



OSCAE APPLICATION FORM

for

ACCESS TO PRIMARY DWELLING ON ERF 222

on

Erf 210 Buffalo Bay

& portion of Erf 215 Main Road

In terms of the

The Environmental Conservation Act, 1989 (Act 73 of 1989)

Prepared for Applicant: KNYSNA MUNICIPALITY

Date: 18 October 2021

Author of Report: Siân Holder

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Report Reference: KNY474/12

Municipal Reference: TBC

Case Officer: Kate Southey

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PURPOSE OF THIS REPORT:

Stakeholder Review & Comment

APPLICANT:

Magdalena Roos with Landowner Consent – Knysna Local Municipality

CAPE EAPRAC REFERENCE NO:

KNY474/12

MUNICIPAL REFERENCE:

tbc

SUBMISSION DATE

tbc

OSCAE APPLICATION FORM

in terms of the

The Environmental Conservation Act, 1989 (Act 73 of 1989)

ACCESS to New Primary Dwelling on Erf 222 Buffalo Bay

across

Erf 210 & Erf 215 (Main Road reserve), Buffalo Bay, Knysna

Submitted for:

Municipal Approval

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ORDER OF REPORT

OSCAE Application Form

- Appendix A** : Location & Biodiversity Plans
- Appendix B1** : Access Driveway Plans across Erf 210
- Appendix B2** : Site Development / Building & Elevation Plans for Erf 222
- Appendix C** : Copy of Encroachment Agreement with Knysna Municipality, with Diagram 2 (Consent / Encroachment area).
- Appendix D** :
- Proof of Payment
- Certified copy of ID of Applicant
- Appendix E** : Department of Environmental Affairs & Development Planning (DEA&DP) Adoption / Definition of an Adhoc Development Setback Line for Erf 222 in terms of NEMA (18 July 2017)
- Appendix F** :
• OSCAE Application Comments & Response Table 2021 for Erf 222
• OSCAE Permit & Comment & Response Table 2017 for Erf 222
- Appendix G** : Environmental Impact Report / Questionnaire 2021

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KNYSNA
Municipality
Munisipaliteit
uMasipala

DIRECTORATE: PLANNING AND DEVELOPMENT
DEPARTMENT: ENVIRONMENTAL MANAGEMENT

OSCAE APPLICATION

APPLICATION IN TERMS OF THE
OUTENIQUA SENSITIVE COASTAL AREA
EXTENSION REGULATIONS
FOR A PERMIT TO UNDERTAKE SCHEDULED
ACTIVITY(IES) ON AN INDIVIDUAL ERF

ERF

.....210.....

SUBURB

.....Buffalo Bay.....

ACTIVITY(IES)

.....Clearance of Vegetation & Earthworks.....

DATE

.....October 2021.....



KNYSNA MUNICIPALITY

The Director: Planning and Development
Tel: (044) 302-6300
Fax: (044) 302-6338

P.O. Box 21
Knysna
6570

SENSITIVE COASTAL AREA LEGISLATION

The following notice and application form have been extracted in abbreviated format from the Department of Environmental Affairs' "Guidelines for the Control and Management of Activities in Sensitive Coastal Areas" (1998).

"The Environmental Conservation Act, 1989 (Act 73 of 1989) makes provision for the protection of areas which have particular environmental importance, which are sensitive, or which are under intense pressure from development". In terms of this legislation, the Garden Route coastal area from Tergeniet in the west to the Kaaimans River in the east was identified and proclaimed as the Outeniqua Sensitive Coastal Area (Outeniqua SCA) in 1997. On 27 November 1998, the Minister of Environmental Affairs and Tourism extended the Outeniqua Sensitive Coastal Area to include portions of the area between the Kaaimans and Bloukrans Rivers. The implication of the SCA status is that certain activities, which may have a detrimental effect on the environment, are now prohibited unless a permit has been obtained prior to the activity being undertaken. "The SCA Regulations are aimed at controlling small-scale activities at the individual plot level in an effort to ensure sustainable development of the coast".

The scheduled activities include the following:

- Disturbance of vegetation (trampling, cutting or removal of vegetation);
- Earthworks (excavation, moving, removal, deposit, compacting of soil, sand, rock or rubble);
- Dredging (dredging, excavation, removal or moving of soil, sand or rock from a river, tidal lagoon, tidal river, floodplain or wetland); and
- Dune rehabilitation (planting on, or covering of dunes or exposed sand surfaces with any vegetative, natural or synthetic material, or the erection of structures and walls thereon with the purpose of preventing the sand from being eroded, accreted or moved by wind or water).

Any person failing to comply the SCA Regulations may be found guilty of an offence and would be liable for a fine not exceeding R 100 000,00 and a fine not exceeding three times the commercial value of any property or object of which the offence was committed and / or imprisonment for a period not exceeding ten years.

With regard to the Knysna Municipal Area, certain fully developed properties have been excluded from the SCA (see map attached that back of this application form), but for most property owners in Eastford, Welbedacht, Kanonkop, Salt River valley, Paradise and erven with direct estuary frontage, the disturbance of vegetation, earthworks and dredging activities which will require the prior issue of a permit by the Knysna Municipality ('dune rehabilitation' is not included in this form, as there are no dune areas within the current Municipal Area). As such, the attached application form must be completed by, or on behalf of, the property owner and be submitted, prior to the submission of, or together with, building plans, to the Municipality.

The Environmental Impact Report questionnaire could be filled in by the property owner or by a consultant on his / her behalf, and must contain a description of the mitigation, control measures and rehabilitation to be undertaken during the proposed activity to minimise its potential impacts.

Permits may be issued with or without conditions, or refused or the applicant may be required to furnish further information. In terms of provisions of Section 8 of the Outeniqua Sensitive Coastal Area Extension Regulations an appeal against the decision of the municipality may be lodged, in writing, with the Western Cape Minister of Environmental Affairs, within **thirty (30) days** of notification of such decision. A fee of R 250,00 must accompany an appeal.

ENVIRONMENTAL MANAGEMENT DEPARTMENT
KNYSNA MUNICIPALITY
3 CHURCH STREET
KNYSNA
6570

APPLICATION IN TERMS OF REGULATION 3 OF THE QUTENIQUA SENSITIVE COASTAL AREA EXTENSION REGULATIONS (R1528 OF 27 NOVEMBER 1998) FOR A PERMIT TO UNDERTAKE SCHEDULED ACTIVITY(IES) ON AN INDIVIDUAL ERF

A. DETAILS OF THE APPLICANT

1. Name of Applicant:

Title: ...**Mrs**... Initials:**M**.... Surname: **Roos**.....

