul> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
309	Jan Basson	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Objection Letter - JH Basson - 21 February 2025</b></p> <p>Hi Michelle</p> <p>Attached please find my objection letter to the proposed Spookdraai development.</p> <p>Please let me know if I had to change anything or sign the objection.</p> <p>Regards Jan Basson</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>AAA. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing <b>myself Jan Hendrik, Basson ID 6603035014088</b></li> <li>• I have a direct interest in the application as I <b>own property in Struisbaai – Adress Oceanview no 28, Struisbaai</b></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> </ul> </li> </ul>	

		<ul style="list-style-type: none"> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> </ul> <p>The grounds and detail of my objection is given below.</p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
310	Beatrix de Villiers	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</b></p> <p>Good Afternoon,</p> <p>Please see attached for your attention,</p> <p>Regards <b>Beatrix de Villiers</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b> INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I am representing myself, Beatrix de Villiers ID: 60009090005088</li> <li>• I have a direct interest in the application as I own property in Agulhas, George Street, 30</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p>	

		<b>Refer to Spookdraai objection 1.</b>	
311	André Welgemoed	<p>Email dated 21 February 2025</p> <p><b>Subject:</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"><li>• I am representing myself Andre Welgemoed, ID: 6805185073083, S5 Thesen Island Knysna.</li><li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li><li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li><li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li><li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li><li>• <b>The grounds and detail of my objection is given below.</b></li></ul> <p>Regards</p> <p>Andre Welgemoed</p> <p>0725465555</p>	

		<p><a href="mailto:andrewelgemoed68@gmail.com">andrewelgemoed68@gmail.com</a></p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
312	Leon Nel	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Objection to Spookdraai development plan</b></p> <p>Good afternoon</p> <p>Attached my objection to the proposed development at Spookdraai.</p> <p>Regards Leon Nel 0834618219 <a href="mailto:leon@hexvallei.co.za">leon@hexvallei.co.za</a></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>BBB. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Ravens Leonardus, Nel ID 6802285154087.</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Kabeljoustraat 14, Struisbaai.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	

		<p>RL Nel  Mobile 0834618219  Email <a href="mailto:leon@hexvallei.co.za">leon@hexvallei.co.za</a></p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
313	<b>Estelle Herbst</b>	<p><b>Email dated 21 February 2025</b></p> <p><b>Subject: Spookdraai ontwikkeling</b></p> <p>Goeie dag</p> <p>Hierdie voornemende ontwikkeling stuit ons teen die bors!</p> <p>Ek wil asb as belangstellende op hoogte gehou word oor die gebeure soos in Suidernuus gevra.</p> <p>Groete  Estelle Herbst</p>	
314	<b>Robert Meintjes</b>	<p><b>Email dated 22 February 2025</b></p> <p><b>Subject: Objection : Proposed Spookdraai Residential Development</b></p> <p>Good-morning Michelle,</p> <p>Please accept the below summary as my formal objection against the proposed Spookdraai Residential Development. I have studied the attached Pre-application/draft Basis Assessment Report in detail and the grounds of my objection is set out below. In summary, I would like to emphasize the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage perspective, as well as from an economic and future sustainability point of view.</p> <p>A. INTRODUCTION</p> <p>I am representing myself, Robert Meintjes, ID #6102205122087</p> <p>ü I have a direct interest in the application as my family owns property in Struisbaai – 159 Marine Drive.</p>	

		<p>ü I have been visiting this area since my early childhood and I have endless special memories of the area: From fishing in the coastal pools as a young child, walks along the footpath, sunset picnics with family and friends, etc. This area is inseparably part of my heritage and will always be close to my heart.</p> <p>ü The proposed development would not be in the interest of the wider community. The application is against the law and is undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas community and many generations to come.</p> <p>ü It is important to note that the proposed development will spoil the environment as also clearly admitted by the Applicant's own experts – surely this must be considered as a red flag?</p> <p>ü I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>ü The grounds and detail of my objection is given below.</p> <p>Regards</p> <p>Robert Meintjes</p> <p>Mobile 083 334 2282</p> <p>Email: <a href="mailto:robertmeintjes22@gmail.com">robertmeintjes22@gmail.com</a></p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
315	<p><b>Helena Catharina Meintjes</b></p>	<p><b>Email dated 22 February 2025'</b></p> <p><b>Subject:</b> Fwd: Objection : Proposed Spookdraai Residential Development</p> <p>Good-afternoon Michelle,</p> <p>Please accept the below summary as my formal objection against the proposed Spookdraai Residential Development. I have studied the attached Pre-application/draft Basis Assessment Report in detail and the grounds of my objection is set out below. In summary, I would like to emphasize the fact that the development proposal is considered to be completely inappropriate and undesirable from a local and provincial heritage perspective, as well as from an economic and future sustainability point of view.</p>	

		<p>A. INTRODUCTION</p> <p>I am representing myself, Helena Catharina Meintjes, ID #6104280052089</p> <p>ü I have a direct interest in the application as my family owns property in Struisbaai – 159 Marine Drive.</p> <p>ü I have been visiting this area since my early childhood and I have endless special memories of the area: From fishing in the coastal pools as a young child, walks along the footpath, sunset picnics with family and friends, etc. This area is inseparably part of my heritage and will always be close to my heart.</p> <p>ü The proposed development would not be in the interest of the wider community. The application is against the law and is undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas community and many generations to come.</p> <p>ü It is important to note that the proposed development will spoil the environment as also clearly admitted by the Applicant’s own experts – surely this must be considered as a red flag?</p> <p>ü I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>ü The grounds and detail of my objection is given below.</p> <p>Regards</p> <p>Robert Meintjes</p> <p>Mobile <a href="tel:0833342282">083 334 2282</a></p> <p>Email: <a href="mailto:robertmeintjes22@gmail.com">robertmeintjes22@gmail.com</a></p>	
316	Marais Louw	<p><b>Email dated 2 February 2025</b></p> <p><b>Subject: Spookdraai.</b></p> <p>Ons ook teen daardie ontwikkeling.</p> <p>Groete</p>	

317	Christelle Smit	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject: Objection letters</b></p> <p>Good Day Please find the attached two objection letters</p> <p>Kind regards Christelle Smit 0842409917 <a href="mailto:christellesmit3@gmail.com">christellesmit3@gmail.com</a></p> <p><b>Refer to Spookdraai Generic objection.</b></p>	
318	Hein Smit	<p><b>Email dated 23 February 2025</b></p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
319	Jolene Zeeman	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject: Spookdraai ontwikkeling Struisbaai</b></p> <p>Goeiedag</p> <p>Hiermee wil ek my objeksie aanteken oor bogenoemde ontwikkeling. Ek is die eienaar van eiendom in Struisbaai en kan nie sien hoe die ontwikkeling goedgekeur kan word nie. Behalwe die vernietiging van die natuur, sal dit die eiendom in die area se waarde direk benadeel. Elke paar jaar kom daar ñ storm en die see spoel oor die pad, daardie ontwikkeling sal onder die water wees, dis absoluut onverantwoordelik. Kaap Agulhas Munisipaliteit se dienslewering is ook gladnie op standaard nie, die infrastruktuur van die area kan nie nog ontwikkeling kapasiteer nie. My versoek is dat hierdie ontwikkeling teengestaan moet word vir die behoud van Struisbaai.</p> <p>Groete F Zeeman</p>	
320	Marié Bosman	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject: Spookdraai</b></p> <p>Hi Michelle</p> <p>Hoe teken ek petisie teen die spookdraai ontwikkeling?</p>	

		Dankie Marié Bosman	
321	<b>Hennie Herbst</b>	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject:</b> Struisbaai Beplande ontwikkeling</p> <p>Hi ek is heeltemal teen beplande ontwikkeling(verwoesting )van kusstrook by Spookdraai.</p> <p>Die Twin towers seer oog is reeds n bewys van stads beplanners en Bou inspekteure wat die dorp uitverkoop vir eie gewin .</p> <p>Wat het geword van 8m maksimum hoogte bou regulasie wat geld vir gewone mense en die 100m van hoogwatermerk .</p> <p>Hoop ons kan die belaglike ontwikkeling stop , miskien kan hul maar vlotte bou met huise want lyk my reels geld nie vir alle inwoners</p> <p>Groete Hennie Herbst</p>	
322	<b>Sonelle Slabbert</b>	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject:</b></p> <p>Good morning Michelle</p> <p>Please find document with regards to proposed residential development in Spookdraai, Struisbaai attached.</p> <p>Regards,</p> <p>Sonelle Slabbert 021 913 7215 072 769 4992</p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>I am representing myself, Sonelle Slabbert, ID 7005130265087.</li> </ul>	

		<ul style="list-style-type: none"> <li>• I have a direct interest in the application as I own property in Agulhas – 31 Wessel street, 10 Jim van Druten, 12 Jim van Druten.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Sonelle Slabbert</p> <p>Mobile:           072 769 4992</p> <p>Email:             <a href="mailto:sonelle@uelco.co.za">sonelle@uelco.co.za</a></p> <p><b>Refer to Spookdraai Generic Objection 1.</b></p>	
323	Zalda Mostert	<p><b>Email dated 23 February 20255</b></p> <p><b>Subject:</b> Spookdraai ontwikkeling</p> <p>Goeie dag</p> <p>Ek dink dit is absoluut verre gaande om n ontwikkeling by spookdraai op te sit. Ek is heeltemal gekant teen daarfie ontwikkeling. Ons het reeds so min kus lyne waar jy langs die see kan ry en net die natuur kan benut en geniet. Daar is ook reeds so min hengel plekke waar mens nog veilig kan hengel en jou voertuig staan net daar by jou.</p> <p>Daar moet n stop gesit word teen die ontwikkeling. Los ons natuur uit.</p> <p>Baie dankie</p>	

		Zelda Mostert	
324	<b>Annalette Reynolds</b>	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject: Spookdraai</b></p> <p>Goeie middag</p> <p>Ek wil graag help deur objeksie aan te teken teen die Spookdraai ontwikkeling. Laat weet wat die stappe is dankie.</p> <p>Groete, Annalette Reynolds</p>	
325	<b>Monica Lotter</b>	<p><b>Email dated 2 February 2025</b></p> <p><b>Subject: Kapsie teen ontwikkeling</b></p> <p>Monica Lotter Mobile 0824089500 Email <a href="mailto:lottermonica@gmail.com">lottermonica@gmail.com</a></p> <p><b>Refer to Spookdrai generic objection 1.</b></p>	
326	<b>Hannes Vanniekerk</b>	<p><b>Email dated 2 February 2025</b></p> <p><b>Subject: Objection Struisbaai</b></p> <p>Dear Michelle Attached herewith please find my objection. Regards, Hannes van Niekerk</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>I am representing myself JD van Niekerk, ID 5907075136086.</li> <li>I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul>	

		<ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards  Hannes van Niekerk  Mobile : 082 851 6338  Email : <a href="mailto:hannes@ernieels.com">hannes@ernieels.com</a></p> <p><b>Refer to Spookdraai Objection 1.</b></p>	
327	Jean van Niekerk	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject: Objection Struisbaai</b></p> <p>Dear Michelle  Attached please find my objection.  Regards,  <b>Jean van Niekerk</b></p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  (Bcc terscon@gmail.com?)  <b>8 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>CCC. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Jean van Niekerk, ID 9909035166084.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p>	

		<b>Refer to Spookdraai generic objection 1.</b>	
328	<b>Marais Louw</b>	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject:</b> Re: Spookdraai.</p> <p>What must we do to help prevent the building of these houses.</p>	
329	<b>David Smit</b>	<p>Email dated 23 February 2025</p> <p>Subject: Struisbaai spookdraai uitbreiding</p> <p>Goeie dag</p> <p>Kan ek ook deel raak vd gesprek oor uitbreiding.</p> <p>Ek neem beswaar aan die uitbreidings. Hier is 'n paar redes</p> <ul style="list-style-type: none"> <li>- Struisbaai se karakter van stil seedorp wors beïnvloed. Klem op see. Die hele kuspad is nou al hoe lank vanaf skulpiesbaai af met geen huise toegebou nie. Hierdie huise gaan die karakter van Struisbaai nog verder belemmer</li> <li>- die uitbreiding gaan die die see uitsig vir menigte negatief beïnvloed (stappers, drawwers, fietsryers, motoriste)</li> <li>- net 'n paar individuale gaan geld maak hieruit en dit kan geniet, dis super onregverdig teen die meerderheid</li> <li>- dit gaan verkeer vermeerder en kans vir ongelukke verhoog, veral in daai draai.</li> <li>- die vissermanne! Genugtig die helfde van Struisbaai se ekonomie word gedryf deur die vissermanne. Nou wil hul nog die kus toebou sodat hul in iemand se voortuin inkyk terwyl hul visvang?</li> <li>- daar is 'n staproete wat toeriste gebruik, en dit gaan die natuurlike staproete se visie beïnvloed as daar huise basies teen die hoogwater merk gebou word</li> <li>- die natuurlike blomme en natuur gaan natuurlik beïnvloed word</li> </ul> <p>Ek weet almal wil 'n huise teen die see hê, ek wil ook, maar stop asb om die kus toe te bou. Daar is ander eiendom om te koop stapafstand van die see af. Nie nodig om Struisbaai se mooi kusroete toe te bou nie.</p> <p><b>Groete</b></p>	

		<p><b>David</b> 0848162021</p>	
330	<b>Charlie Childerley</b>	<p><b>Email dated 23 February 2025</b></p> <p>Subject:</p> <p>Good evening We visit every two years from and would be very disappointed if this development went ahead. It would be and eye sore and spoil the natural environment. Kind regards John and Charlemagne Childerley.</p>	
331	<b>Lejandi Burger</b>	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject:</b> SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p>  <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>22 FEBRUARY 2025</b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
332	<b>Cornel Jacobs</b>	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject:</b> Beswaar Spookdraai ontwikkeling</p> <p>Goeie dag</p> <p>Vind asb aangeheg</p> <p>Dankie</p>	

		<p>Kind Regards Cornel</p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
333	Renier Jacobs	<p>Email dated 24 February 2025</p> <p><b>Subject: RE: Beswaar Spookdraai ontwikkeling</b> Regards</p> <p>Renier Jacobs Mobile: 083 286 9149 Email: <a href="mailto:renierja@gmail.com">renierja@gmail.com</a></p> <p><b>Refer to Spookdraai generic objective 1.</b></p>	
334	Derick Erasmus	<p>Email dated 24 February 2025</p> <p><b>Subject: Proposed Spookdraai Residential Development</b></p> <p><b>24 February 2025</b></p> <p><b>Subject: Struisbaai Residential Development</b></p> <p><b>Registration as an Interested and Affected Person and Objections to Proposed Spookdraai Residential Development</b></p> <p><b>Introduction</b></p> <ul style="list-style-type: none"> <li>• I, Derick Erasmus, residing at 22 L’Afrique Verte Eco Estate, am submitting this objection in my personal capacity.</li> <li>• Please register me as an Interested and Affected Person, as I have a direct interest in this application.</li> <li>• I have a deep personal connection to this area and have been visiting this area for a very long time.</li> <li>• The proposed development contradicts the law and is undesirable, as it will have a significant negative impact on the greater Struisbaai &amp; Agulhas region.</li> <li>• I reserve the right to provide additional supporting documents or information should I be allowed further time for submissions.</li> <li>• Below are the reasons for my objection.</li> </ul> <p><b>Kind regards,</b></p>	

		<p>Derick Erasmus  Mobile: 082 367 4442  Email: <a href="mailto:derickerasmus@xsinet.co.za">derickerasmus@xsinet.co.za</a></p>	
335	Almarie Du Toit	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject: SPOOKDRAAI</b></p> <p><b>Goeie more</b></p> <p>Ek het die boodskap op Facebook gesien.</p> <p>Ek kom sedert my kinderjare na Struisbaai/Agulhas en my familie het baie eiendom daar.</p> <p>Dit is vir my ongehoord dat KAM ontwikkelings daar wil toelaat. Dit is ook dieselfde met die woonstelblok wat by Skulpiesbaai gebou word. HEELTEMAL ongehoord.</p> <p>Ek is heeltemal teen hierdie ontwikkelings gekant. Wat kan daaraan gedoen word.</p> <p>Groete  Almarie du Toit</p>	
336	Carlo van Wyk	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject: Fwd: Hello daar jul - Struisbaai- spookdraai - sien aangeheg - help asb beswaar aanteken deur onderstaande aan te stuur ASB ?</b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
337	Jan Frick	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject: Condensed objection 15022025.docx</b></p> <p><b>To</b>  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>15 FEBRUARY 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p>	

		<p><b>DDD. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Johannes Stephanus, FRICK ID 4311025022085</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 8 Truterstreet</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p><b>Refer to Spookdraai Generic objectgion 1.</b></p>	
338	<p><b>Gerrit Villiers</b></p> <p><b>De</b></p>	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject: OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</b></p> <p>To whom it may concern</p> <p>I, Gerrit de Villiers ID ID 620708 5184 088, wish to register as an interested party with regards to the proposed Spookdraai Residential Development in Struisbaai.</p> <p>Please find my letter of objection attached to this email.</p> <p>Regards</p> <p>Gerrit de Villiers</p> <p><b>To:</b> Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>24 FEBRUARY 2025</b></p>	

		<p><b>RE OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p>INTRODUCTION</p> <ul style="list-style-type: none"> <li>I am representing myself, <b>Gerrit de Villiers ID 620708 5184 088.</b></li> <li>I have a direct interest in the application as my wife owns a residential property at 133 Marine Drive, Struisbaai, which is in very close proximity to the proposed development. We purchased the property in 2004 as a vacation home and plan to retire there in 2026.</li> <li>We visit Struisbaai almost weekly and use the footpath to the small bay next to the proposed development during our walks in the area.</li> <li>I have a close emotional bond with this area and have been visiting this area since 1976.</li> <li>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines” it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards  <b>Gerrit de Villiers</b>  <b>Mobile 083 463 4289</b>  <b>Email <a href="mailto:gerritdevilliers.gdv@gmail.com">gerritdevilliers.gdv@gmail.com</a></b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
339	Jacobus Gerhardus Basson	Attachment 1 Local fishermen objection	
340	Marius de Villiers	Attachment 1 Local fishermen objection	
341	Nicolaas Vermeulen	Attachment 1 Local fishermen objection	
342	Shane Oberholzer	Attachment 1 Local fishermen objection	
343	Chris van Schalkwyk	Attachment 1 Local fishermen objection	

344	Daniël La Grange	Attachment 1 Local fishermen objection	
345	Marius Thom Basson (nms Le Seur Familietrust)	Attachment 1 Local fishermen objection	
346	John William Roelofse	Attachment 1 Local fishermen objection	
347	Jan Hendrik Basson (nms JMB Familietrust)	Attachment 1 Local fishermen objection	
348	Johan Gerber	Attachment 1 Local fishermen objection	
349	Tia Bruwer	Attachment 1 Local fishermen objection	
350	Albert Gerber	Attachment 1 Local fishermen objection	
351	Marietjie Basson	Attachment 1 Local fishermen objection	
352	Paul de Villiers	Attachment 1 Local fishermen objection	
353	Jakob Daniël de Wet	Attachment 1 Local fishermen objection	
354	Marthinus Christoffel Barnard	Attachment 1 Local fishermen objection	
355	John Laurence Lamacraft Merry	Attachment 1 Local fishermen objection	
356	Niel Fabricius	Attachment 1 Local fishermen objection	
357	Abraham Petrus Marais	Attachment 1 Local fishermen objection	
358	Richard Desmond Strydom	Attachment 1 Local fishermen objection	
359	Jacobus Johannes Marthinus Van	Attachment 1 Local fishermen objection	

	<b>Wyk</b>		
360	<b>Roger Marais</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
361	<b>Nicholas Frederick Hodgson</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
362	<b>Stephen James Keanly.</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
363	<b>Sharne Niemand</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
364	<b>Sonja Marais</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
365	<b>Bertie Ham</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
366	<b>Christiaan Ludolf Neethling</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
367	<b>Rudolph Francois van Vuuren</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
368	<b>R Pace</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
369	<b>Dirk Gysbert Hanekom</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
370	<b>Jan de Villiers</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
371	<b>S Pace</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
372	<b>Lambertus Charl Johannes Smith</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
373	<b>Christiaan Lukas Smith</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
374	<b>Martin van Jaarsveld</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
375	<b>JD Kleynhans</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
376	<b>Marius Fuchs</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	

377	<b>Arno de Jager</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
378	<b>Sophia Wilhelmina Van Jaarsveld</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
379	<b>Michael Andries Labuschagne</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
380	<b>Arno Dames</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
381	<b>Johan Theunissen</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
382	<b>Tertius Scholtz Bruwer</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
383	<b>Marius de Villiers</b>	<b>Attachment 1</b> <b>Local fishermen objection</b>	
384	<b>Christopher Arends</b>	Email dated 24 February 2025  Subject: Beswaar teen ontwikkeling en bou van huise in Spookdraai Struisbaai	
385	<b>Deon Duzase</b>		
386	<b>Caroline Davids</b>		
387	<b>Jang vd Berg</b>		
388	<b>Wentzel Newman</b>		
389	<b>Wilhelmien Reynicke</b>		
390	<b>Wilbur Reynicke</b>		
391	<b>Jasmine Thompson</b>		
392	<b>Edwid A Felix</b>		
393	<b>Charite Thompson</b>		

394	<b>Charles Dyers</b>		
395	<b>Ashley Gabriel</b>		
396	<b>Donovan</b>		
397	<b>Lincoln Wyngaard</b>		
398	<b>Dylon Simons</b>		
399	<b>Martin Jacob</b>		
400	<b>Christopher van der Berg</b>		
401	<b>Andrian Newman</b>		
402	<b>T Adams</b>		
403	<b>Truia dams</b>		
404	<b>John Hendrick</b>		
405	<b>Paulina Dennis</b>		
406	<b>May Eveline Bantom</b>		
407	<b>Christa Cardse</b>		
408	<b>Eugene Satira</b>		
409	<b>Petrus Europa</b>		
410	<b>Winston Le Roux</b>		
411	<b>Samuel Prins</b>		
412	<b>Anton van den Berg</b>		
413	<b>John Swart</b>		

414	<b>John Diedericks</b>		
415	<b>Niel Bantom</b>		
416	<b>Trevor Frank Coetzee</b>		
417	<b>Diane de Waal</b>		
418	<b>Charles Mal</b>		
419	<b>Corneels Faro</b>		
420	<b>Phillip Gabriel</b>		
421	<b>Ethan Gabriel</b>		
422	<b>Lelela Hamuch</b>		
423	<b>Maggie Hendicks</b>		
424	<b>Bennett Gertze</b>		
425	<b>Martlta Prism</b>		
426	<b>Hendrik Prins</b>		
427	<b>Reeva Jantjies</b>		
428	<b>Ashley Wyngaard</b>		
429	<b>Presley Mentoor</b>		
430	<b>Ricardo Arends</b>		
431	<b>Karen Sau</b>		
432	<b>Gary April</b>		
433	<b>Shaden Williams</b>		