Company: ...**Private**...

2. Status of Applicant: (indicate with an)

Owner Developer* Contractor* Consultant*

* = if Applicant is not owner this application needs to be accompanied by owner's written agreement

3. Applicant Contact Details:

Telephone: ...----- Fax: ...-----

Cell: ...**082 601 9689**..... Email: ... **mmsroos@me.com**

Postal Address: ... **P.O. Box 66121**

...**Highveld**.....

...**0169**.....

Other Parties involved: (if applicable)

Landowner: ...**Knysna Local Municipality**

Acting Mun.Manager: Dawid Adonis:
dadonis@knysna.gov.za

Tel: **(044) 302 6302** Fax: ----

Enviro.Consultant: ...**Cape EAPrac**.....

Tel: **(044) 874 0365..** Fax: **(044) 874 0432**

Contractor: ...*To be confirmed*.....

Tel: Fax:

Developer: **Magdalena Roos (owner of Erf 222, Buffalo Bay)**

Tel: **082 601 9689..** Fax: ...-----

Other (specify): **Architect: Solvation Architects**

Tel: **082 903 6907..** Fax: ...-----

Tuiniqua Consulting Engineers

Tel: **082 804 2143**

B. DESCRIPTION OF THE SITE

1. Site Details:

Erf number: ...**210, Buffalo Bay**... Erf size: ...**23429.8m²**... Zoning of Erf: ...**Public Open Space**

Existing footprint: ...**N/A**..... New footprint: ...**N/A**..... New Coverage: ...**N/A**.....

In Feb.2015 the Knysna Municipality subdivided the municipal Erf 65 (previously used for municipal storage & maintenance purposes) into three residential erven (Erf 220, Erf 221 & Remainder Erf 65), which were then sold on public auction to private parties. Two of these erven (Erf 221 & Remainder of Erf 65) were bought by Magdalena Roos and consolidated to form Erf 222 for the purpose of building a new modern home on the combined property. Erf 222 is currently zoned as **Single Residential I** (see *Figure 1 below*).

In July 2017, the Western Cape Department of Environmental Affairs & Development Planning (DEA&DP) approved an **Adhoc Development Setback Line** for Erf 222 aligned along the 2m building line of the seaside property boundary. This environmental authorisation is applicable Activity 19A (NEMA Listing Notice 1) and associated with the relaxation of for the building lines and coverage restrictions for the new primary dwelling on Erf 222 Buffalo Bay. *See Appendix E.*

In October 2017, an **OSCAE Permit was approved** by the Knysna Municipal permitting the clearance of vegetation and earthworks associated with the House Building Plans submitted at that time (see *Appendix F*). These house plans, as well as those submitted to DEA&DP as part of the Adhoc Development Setback Line Application, indicated the access via the existing gravel track across the neighbouring municipal property (Erf 210) in terms of an approved Encroachment Agreement with the Knysna Municipality (see *Appendix D*).

In early 2021, the landowner of Erf 222 submitted a revised set of House Building Plans to the Municipality. Although the basic proposal / design principles for the house remain the same as those submitted in 2017 i.e.: double-storey with basement, central courtyard and pool area; elevated pedestrian entrance ramp from Main Road etc., the house shape has changed from a 'horse-shoe' to a circular building and the basement now incorporates a subsurface garage, requiring an excavated driveway ramp.

As the 2017 OSCAE approval had lapsed, a new OSCAE Application based on the abovementioned revised Building Plans was submitted to the Municipality in March 2021. As part of the review process, the Municipality indicated that a separate OSCAE Application would be required to approve the vegetation disturbance and earthworks for the proposed access across the municipal public open space Erf 210, and that the existing Encroachment Agreement (*refer to Appendix D & Figure 3 below*) would need to be revised and replaced by a Registered Servitude / Right-of-Way.

Erf 210 Buffalo Bay is currently zoned **Open Space I** (Public Open Space), located along the south-western coastline of the Buffalo Bay rocky peninsula, extending south from the seaside boundaries of Erf 224 and Erf 222, to include the large open space area to the south-east of Erf 222. The Main Road above Erf 222 & Erf 210 (Erf 215) is zoned as **Transport II** (Public Street). (*see Figure 1 below*).

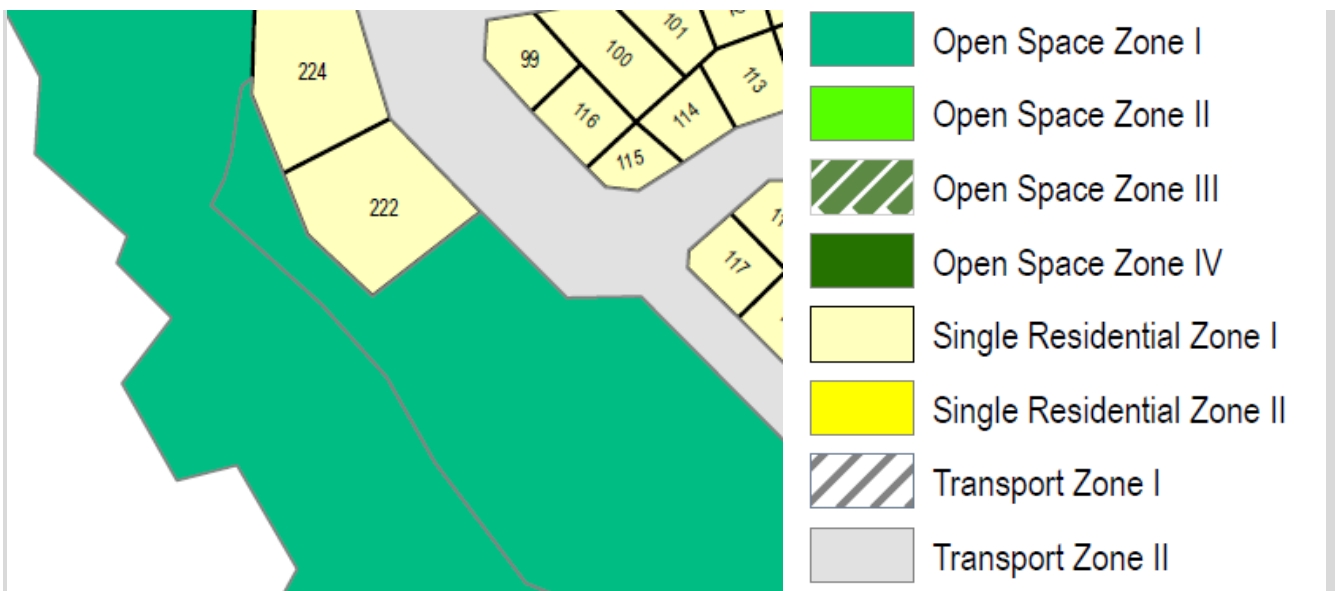


Figure 1: Zoning of properties i.t.o. Knysna Zoning Scheme Map.