434	Jane Esau		
435	Yolanda Newman		
436	Eldorett Johnson		
437	Duren Stanley		
438	James Farar		
439	Lee-Ann Wyngaard		
440	Elizabeth Gabriels		
441	Riena Janjies		
442	Karel Jantjies		
443	Carde Thompson		
444	Annalize van Zyl	<p>Email dated 24 February 2025</p> <p><b>Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</b></p> <p>Michelle,</p> <p>Please find attached my signed objection for the Spookdraai Residential Development.</p> <p>Please confirm that you have received this email.</p> <p>Kind regards</p> <p>Annalize</p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
445	Marlene Jooste	<p>Email dated 24 February 2025</p> <p><b>Subject: Objection</b></p> <p>Good day</p> <p>Please look at my objection for residential development on Spookdraai.</p>	

		<p>Regards  <b>Marlene Jooste</b>  <b>Mobile 082 829 8882</b>  <b>Email: <a href="mailto:wienks@annalizevanzyl.co.za">wienks@annalizevanzyl.co.za</a></b></p> <p><b>Refer to Spookdraai generic objective 1.</b></p>	
446	<b>Riaan Esterhuizen</b>	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject: Fwd: Hello daar jul - Struisbaai- spookdraai - sien aangeheg - help asb beswaar aanteken deur onderstaande aan te stuur ASB ?</b></p> <p><b>Ref to Spookdraai generic objection 1.</b></p>	
447	<b>Christa Visser</b>	<p><b>Email dated 24 February 2025</b></p> <p><b>24 FEBRUARY 2025</b>  <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b>  Mrs Coleen McGhie is an elderly lady and asked me to mail her objection to you. She can be contacted at any time to verify.</p> <p><b>1. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself. <b>My name is Coleen Anne</b> Surname <b>McGhie (nee Stapelberg)</b> ID # 4403120062080 Cell 083 656 0084.</li> <li>• I have a direct interest in the application as I own property in Struisbaai – <b>Address: 47 Heidelaan Struisbaai 7285.</b></li> <li>• I have a close emotional bond with this area <b>since 1978 and bought my house in 1979. I have been staying here permanently since 1998.</b></li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>• Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>• Asserting that the proposed development is in line with existing residential development in this area while it is entirely inconsistent with properties seaward of Marine Drive</li> <li>• Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>• Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards  C Visser on behalf of Mrs Coleen Anne McGhie  Mobile 0836560084</p>	

		<p>Email <a href="mailto:die6vissers@gmail.com">die6vissers@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
448	<b>Edward Joseph Hall</b>	<p>Email dated 24 February 2025</p> <p>A. INTRODUCTION</p> <ol style="list-style-type: none"> <li>1. I am representing myself Edward J Hall 640827 5052 081 of 9 Middebosch, 163 Dorp Street, Stellenbosch.</li> <li>2. I have a direct interest in the application please register me as an Interested and affected person.</li> <li>3. I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>4. The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>5. I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>6. The grounds and detail of my objection is given below.</li> </ol> <p><b>Edward Joseph Hall</b>  <b>083 461 8111</b>  <a href="mailto:Teddy@HeritageMG.co.za">Teddy@HeritageMG.co.za</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
449	<b>Ronald Dunsmore McGhie</b>	<p>Email dated 24 February 2025</p> <p>To  Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>24 FEBRUARY 2025</b>  <b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b>  Mr Ronald Dunsmore McGhie is an elderly man and asked me to mail his objection to you. He can be contacted at any time to verify.</p> <ol style="list-style-type: none"> <li>1. INTRODUCTION <ul style="list-style-type: none"> <li>• I am representing myself. <b>My name is Ronald Dunsmore</b> Surname <b>McGhie</b> ID # 4309215073082 Cell 079 243 8700 .</li> <li>• I have a direct interest in the application as my wife ownss property in Struisbaai – <b>Address: 47 Heidelaan Struisbaai 7285.</b></li> <li>• I have a close emotional bond with this area <b>since 1995. I have been staying here permanently since 2000.</b></li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>• Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> </ul> </li> </ul> </li> </ol>	

		<ul style="list-style-type: none"> <li>• Asserting that the proposed development is in line with existing residential development in this area while it is entirely inconsistent with properties seaward of Marine Drive</li> <li>• Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></li> <li>• Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
450	Desmond Weller-Blaber	<p>Email dated 24 February 2025</p> <p><b>Subject:</b> OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</p>	

To  
Lomny Environmental Consulting      Attn: Michelle Naylor  
Email: <mschuster@lomny.co.za>  
21 February 2025

RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI

A. INTRODUCTION

I am representing myself DESMOND H. WELER-BLABER

My address is N'AGULHAS 212 MAIN ROAD

N'AGULHAS

I live in N'AGULHAS and is very anxious about this application, what will be kept for our children and grandchildren one day?

Fishing and walking are always a highlight. Looking and teaching children and specially the children of Struisbaai North about the plants so close to the shore.

Furthermore,

The application is undesirable as the development contemplated therein will have significant negative impact on the greater Struisbaai and Agulhas area.

There are numerous incorrect statements made by the EAP in the draft Bar document

Referring to the NEMA act and ICM act as "guidelines" it is legislative provisions

Asserting that the proposed development is in line with existing residential

development in this area while it entirely inconsistent with properties seaward of

Marine Drive

Assertion by the EAP that the proposed development will have a moderate negative

visual impact

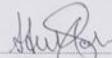
Blatantly misleading and false statement that the developer has no other options

and that the subject property is the only asset available to the developer

I reserve the right to supplement this letter of objection with further supporting

information and documentation within any extend time permitted for submissions.

Regards

 SIGNATURE

0825715111 MOBILE

weler@absamail.co.za

451

S.H Waller-Blaber

Email dated 24 February 2025

To  
Lornay Environmental Consulting      Att:- Michelle Naylor  
Email:- mich@lornay.co.za  
21 February 2025

RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI

A. INTRODUCTION

I am representing myself S.H. Weller-Blaber

My address in ~~Struisbaai~~ Agulhas is  
212 Main Road Agulhas.  
Agulhas

I live in ~~Struisbaai~~ and is very anxious about this application, what will be kept for our children and grandchildren one day?

Fishing and walking are always a highlight. Looking and teaching children and specially the children of Struisbaai North about the plants so close to the shore.

Furthermore,

The application is undesirable as the development contemplated therein will have significant negative impact on the greater Struisbaai and Agulhas area.

There are numerous incorrect statements made by the EAP in the draft Bar document

Referring to the NEMA act and ICM act as "guidelines" it is legislative provisions

Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive

Assertion by the EAP that the proposed development will have a moderate negative visual impact

Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer

I reserve the right to supplement this letter of objection with further supporting information and documentation within any extend time permitted for submissions.

Regards

S.H. Weller-Blaber SIGNATURE  
084 350 7279 MOBILE  
weller@absa.co.za EMAIL

452 Dawie Kriel

Email dated 24 February 2025

**Subject:** STRUISBAAI - REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT

Att: Michelle Naylor

		<p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, Dawie Kriel of De Zalze, Stellenbosch</li> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li> <li>• I have a close emotional bond with this area and have been visiting this area since I moved to Stellenbosch in 1997.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p>Regards</p> <p>Dawie Kriel 0836308243 <a href="mailto:Dawie.k@energypartners.co.za">Dawie.k@energypartners.co.za</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
453	<b>Marietjie Basson</b>	<p><b>Email dated 24 February 2025</b> <b>Subject: Spookdraai ontwikkeling</b> Importance: High</p> <p>Goeiedag</p> <p>Ek wil graag beswaar aanteken teen die beoogde Spookdraai ontwikkeling.</p> <p>Laat weet asseblief hoe ek te werk moet gaan.</p> <p>Groete Marietjie Basson 0829402135</p>	
454	<b>Rudolph Van Vuuren</b>	<p><b>Email dated 24 February 2025</b> <b>Subject: Spookdraai Development</b></p>	

		<p>Good Day</p> <p>Attached please find an objection to the planned Spookdraai development.</p> <p>Regards</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
455	Ansu Malan	<p><b>Email dated 24 February 2025</b></p> <p>Subject: I am sharing 'Condensed Objection 15022025' with you</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p>INTRODUCTION</p> <ul style="list-style-type: none"> <li>I am representing myself Ansu Malan, ID 6503070142085</li> <li>I have a direct interest in the application as I own property in Struisbaai – Eurekastr 13.</li> <li>I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards Ansu Malan 0829404043 <a href="mailto:ansu@libanonfarm.co.za">ansu@libanonfarm.co.za</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
456	Tania Fourie	<p><b>Email dated 24 February 2025</b></p>	

		<p><b>Subject:</b> OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Hallo</p> <p>I have already register as an interested and affected person, but believe that I have to send reasons for my objection against the development.</p> <p>I am representing myself Tania Fourie ID 6804220037088.</p> <p>I am a property owner 24 Kara Street, Struisbaai</p> <p>The application for the Spookdraai development is against the Integrated Coastal Management Act.</p> <p>It is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated.  It is likely to cause irreversible or long lasting adverse effects on the coastal environment that cannot be properly mitigated.  It is likely to be significantly damaged or affected by dynamic coastal processes.  It will definitely NOT be in the interest of the community as a whole. It will only favour a few rich people.</p> <p>The coastal protection zone is established to manage, regulate and restrict the use of land that is adjacent to coastal public property , or that plays a significant role in the coastal ecosystem. More specifically, the coastal protection zone aims to protect the ecological integrity, natural character, and the economic, social and aesthetic value of the neighbouring coastal public property.</p> <p>The developers do have other, much bigger, property that they can develop.</p> <p>What about sewerage?</p> <p>This development will not only affect the current residents or visitors, but also our children and grandchildren, our tourism, our fishermen, the future, our heritage.</p> <p>Please consider this development very carefully. Once it is done, there is no turning back. Ever. And it would be a crying shame.</p> <p>Regards.</p> <p>Tania Fourie</p>	
457	Lesca De Wet	<p><b>Email dated 24 February 2025</b></p> <p>Subject: Re: Spookdraai</p> <p>Thank you for your reply. Could you please forward the necessary documents for me to register. Many thanks, kindest regards Lesca de Wet( Oceanview</p>	

		Drive 160, Struisbaai. 083 262 7777) Sent from my iPhone.	
458	<b>Madelize Munro</b>	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject:</b> FW: Objection against proposed Spookdraai Residential Development (Madelize Munro)</p> <p>Please see below. Thank you</p> <p><b>Kind Regards,</b></p> <p><b>Madelize Munro-Louw</b></p> <p>Mobile: +27 (0) 66 200 0521 E-mail: <a href="mailto:madelize.munro@gmail.com">madelize.munro@gmail.com</a> Address: 18 Flaming Rock Crescent, Mooikloof Equestrian Estate, 0081</p> <p>Michelle,</p> <ul style="list-style-type: none"> <li>• I have a direct interest in the application as I grew up in Bonnievale and have been vacationing in Struisbaai/Agulhas since childhood, I hereby formally <b>object against</b> the proposed Spookdraai Residential Development – specifically referring to the <b>Pre-application / Draft basic assessment report</b> (<a href="https://lornay.co.za/wp-content/uploads/2025/01/Pre-App-Draft-BAR-re281-Struisb-310125.pdf">https://lornay.co.za/wp-content/uploads/2025/01/Pre-App-Draft-BAR-re281-Struisb-310125.pdf</a>)</li> <li>• The specific part of the purposed development is an iconic heritage spot of Spookdraai (most persons who drive to the most Southern point of Africa will take a photo of the iconic bay just before Spookdraai), which is used by everyone who walk along the footpaths and fish from the coast, many people enjoy the beaches here with family and friends for beach days/picnic etc.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> </ul> <p>Michelle, grateful if you could please confirm receipt of my objection as I strongly believe the proposed development is against the <b>Integrated Coastal Management Act, 2008 and is situated within the Coastal protection zone</b> – This will be an undesirable development from a future sustainability point of view as the coast of Struisbaai/Agulhas needs to be protected for future generations.</p> <p>Regards,</p> <p>Madelize Munro Mobile: 073 529 4449 Email: <a href="mailto:madelize.munro@gmail.com">madelize.munro@gmail.com</a></p> <p><b><u>Further detail of my objection below:</u></b></p>	

		<b><u>Refer to Spookdraai generic objection 1.</u></b>	
459	<b>Kobus Pretorious</b>	<p><b>Email dated 24 February 2025</b></p> <p>Goeie dag / Good day</p> <p><b>Ek verwys graag na die WhatsApp boodskap van 8 Feb 25. Referring to the WhatsApp message of 8 Feb 25</b></p> <p>Goeie dag / Good day</p> <p><i>Beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai) Proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</i></p> <p><i>Neem asb kennis dat Suidpunt Bewaringvereniging geregistreer is as 'n belanghebbende en geaffekteerde party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai) Please take note that Suidpunt Conservation Association is registered as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</i></p> <p><i>Dit sou die beste wees as soveel as moontlik van ons lede self as individue registreer. It would be best if as many members as possible register as individuals.</i></p> <p><i>Om as individu te registreer as 'n belanghebbende en geaffekteerde party moet jy 'n e-pos stuur aan <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> .</i></p> <p><i>Die e-pos moet die volgende bevat:</i></p> <ul style="list-style-type: none"> <li>• <i>Registreer my asb. as 'n belanghebbende en geaffekteerde party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)</i></li> <li>• <i>Naam.</i></li> <li>• <i>ID nommer</i></li> <li>• <i>Woonadres.</i></li> <li>• <i>Telefoon / selfoonnommer</i></li> </ul> <p><i>To register as an individual as an interested and affected party for the proposed development of the Remainder of Erf 281, Struisbaai (Spookdraai) you should send an email to <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>.</i></p> <p><i>The email should state:</i></p> <ul style="list-style-type: none"> <li>• <i>Please register me as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai).</i></li> </ul>	

		<ul style="list-style-type: none"> <li>• Name.</li> <li>• ID number.</li> <li>• Residential address.</li> <li>• Phone number.</li> </ul> <p><b>Sien asb. onderaan die volgende riglyn om met e-pos te registreer en ook die aanhegsel met redes wat gebruik kan word as beswaar.</b></p> <p><b>Please see below how to register with email and the attachment with the reasons which can be used for the objection.</b></p> <p><i>Bcc my asb. in jou registrasie e-pos. Please Bcc me in your registration email</i></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
460	Anne-Marie Retief	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b></p> <p>Beste Michelle, hiermee my beswaar teen die beplande ontwikkeling in Spookdraai</p> <p><b>25 FEBRUARY 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>EEE. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Bussell Retief, 6910255071080, Marine Drive 43, Struisbaai</li> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p>Regards</p>	

		<p>Bussell Retief 0828238185 <a href="mailto:bussell@vanloveren.co.za">bussell@vanloveren.co.za</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
461		<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> Beswaar teen ontwikkeling in Spookdraai</p> <p>Goeiemôre Michelle, ek teken ook beswaar aan teen die genoemde ontwikkeling!</p> <p><b>25 FEBRUARY 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>FFF. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself, Anne-Marie Retief, 6902280007080, Marine Drive 43, Struisbaai.</li> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p>Regards Anne-Marie Retief 0827843851 <a href="mailto:anne-marie@vanloveren.co.za">anne-marie@vanloveren.co.za</a></p> <p><b>Refer to Spoodraai generic objection 1.</b></p>	
462	Louis van Niekerk	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> Registration as I&amp;AP - Draft Basic Assessment Report: Proposed Spookdraai Residential Development RE 281 Struisbaai <b>Importance:</b> High</p> <p>Dear Ms. Naylor</p>	

		<p>We refer to the above matter and confirm that we represent certain homeowners in Cape Agulhas, who live close to the proposed development site at Spookdraai.</p> <p>We hereby require that you register our firm as an Interested and Affected Party and we reserve our clients' rights to lodge comments and objections to the proposed development, in due course.</p> <p>Kindly confirm receipt hereof.</p> <p>Kind regards</p> <p><b>Louis van Niekerk</b>  Dorrington Jessop Incorporated  Tel: +27 21 671 5215  Fax: +27 86 602 0433  E-mail: <a href="mailto:louis@djlaw.co.za">louis@djlaw.co.za</a></p> 	
463	<b>Alette Jonker</b>	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> Objection Spookdraai residential development</p> <p>Kind regards  Aletta Jonker  0824904168</p>	
464	<b>Hendrienne Pool</b>	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> FW: SPOOKDRAAI ONTWIKKELING - MAKLIKE MANIER OM BESWAAR AAN TE TEKEN</p>	

		<p>Groete</p> <p>Namens Mev H Pool</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b> INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I am representing myself Hendrienne Pool, ID 611010 0113 08 4.</li> <li>• I have a direct interest in the application as I own property in Struisbaai, at 11 Keurtjie Avenue, Struisbaai.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards  <b>Hendrienne Pool</b>  <b>082 436 4946</b>  <b>Email: hendrienne@pooltransport.co.za</b></p> <p style="text-align: center;"><b>Refer to Spookdraai generic objection 1.</b></p>	
465	<b>Helmut Nieuwoudt Pool</b>	<p>Email dated 25 February 2025</p> <p><b>Subject: FW: SPOOKDRAAI ONTWIKKELING - MAKLIKE MANIER OM BESWAAR AAN TE TEKEN</b></p> <p>Groete</p>	

		<p>Namens Mnr H N Pool.</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p>INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I am representing myself Helmut Nieuwoudt Pool, ID 62904 5038 08 1</li> <li>• I have a direct interest in the application as I own property in Struisbaai, at 13 Keurtjie Avenue, Struisbaai.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards  <b>Helmut Nieuwoudt Pool</b>  <b>082 565 0959</b>  <b>Email: <a href="mailto:helmut@pooltransport.co.za">helmut@pooltransport.co.za</a></b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
466	Anton Smuts	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> OBJECTIONS TO PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT IN STRUISBAAI/CAPE L'AGULHAS</p> <p>Dear Michelle</p> <p>Please find included my letter of <b><u>OBJECTION AND DISAPPROVAL OF THE PROPOSED SPOOKDRAAI DEVELOPMENT IN STRUISBAAI/L'AGULHAS</u></b></p>	

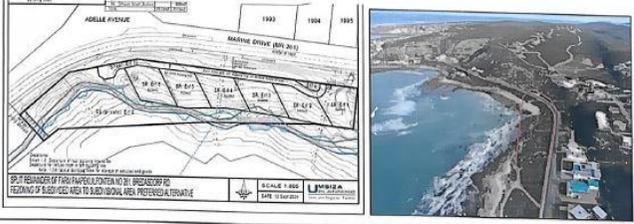


		<p>The above project refers. Kindly inform of the current status in progress of the EIA process and can one still register as an IAP.</p> <p>Kind regards</p> <p>Johan van Eeden</p> <p><b>Refer to Spookdraai generic objection 1</b></p>	
468	<b>Johanna Human</b>	<p><b>Email dated 25 February 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <p>I, Johannes Hendrik Human ID: 8812115106080 am representing myself and Johanjo Investments.</p> <p>I have a direct interest in the application as I own property in Agulhas, 2 Pandok Street.</p> <p>I have a close emotional bond with this area and have been visiting this area since my childhood.</p> <p>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</p> <p>There are numerous incorrect statements made by the EAP in the draft Bar document o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i>”</p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and details of my objection is given below.</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
469	<b>Gert van Niekerk</b>	<p><b>Email dated 25 February 2025</b></p> <p>Subject: Interested and affected party</p> <p>I would like to register as an I&amp;AP for the Draft Basic Assessment Report: Proposed Spookdraai Residential Development RE 281 Struisbaai as I own property close { 200 metres ) to this proposed development.[ L'Agulhas erf 958]</p> <p>G van Niekerk</p>	

470	Johannes Hendrik Human	<p><b>Email dated 25 February 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <p>I, Johannes Hendrik Human ID: 8812115106080 am representing myself and Johanjo Investments.</p> <p>I have a direct interest in the application as I own property in Agulhas, 2 Pandok Street.</p> <p>I have a close emotional bond with this area and have been visiting this area since my childhood.</p> <p>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</p> <p>There are numerous incorrect statements made by the EAP in the draft Bar document o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i>”</p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and details of my objection is given below.</p> <p>Regards  JH Human  072 341 8665  Johannhuman11@gmail.com</p>	
471	Nico Human	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> Objection to Spookdraai Development</p> <p>Dear Michelle,</p> <p>Please find attached objection to the Spookdraai development planned in Agulhas.</p> <p>Kind regards,  Nico Human  072 188 9183</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p>	

		<p>INTRODUCTION</p> <ul style="list-style-type: none"> <li>I, Nicolaas Jonker Human ID: 9012245105081 am representing myself and NJ Human Holdings.</li> <li>I have a direct interest in the application as I own property in Agulhas, 20 Pandok Street.</li> <li>I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards  NJ Human  072 188 9183  <a href="mailto:16014014.nh@gmail.com">16014014.nh@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
472	<b>Petrus Jalobus Human</b>	<p><b>Email dated 25 February 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <p>I, Petrus Jakobus Human ID: 5802025045083 am representing myself and Johanjo Investments.</p> <p>I have a direct interest in the application as I own property in Agulhas, 4 Pandok Street.</p> <p>I have a close emotional bond with this area and have been visiting this area since my childhood.</p> <p>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</p> <p>There are numerous incorrect statements made by the EAP in the draft Bar document o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive o Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></p>	

		<p>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and details of my objection is given below.</p> <p>Regards PJ Human 082 897 2025 <a href="mailto:goedgelee@whalemail.co.za">goedgelee@whalemail.co.za</a></p> <p>Refer to Spookdraai generic objection 1.</p>	
473	Hasting Banda	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> spookdraai beswaar01.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a ‘interested and affected person’ complaint letter from Hastings Banda re the planned Spookdraai Struisbaai development.</p> <p>He has asked me to help him forward a copy of his official complaint letter along with others from his community.</p> <p>Sincerely, Susan White</p>	

		<p>AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI</b></p> <p><b>1: Registreer my asseblief as " Interested and affected person " vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)</b></p> <ul style="list-style-type: none"> <li>• My naam is <u>Hastings Banda</u></li> <li>• My adres is <u>Malvan Street 32</u> Struisbaai Noord</li> <li>• My selfoon nommer is <u>0733363886</u></li> </ul> <p><b>2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:</b></p> <ul style="list-style-type: none"> <li>• <b>Ek woon al my hele lewe sedert my geboorte in Struisbaai</b></li> <li>• <b>Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.</b></li> <li>• <b>Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai</b></li> <li>• <b>Ek hou piekniek met my familie daar op die rotse en sand.</b></li> <li>• <b>As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..</b></li> </ul> <p><b>Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.</b></p> <p>GETEKEN : <u>H Banda</u></p> <p>DATUM: <u>22/02/2025</u></p> 	
474	Earl Senovsky	<p>Email dated 25 February 2025</p> <p><b>Subject:</b> spookdraai beswaar02-1.pdf</p> <p>Dear Michelle Naylor,</p>	

Please find attached a 'interested and affected person' complaint letter from Earl Senovsky re the planned Spookdraai Struisbaai development.

He and others have asked me to help them forward copies of their official complaint letters from their community.

Sincerely,  
Susan White

AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is EARL SENOSKY
- My adres is 82 MALVA STREET Struisbaai Noord
- My selfoon nommer is 071168009

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- **Ek woon al my hele lewe sedert my geboorte in Struisbaai**
- **Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.**
- **Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai**
- **Ek hou pieknik met my familie daar op die rotse en sand.**
- **As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..**

**Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.**

GETEKEN : E.S

DATUM: 23/02/2025



475	<b>Nataly Chinyemba</b>	<b>Email dated 25 February 2025</b>  <b>Subject:</b> spookdraai beswaar03.pdf  Dear Michelle Naylor,  Please find attached a 'interested and affected person' complaint letter re the planned Spookdraai Struisbaai development.  They have asked me to help them forward a copies of their official complaint letters from their community.  Sincerely, Susan White	
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		<p>AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI</b></p> <p><u>1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)</u></p> <ul style="list-style-type: none"> <li>• My naam is <u>Nataly Chirumba</u></li> <li>• My adres is <u>DA3 PONTAR PARK Bredasdorp Struisbaai Noord</u></li> <li>• My selfoon nommer is <u>063 250 9598</u></li> </ul> <p><u>2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:</u></p> <ul style="list-style-type: none"> <li>• <u>Ek woon al my hele lewe sedert my geboorte in Struisbaai</u></li> <li>• <u>Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.</u></li> <li>• <u>Ek vang Kabeljou en Galioen daar reg voor in Spookdraai</u></li> <li>• <u>Ek hou piekniek met my familie daar op die rotse en sand.</u></li> <li>• <u>As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..</u></li> </ul> <p>Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.</p> <p>GETEKEN : </p> <p>DATUM: <u>21/02/2024</u></p> 	
476	Sulwin Schwartz	<p>Email dated 25 February 2025</p> <p>Subject: spookdraai beswaar04.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the planned Spookdraai Struisbaai development.</p>	

They have asked me to help them forward a copies of their official complaint letters from their community.

Sincerely,  
Susan White

AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as " Interested and affected person " vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Sudwin Schwartz
- My adres is Newmanstraat 34 Struisbaai Noord
- My selfoon nommer is 0735538918

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou pikniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : [Handwritten Signature]

DATUM: 23 Feb 2025



477 Chantelle Nel

Email dated 25 February 2025

Subject: spookdraai beswaar05.pdf

Dear Michelle Naylor,

Please find attached a 'interested and affected person' complaint letter re the planned Spookdraai Struisbaai development.

They have asked me to help them forward a copies of their official complaint letters from their community.

Sincerely,  
Susan White

AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

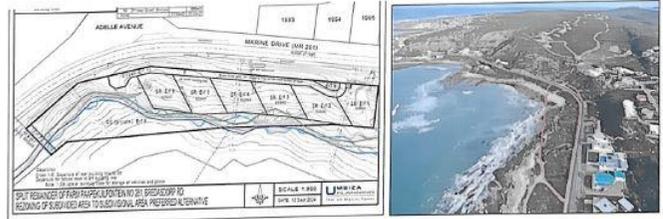
**1: Registreer my asseblief as " Interested and affected person " vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Charlette Nel
- My adres is Newmanstraat 34 .....Struisbaai Noord
- My selfoon nommer is 064 9174582

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou piekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

		<p>GETEKEN : <u>C.Nel.</u></p> <p>DATUM: <u>23/02/25</u></p> 	
478	Virginia Schwartz	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> spookdraai beswaar06.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the planned Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward a copies of their official complaint letters from their community.</p> <p>Sincerely, Susan White</p>	

AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Virginia G. Schwartz
- My adres is Newman straat 34 Struisbaai Noord
- My selfoon nommer is 0615900828

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- **Ek woon al my hele lewe sedert my geboorte in Struisbaai**
- **Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.**
- **Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai**
- **Ek hou piekniek met my familie daar op die rotse en sand.**
- **As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..**

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : V. Schwartz

DATUM: 23/2/25



479 Jan Farao

Email dated 25 February 2025

Subject: spookdraai beswaar07.pdf

Dear Michelle Naylor,

Please find attached a 'interested and affected person' complaint letter re the planned Spookdraai Struisbaai development.

They have asked me to help them forward copies of their official complaint letters from their community.

Sincerely,  
Susan White

AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Joan Faroo
- My adres is Duissig STEEG d Struisbaai Noord
- My selfoon nommer is 07406647805

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou piekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : J. Faroo

DATUM: 23/12/2015



480	Chris- Joors	Louise	<p><b>Email dated 24 February 2025</b></p> <p><b>Subject:</b> spookdraai beswaar08.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>

		<p>AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: <a href="mailto:michelle@lornav.co.za">michelle@lornav.co.za</a></p> <p><b>BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI</b></p> <p><b>1: Registreer my asseblief as " Interested and affected person " vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)</b></p> <ul style="list-style-type: none"> <li>• My naam is <u>CHAI'S-LOUISE JOORS</u></li> <li>• My adres is <u>ADQISI, STEEG NO. 8, STRUISBAAI NOORD</u></li> <li>• My selfoon nommer is <u>0140647805</u></li> </ul> <p><b>2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:</b></p> <ul style="list-style-type: none"> <li>• <b>Ek woon al my hele lewe sedert my geboorte in Struisbaai</b></li> <li>• <b>Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.</b></li> <li>• <b>Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai</b></li> <li>• <b>Ek hou piekniek met my familie daar op die rotse en sand.</b></li> <li>• <b>As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..</b></li> </ul> <p>Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.</p> <p>GETEKEN : <u>C JOORS</u></p> <p>DATUM: <u>23/02/25</u></p> 	
481	Elsic	<p>Email dated 25 February 2025</p> <p>Subject: spookdraai beswaar09.pdf</p> <p>Dear Michelle Naylor,</p>	

		<p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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		<p>AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: <a href="mailto:michelle@lornav.co.za">michelle@lornav.co.za</a></p> <p><b>BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI</b></p> <p><b>1: Registreer my asseblief as " Interested and affected person " vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( lemand wat geraak gaan word deur die ontwikkeling)</b></p> <ul style="list-style-type: none"> <li>• My naam is <u>E. W. W. W.</u></li> <li>• My adres is <u>Neelbosweg</u> Struisbaai Noord</li> <li>• My selfoon nommer is <u>0735330030</u></li> </ul> <p><b>2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:</b></p> <ul style="list-style-type: none"> <li>• <b>Ek woon al my hele lewe sedert my geboorte in Struisbaai</b></li> <li>• <b>Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.</b></li> <li>• <b>Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai</b></li> <li>• <b>Ek hou plekniek met my familie daar op die rotse en sand.</b></li> <li>• <b>As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..</b></li> </ul> <p>Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.</p> <p>GETEKEN : <u>E. W. W. W.</u></p> <p>DATUM: <u>1.12.2025</u></p> 	
482	Charmaine Henike	<p>Email dated 25 February 2025</p> <p>Subject: spookdraai beswaar10.pdf</p> <p>Dear Michelle Naylor,</p>	

		<p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Charmine Henrike
- My adres is Struisbaai Noord Newn 10 struisbaai Noord
- My selfoon nommer is 0655753832

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou piekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : C. Henrike

DATUM: 23.02.2025



483 Christina Wynaard

Email dated 25 February 2025

Subject: spookdraai beswaar11.pdf

		<p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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		<p>AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI</b></p> <p><b>1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)</b></p> <ul style="list-style-type: none"> <li>• My naam is <u>Christina Wynaard</u></li> <li>• My adres is <u>Newmanstraat 33</u> Struisbaai Noord</li> <li>• My selfoon nommer is <u>X</u></li> </ul> <p><b>2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:</b></p> <ul style="list-style-type: none"> <li>• <b>Ek woon al my hele lewe sedert my geboorte in Struisbaai</b></li> <li>• <b>Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.</b></li> <li>• <b>Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai</b></li> <li>• <b>Ek hou pieknik met my familie daar op die rotse en sand.</b></li> <li>• <b>As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..</b></li> </ul> <p>Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.</p> <p>BETEKEN: <u>C. Wynaard</u></p> <p>DATUM: <u>23.02.2025</u></p> 		
484	Mildred Farao	<p>Email dated 25 February 2025</p> <p>Subject: spookdraai beswaar12.pdf</p> <p>Dear Michelle Naylor,</p>		

		<p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Mildred Farao
- My adres is N.ewmaste 12 Struisbaai Noord
- My selfoon nommer is X

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- **Ek woon al my hele lewe sedert my geboorte in Struisbaai**
- **Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.**
- **Ek vang Kabeljou en Galloen daar reg voor in Spookdraai**
- **Ek hou piekniek met my familie daar op die rotse en sand.**
- **As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..**

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : M Farao  
DATUM: 23:02:2025



485 Samantha  
Esksteen

Email dated 25 February 2025

		<p><b>Subject:</b> spookdraai beswaar13.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Samantla Eksteen
- My adres is Wolman Street 26 - Struisbaai Noord
- My selfoon nommer is X

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- **Ek woon al my hele lewe sedert my geboorte in Struisbaai**
- **Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.**
- **Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai**
- **Ek hou pieknik met my familie daar op die rotse en sand.**
- **As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..**

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : SEKSTEEN  
DATUM: 27/02/25



486 Anna Jorrs

Email dated 25 February 2025

Subject: spookdraai beswaar14.pdf

	<p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Anna Jorrs
- My adres is Tantesteeg 3 Struisbaai Noord
- My selfoon nommer is 073 012 8145

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling, hieronder getoon in Spookdraai vir die volgende redes:**

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou piekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : A. Jorrs

DATUM: 23/02/2025



487 Emerencia Nel

Email dated 25 February 2025

Subject: spookdraai beswaar15.pdf

Dear Michelle Naylor,

		<p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Emerencia Nel
- My adres is Newmanstraat 34 Struisbaai Noord
- My selfoon nommer is 0604010585

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou plekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : E.Nel  
DATUM: 23/2/25



488 Eugene Schwartz

Email dated 25 February 2025

Subject: spookdraai beswaar16.pdf

	<p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters from their Struisbaai Noord community.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Eugene Schwartz
- My adres is Nenmanstraat 34 Struisbaai Noord
- My selfoon nommer is 066 323 21 46

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- **Ek woon al my hele lewe sedert my geboorte in Struisbaai**
- **Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.**
- **Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai**
- **Ek hou pieknik met my familie daar op die rotse en sand.**
- **As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..**

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : E. Schwartz

DATUM: 23/2/25

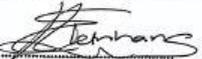


489 Estelle-Maree Kleinhans

Email dated 25 February 2025

Subject: spookdraai beswaar17.pdf

		<p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters.</p> <p>Sincerely, Susan White</p>	
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		<p>AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI</b></p> <p><b>1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( iemand wat geraak gaan word deur die ontwikkeling)</b></p> <ul style="list-style-type: none"> <li>• My naam is <u>Estelle-Maree Kleinhans</u></li> <li>• My adres is <u>1 James Orchard Straat</u> Struisbaai <del>Mossel</del></li> <li>• My selfoon nommer is <u>063 697 4640</u></li> </ul> <p><b>2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:</b></p> <ul style="list-style-type: none"> <li>• <b>Ek woon al my hele lewe sedert my geboorte in Struisbaai</b></li> <li>• <b>Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.</b></li> <li>• <b>Ek vang Kabeljou en Galloen daar reg voor in Spookdraai</b></li> <li>• <b>Ek hou piekniek met my familie daar op die rotse en sand.</b></li> <li>• <b>As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..</b></li> </ul> <p>Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.</p> <p>GETEKEN : </p> <p>DATUM: <u>22.10.2025</u></p> <div data-bbox="472 949 1025 1145">  </div>		
490	Michael Small	<p>Email dated 25 February 2025</p> <p>Subject: spookdraai beswaar18.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p>		

They have asked me to help them forward copies of their official complaint letters.

Sincerely,  
Susan White

AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Michael Small
- My adres is 8 Arsenal Avenue Cape Town  
Struisbaai Noord
- My selfoon nommer is +27 696855805

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek ~~wen~~ <sup>besoek</sup> al my hele lewe sedert my geboorte in ~~Struisbaai~~
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou piekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : 

DATUM: 22/02/2025



491	<b>Corrie Jaubert</b>	<b>Email dated 25 February 2025</b>  Subject: spookdraai beswaar19.pdf  Dear Michelle Naylor,  Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.  They have asked me to help them forward copies of their official complaint letters.  Sincerely, Susan White	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

**1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( iemand wat geraak gaan word deur die ontwikkeling)**

- My naam is Corrie Joubert
- My adres is 8 Arsenal Avenue Braden  
Struisbaai Noord
- My selfoon nommer is 082 771 5801

**2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:**

- Ek <sup>voorsk</sup> ~~woon~~ al my hele lewe sedert my geboorte in ~~Struisbaai~~
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galloen daar reg voor in Spookdraai
- Ek hou pikniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daa kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : 

DATUM: 22/02/2025



492	Estelle Jaubert	<p><b>Email dated 25 February 2025</b></p> <p><b>Subject:</b> spookdraai beswaar20.pdf</p> <p>Dear Michelle Naylor,</p> <p>Please find attached a 'interested and affected person' complaint letter re the proposed Spookdraai Struisbaai development.</p> <p>They have asked me to help them forward copies of their official complaint letters.</p> <p>Sincerely, Susan White</p>	
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AAN : WIE DIT MAG AANGAAN - Michelle Naylor Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

**BESWAAR TEEN ONTWIKKELING EN BOU VAN HUISE IN SPOOKDRAAI STRUISBAAI**

1: Registreer my asseblief as "Interested and affected person" vir hierdie beoogde ontwikkeling in Spookdraai Struisbaai ( Iemand wat geraak gaan word deur die ontwikkeling)

- My naam is Estelle Joubert
- My adres is Arsenal Avenue Brackenfell  
Struisbaai
- My selfoon nommer is 0636974640

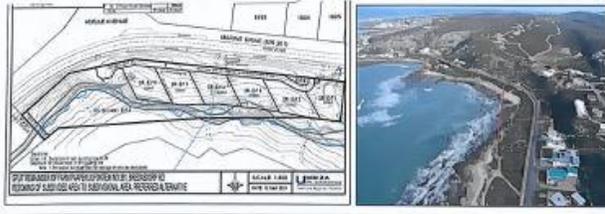
2: Ek maak beswaar teen hierdie beoogde ontwikkeling hieronder getoon in Spookdraai vir die volgende redes:

- Ek woon al my hele lewe sedert my geboorte in Struisbaai
- Ek haal Seekat en ander Aas uit in Spookdraai om vis te vang.
- Ek vang Kabeljou en Galjoen daar reg voor in Spookdraai
- Ek hou piekniek met my familie daar op die rotse en sand.
- As julle hierdie huise daar gaan bou gaan ek, my kinders en my kleinkinders nie meer daar kan kom en die see geniet en visvang nie..

Stop asseblief hierdie ontwikkeling, behou dit net soos dit is in Spookdraai vir ons kinders sodat ons ook die see en die mooi natuur daar kan aanhou geniet vir die toekoms.

GETEKEN : 

DATUM: 22/02/2025



493 Carla de Kock

Email dated 26 February 2025

Subject: Spookdraai

Hallo Ek het hierdie raak gesien sal graag ook wil kapsie maak – watter stappe moet ek volg.

			
494	Kim Aurora Norval	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Proposed dev remainder erf 281 struisbaai spookdraai - against proposal</p> <p>Dear Michelle</p> <p>Registration as an individual as an interested and affected party for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai)</p> <p>Please register me as an interested and affected party for the proposed development of the remainder of Erf 281 Struisbaai (Spookdraai).</p> <p>My personal details are as follow:</p> <p>Full name KIM AURORA NORVAL</p> <p>ID number: 6606110514088</p>	

		<p>Phone number: 0795152527</p> <p>Email address: <a href="mailto:kimnorval@gmail.com">kimnorval@gmail.com</a></p> <p>Kim norval Address 48 protea road, struisbaai</p> <p>Kind regards.</p> <p>Initials and surname: K.A.Norval.</p>	
495	<b>Cleo Manuel-Rayners</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> kapsie teen spookdraai ontwikkeling</p> <p>Groete</p> <p><b>Cleo Manuel-Rayners</b> Laboratory Technician</p> <p>T +27 (0)21 979 1303 M +27 (0)83 216 7715 E <a href="mailto:cleo@barenbrugs.co.za">cleo@barenbrugs.co.za</a> W <a href="http://www.barenbrug.co.za">www.barenbrug.co.za</a></p>	
496	<b>Helmut Nieuwoudt Pool</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b> INTRODUCTION</p> <ul style="list-style-type: none"> <li>I am representing myself Helmut Nieuwoudt Pool, ID 62904 5038 08 1</li> <li>I have a direct interest in the application as I own property in Struisbaai, at 24 Cinneraria Street, Struisbaai.</li> <li>I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the</li> </ul>	

		<p>greater Struisbaai &amp; Agulhas area.</p> <p>There are numerous incorrect statements made by the EAP in the draft Bar document Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i>”</p> <p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>The grounds and detail of my objection is given below.</p> <p>Regards  <b>Helmut Nieuwoudt Pool</b>  <b>082 565 0959</b>  <b>Email: <a href="mailto:helmut@pooltransport.co.za">helmut@pooltransport.co.za</a></b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
497	Jesebe January	<p><b>Email dated 26 February 2025</b>  <b>Subject:</b> Kapsie teen spookdraai</p> <p><b>Jesebé January</b>  Lab Technician</p>	
498	Wrench Roux	<p><b>Email date 26 February 2025</b></p> <p><b>From:</b> Wrench Stellenberg Wines &lt;<a href="mailto:wrench@stellenbergwines.co.za">wrench@stellenbergwines.co.za</a>&gt;  <b>Sent:</b> Wednesday, 26 February 2025 10:31  <b>To:</b> <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>Cc:</b> <a href="mailto:terscon@gmail.com">terscon@gmail.com</a>  <b>Subject:</b> FW: Hello daar Wrench - Struisbaai- spookdraai - sien aangeheg - help asb beswaar aanteken deur onderstaande aan te stuur ASB ?</p> <p><b>From:</b> Ters Conradie [<a href="mailto:Ters.Conradie@za.lactalis.com">mailto:Ters.Conradie@za.lactalis.com</a>]  <b>Sent:</b> 26 February 2025 07:26</p>	

To: [wrench@stellenbergwines.co.za](mailto:wrench@stellenbergwines.co.za)

Subject: Hello daar Wrench - Struisbaai- spookdraai - sien aangeheg - help asb beswaar aanteken deur onderstaande aan te stuur ASB ?

Hello Wrench , help asseblief om beswaar aan te teken teen die voorgestelde ontwikkeling voor ons huis in Struisbaai?

Sien hieronder en aangehegte dokument .



1. "Forward " asb net onderstaande beswaar wat ek saamgestel het na die Michelle toe hieronder ( [michelle@lornay.co.za](mailto:michelle@lornay.co.za) )
2. Vul asb jou besonderhede in waar geel gemerk
3. en "delete " from [ters.conradie@za.lactalis.com](mailto:ters.conradie@za.lactalis.com) ( jy kan my bcc op [terscon@gmail.com](mailto:terscon@gmail.com) as jy wil asb )
4. en druk "send" 😊

Hul hoef nie grondeienaars daar te wees nie – enige iemand kan beswaar maak..

Indien Mari dalk onder eie naam ook kan doen sal dit goed wees ... elke beswaar help en ek het paar 100 nodig.. ..

Groete en baie dankie

Ters

To Lornay Environmental Consulting Att: Michelle Naylor

Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)

22 FEBRUARY 2025

**SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .**

#### **A. INTRODUCTION**

- I am representing myself **Wrench, Roux, 5703265037089,** Somerbosch Wines, R44, Stellenbosch. ( if you want to give it )
- I have a direct interest in the application please register me as an Interested and affected person.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.

		<ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p>Regards</p> <p>Wrench Roux 0827718267 <a href="mailto:wrench@stellenbergwines.co.za">wrench@stellenbergwines.co.za</a></p> <p><b>Refer to Spoodraai generic objection 1.</b></p>	
499	Chris Storm	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Struisbaai Spookdraai Residential Development Objections</p> <p>To: Lornay Environmental Consulting Attention: Michelle Naylor</p> <p><b>25 February 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</u></b></p> <p><b>A. INTRODUCTION</b></p> <p>I am representing myself. I am Chris Storm, ID 4510165012083 resident in Oceanview Heights, Struisbaai.</p> <ul style="list-style-type: none"> <li>• I have a direct interest in the application, so <u>please register me as an interested and affected person for the proposed development of the Remainder of Erf 281 Struisbaai (Spookdraai)</u></li> <li>• The area is close to my house and we as a family have developed a close emotional bond with the area since we moved here 8 years ago.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai and Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> </ul>	

		<ul style="list-style-type: none"> <li>The grounds and detail of my objection is contained in the attachment (13 pages).</li> </ul> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
500	<b>Cornee Claassen</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Spookdraai Development Struisbaai</p> <p>Hi, I would like to object to the development as it is not in the best interest of Struisbaai.</p> <p>Is there a form I should complete or is this e-mail sufficient? Regards,</p> <p>Cornee Claassen 8 Swona street Agulhas</p>	
501	<b>Ricardo Claassen</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Spookdraai Struisbaai Development</p> <p>HI.</p> <p>Kindly register my objection against the Spookdraai Development in Struisbaai.</p> <p>Regards,</p> <p>Ricardo Claassen 8 swona str Agulhas</p>	
502	<b>Angelo McMahon</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Subject: Petition Against the Spookdraai Development Approval Dear Michelle I am writing to formally express my strong opposition to the proposed Spookdraai development. This project poses a significant threat to the environmental integrity, cultural iden</p> <p>A Mc Mahon</p>	

503	Ewald Viljoen	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Proposed Spookdraai development - Objection</p> <p>To whom it may concern</p> <p>Please find attached my support for the objection against the proposed development at Spookdraai in Struisbaai.</p> <p>The residents and broader community are outraged! We will resist with all we have to stop this development from going ahead.</p> <p>Regards,</p> <p>Ewald Viljoen</p> <p>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.  A. INTRODUCTION</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> I am representing myself Ewald Viljoen ID # 6210055089089</li> <li><input checked="" type="checkbox"/> I have a direct interest in the application as I own property in L' Agulhas. Erf 648, 25 High level Street</li> <li><input checked="" type="checkbox"/> I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li><input checked="" type="checkbox"/> The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li><input checked="" type="checkbox"/> There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a 'moderate negative visual impact"</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> </li> <li><input checked="" type="checkbox"/> I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li><input checked="" type="checkbox"/> The grounds and detail of my objection is given below.</li> </ul> <p>Regards  Ewald Viljoen  Mobile 082 491 7596  Email <a href="mailto:viljoenewald@gmail.com">viljoenewald@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
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504	Ronica Frick	<p><b>Email dated 26 February 2025</b></p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>GGG. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Ronica FRICK, ID # 4708220010080</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 8 Truterstreet</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Ronica FRICK  Name Surname  Mobile 083 261 3016  Email <a href="mailto:bagamoyo47@gmail.com">bagamoyo47@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
505	Jeremy Mann	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> RE: Registration as a I&amp;AP to provide comments on the Pre-application Basic Assessment Report for the Proposed Spookdraai Residential Development on Remainder of the Farm No. 281</p> <p>Att: Michelle Naylor</p>	



The general objective of integrated environmental management is, inter alia, to “identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences **and alternatives** and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management set out in NEMA. (Section 23(2)(b) of NEMA refers.)