The existing **gravel access** driveway off Main Road (Street Erf 215) and parking on Erf 210 were previously associated with the municipal infrastructure (*see Figure 2 & 3 below*). It is the intention of the landowner of Erf 222 to **pave this existing access**, along the same alignment (within a portion of Main Road reserve & portion of Erf 210), to form a formal driveway, providing access to the proposed basement garage beneath the new dwelling on Erf 222, in terms of the Encroachment Agreement with

the Knysna Municipality. This Encroachment Agreement is currently in the process of being replaced with an Application for Registration of a Servitude / Right-of- Way is underway.

The proposed paved driveway will not be fenced or gated i.e. on-going use / access onto Erf 210 to existing braai area to the south-east by members of the public.

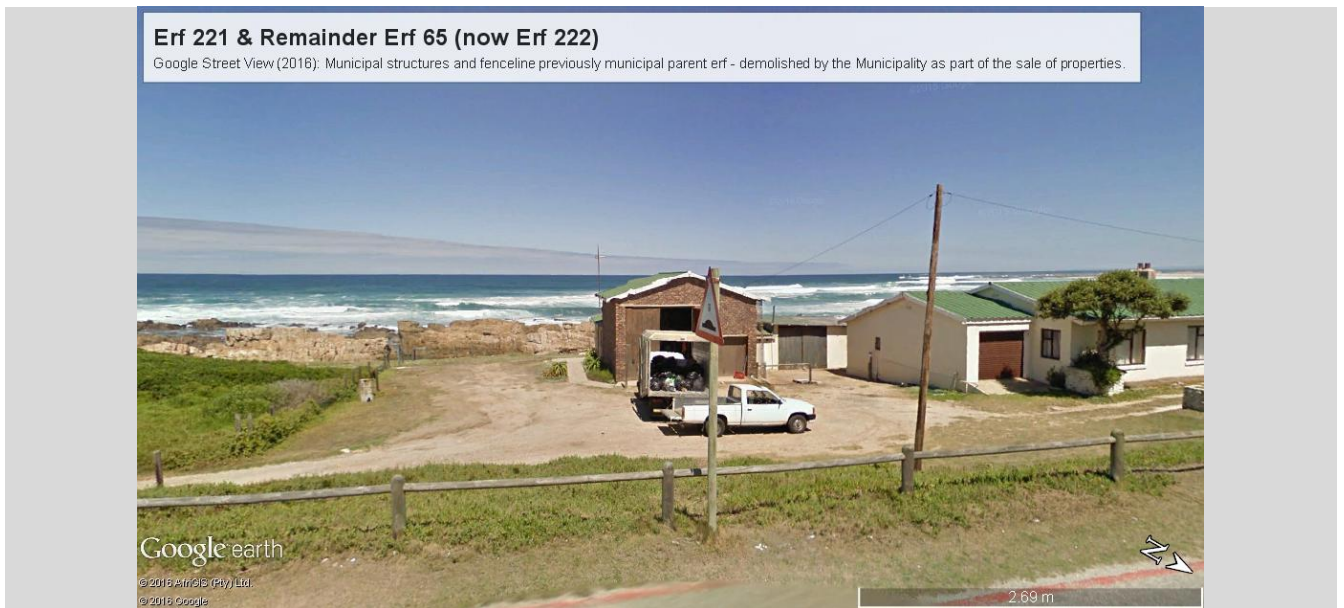


Figure 2: February 2010 Google Street View – showing municipal structures previously on Remainder of Erf 65 (middle) & Erf 221 (right) before buildings were demolished & properties sold by the Municipality. Driveway and disturbed area on the left of the garage building aligns with the Encroachment Agreement area on Erf 210 to allow access to Erf 222 (consolidated Erf RE/65 & 221).



Figure 3: 2011 Street View of access onto Erf 210 off Main Road, Buffalo Bay (Courtesy Google Earth Pro).



Figure 4: Aerial image of Buffalo Bay coastal headland, indicating location & extent of the municipal Erf 210 (image courtesy of Google Earth Pro, 2021).



Figure 5: Aerial image indicating Erf 222 (red polygon) & neighbouring property cadastral boundaries (courtesy Google Earth Pro, 2021). Yellow polygon indicates approx. portion of Erf 210 under existing Encroachment Agreement.

2. Plans and Diagrams:

The following diagrams must be attached to the application:

- **Site development plan**
- **Contour plan**
- **Elevations and Cross Sections**
- **Demarcation of Erf on development master plan** (where applicable)

Where the space provided in the application form is insufficient for the applicable response, separate, referenced sheet(s) of paper may be attached to the back of the form.

C. ENVIRONMENTAL INFORMATION

Indicate
with an

1. General Site Features

1.1. Are any of the following features on or adjacent to the site: (Show on plans if possible)

Wetlands and watercourses	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lakes and other water bodies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estuaries and / or the sea	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Beaches, dunes and rocky shores	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Aquifers (saturated groundwater zones)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The majority of Erf 222, including the proposed sub-surface garage, falls within the 20-year erosion risk line of the coast, which is considered to be a high-risk zone of the littoral active zone of the sea, as well as the Coastal Management Line, as specified by the Integrated Coastal Management Amendment Act & the Coastal Management Setback Line for the Eden District (*see Figure 6 below*). The proposed access to Erf 222 across Erf 210 falls with the medium-risk (within the 50-year erosion risk line).

Development within this highly dynamic and sensitive area, must thus be suitably designed with coastal risks in mind (sea level rise, extreme storms, waves, wind, erosion etc.), as well as be controlled to ensure minimal damage to the coastal environment. To this end the Municipality should ensure that appropriate **stormwater management and erosion control measures** are included in the design of the access driveway. Both **temporary and permanent stormwater and erosion control measures** must be installed to manage run-off from site and stockpile areas during construction, in order to prevent erosion.

It is further recommended that a low earth berm be created on the top edge of the seaside excavated driveway slope, to limit ingress of future sea surges. This berm should be planted with locally occurring indigenous plants as part of the Applicant's vegetation re-instatement / rehabilitation plans for this area, and the driveway slopes. The proposed permanent setback line is aligned approx. 3m seaward of the excavated driveway slope to allow for future maintenance of this vegetated earth berm.