The National Environmental Management Principles, inter alia, state that “Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option (Section 2(4)(b) of NEMA refers.) The NEMA defines the “best practicable environmental option” as “the option **that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term**”.

In terms of the NEMA, if the Department considers an application for an environmental authorisation, the Department must take into account all relevant factors, which may include, inter alia, “...any **feasible and reasonable**

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**alternatives to the activity** which are the subject of the application and any feasible and reasonable modifications or changes to the activity that may minimise harm to the environment. (Section 24O(1)(b)(iv) of NEMAA refers)

Ultimately an EIA is a decision-making process with the specific aim of selecting the option that will provide the most benefit and cause the least damage in the short and long term. **The quality of an EIA, as with all decisions, therefore “depends on the quality of alternatives from which to choose”.**

In light of the above, **the very consideration of a development in terms of EIA is about the consideration of alternatives related to the development – the consideration of alternatives being the key consideration of EIA.** Although the NEMA refers to “must include” “where applicable” when referring to the requirement to consider alternatives, the NEMA states that where an EIA has been identified as the environmental instrument to be utilised in informing an application for environmental authorisation, the consideration of alternatives, is applicable (Section 24O(1)(b)(iv) of NEMAA refers.) **All EIAs must therefore consider alternatives.**

The template provided a format for the Basic Assessment report as set out in Appendix 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”), Environmental Impact Assessment (“EIA”) Regulations, 2014 (as amended) in order to ultimately obtain Environmental Authorisation, specifies the inclusion **of a location map as appendix A1 to the BAR of the site, as well as the positions of alternative sites, to a scale of at least 1: 50 000.**

**MY COMMENT: No location map with the project site and alternatives has been supplied for to I&APs for review, assessment and comment. This is a mandatory requirement for the pre-application BAR. The Split Remainder of the Farm 281 (which the applicant owns) comprises 2 portions:**

- **a coastal portion (0.71 Ha), the portion identified by the applicant as the “the only preferred alternative”, and**

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- **a second portion (448.71 Ha), a large portion of which falls within the new urban edge identified in the CAM SDF. The location of this portion is adjacent to the area where most of the recent “high end housing development” in Struisbaai has taken place and presents a large area in which a number of suitable alternative sites are available. The claim that no alternative sites exist is fallacious and disingenuous.**

Further excerpts from the DEA&DP (2013) Guideline on Alternatives, EIA Guideline and Information Document Series. Western Cape Department :

### **3.2 Alternatives and Exemptions**

While the NEMA EIA Regulations make provision for an application for exemption from any provision of the Regulations (Regulation 50 of GN No. R. 543 of 18 June 2010 refers) the requirement to consider alternatives is prescribed by the provisions of the NEMA itself (Sections 24(4)(b) and 24(4A) of NEMA refer.) Section 24M of the NEMA does, however, allow for exemptions from any provision of the NEMA, except from provisions of section 24(4)(a). While it is therefore possible to apply to be exempted from the requirement to consider alternatives, the fact that the consideration of alternatives is the key

consideration of EIA, makes it unlikely that the authority will grant such exemption. It is, however, important to understand exactly what the legislation requires in terms of having to consider alternatives, and specifically the difference between having to investigate and having to comparatively assess alternatives.

### **3.3 Identifying and Investigating Alternatives, and Comparatively Assessing Alternatives**

In terms of the NEMA EIA Regulations all Basic Assessment Reports (Regulation 22(2)(h) of No. R. 543 of 18 June 2010 refers), Scoping Reports (Regulation 28(1)(c) and (j) of No. R. 543 of 18 June 2010 refers), and Environmental Impact Reports (Regulation 31(2)(g) and (i) of No. R. 543 of 18 June 2010 refers) **must** contain a description of **any feasible and reasonable alternatives** that have been identified, **including a description and comparative assessment of the**

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advantages and disadvantages that the proposed activity and alternatives will

**Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed.**

If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment phase.

**What would, however, have to be provided to the Department in this instance is proof that an investigation was undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist** (Regulations 22(4), 28(3) and 31(3) of No. R. 543 of 18 June 2010 refer.)

Note: If an applicant intends applying for exemption from the requirement to investigate alternatives, the reasoned motivation why no alternatives exist and why exemption should be granted from having to investigate alternatives, would consist of information on the consideration given to alternatives (i.e. the investigation) – meaning that the same information required by the provisions from which exemption is sought, will have to be provided as part of the exemption application – nullifying the reason for the exemption application.

Furthermore, if the exemption application is decided prior to proceeding with the process and appealed, the appeal may suspend the process until the appeal is decided.

It must, however, be remembered that information generated during the assessment phase, might require that further alternatives be considered.

Alternatives must be identified as early as possible in the process. It must, however, be remembered that alternatives are to be considered throughout the process. (See 4.1 below dealing with alternatives and modifications and changes to activities.) **The identification of alternatives should be broad,**

**objectively**

have on the environment and on the community that may be affected by the activity.

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**done and well documented.** Key criteria when identifying and investigating alternatives are that they should be “feasible” and “reasonable”.

The alternatives identified must serve to achieve the triple bottom-line of sustainability i.e. they must meet the social, economic and ecological needs of the public (DEA&DP Guideline on Need & Desirability (March 2013)). The alternatives must also aim to address the key impacts of the proposed project by maximising benefits and avoiding or minimising the negative impacts. **The primary objective must be to avoid all negative impacts**, rather than to minimise them. **Detailed information on the consideration of alternatives must, however, be provided in the relevant reports.**

In this regard (a) the methodology, (b) criteria used to identify, investigate and assess alternatives (these must be consistently applied to all alternatives), and (c) a reasoned explanation why an alternative was or was not found to be reasonable and feasible must be provided. **While all identified alternatives must be comparatively considered, only those found to be “feasible” and “reasonable” must be comparatively assessed. Interested and affected parties must specifically be afforded an opportunity to provide inputs into the consideration of alternatives.**

Alternatives are defined in the NEMA EIA Regulations as “different means of meeting the general purpose and requirements of the activity”.

The “feasibility” and “reasonability” of and the need for alternatives must be determined by considering, inter alia, (a) the general purpose and

requirements of the activity, (b) **need and desirability**, (c) opportunity costs, (d) **the need to avoid negative impact altogether**, (e) the need to minimise unavoidable negative impacts, (f) the need to maximise benefits, and (g) the need for equitable distributional consequences.

**MY COMMENTS:**

1. In the documentation submitted for comments,

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SECTION C: LEGISLATION/POLICIES AND/OR GUIDELINES/PROTOCOLS 1. Exemption applied for in terms of the NEMA and the NEMA EIA Regulations confirms that: **No exemption has been applied for by the applicant or the EAP.**

2. No feasible and reasonable alternatives to the development have been identified nor comparatively assessed. **Alternative sites are available on the split remainder of the Farm 281.**

3. If, however, no feasible and reasonable alternatives were found by the applicant or EAP, after having identified and investigated alternatives, no documentary proof that an investigation was undertaken and a motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist has been provided for comment. **Detailed information on the consideration of alternatives must, however, be provided in the relevant reports.**

4. Interested and affected parties have not been afforded an opportunity to provide inputs into the consideration of alternatives.

5. Feasible and reasonable alternatives do exist. The applicant is the owner of a significant number of potential alternative sites within the remainder of the Farm 281. The proposed development is located in coastal public property, within 100m of the high-water mark (HWM) line. It is the duty of the state as trustee to ensure that coastal public property is used, managed, protected, conserved and enhanced in the **interests of the whole community, as opposed to only a few individuals or groups. The omission of the investigation of the alternative sites available in this BAR is a deliberate attempt to withhold significant information from the competent authority and equates to deliberate disinformation.**

Further excerpts from the DEA&DP (2013) Guideline on Alternatives, EIA Guideline and Information Document Series. Western Cape Department :

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**4. TYPES OF ALTERNATIVES**

**4.1 Alternatives and Modifications and Changes to Activities**

*Although alternatives are to be considered as early as possible in the process, the necessity to consider modifications and changes, in order to prevent and/or mitigate environmental impacts identified during the assessment process, may also arise. Whereas discrete alternatives are therefore generally identified during the early stages of a project (pre-feasibility and feasibility) and comparatively assessed during the assessment phases (Basic Assessment and Scoping & EIR processes); incremental modifications and changes to activities might also have to be considered when a development proposal is amended in an incremental manner throughout the EIA process to address impacts and issues, as and when they are identified. Both the identification, investigation, and assessment of alternatives, and the generation and consideration of modifications and changes to activities must be well documented.*

**My comments:**

1. No discrete alternatives have been identified and comparatively assessed in this BAR, and no supporting documentation has been provided.

2. The so-called "alternatives" considered in this BAR are alternative layouts of the "preferred option", which is the only alternative considered. No comparative analysis detailing the consideration of the other alternative sites available to the applicant is provided to support the selection of this site as the "preferred option". **Selection of the preferred alternative is the key consideration of an EIA.**

**B. THIS PRE-APPLICATION BAR DOES NOT MEET THE EIA REGULATIONS' REQUIREMENTS TO PROPERLY CONSIDER "NEED AND DESIRABILITY".**

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Below are excerpts from the DEA&DP (2013) Guideline on Need and Desirability, EIA Guideline and Information Document Series. Western Cape. Department of Environmental Affairs & Development Planning (DEA&DP), March 2013 :

**2. STRATEGIC CONTEXT FOR THE CONSIDERATION OF NEED AND DESIRABILITY**

*In the National Spatial Development Perspective (NSDP) (2003 and updated in 2006) it is highlighted that, to achieve the goal of stimulating sustainable economic activities and to create long-term employment opportunities, it is required that spending on economic infrastructure is focused in priority areas ("spatial targeting") with potential for economic development, with development to serve the broader societies' needs equitably.*

*What is needed and desired for a specific area should firstly be strategically and democratically determined beyond the spatial extent of individual EIAs. The strategic context for informing need and desirability must therefore firstly be addressed and determined during the formulation of the sustainable development vision, goals, objectives, strategies and plans of **Municipal Integrated Development Plans ("IDPs") and Spatial Development Frameworks ("SDFs")** during which collaborative and participative processes play an integral part, and are given effect to, in the democratic processes at local government level. In this regard the SDF, which forms a core component of a Municipality's IDP, must, in terms of the Municipal Planning and Performance Management Regulations, specifically "set out objectives that reflect the desired spatial form of the municipality (...) contain strategies and policies regarding the manner in which to achieve the objectives (...) which strategies and policies must (...) indicate desired patterns of land use within the municipality (...) provide strategic guidance in respect of the location and nature of development within the municipality (...) provide a visual representation of the desired spatial form of the municipality, which representation (...) must indicate desired or undesired utilisation of space in a particular area".*

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*When "need and desirability" must be considered as part of an EIA process, the content of the IDPs, SDFs, EMFs and other relevant plans, frameworks and strategies **must be taken into account** when considering the merits of each application.*

***Where a proposed activity deviates from a plan, framework or strategy, the burden of proof falls on the applicant (and the Environmental Assessment Practitioner) to show why the impacts associated with the deviation might be justifiable. The need and desirability of development must be measured against the abovementioned contents of the IDP, SDF and EMF for the area, and the sustainable development vision, goals, objectives, strategies and plans formulated in, and the desired spatial form and pattern of land use reflected in, the area's IDP and SDF.***

*While the financial viability considerations of the private developer might indicate if a development is "do-able", **the "need and desirability" will be determined by considering the broader community's needs and interests as reflected in an IDP, SDF and EMF for the area, and as determined by the EIA.***

**3. THE STATUTORY CONTEXT FOR THE CONSIDERATION OF NEED AND DESIRABILITY**

*In terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) ("PAJA") all administrative action must be based on the "relevant considerations". NEMA and the EIA Regulations highlights specific considerations that must be taken into account for every application for environmental authorisation, including the principles set out in section 2 of NEMA, the general objectives of Integrated Environmental Management set out in section 23 of NEMA, the minimum requirements set out in section 24(4) of NEMA, the criteria set out in section 24O of NEMA and in regulation 8 of the EIA Regulations (Section 2, 23, 24(4) and 24O of NEMA as well as Regulation 8 of Government Notice No. R. 543, inter alia, refer.)*

*In terms of the EIA Regulations, when considering an application, the relevant competent authority must have regard to a number of specific relevant*

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*considerations, including specifically having to consider "the need for and desirability of the activity"( Regulation 8 of Government Notice No. R. 543 of 18 June 2010 (as corrected) refers.)*

*The EIA Regulations **specify that the basic assessment report, scoping report and environmental impact report (Regulations 22(2)(g), 28(1)(i) and 31(2)(f) of Government Notice No. R. 543 of 18 June 2010 (as corrected) refers) must provide a description of the need for and desirability of the proposed activity***

**and identified potential alternatives to the proposed activity.** It requires that both need and desirability must be considered by the developer, his/her independent environmental assessment practitioner (EAP), the specialists, and the competent authority. Interested and affected parties must also be afforded an opportunity to make representation in terms of their views in terms of the need and desirability considerations.

In order to properly interpret the EIA Regulations' requirement to consider "need and desirability", it is necessary to turn to the principles contained in NEMA, which serve as a guide for the interpretation, administration and implementation of NEMA and the EIA Regulations. With regard to the issue of "need", it is important to note that this "need" is not the same as the "general purpose and requirements" (Section 1 and 23 of NEMA, Regulation 2 of Government Notice No. R. 543 of 18 June 2010 (as corrected), and Section 24 of the Constitution refer) of the activity. While the "general purpose and requirements" of the activity might to some extent relate to the specific requirements, intentions and reasons that the applicant has for proposing the specific activity, the "need" relates to the interests and needs of the broader public.

In this regard the NEMA principles specifically inter alia require that environmental management must:

- "place people and their needs at the forefront of its concern" and equitably serve their interests;

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- "be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment **by pursuing the selection of the best practicable environmental option**;
- pursue environmental justice "so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person";
- ensure that decisions take "into account the interests, needs and values of all interested and affected parties"; and
- ensure that **the environment is "held in public trust for the people, the beneficial use of environmental resources must serve the public interest, and the environment must be protected as the people's common heritage"**.

The consideration of "need and desirability" in EIA decision-making therefore requires the consideration of the strategic context of the proposed activity along with the broader societal needs and the public interest.

**My comments:**

1. Cape Agulhas municipality has strategically and democratically determined its strategic context for informing need and desirability. (The 2022-2027 Cape Agulhas Municipality Spatial Development Framework reference number: SCM12/2022/23 | final report: October 2023 refers.)

2. The CAM SDF (reference above) clearly sets out the broader community's needs and interests.

3. This pre- application BAR has not comprehensively considered the strategic context of the community's needs and interests which are clearly identified in the SDF.

Below are excerpts from the Cape Agulhas Municipality (CAM) SDF:

**3. BIOPHYSICAL ENVIRONMENT**

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**3.4.6: Scenic, Historical, and Cultural Assets** (page 85)

Scenic routes to be protected are the:

- Gravel road between Struisbaai and Elim declared by Agulhas National Park as a Birding route
- Coastal road between Struisbaai and L'Agulhas

	<p><i>Historically and culturally significant precincts and places are the:</i></p> <ul style="list-style-type: none"> <li>• <i>Bredasdorp town centres.</i></li> <li>• <i>Napier heritage precinct and the river ribbon strip farms (Subject to heritage survey)</i></li> <li>• <i>The coastal road between Struisbaai and L'Agulhas.</i></li> <li>• <i>Struisbaai and L'Agulhas town centres.</i></li> <li>• <i>Fishermen's cottages in Kassiesbaai and the Arniston/Waenhuiskrans village.</i></li> <li>• <i>Elim mission settlement.</i></li> <li>• <i>Struisbaai Hotagterklip area.</i></li> <li>• <i>Coastal middens and fish traps; and</i></li> <li>• <i>Cape Agulhas Lighthouse as a Provincial Heritage site.</i></li> </ul> <p><b>8.6 Composite Spatial Development Framework (page 137)</b></p> <p><b>8.6.1 Sustainable Human Settlements</b></p> <p><i>...The MSDF mainly recommends low-cost residential development as the primary mode of housing delivery .... and economic opportunities which will support the principle of spatial justice and sustainability.</i></p> <p><b>8.6.2 Environment</b></p> <p><i>The unique character of the CAM is largely defined by its natural environment. However, river systems are deteriorating due to agricultural runoff and invasive alien vegetation and rising sea levels are eroding and flooding the coast due to climate change. Therefore, to preserve the character of the Municipality as well as its biophysical support systems, the integrity of the Protected Areas, CBAs</i></p> <p><b>Page 14 of 24</b></p> <p><i>(terrestrial and aquatic), ESAs (terrestrial and aquatic) and Marine Protected</i></p> <p><b>8.6.3 Urban Edge</b></p> <p><i>An urban edge refers to the boundary or transition zone between urbanised areas and the surrounding rural or natural landscape. The purpose of an urban edge is to proactively manage and direct urban growth in order to protect environmental resources located outside of the urban area, to limit urban sprawl, and to better utilise and maximise access to infrastructure, public facilities, and economic opportunities.</i></p> <p><b>8.6.4 Tourism</b></p> <p><i>Tourism is frequently used as an economic development tool to combat unemployment, broaden the skill base, and alleviate poverty. Coastal areas in CAM have a particularly high potential for the development of tourism activities and the expansion of the tourism industry. This should entail expanding access to coastal amenities as well as maintaining and upgrading recreational facilities to encourage more visitors to make use thereof. Bredasdorp, Napier, Arniston/Waenhuiskrans, L'Agulhas, and Elim have distinct heritage characteristics and historical elements that must be preserved and enhanced to facilitate more tourism opportunities.</i></p> <p><b>7. SPATIAL DEVELOPMENT CONCEPT</b></p> <p><b>7.1 Spatial Development Goals (page 123)</b></p> <p><i>Areas should be maintained and strengthened. This could be done by limiting development and land use within these areas to only those that add value to their integrity. To reduce the risk imposed by coastal erosion, <b>it is crucial that</b></i></p>	
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	<p><b>development within the coastal management line be restricted.</b> <i>Apart from the established Protected Areas in the municipality, there are several conservation areas and private nature reserves (PNRs) that have not yet been proclaimed as Protected Areas (TABLE 37). Therefore, this MSDF proposes a proactive initiative to enhance the continuity of the biodiversity network by proclaiming such areas as conservation areas.</i></p> <p>Page 15 of 24</p> <p>The CAM MSDF 2022-2027 has the following 5 spatial development objectives:</p> <ul style="list-style-type: none"> <li>• Develop sustainable human settlements for the residents of the Municipality.</li> <li>• Protect and conserve the natural assets of the Municipality.</li> <li>• Explore and maximise tourism opportunities.</li> <li>• Preserve and protect heritage sites.</li> <li>• Explore and create economic opportunities.</li> </ul> <p><b>7.2 Spatial Development Vision</b> (page 124)  <i>“A municipality that offers a good quality of life, rich life experience and diverse economic opportunities, ensures spatial justice and sustainability, and protects natural and heritage assets.”</i></p> <p><b>7.3 Key Strategies</b> (page 124)</p> <p>The spatial development vision for CAM – aimed at achieving the five spatial development goals while ensuring alignment with the spatial development principles of SPLUMA – comprises the eight key strategies, as outlined below:</p> <p><b>Key strategy 1</b>  Create sustainable human settlements through new development in strategic locations with access to basic services, public facilities, economic opportunities and public transportation.</p> <p><b>Key strategy 2</b>  Promote infill residential development within existing settlements to increase densities and promote access to infrastructure, social services and economic opportunities.</p> <p><b>Key strategy 3</b>  Protect and conserve protected areas, critical biodiversity areas and ecological support areas by keeping these areas in a natural or near</p> <p>Page 16 of 24  natural state and only allowing low impact, biodiversity sensitive land</p> <p><b>Key strategy 4</b>  Create diverse economic opportunities by promoting agriculture and tourism.</p> <p><b>Key strategy 5</b>  Protect and enhance historic and culturally significant precincts and places.</p> <p><b>Key strategy 6</b>  Eradicate informal settlements and integrate them with formal areas, social facilities and economic opportunities.</p> <p><b>Key strategy 7</b>  Limit urban sprawl and contain development within defined urban edges.</p> <p><b>Key strategy 8</b>  Protect and conserve agricultural land through strict policy and guidelines.</p> <p><b>My comments:</b></p>	
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	<p>1. The need and desirability in section E of the documents provided has not been quantified against the totality of the CAM SDF. No mention is made of the fact that proposed activity on the “only preferred” site is <b>deviant</b> from:</p> <ul style="list-style-type: none"><li>• 2 of the 5 spatial development objectives</li><li>• The spatial development vision</li><li>• At least 3 of the 8 key strategies</li></ul> <p>uses as appropriate. Page 17 of 24</p> <p>2. No comparison of alternative sites (<b>available to the applicant</b>) has been done to assess an alternative site that will ensure full alignment with the CAM SDF and satisfy the SDF needs and so enhance desirability.</p> <p>3. The burden of proof is on the applicant to demonstrate (<b>by comparing alternative sites</b>) that other alternatives are not better aligned with the SDF and community’s needs than their preferred alternative. The benefits that may accrue as a result of the development would also be realised at the alternative sites as well, and the desirability of the development would be enhanced significantly as negative impacts on the coastal public property will be totally avoided, with no reduction of the social economic benefits to the community.</p> <p>4. If the applicant can demonstrate that the current site is the only preferred site, <b>proof still has to be provided why the deviations from the CAM SDF are justifiable and how it meets the needs of the community and is still desirable.</b></p> <p><b>C. THIS PRE-APPLICATION BAR ATTEMPTS TO JUSTIFY THE ACTIVITY OF THE “ONLY PREFERRED ALTERNATIVE” WITHIN 100 METRES FROM THE HIGH-WATER LINE OF A COASTAL PUBLIC PROPERTY WITHOUT A COMPARATIVE ASSESSMENT OF AVAILABLE ALTERNATE SITES.</b></p> <p>Below are excerpts from “A Friendly Guide to the Integrated Coastal Management Act” , printed and distributed free of charge by The Department of Environmental Affairs, South Africa and SSI Engineers and Environmental Consultants, a DHV group company:</p> <p><b>OVERARCHING DUTIES OF THE STATE</b> (Chapter 2 page 15 refers.) In terms of Section 24 of the Constitution of the Republic of South Africa and the implementation of the ICM Act, the State is appointed to act as the trustee of the coastal zone, for the benefit of current and future generations. The State must take reasonable measures to ensure that these rights are realised in the interests of every person in South Africa. In other words, Page 18 of 24 the Constitution empowers the State, through the ICM Act, to manage the coast on behalf of its citizens.</p> <p><b>ICM ACT, THE NEMA AND OTHER LEGISLATION (Chapter 2 page 16 refers)</b> As a specific environmental management Act (SEMA), under the overarching umbrella of the NEMA, the ICM Act must be read in conjunction with the NEMA. Further, the resolution of any conflicts arising from the implementation of the ICM Act should be dealt with in terms of Chapter 4 of the NEMA. The ICM Act makes it clear that if the conflict relates to a coastal management issue, the ICM Act will prevail.</p> <p><b>ENVIRONMENTAL AUTHORISATIONS</b> (Chapter 7 page 53 refers.) Chapter 5 of the NEMA, refers to the need to obtain authorisation for listed activities. Any of the listed activities that are conducted in the coastal zone will require an environmental authorisation in terms of the NEMA. In addition to the NEMA requirements and criteria for environmental authorisations, the ICM Act provides for additional criteria that must be considered by the relevant competent authority when evaluating an application for an activity</p>	
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		<p>which will take place in the coastal zone. See Figure 7.3. Requirements applicable to environmental authorisations for listed activities in the coastal zone (see below).</p>	
506	<b>Viv Barnard</b>	<p><b>Email dated 23 February 2025</b></p> <p><b>Subject: SPOOKDRAAI</b></p> <p>DIE ONTWIKKELING IS MALLIGHEID WAT VAN DIE VERKEER ENS ONS GEWONE EIENAARS HET VERSKEIE BEPERKINGE IN DIE DORP OM AAN TE BOU EN HIERDIE ONTWIKKELAARS KOM WEG MET MOORD VG BARNARD KERKSTR</p>	
507	<b>Janine Brand</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject: Spookdraai Residential Development</b></p> <p>Subject: Objection to proposed Coastal Development at Spookdraai</p> <p>Dear Michelle</p> <p>I am writing to formally object to the proposed development at Spookdraai which is situated on the ocean's edge. While I support responsible development, I have serious concerns regarding the environmental, aesthetic, and community impacts of this project. My objections are as follows:</p> <p>1. Environmental Impact</p> <ul style="list-style-type: none"> <li>• The development's location threatens delicate coastal ecosystems, including native flora and fauna. Coastal areas are often protected due to their biodiversity, and disturbing these habitats could have irreversible consequences.</li> <li>• Digging for infrastructure, such as water supply or installing sewage tanks, could cause erosion, disrupt local marine life, and degrade water quality.</li> <li>• The construction process could introduce pollutants (such as runoff from concrete, plastics, and heavy metals) into the ocean, harming marine life.</li> <li>• Increased human activity and waste generation could lead to long-term environmental degradation.</li> </ul>	