Littoral Active Zone

- HWM 100m Buffer
- - - High Water Mark

Risk Lines

- 100 year erosion
- 50 year erosion
- 20 year erosion

Figure 6: Erf 222 & Erf 210 in relation to the Coastal Management Lines.

2. Geology

2.1. Are there any cliffs and / or steep slopes ($\geq 1:6$) on or adjacent to the site: Y N

2.2. Describe the slope of the site as a percentage of the total property: (Show on plans if possible)

Steep ($>1:6$) %
 Gently sloping ($1:6 - 1:20$) %
Flat ($<1:20$) %

The portion of the Erf 210 in question is relatively flat, sloping slightly to the south-east / seashore.

2.3. Is there any erosion present on or near the site:..... Y N

If “yes”, specify the extent of erosion and measures taken so far? (Show on plans if possible)

2.4. What are the underlying soil conditions of the site (specify depth if possible):

Clay Y N
 Sand Y N
 Loam (a mixture of sand and clay) Y N
 Rock Y N

The seashore in front of Erf 210, Buffalo Bay is made up of rocks.

3. Vegetation

3.1. What type of vegetation occurs on the property, specify as % of total site on Erf area: (Show on plans if possible)

Indigenous: 40%
Exotic / Alien: 20%
Disturbed / Garden: 40%
 Rehabilitated: 0%



Figure 7: Views south-west along existing access across Erf 210 to Erf 222 (west of vehicle & pole).

3.2. If there is indigenous vegetation on the property, what type of ecosystem is it:

Forest	<input type="checkbox"/>	<input type="checkbox"/>
Fynbos	<input type="checkbox"/>	<input type="checkbox"/>
Coastal thicket	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (specify if possible)		

According to the 2018 Veg.Map, the natural vegetation type mapped for the area is **Goukamma Dune Thicket**, which is classified as a Least Threatened ecosystem type. According to the Vlok Veg.Map, Erf 210 occurs on the southern edge of the 'Hartenbos Primary Dune', a marine type vegetation between Wilderness Forest Thicket to the north, and Herolds Bay Littoral Thicket on the southern coastal headland. See Appendix A.

Erf 210 is highly transformed due to previous & current landuse – Historical access to Municipal storage & maintenance depot; followed by demolition of buildings and fenceline in early 2016; construction access to Erf 224 at the end of 2016; and most significantly, on-going pedestrian and vehicle movement by the public to access the coast. Therefore, very little Dune Fynbos or Thicket vegetation remains on the property. Ground creeper plants and grasses appear to be the dominant plant species noted within the road reserve of Main Road (Erf 215) and of the verges of the existing public access route onto the property. Plant species noted include *Gazania sp.*, *Falkia sp.*, *Carpobrotus sp.*, *Arctotis sp.* and small succulent plants.

Much of the road reserve of Main Road above Erf 222 & Erf 210 has been subject to illegal dumping of garden refuse, resulting in the establishment of a stand of *Agave sp.* cactuses, among the ground covers and grasses above Erf 222.



Figure 8: *Gazania*, grass & *Arctotis* groundcovers growing on disturbed area of Erf.



Figure 9: *Falkia* & dead brush growing on the coastal side of the erven. A single Cape Saffron bush (*Cassine peragua*) noted in 2m setbackline of Erf 222.

Of significance, is a **small island of remnant thicket vegetation** on the municipal Erf 210, below the gravel access, to the south-east of the Erf 222. The existing gravel road forms loop around this 'island', which is subject to vehicle and pedestrian trampling to gain access coastline and braai area to the south-east.

This small island of Thicket contains wind-swept Rooikrans (*Acacia cyclops*), Milkwood (*Sideroxylon inerme*), Baboon Grape (*Rhoicissus digitata*), Cape Saffron (*Cassine peragua*), Cape Coastal Cabbage Tree (*Cussonia thyrsiflora*); Bitou (*Chrysanthemoides monilifera*) etc.

The Milkwood tree is positioned on the seaward side of the Thicket 'island' and will thus not to be impacted by the activities.

The existing road gravel surface of the access road from Main Road to Erf 222 is currently approx. 3-5m wide, with an existing surface area of approx. 123m² (*pers comm with Serett Maree of Tuiniqua Consulting Engineers*). The proposed paved surface will be **3.95m wide (area ±147m²)**, with widening of approx. 0.95m towards the sea, into the abovementioned Thicket 'island'. In addition to this, due to the fact that a section of the proposed driveway is to be excavated below ground level (to provide access to the basement garage), additional strips of vegetation & earth will need to be removed to allow for the physical earthworks: approx. 0.5m tapering to 4.7m wide on up side (Main Road reserve) and approx. 0.2m tapering to 3m wide on the down side of the driveway (on Erf 210). The widening is to be directly adjacent to Erf 222 boundary for the sub-surface ramp excavation, and to create earth embankments of either side of the driveway ramp at a 44.1° slope). I.e. an approximate **± 43m² strip** of the abovementioned 'island' and disturbed area on Erf 210 will be removed, and an **± 74m² strip** within the road reserve of the Main Road (above Erf 210) will be removed to allow for subsurface ramp. An additional area of ±0.5m temporary area of remnant vegetation will need to be removed to allow for work space / movement area along the length of the access during construction of the driveway i.e. ± 14m² on up side & ±11.5m² of 'island' on down slope. This temporary additional work areas will be rehabilitated with locally occurring indigenous vegetation once construction is complete.

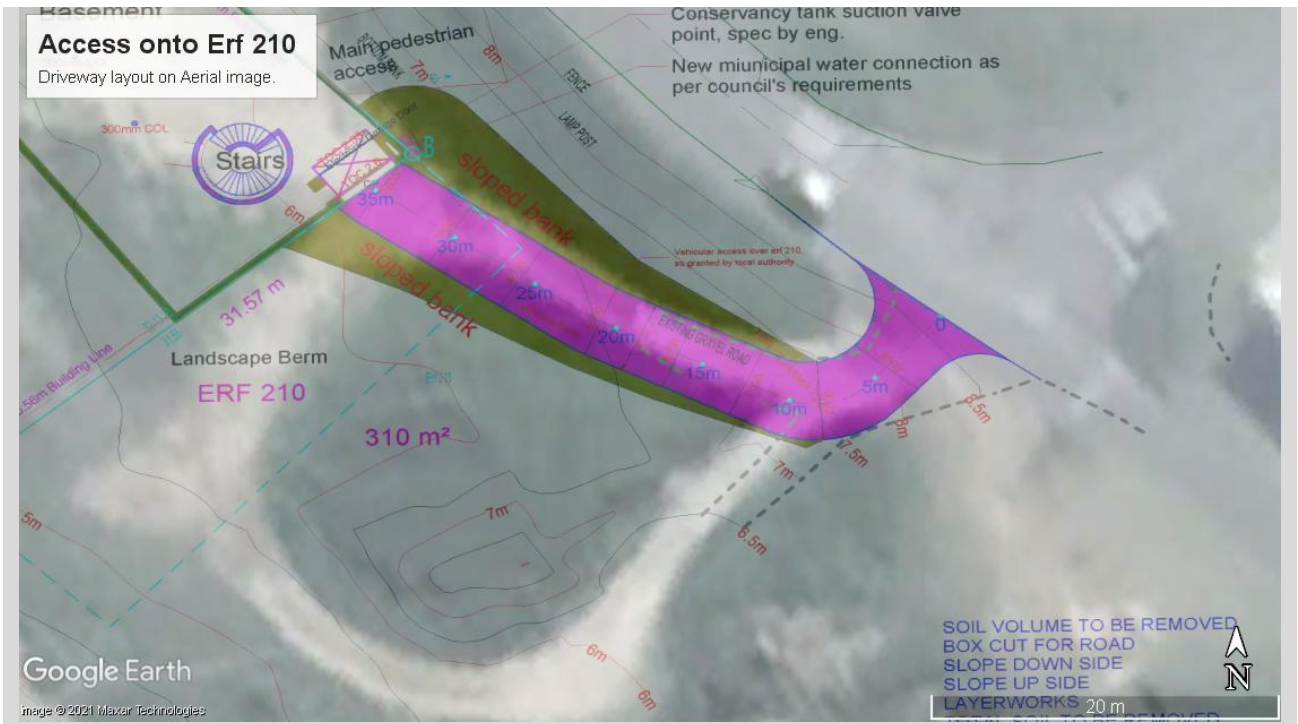


Figure 10: Access driveway & vehicle ramp excavation layout overlay onto Aerial image.

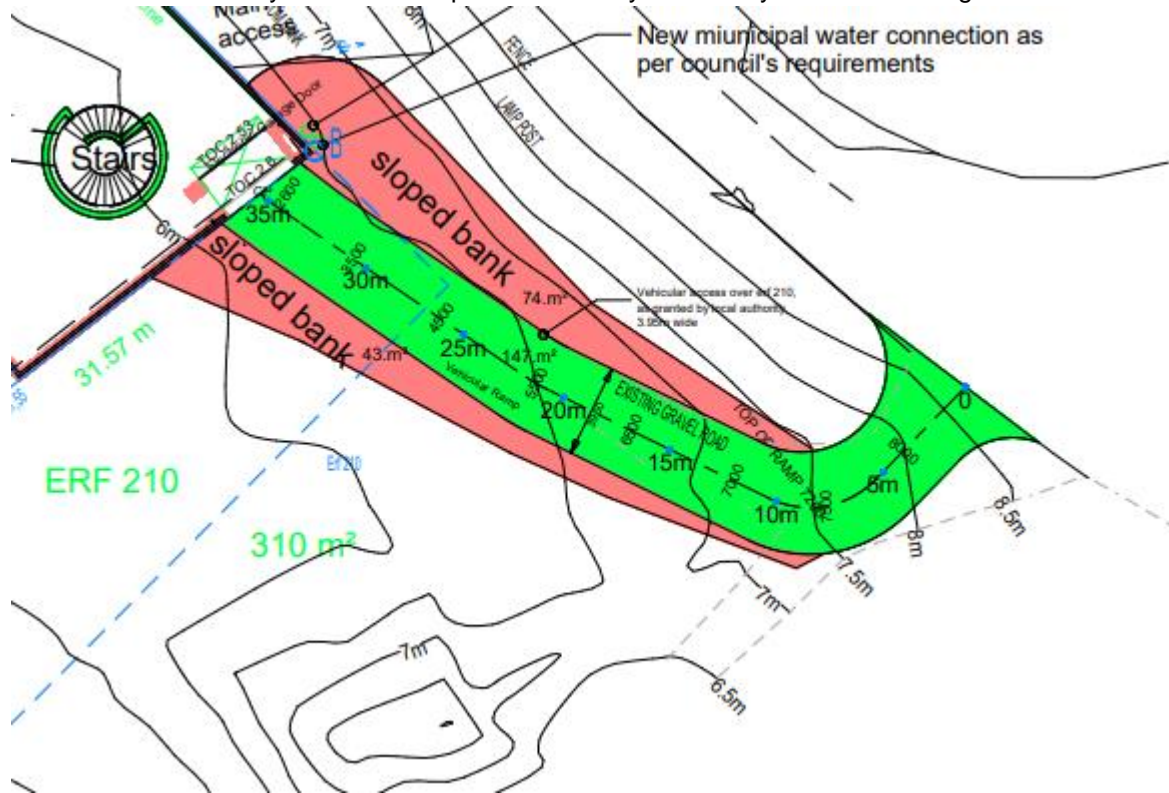


Figure 11: Driveway layout across Erf 210 to Erf 222, indicating excavated slopes.



Figure 12: Island of Thicket vegetation on Erf 210 to the south-east of Erf 222. Strips of this wind-swept Rooikrans & coastal scrub will need to be removed to widen, excavate & pave the access driveway across Erf 210 to Erf 222. The Milkwood tree is positioned on the seaward side of the Thicket 'island' and will thus not to impacted by the abovementioned activities.



Figure 13: Public access to braai area on Erf 210 to the east of access driveway / Thicket 'island' – will not be impacted by activities.

Given the limited space available on Erf 222 and the no-go area / setback line in front of it, it is likely that the vacant / disturbed area directly adjacent to / to the east of Erf 222, on Erf 210, will be used as the *temporary* Construction Site Camp, with a temporary stockpile / material laydown area (between the boundary of Erf 222 & the 'Thicket island' mentioned above) during the construction of house on Erf 222 and formalisation of its driveway across Erf 210. It is the intention of the landowner of Erf 222 to re-instate this already transformed portion of the municipal Erf with locally occurring indigenous plants, as part of the Encroachment Agreement and previous OSCAE Permit issued by the Municipality (see Appendix C for Plan of area considered under the Encroachment Agreement between landowner of Erf 222 & the Municipality).