## 2. Coastal Erosion and Climate Resilience

- Coastal developments contribute to erosion, increasing the risk of land instability and long-term damage to the shoreline. This is particularly concerning in light of rising sea levels and climate change.
- The structure may require seawalls or other artificial barriers, which can alter natural coastal processes and lead to unintended environmental consequences.

## 3. Visual and Aesthetic Impact

- The proposed development will be an eyesore, obstructing scenic coastal views that are valued by residents and visitors alike.
- This area is known for its natural beauty, and large-scale development would detract from the character of the coastline.

## 4. Impact on Recreation and Local Economy

- The development will restrict access to a popular fishing spot, which is enjoyed by both locals and tourists. This could negatively impact both recreational fishers and those who rely on fishing for their livelihood.
- Loss of this space could reduce tourism appeal, affecting local businesses that depend on coastal visitors.

## 5. Lack of Sustainable Development Principles

- Given the sensitivity of the coastal environment, has an Environmental Impact Assessment (EIA) been conducted? If so, I request full transparency regarding its findings.

## Conclusion

This proposal raises significant environmental, aesthetic, and community concerns. I urge the council to reject the application or, at the very least, require a comprehensive environmental assessment and community consultation before any approval is granted.

Thank you for considering my objections. I look forward to your response.

Sincerely,

		<p>Janine Brand</p> <p>083 72 73 74 9</p> <p>Struisbaai</p>	
508	<b>Shani Dames</b>	<p><b>Email dated 26 February 2025</b></p> <p>Good evening</p> <p>I hereby wish to raise an objection against the rezoning of Spookdraai and the building of 5 houses on the sea side of Marine Drive. The proposed development will spoil the scenic drive between Struisbaai and Agulhas forever. Apart from the environmental and aesthetic impact, the challenges with water supply will worsen as more properties are earmarked for development.</p> <p>Regards Shani Dames Struisbaai home owner</p>	
509	<b>Elsje Paxton</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b></p> <p>Object against the rezoning of Spookdraai and the building of 5 houses on the sea side of Marine Drive! The proposed development will spoil the scenic drive between Struisbaai and Agulhas forever! Stop this development, please. Stop killing our beautiful sea side. Sean Paxton Elsje Paxton Kara street Struisbaai.</p>	
510	<b>Sean Paxton</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b></p> <p>Object against the rezoning of Spookdraai and the building of 5 houses on the sea side of Marine Drive! The proposed development will spoil the scenic drive between Struisbaai and Agulhas forever! Stop this development, please. Stop killing our beautiful sea side. Sean Paxton Elsje Paxton Kara street Struisbaai.</p>	

511	<b>Cheryl Heyns</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject: Registration as an IAP and Objectionst Spookdraai Development</b></p> <p>Dear Michelle</p> <p>Please accept attached document as registration as Interested and Affected Parties in the public participation process for the proposed residential development in Spookdraai, Struisbaai.</p> <p>Please acknowledge receipt of the email, our registration and attached document.</p> <p>Best wishes Ian and Cheryl Heyns</p>	
512	<b>Ian Heyns</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject: Registration as an IAP and Objectionst Spookdraai Development</b></p> <p>Dear Michelle</p> <p>Please accept attached document as registration as Interested and Affected Parties in the public participation process for the proposed residential development in Spookdraai, Struisbaai.</p> <p>Please acknowledge receipt of the email, our registration and attached document.</p> <p>Best wishes Ian and Cheryl Heyns</p>	
513	<b>Melanie Wolhuter</b>	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject: Spookdraai ontwikkeling</b></p> <p>Aan wie dit mag gaan</p> <p>Asb. Stop die ontwikkeling by Spookdraai langs die kus. As n vakansieganger wat eiendom besit en elke bietjie vakansie en naweek wat ek kan, kom rus by die see, vra ek mooi. Bewaar asb die ongereptheid van ons dorpie wat ons so uniek maak. Die brood is n bekende visvang gat waar baie vissers hengel. Ons pragtige natuur en kuslyn sal negatief beïnvloed word. Moet asb nie dat geld en mammon ons mooie Agulhas oorneem nie.</p> <p>Groete</p>	

		Melanie Wolhuter	
514	Xen de Jongh	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Registration as I&amp;AP – Opposition to the Development of Six Residential Stands in the Coastal Protection Zone, Spookdraai, Agulhas</p> <p><b>Registration as an Interested and Affected Party (I&amp;AP) – Opposition to the development of six residential stands in the Coastal Protection Zone, Spookdraai, Agulhas</b></p> <p>Dear Michelle</p> <p>I am writing to formally register myself as an Interested and Affected Party (I&amp;AP) in relation to the proposed development of six residential stands within the Coastal Protection Zone at Spookdraai, Agulhas. I wish to express my strong opposition to this development on environmental and legal grounds.</p> <p>The Coastal Protection Zone is a critical buffer that safeguards sensitive ecosystems, prevents coastal erosion, and mitigates the impact of climate change. Developing within this zone poses significant threats to biodiversity, public access, and the long-term sustainability of the area. I am particularly concerned about:</p> <ol style="list-style-type: none"> <li>1. <b>Environmental Impact</b> – The proposed development may result in habitat destruction, coastal degradation, and the disruption of local flora and fauna, contravening environmental protection policies.</li> <li>2.</li> <li>3. <b>Legal Compliance</b> – Any development within the Coastal Protection Zone must align with the National Environmental Management Act (NEMA) and Integrated Coastal Management Act (ICMA). I request full transparency on the Environmental Impact Assessment (EIA) process.</li> <li>4.</li> <li>5. <b>Public Interest and Access</b> – The proposed development could restrict public access to coastal areas, which are meant to be preserved for the enjoyment and benefit of all.</li> </ol> <p>I formally request to be kept informed about all developments, public participation processes, and any decisions made regarding this matter. Please confirm my registration as an Interested and Affected Party and provide details on how I can submit further objections and participate in relevant hearings or meetings.</p> <p>Thank you for your attention to this important matter. I look forward to your response.</p> <p>Sincerely</p> <p>Xen de Jongh</p>	

515	Pierre du Plessis	<p><b>Email dated 26 February 2025</b></p> <p><b>Subject:</b> Register as I&amp;AP: Proposed Spookdraai development</p> <p>Hi Michelle,</p> <p>I hope this letter finds you well. I'm reaching out to formally register as an Interested and Affected Party (I&amp;AP) regarding the proposed development of six residential stands in the Coastal Protection Zone at Spookdraai, Agulhas. I have serious concerns about this development and want to ensure my objection is noted.</p> <p>This coastal area is meant to be protected for a reason. It plays an essential role in preserving biodiversity, preventing erosion, and maintaining the natural beauty that makes Agulhas so special. Allowing development here could have long-term environmental consequences, and I believe it's important that all legal and environmental processes, including the Environmental Impact Assessment (EIA), are made fully transparent.</p> <p>Beyond the environmental risks, this kind of development could also limit public access to the Spookdraai beach, which should remain open for everyone to enjoy. I'd like to stay informed about any updates, meetings, or decisions related to this proposal. Please confirm my registration as an I&amp;AP and let me know how I can further engage in the process.</p> <p>I appreciate your time and look forward to your response.</p> <p>Best regards,</p> <p>Pierre du Plessis</p>	
516	Liz	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Spookdraai development</p> <p>To whom it may concern How on earth is this project even possible - absolutely appalled at just the idee Thank you Liz Marais Sent from my iPad</p>	
517	Ilze Bredell	<p><b>Email dated 27 February 2025</b></p>	

		<p><b>Subject:</b> Spookdraai ontwikkeling</p> <p>Goeie more  Ek wil graag teen die spookdraai ontwikkeling stem  Groete  Ilze Lombard</p>	
518	<b>Deon (GAE) Jacobs</b>	<p><b>Email dated 27 February 2025</b></p> <p>Hi Michelle</p> <p>I object the rezoning of Spookdraai and the building of 5 houses on the sea side of Marine Drive between Struisbaai and Agulhas..</p> <p>The proposed Development will spoil the scenic drive between Struisbaai &amp; Aghullas !</p> <p>Many Thanks</p> <p>Deon (GAE) Jacobs</p> <p>Zuidste Huisie  203 Zand Crescent  Langezandt  Erf 2964</p>	
519	<b>Juanita Vermaak</b>	<p><b>Email dated 27 February 2025</b></p> <p>Subject: Objection against proposed development at Spookdraai</p> <p>Good day</p> <p>I make strong objection against the proposed development at Spookdraai, Struisbaai. As a resident and home owner since 2007 I feel strongly about the preservation of Struisbaai's aesthetic and feel. Spookdraai is such an iconic place in respect of absolute natural beauty to be admired by all, not just the few homeowners, that will probably not even be permanent residents. There are still so many undeveloped open erven available in the area, so this development is definitely not essential.</p> <p>Please protect Struisbaai, the attraction lies in the quaintness and preservation of quality of lifestyle above just another development.</p> <p>Kind regards</p>	

		<p>Juanita Vermaak 0842070818</p> <p>Sent from my iPhone</p>	
520	<b>Androzelle Kleinhans</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> ONTWIKKELING BY SPOOKDRAAI</p> <p>Aan wie dit mag aan gaan:</p> <p>Geagte Meneer/Mevrou</p> <p>Graag rig ek my gevoel oor die ontwikkeling by Spookdraai van die bou van vyf huise.</p> <p><u>Erstens Struisbaai en Agulhas lê my baie na aan die hart oor die mooi natuur en see uitsig wat dit bied en so ook die rustigheid vir die siel.</u> Ek voel die bou van vyf huise by Spookdraai gaan die natuur en die mooie see uitsig belemmer en dit gaan nie meer daai gevoel skep by die gemeenskap of selfs toeriste wat besoek vir 'n wegbreek weg van van die stad se gedruis af.</p> <p>Ek maak beswaar daar teen en ons moet die mooi natuur skoon beskerm teen ontwikkeling soos by Spookdraai.</p> <p>Groete Androzelle</p>	
521	<b>Frank Weighill</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> RE: REM-281 Registration I&amp;AP - Suidpunt Bewaringsvereniging - Comment 1</p> <p>Re: Proposed Spookdraai Residential Development Remainder Portion 281, Struisbaai Comment 1: Limited Access and Time</p> <p>We note with concern that the Public Participation Process does not include any means by which people who do not have access to email or the Internet can participate. In particular, this applies to the majority of residents of Struisbaai Noord who could reasonably be expected to be interested and affected parties.</p> <p>We would therefore request that the Public Participation Process be expanded to include a public meeting held in Struisbaai Noord and that the closing of the process (currently scheduled for 5<sup>th</sup> March 2025) be postponed.</p> <p>Frank Weighill Struisbaai Bewaringsvereniging</p>	

522	<b>Nelia Labuschagne</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Spookdraai Ontwikkeling</p> <p>Ek is 'n Permanente inwoner van L'Agulhas en wil beswaar maak teen die beoogde ontwikkeling in Struisbaai se Spookdraai. Spookdraai is 'n ikoniese baken van Struisbaai &amp; L'Agulhas. Die ontwikkeling sal absoluut die natuur skend, asook die uitsig van stappers, fietsryers en inwoners.</p> <p>Daar is geen manier dat dit kan voldoen aan regulasies vir bouwerk so na aan die see nie.</p> <p>Verwys ook na die Admiraliteits Sone- 100vt(33 +1/3 tree vanaf laagwatermerk PLUS 100vt vanaf hoogste hoogwatermerk)</p> <p>Besoekers besoek reeds die area as gevolg van die oop see- ruimtes, waar die see uitsig nie versper word met dubbelverdieping ontwikkelings nie. Ek staan hierdie ontwikkeling ten sterkste tee.</p> <p>Nelia Labuschagne Inwoner.</p>	
523	<b>Derek Labuschagne</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Spookdraai Ontwikkeling</p> <p>Ek is 'n permanente inwoner van L'Agulhas en wil beswaar maak teen die beoogde ontwikkeling in Spookdraai, Struisbaai. Spookdraai is 'n ikoniese baken van hierdie 2 dorpe.</p> <p>Die ontwikkeling sal die natuur skend en gevoel van oop ruimtes sal nie meer bestaan nie. Plante &amp; dierlewe sal daardeur benadeel word. Die uitsig van stappers, fietsryers en inwoners sal ontnem word.</p> <p>Met hierdie projek kan daar geensins voldoen word aan regulasies vir bouwerk so na aan die see nie.</p> <p>Verwys ook na regulasies van die Admiraliteits Sone- 100vt( 33+1/3 tree) vanaf hoogste hoogwatermerk.</p> <p>Besoekers( wat inkomste inbring vir besighede) besoek juis ons dorpie vir die ongerepte natuur en lieflike see uitsigte. Ek staan hierdie ontwikkeling ten sterkste teen.</p> <p>Derek Labuschagne Permanente Inwoner</p>	
524	<b>Nantes Kruger</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Re: Erf 281 Struisbaai - Request to be registered as IAP</p> <p>Good day</p>	

		<p>Thank you for your response. Attached please find my submission as allowed for in the public participation process.</p> <p>It will be appreciated if you can acknowledge receipt.</p> <p>Regards Nantes Kruger</p> <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>27 FEBRUARY 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT : FARM PORTION RE 281 Struisbaai</u></b></p> <p><b>A. INTRODUCTION</b></p> <p>I am representing <b>myself Nantes Kruger, ID no 5908255041088 of 4 Paalina Crescent, Oceanview Heights, Struisbaai</b>. I have a direct interest in the application <u>please register me as an Interested and affected person.</u></p> <ul style="list-style-type: none"> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p>Regards</p> <p><b>Nantes Kruger</b> Mobile: <b>0823313113</b> Email: <b>nantes.kruger@gmail.com</b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
525	Clive Govender	<p>Email dated 27 February 2025</p> <p><b>Subject:</b> Objection-Proposed Spookdraai Residential Development</p>	

		<p>Good Day Michelle, I represent a Western Cape based Fishing club "On the Rocks Angling", and my correspondence to you speaks for all 13 registered members of our club.</p> <p>We strongly object to the proposed Spookdraai Residential Development, your reference REM-281, as we believe that the development goes against the Integrated Coastal Management Act of 2008. Further, the development will restrict and/or make impossible access to the area for recreational and competition fisherman as in our club, and other clubs. Further, we further believe that these resources should not be exclusively used or limited to 1 group of individuals, the sea must and should remain accessible to all.</p> <p>Clive Govender Gemini Precision Pty 082 655 9486</p>	
526	<b>Androzelle Kleinhans</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Re: ONTWIKKELING BY SPOOKDRAAI</p> <p>Hi Hi</p> <p>Ek het nou gekyk op weberf. Watse dokumente moet ek in vul en waar? Kan u asb my help?</p> <p>Dankie Androzelle</p>	
527	<b>Androzelle Kleinhans</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Re: ONTWIKKELING BY SPOOKDRAAI</p> <p>Hi Hi</p> <p>Ek het nou gekyk op weberf. Watse dokumente moet ek in vul en waar? Kan u asb my help?</p> <p>Dankie Androzelle</p>	

528	Mieke Postma	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Good day Attached is my document with my objections against the Spookdraai development</p> <p>Regards Postma AM (Mieke) Cell 0835543435 email <a href="mailto:postma.mieke@gmail.com">postma.mieke@gmail.com</a></p> <p><b><u>SUBJECT: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Adriana Maria (Mieke) Postma ID 5911180105085 living at Geelstertlaan 19 Struisbaai</li> <li>• I have a close emotional bond with this area and have been walking in this area since visiting (2003) Struisbaai and later moving (2022) to Struisbaai.</li> <li>• The application is against the Law and undesirable as the development will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• <b>The detail of my objection is given below.</b></li> </ul> <p>Regards</p> <p>Mieke Postma Mobile 0835543435 e-mail <a href="mailto:postma.mieke@gmail.com">postma.mieke@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 2.</b></p>	
529	Pieter Reichert	<p><b>Email dated 27 February 2025</b></p> <p>Subject: BESWAAR TEEN SPOOKDRAAI ONTWIKKELING, STRUISBAAI Importance: High</p> <p>ATT: MICHELLE NAYLOR</p> <p>PLEASE FIND ATTACHMENTS RE: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p>	

		<p>REGARDS.</p> <p>Pieter Reichert</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <p><input checked="" type="checkbox"/> I am representing myself Name: <b>PIETER ANDRIES</b>, Surname: <b>REICHERT</b> ID: <b>561205 5125 089</b></p> <p><input checked="" type="checkbox"/> I have a direct interest in the application as <b>I co-own property in Struisbaai /L'Agulhas: ERF 783</b></p> <p><b>Address: 3 Meermin Street, L'Agulhas.</b></p> <p><input checked="" type="checkbox"/> I have a close emotional bond with this area and have been visiting this area since my childhood.</p> <p><input checked="" type="checkbox"/> The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</p> <p><input checked="" type="checkbox"/> There are numerous incorrect statements made by the EAP in the draft Bar document</p> <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></li> <li>o Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> <p><input checked="" type="checkbox"/> I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p><input checked="" type="checkbox"/> The grounds and detail of my objection is given below.</p> <p>Regards  Name Surname: <b>PIETER ANDRIES REICHERT</b>  Mobile: <b>082 894 0616</b>  Email: <a href="mailto:pareichert@telkomsa.net">pareichert@telkomsa.net</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
530	Elizabeth Reichert	<p>Email dated 27 February 2025</p> <p><b>Subject:</b> RE: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p>	

**Importance:** High

attention: MICHELLE NAYLOR

**PLEASE FIND ATTACHMENTS RE:OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI**

REGARDS

**Elizabeth Reichert**

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**A. INTRODUCTION**

I am representing myself Name: **ELIZABETH**, Surname: **REICHERT** ID: **570129 0063 088**

I have a direct interest in the application as **I co-own property in Struisbaai /L'Agulhas: ERF 783**

**Address: 3 Meermin Street, L'Agulhas.**

I have a close emotional bond with this area and have been visiting this area since my childhood.

The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.

There are numerous incorrect statements made by the EAP in the draft Bar document

o Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions

o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive

o Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*

o Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*

I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.

The grounds and detail of my objection is given below.