An Adhoc Development Setback Line Application in terms of NEMA has been submitted to the DEA&DP for the adoption / extension of an adhoc development setback line on Erf 210: a **temporary setback line** during construction of house on Erf 222 and driveway, and a **permanent setback line** post-construction to allow for maintenance of access driveway & earth berm into the future.

Considering the inherent sensitivity and dynamics of the coastal zone in which Erf 222 & 210 occur, the management of development activities within and surrounding these erven is paramount i.e. risk adverse approach and general duty of care principles are applicable.

It is further recommended that a low earth berm be created on the top edge of the seaside excavated driveway slope, to limit ingress of future sea surges. This berm should be planted with locally occurring indigenous plants.

3.3. Has Knysna Sand Fynbos, a Critically Endangered Ecosystem in terms of Section 52 of NEMBA, been identified on the property:

According to the 2018 Veg.Map, the natural vegetation type mapped for the area is Goukamma Dune Thicket, which is classified as a Least Threatened ecosystem type. However, little to none of this vegetation type remains on the property.

3.4. Are there any protected trees on the property as listed in the Notice of the List of Protected Tree Species Under the National Forest Act, 1998 (Act No.84 of 1998)

No protected trees or natural forest found to occur within the bounds of the activity / construction site .

If “yes”, specify what species are present and which will be disturbed during construction.

The wind-blown. Low-growing Milkwood plant/s form part of the Thicket vegetation on the ‘road loop island’ on Erf 210. However, these deformed trees are located on to seaward side of the Thicket ‘island’ and will **not be harmed** by the clearance or earthwork activities associated with the formalisation of the driveway access to Erf 222. It is recommended that the unaffected portion of this island, the road reserve of Main Road, as well as a coastal setback line in front of Erf 222, be demarcated as a no-go areas prior to any activities on site.

3.5. Has a license in terms of the National Forest Act been obtained for the removal of protected trees? If “yes”, provide a copy / reference:

No Forestry Licence is required for Erf 222, or associated activities on Erf 210.

4. Fauna

4.1. Are there any rare or endangered species as listed in the Publication of Lists of Species that are Threatened or Protected, in the National Environmental Management Act: Biodiversity Act, 2004 (Act No.10 of 2004)?:

Amphibians:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Birds:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mammals:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Insects:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reptiles:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If “yes” to any of the above, specify what species are present

D. DETAIL(S) OF THE ACTIVITY(IES):

Indicate with an

1. Type of activity / activities:

1.1 Disturbance of vegetation:

If “yes”, specify for what purpose . **Clearance** of remnant vegetation associated with formalisation (widening, paving & excavation) gravel access across Erf 210 to Erf 222.

1.2. Earthworks:

If “yes”, specify for what purpose . **Excavations** required for the creation of the sub-surface driveway ramp to the basement garage on Erf 222. The sides of the excavation will be shaped back to a 44.01° slope and stabilised with indigenous plants. Given the fact that the proposed sub-surface garage on Erf 222 falls within the 20-year erosion risk line (high risk) of the coast, and the access driveway to Erf 222 across Erf 210 falls with the medium-risk (within the 50-year erosion risk line) of

the coast, it is recommended that a **low earth berm** be created on the top of the seaward excavated slope of the driveway on Erf 210 to serve as a barrier to sea-surge ingress of water into the basement garage. This earth berm should be vegetated with Thicket vegetation as part of the rehabilitation efforts proposed by the landowner of Erf 222.

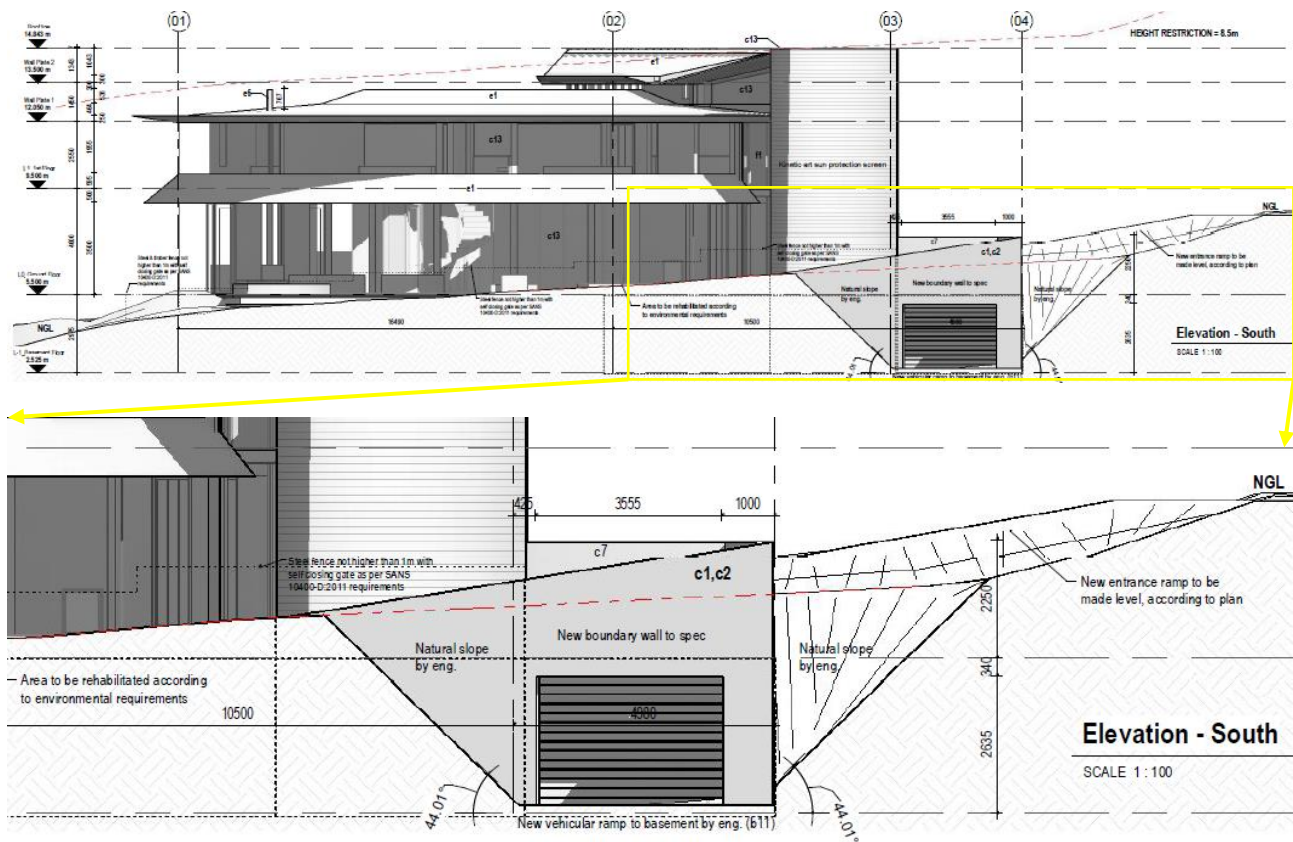


Figure 14: South Elevation Plan of new house on Erf 222 indicating basement garage & sloped embankments on either side of subsurface driveway ramp.