Regards

Name Surname: **ELIZABETH REICHERT**

Mobile: **082 778 8572**

Email: [iti30380@mweb.co.za](mailto:iti30380@mweb.co.za)

**Refer to Spookdraai Generic objection 1.**

531	Christina Boerssen	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Struisbaai</p> <p>Ek hou vir die afgelope 20jr vakansie op Struisbaai en my man nog langer. Dit sal bitter jammer wees as daar nog 'n stuk seefront toe gebou word. Die gebou wat so suuttjies by Skulpies baai gebou is, is 'n ware oogseer. Ek hoop regtig die ontwikkeling kan gekeer word. Christine Boerssen.</p>	
532	Annamarie De Meyer	<p><b>Email dated 27 February 2025</b></p> <p>Subject: re: Spookdraai beswaar</p> <p>Good Day Michelle</p> <p>Please find attached for Spookdraai.</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Annamarie De Meyer ID 6203110012089</li> <li>• I have a direct interest in the application as I own property in Struisbaai – 24 Argonauta Avenue, 7 Argonauta Estate, Struisbaai.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact’</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Annamarie De Meyer</p>	

		<p>Mobile 079 493 2188 Email <a href="mailto:annemarie@steelplast.co.za">annemarie@steelplast.co.za</a></p> <p><b>Refer to Spookdrai generic objection 1.</b></p>	
533	Stewart Lynn	<p>Email dated 27 February 2025</p> <p><b>Subject:</b> re: Spookdraai Beswaar</p> <p>Hi Michelle</p> <p>Another one from my Partner.</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>HHH. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Stewart Lynn ID 6408105163082</li> <li>• I have a direct interest in the application as I own property in Struisbaai – Adress 24 Argonauta Avenue, 7 Argonauta Estate, Struisbaai</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards</p> <p>Stewart Lynn 0836851082 <a href="mailto:annemarie@steelplast.co.za">annemarie@steelplast.co.za</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	

534

**Martie Louw**

**Email dated 27 February 2025**

**Subject:** Condensed Objection 15022025.docx

Good day, Michelle

See attached completed Objection for your attention.

Have an awesome day.

Martie Louw

**E OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**III. INTRODUCTION**

- I am representing myself Martie Louw ID # 600708 0001 083
- I have a direct interest in the application as I go on vacation in Struisbaai.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Martie Louw

Mobile 078 457 1194

Email [martielouw05@gmail.com](mailto:martielouw05@gmail.com)

**Refer to Spookdraai generic objection 1.**

535	Annalie Redinger		
		<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Insake: Spookdraai beswaar</p> <p>Good day Michelle,</p> <p>Please find attached.</p> <p>Best regards,</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p><b>JJJ. INTRODUCTION</b></p> <ul style="list-style-type: none"><li>• I am representing myself Annalie Redinger ID # 730117 0211 085</li><li>• I have a direct interest in the application as we go to Struisbaai every year for vacation, and we admire the coastal town. Please do not spoil the untouched beauty with modern buildings.</li><li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li><li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li><li>• There are numerous incorrect statements made by the EAP in the draft Bar document<ul style="list-style-type: none"><li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li><li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li><li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li><li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li></ul></li><li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li><li>• The grounds and detail of my objection is given below.</li></ul> <p>Regards</p> <p>Annalie Redinger 0732333522 <a href="mailto:annalie@steelplast.co.za">annalie@steelplast.co.za</a></p>	

536

Martie Louw

**Email dated 27 February 2025**

**Subject:** FW: BEPLANDE SPOOKDRAAI ONTWIKKELING - BELANGRIKE INLIGTING OM MAKLIK BESWAAR AAN TE TEKEN.

Good day, Michelle

My apologies the first email was not completed. See attached for your information.

Best regards,

**RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.**

**KKK. INTRODUCTION**

- I am representing myself Martie, Louw ID # 600708 0001 083
- I have a direct interest in the application as I go on vacation in Struisbaai.
- I have a close emotional bond with this area and have been visiting this area since my childhood.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a ‘moderate negative visual impact’*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Martie Louw

Mobile 078 457 1194

Email [martielouw05@gmail.com](mailto:martielouw05@gmail.com)

Refer to Spookdraai generic objection 1.

537	PJJ Reyneke	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p><b>27 FEBRUARY 2025</b>  <i>You are requested to acknowledge receipt of this e-mail.</i></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>LLL. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself PJJ Reyneke, (ID 5109265077085) Trustee of the Reyven Trust (IT 3771/99), 105 Marine Drive, Struisbaai.</li> <li>• <b>I have a direct interest in the application please register me as an Interested and affected person.</b></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p>Regards  PJJ Reyneke (ID 5109265077085)  Trustee of Reyven Trust (IT 3771/99)</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
538	Robert Pansegrauw	<p><b>Email dated 27 Februy 2025</b></p> <p><b>Subject:</b> OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</p> <p>Dear Michelle,</p> <p>My husband and I would like to lodge our objection to the proposed Spookdraai Residential development as 4<sup>th</sup> generation permanent residents of Struisbaai.</p> <p>I think this proposed building development is highly unethical and done underhanded, to try and sneak this through unnoticed and uninformed by residents of Struisbaai and Aghulas.</p>	

Please see attached objection document as allowed for in the public participation process..

It will be appreciated if you can acknowledge receipt.

Regards  
Daleen Pansegrauw  
[dalens03@live.com](mailto:dalens03@live.com)  
0845852232

To Lornay Environmental Consulting Att: Michelle Naylor  
Email: [michelle@lornay.co.za](mailto:michelle@lornay.co.za)  
**27 FEBRUARY 2025**

**SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT : FARM PORTION RE 281 Struisbaai**

**B. INTRODUCTION**

I am representing my husband and myself **Daleen Pansegrauw, ID no 7410030099083 and Robert Pansegrauw , ID 5701045073085 of 18 Natasha Street, Oceanview Heights, Struisbaai.** We have a direct interest in the application please register us as an Interested and affected person.

- I have a close emotional bond with this area and have been visiting this area since my childhood and we are the 4<sup>th</sup> generation home-owners and permanent residents in Struisbaai.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- **The grounds and detail of my objection are given below.**

Regards

Daleen Pansegrauw  
Mobile: 0845852232  
Email: [dalens03@gmail.com](mailto:dalens03@gmail.com)

Robert Pansegrauw  
Mobile: 082 803 1541  
E-mail: [rob04@live.co.za](mailto:rob04@live.co.za)

		<p><b>Refer to Spookdraai generic objection 1.</b></p>	
539	<p><b>Daleen Pansegrauw</b></p>	<p><b>Email dated 27 Februy 2025</b></p> <p><b>Subject: OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT</b></p> <p>Dear Michelle,</p> <p>My husband and I would like to lodge our objection to the proposed Spookdraai Residential development as 4<sup>th</sup> generation permanent residents of Struisbaai.</p> <p>I think this proposed building development is highly unethical and done underhanded, to try and sneak this through unnoticed and uninformed by residents of Struisbaai and Aghulas.</p> <p>Please see attached objection document as allowed for in the public participation process..</p> <p>It will be appreciated if you can acknowledge receipt.</p> <p>Regards  Daleen Pansegrauw  <a href="mailto:dalens03@live.com">dalens03@live.com</a>  0845852232</p> <p><b>To</b> Lornay Environmental Consulting   <b>Att:</b> Michelle Naylor  <b>Email:</b> <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>27 FEBRUARY 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT : FARM PORTION RE 281 Struisbaai</u></b></p> <p><b>C. INTRODUCTION</b></p> <p>I am representing my husband and myself <b>Daleen Pansegrauw, ID no 7410030099083 and Robert Pansegrauw , ID 5701045073085 of 18 Natasha Street, Oceanview Heights, Struisbaai.</b> We have a direct interest in the application <u>please register us as an Interested and affected person.</u></p> <ul style="list-style-type: none"> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood and we are the 4<sup>th</sup> generation home-owners and permanent residents in Struisbaai.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the</li> </ul>	

		<p>greater Struisbaai &amp; Agulhas area.</p> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection are given below.</b></li> </ul> <p>Regards</p> <p>Daleen Pansegrauw Mobile: 0845852232 Email: <a href="mailto:dalens03@gmail.com">dalens03@gmail.com</a></p> <p>Robert Pansegrauw Mobile: 082 803 1541 E-mail: <a href="mailto:rob04@live.co.za">rob04@live.co.za</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
540	Vanessa Hall	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> SPOOKDRAAI OBJECTION <b>Importance:</b> High</p> <p>I wish to express that I as a permanent resident in Oceanview Heights, Struisbaai strongly object against the possible Spookdraai development.</p> <p>It will not only destroy the landscape but damage the mystical feeling of Struisbaai/Agulhas which was our biggest reason to relocate here 8 years ago.</p> <p>Thank you</p> <p>Vanessa Hall</p>	
541	Hilly Mohr	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Spookdraai Cape Agulhas</p> <p>Good day Michelle</p> <p>Registration as interested and affected persons, and objections against the proposed Spookdraai Residential Development.</p>	

		<p>We are representing ourselves :  Hilly Mohr, ID 5505060019083, 14A Vasco Da Gama street, Struisbaai.  Frederick David Mohr, ID 5310045094081, 14A Vasco da Gama street, Struisbaai.</p> <p>We have a direct interest as well as a close bond with the area as we have been visiting the area since the 1960's. And have been living here permanently since 2022.</p> <p>This application is against the law and is undesirable as the development described in this document will have a significant negative impact on the greater Agulhas/Struisbaai area.</p> <p>We reserve the right to supplement this letter of objection with additional information and documentation within any extended time permitted for submissions.</p> <p>Regards</p> <p>Hilly Mohr  083-368-4231  <a href="mailto:hillytepper@gmail.com">hillytepper@gmail.com</a></p> <p>Frederick David Mohr  082-922-3420  <a href="mailto:davemohrsnr@gmail.com">davemohrsnr@gmail.com</a></p> <p><b>Refer to Spookdraai objection 1.</b></p>	
542	<b>Frederick David Mohr</b>	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Spookdraai Cape Agulhas</p> <p>Good day Michelle</p> <p>Registration as interested and affected persons, and objections against the proposed Spookdraai Residential Development.</p> <p>We are representing ourselves :  Hilly Mohr, ID 5505060019083, 14A Vasco Da Gama street, Struisbaai.  Frederick David Mohr, ID 5310045094081, 14A Vasco da Gama street, Struisbaai.</p> <p>We have a direct interest as well as a close bond with the area as we have been visiting the area since the 1960's. And have been living here permanently since 2022.</p>	

		<p>This application is against the law and is undesirable as the development described in this document will have a significant negative impact on the greater Agulhas/Struisbaai area.</p> <p>We reserve the right to supplement this letter of objection with additional information and documentation within any extended time permitted for submissions.</p> <p>Regards</p> <p>Hilly Mohr 083-368-4231 <a href="mailto:hilytepper@gmail.com">hilytepper@gmail.com</a></p> <p>Frederick David Mohr 082-922-3420 <a href="mailto:davemohrsnr@gmail.com">davemohrsnr@gmail.com</a></p> <p><b>Refer to Spookdraai objection 1.</b></p>	
543	Johna Giliomee	<p>Email dated 27 February 2025</p> <p><b>Subject:</b> Spookdraai ontwikkeling</p> <p>Hi Beswaar aangeheg. Johna Giliomee</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself</li> <li>• Name: Johanna,</li> <li>• Surname : Giliomee</li> <li>• ID : 4802080021087</li> <li>• I have a direct interest in the application as I own property in Struisbaai –</li> <li>• Adress: 138 Main Road L’Agulhas</li> <li>• or I vacation here ..or ...</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul>	

		<ul style="list-style-type: none"> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document</li> <li>o Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>o Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>o Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact”</li> <li>o Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards  Johna Giliomee  Mobile: 072 426 7402  Email: <a href="mailto:johna.giliomee@gmail.com">johna.giliomee@gmail.com</a></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
544	Edu Lohann	<p>Email dated 27 February 2025</p> <p><b>Subject:</b> Spookdraai Struisbaai</p> <p>Good day Michelle</p> <p>Kindly register me as an affected party and provide me with the information pack. I am a home owner, architectural professional and town planner living permanently in Struisbaai.</p> <p>Regards</p>	
545	Jantjies Giliomee	<p>Email dated 27 February 2025</p> <p><b>Subject:</b> Spookdraai Objection Giliomee</p> <p>See Attached</p> <p><b><u>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</u></b></p> <p style="text-align: center;"><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Name, Surname ID # <b>431216 5029 088</b></li> </ul>	

		<ul style="list-style-type: none"> <li>• I have a direct interest in the application as I own property in Struisbaai – Adress or I vacation here ..or ...<b>138 Main Road L’ Agulhas</b></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>○ Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> </li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p><b>Regards</b>  <b>Jantjies Giliomee</b>  <b>Mobile 082 388 0044</b>  <b>Email <a href="mailto:Jantjiesg@gmail.com">Jantjiesg@gmail.com</a></b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
546	Ryk Coetzee	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Struisbaai- spookdraai ontwikkeling beswaar</p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>MMM. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Ryk Coetzee. ID nr: 711009 5232 088</li> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p><b>Refer to Spookdraai generic objection 1</b></p>	

547	Neil Haikney	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> NOTICE OF PUBLIC PARTICIPATION – BASIC ENVOROMENTAL IMPACT ASSESMENT for the development of the remainder of Farm No.281, Struisbaai, LONRAY REF: REM-281</p> <p>LORNAY ENVIROMENTAL CONSULTING</p> <p>Dear Ms. Michelle Naylor.</p> <p>I trust this finds you very well.</p> <p>I am writing to you with regards the <b>NOTICE OF PUBLIC PARTICIPATION – BASIC ENVOROMENTAL IMPACT ASSESMENT for the development of the remainder of Farm No.281, Struisbaai, LONRAY REF: REM-281</b></p> <p>Please would you kindly register me as an Interested and Affected Party.</p> <p>Please find attached my Objection to the Development of said property.</p> <p>Thank you in advance and kind regards,</p> <p>Neil Haikney</p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI (Remainder of ERF 281).</b> Dear Ms Naylor INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I, Neil Haikney, ID # 6110025166084, am representing myself.</li> <li>• I have a direct interest in the proposed application as I have owned property in L’Agulhas for the last 20+ years.</li> <li>• I have a close emotional bond with this area and have first visited this area 1980, with my parents.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> </ul> <p>There are numerous incorrect statements made by the EAP in the draft Bar document: Referring to the NEMA act and ICM Act as “Guidelines “, it is legislative provisions</p> <p>Asserting that the proposed development is in line with existing residential development in this area while it is entirely inconsistent with properties seaward of Marine Drive</p> <p>Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i>”</p>	
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		<p>Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></p> <p>I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions. The grounds and detail of my objection is given below.</p> <p>Kind regards, Neil Haikney Mobile: 0790829288 Email: <a href="mailto:nghaikney@yahoo.com">nghaikney@yahoo.com</a> Address: 95 Gentoo Street L'Agulhas</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
548	Elsa Lubbe	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Re: Objection against Spookdraai development</p> <p>Good afternoon Thank you Michelle</p> <p>Attached is the letter detailing our objections based on various points including some detailed in your own impact report. I would like to emphasize that we object to this development in the strongest possible terms. I am aware of more family members who have already sent in their names and objections (Nelmarie and Gerrit de Villiers, Mia de Villiers, Carlo de Villiers) Please include the following people as persons of interest on your database:</p> <p>Elizabeth Johanna Wessels/ Stander</p> <p>Tuiniqua Sentrum, Kerkstraat 13, George</p> <p>079 722 8597</p> <p><a href="mailto:Elnastander0@gmail.com">Elnastander0@gmail.com</a></p> <p>Paul Stander</p> <p>Tuiniqua Sentrum, Kerkstraat 13, George</p>	

083 383 0296

[Standerpaul3@gmail.com](mailto:Standerpaul3@gmail.com)

Jacoba Christina Wessels/ De Kock

Tuscanm Villas 6, Onrusrivier, 7201

082 353 3744

[cobadebod57@gmail.com](mailto:cobadebod57@gmail.com)

Daniel Steyn De Kock

Tuscan Villas 6, Onrusrivier, 7201

082 921 2879

[dansimdek@gmail.com](mailto:dansimdek@gmail.com)

Marlene Wessels

Swanneck Gardens, Vonkepark, Lourensfordweg 121, Somerset Wes

082 325 2462

[heinwessels5@gmail.com](mailto:heinwessels5@gmail.com)

Johan Wessels

[joanwessels@absamail.co.za](mailto:joanwessels@absamail.co.za)

Helene Wessels

[kattiewessels@gmail.com](mailto:kattiewessels@gmail.com)

Melinda Collins

[melindacollins007@gmail.com](mailto:melindacollins007@gmail.com)

Mardene Le Roux

[mardene123@gmail.com](mailto:mardene123@gmail.com)

Engela (Lilla Wessels)

[lillawes@gmail.com](mailto:lillawes@gmail.com)

Vicky Falck

[vickyfalck123@gmail.com](mailto:vickyfalck123@gmail.com)

Johan Falck

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Madeleine Wessels

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Cobus Wessels

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Itha Wessels

[ithawessels@gmail.com](mailto:ithawessels@gmail.com)

Elsa Wessels

[elsa.lubbe@up.ac.za](mailto:elsa.lubbe@up.ac.za)

Regards

Elsa Wessels

Dear Madam,

**Letter of objection: Proposed Spookdraai Residential Development on RE Farm No. 281, Bredasdorp Division, at Struisbaai**

		<ol style="list-style-type: none"> <li>1. The abovementioned matter refers.</li> <li>2. The Wessels family has been landowners in Struisbaai since the very first erven were proclaimed. We have been living in or visiting Struisbaai and Agulhas for <b>five generations</b>.</li> <li>3. This letter aims to object to the proposed Spookdraai Residential Development on RE Farm No. 281, Bredasdorp Division, at Struisbaai (hereinafter “the development”), by raising several concerns that have not been adequately addressed in the developmental proposal.</li> </ol> <p><b>Background to this letter:</b></p> <ol style="list-style-type: none"> <li>4. This letter will be based on the principles of the Coastal Management Act that can be found in the ICM Act – User Friendly Guide (hereinafter “the ICM Act”).</li> <li>5. We refer specifically to the following principles: <ol style="list-style-type: none"> <li>5.1. <u>Economic Development</u> “Coastal economic development opportunities must be optimised to <u>meet society’s needs</u> and to <u>promote the wellbeing</u> of coastal communities.”</li> <li>5.2. <u>Accountability and Responsibility</u> “Coastal management is a shared responsibility. All people <u>must be held responsible</u> for the consequences of their actions, including financial responsibility for negative impacts.”</li> <li>5.3. <u>Duty of Care</u> “All people and organisations must <u>act with due care to avoid negative impacts</u> on the coastal environment and coastal resources.” (Own emphasis added).</li> </ol> </li> <li>6. In light of this, we believe that the development is not in line with our society’s needs, therefore we find it our duty to inform you of such in the reasons as outlined below.</li> </ol> <p><b>Impact on Fauna and Flora</b></p> <ol style="list-style-type: none"> <li>7. We refer to Alternative 4, as set out on page 34 of the Botanical Impact Assessment, especially “this revision further enhances and expands the retention of flora areas within the overall development.”</li> <li>8. This refers to the rezoning of the development in order to conserve the critically endangered Overberg Dune Strandveld that can be found on the western part of the site (refer to page 27 of the Botanical Impact Assessment).</li> <li>9. Our concern is that, even though the rezoning theoretically accommodates the conservation of this plant species, we do not believe it to practically come to pass. The reason for this is that the construction site for the development will be large, and no assurance can be made that the plant species will not be permanently destroyed in the construction process.</li> </ol> <p><b>Visual Impact</b></p> <ol style="list-style-type: none"> <li>10. Reference is made to page 53 of the Basic Assessment Report of April 2024, specifically the paragraph “VISUAL INTRUSION OF DEVELOPMENT.”</li> </ol>	
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"The development is proposed to occupy a portion of the coastline which is pristine and with no adjacent development to form a continuous pattern. This urban intrusion will result in a High Visual Intrusion."

(Own emphasis added).

11. The vista that the site of development provides for locals, and more importantly tourists, will remove the aesthetics of the coastline. Retention of this buffer zone is critical, and the introduction of residential structures will alter the landscape and detract from the visual appeal of the coastline.
12. Struisbaai is a coastal town and depends on the tourism of the peak seasons for its economic injection. The preservation of these views is crucial for maintaining the aesthetic value and charm of Struisbaai. Furthermore, this road is the only way of obtaining access to the southernmost tip of Africa.

#### **Erosion**

13. We refer to page 15 of the Botanical Impact Assessment, specifically:

"This image shows erosion of the accumulated aeolian sand. Note the thickness (depth) of the sand. The cause of the erosion is the egress of stormwater from a culvert at the edge of Marine Drive."

14. We furthermore refer to page 26 of the Botanical Impact Assessment, specifically:

"At this location, a stormwater culvert has been constructed. This is a good thing but the flow of water below the culvert should be appropriately managed. It is eroding the sandy soil and leaving an undesirable erosion gulley."

15. It is clear that the current inadequate management of stormwater is causing erosion in and around the potential site of development. Systems would need to be implemented to mitigate these already existing risks, as well as potential risks from the development, i.e., large construction vehicles and equipment, new stormwater management and pumping trucks (as is the current method of managing sewerage).
16. It is our concern that this area is not being protected from the adverse hydrological risks of erosion, and that the potential development will only add to these risks.

#### **Coastal protection zone**

17. The ICM Act defines the coastal protection zone on page 23 of its user-friendly guide:

"...a continuous strip of land, starting from the HWM and extending 100 metres inland in developed urban areas zoned as residential, commercial, or public open space..."

18. The Basic Assessment report gives the following description of the development site on page 2:

The property is strategically positioned alongside the coastline, within 100 meters of the high-water mark.

19. It is thus clear that the development site forms part of the coastal protection zone, which leads to Chapter 7 of the ICM act, namely the Protection of Coastal Environment.
20. Page 53 of “the ICM Act provides for additional criteria that must be considered by the relevant competent authority when evaluating an application for an activity which will take place in the coastal zone,” and same is set out on page 74.
21. The reader hereof is encouraged to consider question 2 which sets out the circumstances under which the competent authority may not issue environmental authorisation, especially points 2 and 6:

2. Is situated within the coastal protection zone or coastal access land, and does not further the purposes for which this land was designated; and  
6. Will not be in the interests of the community as a whole.

22. Firstly, this letter is proof that the development will not be in the interests of the community as a whole.
23. Secondly, considerable debate has arisen regarding the intended use of this land. However, it is our position that for decades, this strip of land has served as a recreational space, supporting activities such as fishing, hiking, and picnicking—its appeal being closely tied to the scenic views (see paragraphs 11 and 12 above). Moreover, this area is a highly frequented route for hikers, joggers, and cyclists, and the proposed development would significantly diminish its attractiveness for these purposes. Preserving this natural space in its established role is not only more practical but also ensures continued public access, whereas development would restrict it to six erven with limited public access.