2. Extent of the activity (Only include activities that are applicable):

2.1. Disturbance of vegetation: m² on Erf 210 & Main Road reserve.

(72 + 14)+(20 + 12) = ± 118 m² on Erf 210 & Main Road reserve:

- Strips of disturbed area, remnant grass & Thicket vegetation to be cleared for widening & excavation of existing access road to sub-surface Vehicular Ramp / basement garage on Erf 222 = ± 117m².
- Temporary Site Camp area on Erf 210 directly adjacent & east of Erf 222 for storage of topsoil, building material & waste, aggregate / containers / site office etc. = ±60m² of highly disturbed / trampled vegetation.

Specify the type/s of vegetation and / or ecosystems to be disturbed:

Disturbed / remnant Coastal Thicket (with Rooikrans) and grassy Southern Cape Dune Fynbos vegetation e.g. Grass with *Gazania sp.*

2.2. Earthworks:

Vehicular Ramp / Driveway on Erf 210 (& portion of Erf 215 road reserve):

Depth: m (below NGL)

Volume: m³ (Driveway excavated volume from NGL)

As provided by Tuiniqua Consulting Engineers.

SOIL VOLUME TO BE REMOVED

BOX CUT FOR ROAD	145m ³
SLOPE DOWN SIDE	82m ³
SLOPE UP SIDE	133m ³
LAYERWORKS	21m ³
TOTAL SOIL TO BE REMOVED	381m ³

Area of road 147m²

Area of existing road 123m²

Area of slopes next to entrance road 117m²

2.3. Specify the area that will be disturbed or altered by the proposed activity or development:
(Show on plans if possible):

Temporary (during construction phase) = ± 85.5m² temporary work space adjacent to driveway alignment (±25.5m²) plus ±60m² laydown area & construction site camp on disturbed area adjacent to Erf 222 – to be rehabilitated with indigenous vegetation.

Permanent = ± 147m² paved driveway + ± 117m² rehabilitated excavation slopes on either side of driveway ramp = 264m².

3. How will the activity(ies) be undertaken:

3.1. Vegetation removal:

By hand (*saw axe, etc*) Y N

Light machinery (*chainsaw, brushcutter, etc.*): Y N

Heavy machinery (*tractors, graders, etc*) Y N

Digger-loader & excavator to clear box-cut for driveway & creation ramp excavation.

3.2. Topsoil removal: Y N

If “yes”, where will topsoil be stored and how will it be used or disposed of?:

It is likely that the topsoil stripped from widened section of driveway and excavation slopes will be temporarily stockpiled within the disturbed area of Erf 210, directly adjacent to Erf 222, which falls under the Encroachment Agreement with the Municipality i.e. Portion of Erf 210 labelled ABCD in Diagram 2 (in Appendix C).

3.3. Excavations:

By hand (*spade, pick, etc*). Y N

Light Machinery (*jackhammer, etc.*). Y N

*Heavy machinery (*excavators, bulldozers, etc*) Y N

*Blasting: Y N

****If excavation is to take place by heavy machinery or blasting, a separate environmental impact report, stating what the environmental impacts will be and what mitigating measures are to be taken to reduce impact on and / or beyond the site, must be attached.***

3.4. Plant rescue Y N

If “yes”, how will plants be rescued and maintained until replanting on site? If a specialist is used please provide their name and contact details:

It is recommended that the Contractor, with guidance from the ECO, rescue and bag the ground-cover plants and succulents found within the development footprint prior to site clearance. These bagged plants should be maintained (watered & unharmed) within a designated area within the Site Camp area, and used to rehabilitation purpose post construction.

4. Will any of the following temporary or permanent constructions be present on the site?:

(Show on plans if possible at each relevant question):

Walls and / or fences.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Roads and / or hardened surfaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Septic tanks / conservancy tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pipelines and / or outfalls	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cables and / or lines.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other constructions (<i>specify</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sloped / shaped embankments of sub-surface, paved driveway over exact footprint of existing gravel access on adjacent Erf 210 (see Encroachment Agreement).

5. Specify method and / or detail of rehabilitation and stabilisation of disturbed areas:

(Show on plans if possible at each relevant question)

5.1. Final Location of rescued plants: As the existing access road across Erf 210 is highly disturbed due to past and current land uses, there very few plant species worth rescuing, even within the remnant grassy Fynbos and Thicket within the road verges. However, is recommended that the Contractor, with guidance from the ECO, rescue and bag the ground-cover plants and succulents (e.g. *Falcia*, *Gazania sp.*etc.) found within the development footprint prior to site clearance. These bagged plants should be maintained (watered & unharmed) within a designated area within the Site Camp area, and used to rehabilitation / re-vegetation of the driveway verges, sloped embankments & recommended earth berm, post construction.

5.2 How the construction area will be demarcated: The driveway work area, will be demarcated by means of a hoarding fence or danger tape. The remaining area of the Thicket 'island', Main Road reserve and the 2m Development Setback line must be demarcated as NO-GO areas prior to site clearance.

5.3. How the work area and adjacent area will be protected from storm water run-off and erosion: A earth berm and silt fence / biddum screen will be installed on the downslope side of site demarcation, to capture, direct and prevent excess stormwater run-off and silt from leaving the site.

5.4. Where the storm water from the roof and paved areas will be directed on completion of the structure:

Stormwater run-off from the paved driveway will be directly into sub-surface drainage system and which will discharge into the surrounding vegetated / rehabilitated landscape. The Consulting Engineers and Municipality should ensure that appropriate **stormwater and erosion control measures** are included in the design of the hard surfaces. Both **temporary and permanent stormwater and erosion control measures** must be installed to manage run-off from site and stockpile areas during construction, in order to prevent erosion.