**Correction of error**

24. We would lastly like to bring to your attention an error on page 32 of the Basic Assessment Report.
25. The location of the red arrow indicates an area close to Skulpiesbaai, and not Spookdraai as indented. Thus, erroneously indicating the location of the proposed site.
26. Added to this excerpt from the report is a blue arrow which indicates the correct location:

The proposed development site is situated within urban edge as demarcated by Cape Agulhas Municipality SDF (2024-2025), see **Appendix B4** and the figure below

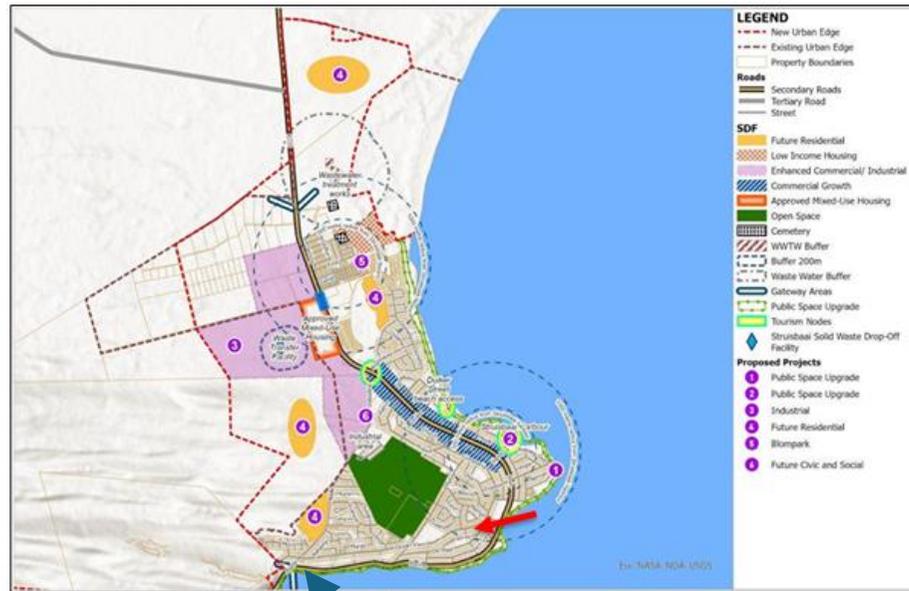


Figure 4: The red arrow indicates the location of the proposed site.

27. Thank you for considering our objections.

Yours faithfully,

Elsa Wessels, On behalf of The Wessels Family:

Lilla Wessels, Madeleine Wessels, Johan Falck, Vicky (Wessels) Falck, Jacobus Wessels, Itha Wessels, Helene Wessels, Johan Wessels, Melinda Collins,

		<b>Mardene Le Roux, Elizabeth Johanna Wessels/ Stander, Paul Stander, Jacoba Christina Wessels/ De Kock, Daniel Steyn De Kock, Marlene Wessels (Senior), Marlene Wessels (Junior)</b>	
549	<b>Elizabeth Johanna Wessels/ Stander</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
550	<b>Paul Stander</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
551	<b>Jacoba Christina Wessels/ De Kock</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
552	<b>Daniel Steyn De Kock</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
553	<b>Marlene Wessels</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
554	<b>Johan Wessels</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
555	<b>Helene Wessels</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
556	<b>Melinda Collins</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
557	<b>Mardene Le Roux</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
558	<b>Engela (Lilla Wessels)</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	
559	<b>Vicky Falck</b>	<b>Email dated 27 February 2025</b> Requests to be added as an I&AP	

560	Johan Falck	<p><b>Email dated 27 February 2025</b></p> <p>Requests to be added as an I&amp;AP</p>	
561	Madeleine Wessels	<p><b>Email dated 27 February 2025</b></p> <p>Requests to be added as an I&amp;AP</p>	
562	Cobus Wessels	<p><b>Email dated 27 February 2025</b></p> <p>Requests to be added as an I&amp;AP</p>	
563	Itha Wessels	<p><b>Email dated 27 February 2025</b></p> <p>Requests to be added as an I&amp;AP</p>	
564	Francois Siebrits	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Beoogde Ontwikkeling Spookdraai Agulhas</p> <p>Goeie Middag</p> <p>Graag wil ek en my eggenote, Susan Sienbrits, ernstig beswaar maak teen die ongewenste ontwikkeling wat by Spookdraai Agulhas beplan word. Struisbaai/Agulhas is bekend vir sy natuurskoon en hierdie beoogde ontwikkeling sal net verder bydra tot die skending van ons pragtige kuslyn. Ons kuslyn is klaar geskend deur die onooglike woonstelblok wat om onverklaarbare redes goedgekeur is, en waarvan ons nog geen positiewe kommentaar van enige inwoner of besoeker gehoor het nie.</p> <p>Ons kan nie toelaat dat ons kuslyn verder geskend word nie. Ons is die eienaars van 2 wooneenhede in die Stormsee kompleks in Agulhas en is baie bekommerd oor enige verdere onooglike ontwikkeling in ons pragtige omgewing.</p> <p><b>Groete/Regards</b></p> <p><b>FRANCOIS SIEBRITS</b></p> <p>M: +27 82 806 7394 E: <a href="mailto:franbrits@mweb.co.za">franbrits@mweb.co.za</a></p>	
565	Marlene Wessels	<p><b>Email date 27 February 2025</b></p> <p>Requested to be added to the I&amp;AP list.</p>	
566	Betty Labuschagne	<p><b>Email dated 27 February 2025</b></p>	

		<p><b>Subject:</b> Re: Registration as interested and affected party Spookdraai development</p> <p>Good day</p> <p>As an interested and affected party I Elizabeth M Labuschagne ID: 620206 0008 089 residing at 30 Pondokkie street, Suiderstrand object to the proposed developments because of the following reasons:</p> <ol style="list-style-type: none"> <li>1. The application is against the law (ICM Act, 2008)and situated within the Coastal Protection Zone - CPZ) The coast must be retained as a national asset with public rights to access and benefit from the opportunities provided by our natural resources. Coastal management efforts must ensure that all people including my grandchildren mau enjoy the rights of access to the area. The property lies within the CPZ and may not be developed. According to the application only a small part will be allowed public so this spot will be forever lost to the general public and people like me that enjoy hiking and walking next to the ocean. According to the proposal the existing footpath will be removed and the beach will be marked as private which is unacceptable. The ocean and the areas next to it belong to the people and not a few house owners with a big bank balance.</li> <li>2. We are enthusiastic hikers and cyclists and the development of this area will have a devastating effect on the visual and sense of peace that we currently experience in that area. I moved to this area two years ago because you could drive or cycle or walk for long periods and only see the ocean with no human intervention on that side. That will change if this "development" continues. As a member of the Agulhas Heritage Committee there are several published documents referring to the history and significance of Spookdraai (A portal into Paradise -Dr. Nico Walters)</li> <li>3. I object to the proposal because of the false presentation that there are no alternatives available. The developer has other land available that can be used. Why should six families benefit from this "development" next to the ocean and take it away from the rest of the community that are living in this area or visit the area on a regular basis?</li> <li>4. It will have no economic impact on the community in the long term. Once the houses are built there will be no job creation or employment opportunities. Six families cannot make a difference in this community compared to the loss that we will experience. It will have a negative impact on tourism and people that want to buy property in future because of the threat that this is just the beginning of more high rise buildings next to the ocean changing the face of Struisbaai / Agulhas / Suiderstrand forever.</li> </ol> <p>This will be a sad day if this is allowed to continue for the community but also for future generations. It will change the special vibe of this area forever.</p> <p>EM Labuschagne (Betty) ID: 620206 0008 089 Pondokkie street 30 Suiderstrand</p>	
567	Stephan du Toit	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject: Object against rezoning of Spookdraai</b></p>	

		<p>Dear Michelle</p> <p>Please let me know how I should object.</p> <p>Kind regards</p> <p>Stephan du Toit 076 851 9711</p>	
568	Francine Conradie	<p><b>Email dated 27 February 2025</b></p> <p>To: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> Subject: Spookdraai</p> <p>Kan jy asb vir my en my man die petisiebrief aanstuur? Sy email is - <a href="mailto:doef@barvallei.co.za">doef@barvallei.co.za</a> Dankie Francine Sent from my iPhone</p>	
569	Hester Robinson	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b> Spookdraai Residential development</p> <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a> <b>27 FEBRUARY 2025</b></p> <p><b><u>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</u></b></p> <p><b>NNN. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Hester Robinson ( ID 6604150107087) of 159 Marine Drive Struisbaai <u>as affected person</u></li> <li>• I have a close emotional bond with this area and have been visiting this area for many years as we have a property at the above address.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>○ Referring to the NEMA act and ICM Act as “Guidelines “.. it is legislative provisions</li> <li>○ Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with</li> </ul> </li> </ul>	

		<p>properties seaward of Marine Drive</p> <ul style="list-style-type: none"> <li>○ Assertion by the EAP that the proposed <i>development will have a 'moderate negative visual impact'</i></li> <li>○ Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> </ul> <ul style="list-style-type: none"> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> <li>• In addition, I wish to note that this development will have a severe impact on the coastal edge of Struisbaai . The area known as Spookdraai includes a natural rock and beach area used by fisherman , families on holiday enjoying a day on the beach, wedding parties and family photoshoots. It is also visited by numerous international tourists on their way to the southernmost point of Africa- why is it even considered to allow this beautiful section of our costal heritage to fall into the hands of short-sighted developers pursuing this development for personal gain and not to the benefit of the greater environment and generations to come.</li> </ul> <p>Regards Hester Robinson Mobile 0832900074</p> <p><b>Refer to generic objection 1.</b></p>	
570	Cora Loubser	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject:</b></p> <p>Ek stem NIE saam oor die hersonering en ontwikkeling van erwe aan see kant van teerpad by Spookdraai. Daar is genoeg erwe beskikbaar en ons infrastruktuur bv water is nie voldoende . Dit gaan ons unieke kuslyn sonder geboue in die wiele ry. Daar is klaar n seeroog. Ons het nie nog nodig. Op die ou end lyk ons soos baie dorpe wat geen seeuitsig meer het. So ek smee saam met baie moet dit nie goed keurasseblief.</p> <p>Bekommerde belasting betaler Cora Loubser</p>	
571	Jaques Ross	<p><b>Email dated 27 February 2025</b></p> <p><b>Subject: Spookdraai</b></p> <p>Hi</p> <p>Ek stem glad nie vir die nuwe idee van hulle nie . Ek object against the rezoning.</p> <p><b>Dankie Jaques Ross</b></p>	
572	UGHETTA PARENTI	<p><b>Email dated 27 February 2025</b></p>	

		<p>Subject: Objection to rezoning Spookdraa.</p> <p>Hi Michelle! Thank you, can you advise what we need to do to object? Best wishes UGHETTA PARENTI 083 309 2577 Object against the rezoning of Spookdraai and the building of 5 houses on the sea side of Marine Drive! The proposed development will spoil the scenic drive between Struisbaai and Agulhas forever! Send an email to michelle@lornay.co.za before 5 March Get BlueMail for Android</p>	
573	Nicola Terblanche	<p><b>Email dated 27 February 2025</b></p> <p>Subject: Spookdraai Petition</p> <p>Hi Michelle,</p> <p>Ek wil graag ook die petisie ondersteun teen die ontwikkeling van Spookdraai.</p> <p>Dankie.</p>	
574	Dwayne Graham	<p><b>Email dated 28 February 2025</b></p> <p><b>Subject:</b> Objection letter</p> <p>To whom it may concern</p> <p>This is a objection letter against development at the spookdraai area in struisbaai. Left from the road belongs to the sea please 🙏🙏🙏🙏</p> <p>Regards Dwayne Graham</p>	
575	Atel Streicher	<p><b>Email dated 28 February 2025</b></p> <p><b>Subject:</b> STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</p> <p>Hereby my objection regarding Spooktraai development</p>	

		<p>Atel Streicher</p> <p>0828947036</p> <p><a href="mailto:Atelstreicher1968@gmail.com">Atelstreicher1968@gmail.com</a></p> <p><b>A. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Atel Streicher, Protea Straat 1</li> <li>• I have a direct interest in the application <u>please register me as an Interested and affected person.</u></li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• <b>The grounds and detail of my objection is given below.</b></li> </ul> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
576	Lizel Visser	<p><b>Email dated 28 February 2025</b></p> <p>Lornay Environmental Consulting Att: Michelle Naylor  Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>  <b>28 FEBRUARY 2025</b></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</b></p> <p><b>1. INTRODUCTION</b></p> <ul style="list-style-type: none"> <li>• I am representing myself Lizel Visser ID # 8208040013089</li> <li>• I have a direct interest in the application as I vacation here during most holidays and long weekends</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document <ul style="list-style-type: none"> <li>• Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>• Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>• Assertion by the EAP that the proposed <i>development will have a ‘moderate negative visual impact’</i></li> </ul> </li> </ul>	

		<ul style="list-style-type: none"> <li>• Blatantly misleading and false statement that <i>the developer has no other options and that the subject property is the only asset available to the developer.</i></li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards Lizel Visser Mobile 0832276109 Email <a href="mailto:lizelm.visser@gmail.com">lizelm.visser@gmail.com</a></p> <p><b>Refer to Spookdraai objection 1.</b></p>	
577	Hendik Brinks	<p><b>Email dated 28 February 2025</b></p> <p>Subject: Re: Struisbaai- spookdraai</p> <p>To Lornay Environmental Consulting Att: Michelle Naylor Email: michelle@lornay.co.za 22 FEBRUARY 2025</p> <p>SUBJECT: STRUISBAAI REGISTRATION AS INTERESTED AND AFFECTED PERSON AND OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT .</p> <p>A. INTRODUCTION</p> <ul style="list-style-type: none"> <li>• I am representing myself Hendrik Brink id no 7402025021081</li> <li>• I have a direct interest in the application please register me as an Interested and affected person.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p><b>Refer to Spoodraai generic objection 1.</b></p>	
578	Nicholaas Visser	<p><b>Email dated 28 February 2025</b></p> <p>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p>1. INTRODUCTION</p>	

		<ul style="list-style-type: none"> <li>• I am representing myself Nicolaas Visser ID # 8112085030083</li> <li>• I have a direct interest in the application as I vacation here during most holidays and long weekends.</li> <li>• I have a close emotional bond with this area and have been visiting this area since my childhood.</li> <li>• The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>• There are numerous incorrect statements made by the EAP in the draft Bar document</li> <li>• Referring to the NEMA act and ICM Act as “Guidelines “it is legislative provisions</li> <li>• Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive</li> <li>• Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact”</li> <li>• Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> <li>• I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</li> <li>• The grounds and detail of my objection is given below.</li> </ul> <p>Regards  Nicolaas Visser  Mobile 078 572 5833  Email <a href="mailto:nicolaas.visser@gmail.com">nicolaas.visser@gmail.com</a></p> <p>Refer to Spookdraai generic objection 1.</p>	
579	Arnold Viljoen	<p><b>Email dated 28 February 2025</b>  <b>Subject: SPOOKDRAAI RESIDENTIAL DEVELOPMENT</b></p> <p>2025/02/28  Dagse  Hoe kan ek help om die stop te sit.  Groete  Arnold  0824934442</p>	
580	Philine van Blommestein	<p><b>Email dated 28 February 2025</b>  <b>Subject: Objection to proposed Coastal Development at Spookdraai</b></p> <p>Dear Michelle  I am writing to formally object to the proposed development at Spookdraai which is situated on the ocean’s edge. While I support responsible development, I have serious concerns regarding the environmental, aesthetic, and community impacts of this project. My objections are as follows:  1. Environmental Impact</p>	

		<ul style="list-style-type: none"> <li>• The development’s location threatens delicate coastal ecosystems, including native flora and fauna. Coastal areas are often protected due to their biodiversity, and disturbing these habitats could have irreversible consequences.</li> <li>• Digging for infrastructure, such as water supply or installing sewage tanks, could cause erosion, disrupt local marine life, and degrade water quality.</li> <li>• The construction process could introduce pollutants (such as runoff from concrete, plastics, and heavy metals) into the ocean, harming marine life.</li> <li>• Increased human activity and waste generation could lead to long-term environmental degradation.</li> </ul> <p>2. Coastal Erosion and Climate Resilience</p> <ul style="list-style-type: none"> <li>• Coastal developments contribute to erosion, increasing the risk of land instability and long-term damage to the shoreline. This is particularly concerning in light of rising sea levels and climate change.</li> <li>• The structure may require seawalls or other artificial barriers, which can alter natural coastal processes and lead to unintended environmental consequences.</li> </ul> <p>3. Visual and Aesthetic Impact</p> <ul style="list-style-type: none"> <li>• The proposed development will be an eyesore, obstructing scenic coastal views that are valued by residents and visitors alike.</li> <li>• This area is known for its natural beauty, and large-scale development would detract from the character of the coastline.</li> </ul> <p>4. Impact on Recreation and Local Economy</p> <ul style="list-style-type: none"> <li>• The development will restrict access to a popular fishing spot, which is enjoyed by both locals and tourists. This could negatively impact both recreational fishers and those who rely on fishing for their livelihood.</li> <li>• Loss of this space could reduce tourism appeal, affecting local businesses that depend on coastal visitors.</li> </ul> <p>5. Lack of Sustainable Development Principles</p> <ul style="list-style-type: none"> <li>• Given the sensitivity of the coastal environment, has an Environmental Impact Assessment (EIA) been conducted? If so, I request full transparency regarding its findings.</li> </ul> <p>Conclusion</p> <p>This proposal raises significant environmental, aesthetic, and community concerns. I urge the council to reject the application or, at the very least, require a comprehensive environmental assessment and community consultation before any approval is granted.</p> <p>Thank you for considering my objections. I look forward to your response.</p> <p>Sincerely,  Philine van Blommestein  083 255 9055  Struisbaai</p>	
581	Giel de Kock	<p><b>Email dated 28 February 2025</b></p> <p><b>Subject: Spookdraai comments</b></p> <p><b>Michelle</b>  <b>I am already registered and this is more comments against the development.</b>  <b>Regards</b>  <b>Giel de Kock</b></p> <p><b>OOO. INTRODUCTION</b></p>	

- I am representing myself Giel de Kock
- I have a direct interest in the application as I own property in L'Agulhas.
- The application is against the Law and undesirable as the development contemplated therein will have a significant negative impact on the greater Struisbaai & Agulhas area.
- There are numerous incorrect statements made by the EAP in the draft Bar document
  - Referring to the NEMA act and ICM Act as "Guidelines "it is legislative provisions
  - Asserting that the proposed development is in line with existing residential development in this area while it entirely inconsistent with properties seaward of Marine Drive
  - Assertion by the EAP that the proposed *development will have a 'moderate negative visual impact'*
  - Blatantly misleading and false statement that *the developer has no other options and that the subject property is the only asset available to the developer.*
- I reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.
- The grounds and detail of my objection is given below.

Regards

Giel de Kock  
 0829084913  
[Gieldekock1@gmail.com](mailto:Gieldekock1@gmail.com)

Referr to Spookdraai generic objection 1.

Dear M Naylor

**Re: Basic Assessment Report - Proposed Spookdraai residential development on Remainder of farm No 281, Struisbaai**

There are several issues of concern regarding the proposed development and therefore we object to this development.

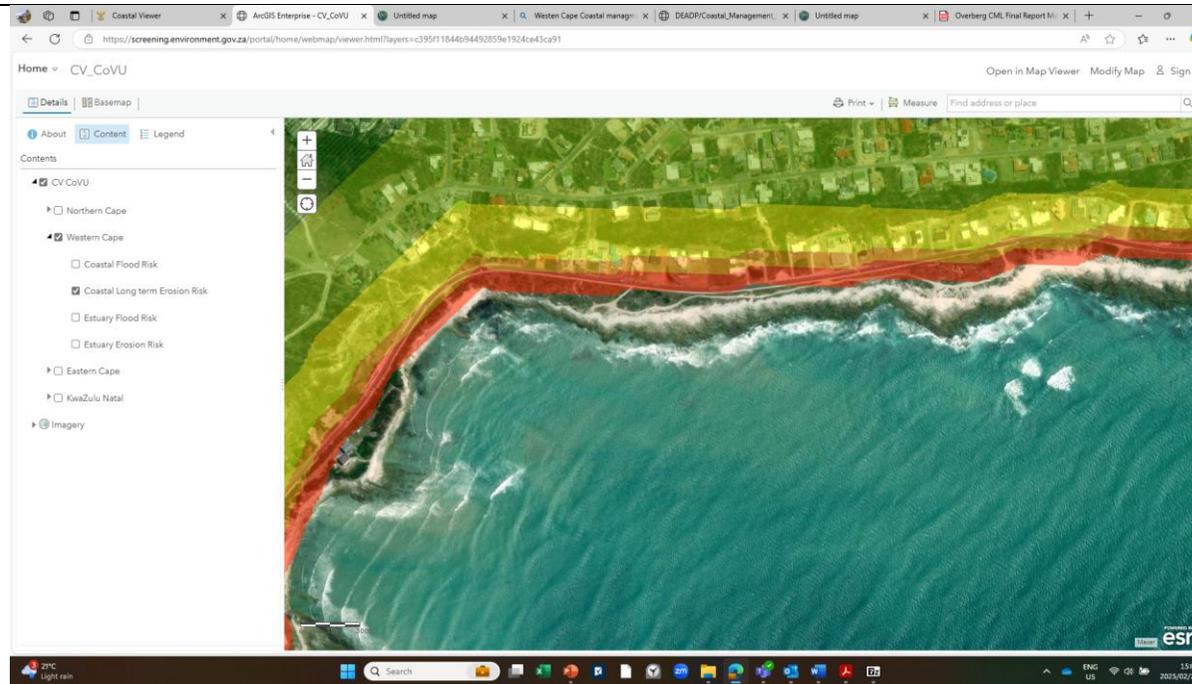
Spookdraai is an iconic space for recreational and cultural use within the Struisbaai and L'Agulhas communities. The proposed development sits in a natural area below the coastal road, an area which have been used for decades. It gives substance to the natural character of the area, and the sense of place when driving along Marine drive. A development below the road will result in:

- A loss of sense of place
- A loss of viewshed from the road
- A loss of recreational and cultural use for the Struisbaai and L'Agulhas communities
- A development within the sensitive coastal protection zone
- A development within a high-risk erosion zone
- A loss of resilience in the coastal zone to withstand extreme events
- Impact on Critically endangered vegetation (Terrestrial Biodiversity impact assessment), and the creation of an island of development within the Struisbaai – L'Agulhas green belt below the road.

It is also clear that no consideration was given to future climate change impact, which will result in loss of coastal resilience:

- No consideration given to coastal erosion due to increased sea level rise, storminess and extreme events
- No consideration given to increased runoff from extreme rainfall events

	<ul style="list-style-type: none"><li>• No consideration for sensitive coastal habitat</li></ul> <p><b>1. Western Cape Coastal Management Lines</b></p> <p>According to the Western Cape government report: <i>Refinement of the coastal management (set-back) lines for the Overberg District</i>, (Western Cape Government Environmental Affairs &amp; Development Planning; Royal HaskoningDHV, 2015)</p> <p>The COASTAL PROTECTION ZONE “plays a significant role in a coastal ecosystem” in order to:</p> <ol style="list-style-type: none"><li>a) protect the ecological integrity, natural character and the economic, social and aesthetic value of coastal public property</li><li>b) avoid increasing the effect or severity of natural hazards in the coastal zone</li><li>c) protect people, property and economic activities from risks arising from dynamic coastal processes, including the risk of sea-level rise</li><li>d) maintain the natural functioning of the littoral active zone</li><li>e) maintain the productive capacity of the coastal zone by protecting the ecological integrity of the coastal environment</li></ol> <p>The report recommends that, except for completely developed areas, the CPZ in the Overberg District includes the following elements:</p> <ul style="list-style-type: none"><li>• the long term (100yr) risk projection</li><li>• littoral active zones</li><li>• properties that should form part of the Coastal Public Property, such as the Admiralty Reserve</li><li>• harbour areas if they remain enclosed by sensitive natural areas</li><li>• all ecologically sensitive areas directly linked to the shoreline</li><li>• areas or features of social, economic and heritage value linked to the coast</li><li>• the designated coastal risk zone</li></ul> <p>and that a <b>minimum width of 100m</b> is retained as a conservative buffer in urban areas and 1 000m in rural areas. This proposed development seeks to nullify the 100m buffer.</p> <p><b>2. Department Forestry Fisheries and Environment: Coastal vulnerability</b></p> <p>The property falls within the Coastal Longterm erosion risk zone. (See screenshot below from: Western Cape - Coastal long term Erosion Risk <a href="#">ArcGIS Enterprise - CV CoVU</a>)</p>	
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The high risk, red zone is unsuitable for development, due to the loss of resilience in the coastal zone from development, as well as risk to property owners, and has implications for property insurance.

**The DFFE and Western Cape government considers this risk zone unsuitable for development.**

Adjacent properties in Marine drive towards L'Agulhas, less than one kilometer from this site, also situated within the CPZ 100m buffer zone, and also situated within the long-term risk zone have suffered impact, damages and losses from extreme events, particularly coastal erosion from rain and flooding events.

The current open space serves as buffer to development beyond the road, and removal of the buffer such as rocky shoreline and natural vegetation and replacing these with hard built structures will decrease coastal resilience at this site.

**In conclusion:**

This property falls within the 100m buffer of the Western Cape Government Overberg CPZ

This property falls within the DFFE long-term high risk coastal erosion zone

Other properties within the above zones have previously suffered damage due to extreme events

The property will impact:

- ecologically sensitive areas directly linked to the shoreline
- areas or features of social, economic and heritage value linked to the coast
- the designated coastal risk zone

It would be short sighted to allow development at this site.

		Dr Ané Oosthuizen Marine Biologist	
582	Abrie Wessels	Email dated 28 February 2025 Requested to be added as I&Ap	
583	Aletta Wessels	Email dated 28 February 2025 Requested to be added as I&Ap	
584	Nicola Terblanche	Email dated 28 February 2025  <b>Subject: Spookdraai Ontwikkeling</b>  Hi Michelle,  Ek wil graag my misnoë uitspreek oor die ontwikkeling in Spookdraai, asook beswaar maak daarteen.  Daar is vele ander dele wat bebou kan word, waar daar minder skade aan die omgewing sal wees.  Dankie.  Kind regards, Nicola Terblanch	
585	Lisa Terblache	Email dated 28 February 2025  <b>Subject: Spookdraai Ontwikkeling</b>  Hi Michelle,  Ek wil graag my misnoë uitspreek oor die ontwikkeling in Spookdraai, asook beswaar maak daarteen.  Daar is vele ander dele wat bebou kan word, waar daar minder skade aan die omgewing sal wees.  Dankie. Lisa Terblanche	
586	Michel Frost	Email dated 28 February 2025  Subject: Spookdraai objection  To whom it may concern	

		<p>I object to the proposed development at Spookdraai.</p> <p>Regards \ Groete</p> <p>Mike Frost</p>	
587	Nadia Louw	<p><b>Email dated 28 February 2025</b></p> <p><b>Subject: Struisbaai- spookdraai</b></p> <p><b>Good day Michelle,</b></p> <p><b>Trust you are well.</b></p> <p><b>Please find attached from Lesca de Wet (email address: lescadewet@dewetshof.com)</b></p> <p><b>Please acknowledge receipt of this email.</b></p> <p><b>Kindest regards,</b></p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
588	Gerrit Giliomee	<p><b>Email dated 28 February 2025</b></p> <p>Subject: RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI.</p> <p>Hi,</p> <p>I object to the development.</p> <p>I grew up in this area and allowing greedy property developers to spoil what used to be public spaces enjoyed by everyone is selfish and greedy.</p> <p>Regards -- Gerrit Giliomee 07248 60718</p> <p><b>Refer to Spookdraai objection 1.</b></p>	
589	Nelmare De Villiers	<p><b>Email dated 28 February 2025</b></p>	

**Subject: OBJECTION AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI**

**To whom it may concern**

**I, Nelmare de Villiers, ID 690220 0099 084 , email nelmare@outlook.com, wish to register as an interested party with regards to the proposed Spookdraai Residential Development in Struisbaai.**

**Please also ensure that my immediate family members are also registered as interested parties:**

**Gerrit de Villiers**

**ID 620708 5184 088**

**gerritdevilliers.gdv@gmail.com**

**Carlo Gerrit de Villiers**

**ID 981101 5140 081**

**devillierscg@gmail.com**

**Mia de Villiers**

**ID 010104 0465086**

**miadevil6@gmail.com**

**Please find our letter of objection attached to this email.**

**Regards**

Dear Madam,

Letter of objection: Proposed Spookdraai Residential Development on RE Farm No. 281, Bredasdorp Division, at Struisbaai

1.

The abovementioned matter refers.

2.

I am the owner of a residential property at 133 Marine Drive, Struisbaai, which is in very close proximity to the proposed development. We purchased the property in 2004 as a vacation home, which we visit as often as on a weekly basis, and plan to retire there in 2026.

Struisbaai has been my Wessels family's holiday destination for five generations and on my Moelich family's side for four generations. I can recall fond memories of holidays and camping at Struisbaai since I was 5 years old in 1974.

I enjoy walking along the coastline in Spookdraai and being enthralled by the pure, unspoilt scenery and beauty of Nature every time I visit Struisbaai. This is exactly what I believe also draws visitors and travellers from all over the world – to come to experience the exceptional beauty of Nature when they visit Struisbaai and Agulhas.

It is extremely concerning that people consider scarring this pure picture of Nature forever by building residential properties right on the coastline in Spookdraai.

My family, including myself, my husband and our two adult children, thus wish to formally add our concerns to your lists. Please consider the heartfelt

	<p>pleas of the residents and visitors who have been enthralled by the beauty of the Struisbaai/Agulhas coastline for many generations. It needs to be protected and preserved, especially for the future generations of visitors to come.</p> <p>We believe that the facts of the matter and the laws and guidelines are speaking for itself.</p> <p>We reserve the right to supplement this letter of objection with further supporting information and documentation within any extended time permitted for submissions.</p> <p>3.</p> <p>This letter aims to object to the proposed Spookdraai Residential Development on RE Farm No. 281, Bredasdorp Division, at Struisbaai (hereinafter “the development”), by raising several concerns that have not been adequately addressed in the developmental proposal (as have also been pointed out to you by Elsa Wessels per the Wessels family’s letter of objection.)</p> <p>Background to this letter:</p> <p>4.</p> <p>This letter will be based on the principles of the Coastal Management Act that can be found in the ICM Act – User Friendly Guide (hereinafter “the ICM Act”).</p> <p>5.</p> <p>We refer specifically to the following principles:</p> <p>5.1. Economic Development “Coastal economic development opportunities must be optimised to meet society’s needs and to promote the wellbeing of coastal communities.”</p> <p>5.2. Accountability and Responsibility “Coastal management is a shared responsibility. All people must be held responsible for the consequences of their actions, including financial responsibility for negative impacts.”</p> <p>5.3. Duty of Care “All people and organisations must act with due care to avoid negative impacts on the coastal environment and coastal resources.” (Own emphasis added).</p> <p>6.</p> <p>In light of this, we believe that the development is not in line with our society’s needs, therefore we find it our duty to inform you of such in the reasons as outlined below.</p> <p>Impact on Fauna and Flora</p> <p>7.</p> <p>We refer to Alternative 4, as set out on page 34 of the Botanical Impact Assessment, especially “this revision further enhances and expands the retention of flora areas within the overall development.”</p> <p>8.</p> <p>This refers to the rezoning of the development in order to conserve the critically endangered Overberg Dune Strandveld that can be found on the western part of the site (refer to page 27 of the Botanical Impact Assessment).</p> <p>9.</p> <p>Our concern is that, even though the rezoning theoretically accommodates the conservation of this plant species, we do not believe it to practically come to pass. The reason for this is that the construction site for the development will be large, and no assurance can be made that the plant species will not be permanently destroyed in the construction process.</p> <p>Visual Impact</p> <p>10.</p> <p>Reference is made to page 53 of the Basic Assessment Report of April 2024, specifically the paragraph “VISUAL INTRUSION OF DEVELOPMENT.”</p>	
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	<p>“The development is proposed to occupy a portion of the coastline which is pristine and with no adjacent development to form a continuous pattern. This urban intrusion will result in a High Visual Intrusion.” (Own emphasis added).</p> <p>11. The vista that the site of development provides for locals, and more importantly tourists, will remove the aesthetics of the coastline. Retention of this buffer zone is critical, and the introduction of residential structures will alter the landscape and detract from the visual appeal of the coastline.</p> <p>12. Struisbaai is a coastal town and depends on the tourism of the peak seasons for its economic injection. The preservation of these views is crucial for maintaining the aesthetic value and charm of Struisbaai. Furthermore, this road is the only way of obtaining access to the southernmost tip of Africa.</p> <p>Erosion</p> <p>13. We refer to page 15 of the Botanical Impact Assessment, specifically: “This image shows erosion of the accumulated aeolian sand. Note the thickness (depth) of the sand. The cause of the erosion is the egress of stormwater from a culvert at the edge of Marine Drive.”</p> <p>14. We furthermore refer to page 26 of the Botanical Impact Assessment, specifically: “At this location, a stormwater culvert has been constructed. This is a good thing but the flow of water below the culvert should be appropriately managed. It is eroding the sandy soil and leaving an undesirable erosion gully.”</p> <p>15. It is clear that the current inadequate management of stormwater is causing erosion in and around the potential site of development. Systems would need to be implemented to mitigate these already existing risks, as well as potential risks from the development, i.e., large construction vehicles and equipment, new stormwater management and pumping trucks (as is the current method of managing sewerage).</p> <p>16. It is our concern that this area is not being protected from the adverse hydrological risks of erosion, and that the potential development will only add to these risks.</p> <p>Coastal protection zone</p> <p>17. The ICM Act defines the coastal protection zone on page 23 of its user-friendly guide: “...a continuous strip of land, starting from the HWM and extending 100 metres inland in developed urban areas zoned as residential, commercial, or public open space...”</p> <p>18. The Basic Assessment report gives the following description of the development site on page 2: The property is strategically positioned alongside the coastline, within 100 meters of the high-water mark.</p> <p>19. It is thus clear that the development site forms part of the coastal protection zone, which leads to Chapter 7 of the ICM act, namely the Protection of Coastal Environment.</p> <p>20. Page 53 of “the ICM Act provides for additional criteria that must be considered by the relevant competent authority when evaluating an application for an activity which will take place in the coastal zone,” and same is set out on page 74.</p> <p>21.</p>	
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590	<b>Gerrit de Villiers</b>	<p><b>28 February 2025</b></p> <p><b>Added to the I&amp;AP list</b></p>	
591	<b>Carlo Gerrit de Villiers</b>	<p><b>28 February 2025</b></p> <p><b>Added to the I&amp;AP list</b></p>	
592	<b>Mia de Villiers</b>	<p><b>28 February 2025</b></p> <p><b>Added to the I&amp;AP list</b></p>	
593	Dr Mariana Pietersen	<p><b>Email dated 28 February 2025</b></p> <p>Subject: Belanghebbende en geaffekteerde party: Beoogde ontwikkeling erf 281, Struisbaai (Spookdraai)</p> <p>Goeiedag Michelle,</p> <ul style="list-style-type: none"> <li>• Registreer my asb. as 'n belanghebbende en geaffekteerde party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)</li> <li>• Naam: Dr Maria Helena Pietersen</li> <li>• ID nommer: 5702100067087</li> </ul>	

		<ul style="list-style-type: none"> <li>• Woonadres: 51 Kromstraat, Struisbaai</li> <li>• Telefoon / selfoonnommer: 0722064878</li> </ul> <p>Baie dankie vir jul aandag</p> <p>Vriendelike groete / Kind regards Dr MH Pieterse</p>	
594	Francois Croukamp	<p><b>28 February 2025</b></p> <p><b>Subject: RE: Res Erf 281 Struisbaai</b></p> <p>Good morning,</p> <p>As an interested person I would like to offer the following concerns I have re this development.</p> <ol style="list-style-type: none"> <li>1. Firstly, it is my understanding it is in contravention of the law as far back as 2008. No property development allowed within 100m from the high-water mark. If we are law abiding citizens like we should be this should be enough to stop any development in its tracks without discussions, protests, or court cases.</li> <li>2. The negative impact on the environment should it become a “private beach”. This area is the closest beach to my house, my wife and I walk there as frequent as we can to enjoy nature as God intended it to be. As a keen fisherman I have been on those rocks many times to enjoy my hobby of fishing.</li> <li>3. With only one road connecting Struisbaai to Agulhas to go in or out another entrance to allow traffic will increase the traffic burden on a very sensitive area around this corner. I can only imagine the traffic congestion should there be an accident at this entrance, it will completely block all traffic into and out of Agulhas. The amount of tourist busses and vehicles travelling daily through Spookdraai to the most Southern Point will be greatly affected and might have an adverse result on people staying away from visiting this historic attraction. The financial impact on the local community will be devastating as they hugely depend on tourist income.</li> <li>4. Should this development be allowed then there should be no reason while the entire Struisbaai/ Agulhas coastline can’t fall prey to developers to make huge profits by destroying it for the entire nation.</li> <li>5. I strongly believe there is still enough property around Struisbaai to be developed before Spookdraai gets destroyed for greed.</li> </ol> <p><b>I trust this will help in saving Spookdraai for generations to come long after I am no longer here.</b></p> <p><b>Warm Regards,</b></p>	
595	Dr Mariana Pietersen	<p><b>Email 28 February 2025</b></p> <p><b>Subject: Belanghebbende en Geaffekteerde party: Beoogde ontwikkeling erf 281, Struisbaai (Spookdraai)</b></p> <p><i>Goeiedag Michelle,</i></p>	

		<p><i>My epos van vroeër vandag verwys - hierdie tweede epos bevat meer uitvoerige inligting rakende my besware teen die ontwikkeling.</i></p> <ul style="list-style-type: none"> <li>• <i>Registreer my asb. as 'n belanghebbende en geaffekteerde party vir die beoogde ontwikkeling van die res van erf 281, Struisbaai (Spookdraai)</i></li> <li>• <i>Naam: Dr Maria Helena Pietersen</i></li> <li>• <i>ID nommer: 5702100067087</i></li> <li>• <i>Woonadres: 51 Kromstraat, Struisbaai</i></li> <li>• <i>Telefoon / selfoonnommer: 0722064878</i></li> </ul> <p><i>Hierby van die argumente teen die ontwikkeling:</i></p> <ul style="list-style-type: none"> <li>- <i>Ek het 'n hegte emosionele band met hierdie area, my familie het reeds 'n verbintenis en eiendomme vanaf die 1940's en ons het hierdie area gereeld besoek totdat ek my nou permanent hier kom vestig het.</i></li> <li>- <i>Die aansoek is teen die Wet en onwenslik aangesien die ontwikkeling wat daar beoog word 'n beduidende negatiewe impak op die groter Struisbaai &amp; Agulhas area sal hê.</i></li> <li>- <i>Ek behou die reg voor om hierdie brief van beswaar aan te vul met verdere ondersteunende inligting en dokumentasie binne enige verlengde tyd wat toegelaat word vir voorleggings.</i></li> <li>- <i>Die gronde en besonderhede van my beswaar word in die aanhangsel verder belig.</i></li> </ul> <p><i>Baie dankie vir jul aandag</i></p> <p><b><i>Vriendelike groete / Kind regards</i></b>  <b><i>Dr MH Pietersen</i></b></p> <p><b>Refer to Spookdraai Generic objection 1.</b></p>	
596	Tracy Day	<p><b>Email dated 28 February 2025</b></p> <p><b>Subject:</b> Re: Registration request as I&amp;AP LORNAY REF: REM-281 and objection letter.</p> <p>Good day</p> <p>I hereby request to be registered as an I&amp;AP and would like to submit an objection to the proposed development at Spookdraai.</p> <p>Yours sincerely</p> <p>Tracy Day  216 Blue Bay  Suiderstrand  Cape Agulhas  7287</p> <p>Refer to Spookdraai generic objection 1.</p>	

597	Eriic Stricher	<p><b>Email dated 28 February 2025</b></p> <p>Subject: Opposite to Spookdraai Estate</p> <p>Protea street 1D , Struisbaai 28 February 2025 To whom this may Concern</p> <p>This is a strong appeal against the disgusting desire to rezone land for the “Spookdraai Estate”.</p> <p>Just some reasons why this development must not be allowed to happen.</p> <ol style="list-style-type: none"> <li>1. Most pristine and beautiful area in this region that give Agulhas its beauty and charm will be destroyed, losing yet another attraction to our Village.</li> <li>2. Most beautiful secluded beach in Agulhas that will be taken away from the residents and public because of a breakdown in the beauty of the area for a handful of rich people.</li> <li>3. Most popular fishing area in Agulhas will be lost to residents and general public for the benefit of a handful of rich people.</li> <li>4. Fauna and Flaura with their habitat that will be destroyed for this development.</li> </ol> <p>Instead, we should focus on the people that are supposedly meant to be looking out for our town’s wellbeing. Where is our Council in all of this? Andries Eksteen our Councillor has a reputation for allowing these types of things to slip through. A council lead by a person that has only been residing in this area for a very short while and has no feeling nor care for Agulhas and its culture. A person who holds sway over weak Municipal senior staff who fear repercussions if they do not fulfil his desires.</p> <p>We need to hold the council responsible and ask how these things were pushed through?</p> <ol style="list-style-type: none"> <li>1. Buildings suddenly allowed on top of the Agulhas Hills which was never allowed in the past.</li> <li>2. Public Green belt land sold to private individuals at below market value on St Mungo Point. How did this happen?</li> <li>3. Accepting superficial environmental reports because is suites Mr Eksteen’s agenda to allow the Parkrun to continue in a highly sensitive natural area, destroying Fauna and Flora and harming the beauty of Agulhas. Influencing and intimidating senior municipal staff and council with false information to ensure a unanimous council decision so that only a high court decision can overturn their dishonesty.</li> <li>4. A five-story building being erected in a highly sensitive and obtrusive position was allowed by this council. When asked how this happened Mr Eksteen shrugs his shoulders and says it was pushed through from Cape Town. Is he suggesting that his position is more important than the interests of his community. Is he to weak to stand up for his community and people? Do we have the right people on our Council?</li> </ol> <p>Instead, we should be requesting forensic investigations into these happenings.</p> <p>We strongly condemn and reject the proposal that this land be rezoned for the erection of any building whatsoever.</p> <p>Yours sincerely</p>	
598	Nikki Smit (SASACC)	<p><b>Email dated 28 February 2025</b></p> <p><b>To</b> Lornay Environmental Consulting Att: Michelle Naylor Email: <a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a></p> <p><b>RE OBJECTIONS AGAINST PROPOSED SPOOKDRAAI RESIDENTIAL DEVELOPMENT STRUISBAAI</b></p>	

		<p><b>INTRODUCTION</b></p> <ol style="list-style-type: none"> <li>1. I am registering as a representative of the South African Sports Angling and Casting Confederation, in the capacity of Saltwater Conservation Officer (who are the governing body for 19 Angling Disciplines within South Africa, representing some 16000 Anglers across these disciplines).</li> <li>2. Concern has been voiced by many of our members who have been accessing this piece of coastline for both recreational as well as competitive fishing, for decades, that this access will be cut off.</li> <li>3. I have a close personal interest in the application, as the Aghulhas/ Struisbaai area is one which I visit regularly and have done so since my childhood.</li> <li>4. We feel that the proposed development will have a significant negative impact on the greater Struisbaai &amp; Agulhas area.</li> <li>5. There are numerous incorrect statements made by the EAP in the draft Bar document</li> <li>6. Referring to the NEMA act and ICM Act as “Guidelines “ these are legislative provisions</li> <li>7. Asserting that the proposed development is in line with existing residential development in this area while it is entirely inconsistent with properties seaward of Marine Drive</li> <li>8. Assertion by the EAP that the proposed development will have a ‘moderate negative visual impact”</li> <li>9. Blatantly misleading and false statement that the developer has no other options and that the subject property is the only asset available to the developer.</li> <li>10. The grounds and details of my objection is given below.</li> </ol> <p>Regards,</p>	
599	Phil Fenwick	<p><b>28 February 2025</b></p> <p><b>Subject: Spookdraai Development Objection</b></p> <p>Hi</p> <p>I hereby request to be registered as an I&amp;AP and would like to submit an objection to the proposed development at Spookdraai (in Struisbaai). Over and above the very scientific objections attached we have been operating and building up especially a foreign tourist market since building the Agulhas Country Lodge 28 years ago. There is no doubt that a coastal development as proposed will very severely affect the sense of place especially for</p>	

		<p>our foreign guests (the new block of flats in Stuisbaai on the coast has already had a massive and serve reaction from our foreign guests). There is only one Southern Tip of Africa and these developments destroy the character and the Sense of Place completely.</p> <p>Yours sincerely</p> <p>Sue Fenwick Agulhas Country Lodge 30 Main Road (Erf 673) L'Agulhas 7287</p> <p><b>Refer to Spookdraai generic objection 1.</b></p>	