6. Specify method and / or detail of removal and storage of material:

6.1. Storage area for topsoil: It is likely that the topsoil stripped from widening section of driveway and work area prior to construction of the paved & excavated driveway will be temporarily stockpiled within the 'Encroachment Area' directly adjacent to Erf 222, on Erf 210 (municipal open space area under encroachment agreement – see Appendix C **Topsoil stockpile/s** should be less than 1.5m in height to avoid erosion risks. In addition to use of this topsoil for rehabilitation of the disturbed areas on Erf 210 and the vegetation of the sloped embankments on either side of the driveway ramp,

it is recommended that a portion of this topsoil should be used to create a low earth berm on the top of the seaward driveway embankment. This should also be vegetated with indigenous vegetation.

6.2. Storage area for stockpiled material: *As above.*

6.3. End location of excavated material: Excavated material from driveway box-cut and excavated ramp will be removed from the site and disposed of at the registered municipal construction material landfill site.

6.4. End location of removed plant material: A portion of the remnant plant material will likely be stripped along with the topsoil and temporarily stockpiled for use in post-construction rehabilitation activities and creation of the earth berm within the 'Encroachment Area', while the remainder will be removed from site for disposal elsewhere (municipal construction dumpsite).

7. Have there been any consultations regarding the proposed activity or development with the public or other authorities?

Neighbours:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Home Owner Association: . .n/a	<input type="checkbox"/>	<input type="checkbox"/>
Conservancies. n/a	<input type="checkbox"/>	<input type="checkbox"/>
Department of Environmental Affairs (DEA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SANParks: n/a	<input type="checkbox"/>	<input type="checkbox"/>
CapeNature:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Department of Agriculture, Forestry and Fisheries (DAFF):	<input type="checkbox"/>	<input type="checkbox"/>
Department of Water and Sanitation (DWS).	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As part of the initial planning/LUPO process for Departure in early 2016 (see Appendix C), VPM Urban Planners, as well as the landowner of Erf 222, consulted with the neighbouring landowners, the Knysna Municipality Architectural Review / Aesthetics Committee and the Buffalo Bay Rate Payers Association, who provided consent for proposed house on Erf 222, as well as the proposed formalisation of the existing access road across Erf 210 to Erf 222.

As part of the environmental application process for the adoption of an adhoc development setback line to the Department of Environmental Affairs & Development Planning (DEA&DP) for Erf 222 during 2017 & the current application in 2022, the following entities were given the opportunity to give comment:

- Neighbouring landowners;
- CapeNature & Goukamma Nature Reserve;
- Buffalo Bay Rate Payers Association;
- Knysna Local Municipality: Environmental Officer;
- Knysna Local Municipality: Architectural Review / Aesthetics Committee
- Eden District Municipality: Environmental Officer;
- Department of Environmental Affairs: Oceans & Coast;
- DEA&DP: Coastal Management Unit & Setback Line Task Team.

During the OSCAE Application process for Erf 222 undertaken in May / June of 2017 (based on the Building Plans proposed at that time), Application was circulated to the abovementioned stakeholders for review & comment, and an OSCAE Permit was approved / issued by the Knysna Municipality on 23 October 2017. This 2017 OSCAE Permit had a validity period of two years and has since lapsed.

In 2021, the landowner of Erf 222 submitted a re-design of the proposed primary dwelling on Erf 222, for which a new OSCAE Application was compiled and re-circulated to the abovementioned

stakeholders and submitted to the Municipality for decision-making. On review of this revised OSCAE Application the Municipality has requested a separate OSCAE Application (this document) be compiled for the proposed access across Erf 210 (municipal Public Open Space) only.

Although the Knysna Municipality confirmed that another round of Public Participation for this separate OSCAE (for Erf 210) would not be necessary, Stakeholders have been given opportunity to review and comment on this Application as part of the combined Public Participation Process being undertaken for the Adhoc Development Setback Line Application (to DEA&DP) for the access on Erf 210.

If “yes” to any of the above, attach supporting documentation. *See Appendices F & G attached.*

8. Previous applications:

8.1. Have there been any previous applications on this property? Y N

If ‘yes’, provide details:

See attached explanation of previous Applications, which included the formalisation of the access to Erf 222 i.e.: Adhoc Development Setback Line (2016 for Erf 222 & 2022 for Erf 210), OSCAE Applications (2017 for Erf 222 & 2021 Erf 222 & Erf 210 (*this document*)).

8.2. Were any previous applications for activities on this site turned down?: Y N

If “yes”, provide details:

9. Building plans / Operations:

9.1. Have building plans been approved for this site? Y N

If ‘yes’, provide reference (plan number, approval date, etc): *Approval date unknown.*

Old Site Development Plan for Erf 222 (including access across Erf 210): ROOS REV13; RB200; 2017 drawn by Cecilia designs. The Approval of revised building plans currently under review by Municipality.

9.2. Does the proposed building / activity fall within a development for which there is a Building Design Manual?: Y N

If “yes”, does the proposed plan comply with the requirements thereof?: Y N

9.3. Does the proposed building / activity fall within a development for which there is a Contractors’ Code of Conduct?: Y N

If “yes”, has the contractor(s) been made aware of the requirements thereof?:. Y N

Contractor has yet to be appointed.

10. Specify the following information regarding the proposed activities:

10.1. Duration (*time period*): *Unknown* – this will be confirmed when the Contractor has been appointed and the construction programme determined. Likely to be 6 to 8 months.

10.2. Financial value / scale: R .. *Unknown* – this will be confirmed when the Contractor has been appointed.

11. Any other information (if available or required) relevant to the application:

- **Municipal Approval of Departure / Relaxation Application:** Dated 20 April 2017 – see *Appendix C.*
- **Encroachment Agreement with Municipality** for use of a portion Erf 210 for access etc. – see *Appendix C.*

- **Environmental Approval:** Approval/Adoption/Definition of Adhoc Development Setback Line for Erf 222 issued by the Department of Environmental Affairs & Development Planning (DEA&DP) – see *Appendix E*.
- **OSCAE Permit for Erf 222:** Dated October 2017 – See *Appendix F*.

E. DECLARATION

I / We, the undersigned, declare that the information contained in this application and environmental impact report, and any attachments thereto, is correct and true to the best of my / our knowledge, and that no important environmental information has been intentionally withheld.

APPLICANT

(If not the owner, then the owner must sign below or a letter empowering you to act on the owner's behalf must be attached).

NAME: ...**Magdalena Roos**.....

SIGNATURE:

DATE:

OWNER

NAME: ...**Knysna Local Municipality**.....

SIGNED:

DATE: