Western Cape Government
Environmental Affairs and Development Planning
BETTER TOGETHER.

NEMA SECTION 24G APPLICATION COMPLETENESS CHECKLIST

Submitted by Chand Environmental Consultants cc on behalf of the applicant, Boschendal Founders Estate 5 (Pty) Ltd

CHAND
Environmental Consultants • Public & Stakeholder Engagement Specialists

Note: This is the Final report submitted to the DEA&DP for decision-making. Minor changes/points of clarity added to the report following public review of the draft report have been underlined for ease of reference.

This final report includes a Comments & Response Report – refer to Appendix G – which also underwent public review from 18 May 2022 – 7 June 2022.

IMPORTANT: Kindly ensure that this checklist is completed and attached to the NEMA SECTION 24G Application.

Please indicate by ticking the following below to serve as confirmation that the required information has been included in the application.

No.	Application Requirements	Please tick for confirmation
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. **(Note: Failure to meet the Regulation 8 will result in rejection of the application)** Refer to Appendix G.	✓
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	✓
	2.2. A list of all **similarly listed** activities in terms of the current EIA regulations (if applicable).	N/A
	2.3. A description of the receiving environment **before** commences of the activity(ies).	✓
	2.4. A description of the receiving environment **after** commences of the activity(ies).	✓
	2.5. All appendices and annexures:	✓
	2.5.1. Locality map	✓
	2.5.2. Site plans or/and Layout plan	✓
	2.5.3. Building plans (if applicable)	N/A
	2.5.4. Colour photographs	✓
	2.5.5. Biodiversity overlay map	✓

	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	✓	
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information	✓	
	2.5.8. Environmental Management Programme	✓	
	2.5.9. Certified copy of Identity Document of Applicant	✓	
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	✓	
	2.6. Signed declaration forms.	✓	
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	Y	~~N~~
	3.1. If yes, has the specialist assessment report been attached to the application?	✓	
4.	An assessment of the impacts of the activity or activities in terms of the following categories:		
	• Socio-economic	✓	
	• Biodiversity	✓	
	• Sense of place &/or Heritage/ Cultural	✓	
	• Any pollution or environmental degradation which has been, is being, is being or may be caused	✓	
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	✓	
6.	Completed and attached representations of Annexure A, Section A (Directives) in terms of the S24G Fine Regulations: Information/ Representation submitted in terms of any Directives the Minister/ decision maker may issue in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) s24G(1)(b)(i)-(viii).	✓	
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	✓	
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	✓	
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	✓	
9.	Compliance history of the applicant:	✓	
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	✓	
	9.1.1. Whether or not administrative enforcement notices, including pre -notices where appropriate, have previously been issued to the applicant in respect of a contravention of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM: WA).	✓	
	9.1.2. Whether or not the applicant has previously been convicted in respect of a contravention of section 24F(1) of the Act and /or section 20(b) of the NEM: WA;	✓	
	9.1.3. Whether or not the applicant has previously submitted a section 24G application in respect of an activity or activities which commenced prior to the activity or activities that are the subject of the current application; and	✓	
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	✓	
	9.2. Provided information or whether or not any of the directors of the applicant firm are, or were, at the relevant time, directors of a firm to whom the above (9.1.1. - 9.1.3.) applies;	✓	
	9.3. Advise on whether an applicant who is a natural person is, or was, at the relevant time a director of a firm to whom the above (9.1.1.- 9.1.3.) may apply.	✓	
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	✓	
	10.1 Proof of Consultation with relevant State departments, including, *inter alia*, notices, adverts etc.	✓	
	10.2 Copies of comments and responses included in the application.	✓	
	10.2 Comments and Response report attached to the application.	✓	
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") *(GN No. R.326 of 7 April 2017)* **(if conducted/undertaken)**	✓	

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Section 24G Application Form for the consequences of unlawful commencement of listed activity/ies in terms of the:

- **National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA");**
- **National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM: WA")**

April 2018

Form Number S24GAF/04/2018

Kindly note that:

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.

2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").

3. This Application Form is current as of 01 April 2018. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 01 April 2018.

4. **<u>The contents of this Application Form include the following:</u>**

   PART 1 -
   Section A: Background Information
   Section B: Activity Information
   Section C: Description of Receiving Environment
   Section D: Need and Desirability
   Section E: Alternatives
   Section F: Impact Assessment, Management, Mitigation and Monitoring Measures
   Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties
   Section H: Recommendations of the EAP
   Section I: Representations - Response to an Incident or Emergency Situation
   Section J: Public Participation Process

   PART 2 –
   ANNEXURE A of Fine Regulations
   Section A: Directives
   Section B: Deferral of the Application
   Section C: Quantum of the section 24G fine
   Section D: Preliminary advertisement

   PART 3 –
   Appendices and Declarations

   PART 4 –
   ANNEXURE B: Waste Management Activity Supporting Information (if relevant)

5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.

6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.

7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website https://www.westerncape.gov.za/eadp/

8. The use of "not applicable" in the Application Form must be done with circumspection.

9. **No faxed or e-mailed application forms will be accepted.**

10. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.

11. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

PROCESS TO BE FOLLOWED:

a) **Prior to submission of an Application Form,** the applicant is required to undertake a pre-application public participation process in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 ("Section 24G Fine Regulations").

b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance of with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.

c) The Department will acknowledge receipt of the application (within 14 days) and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.

d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G(1)(i-viii) of the NEMA.

e) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.

f) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.

g) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.

h) **Proof of payment of the fine must be submitted to the Department**. Upon payment of the administrative fine, the MEC/Competent Authority may-

- refuse to issue an environmental authorisation; or
- issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
- direct the applicant to provide further information or take further steps prior to making a decision provided for above;
- together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.

2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—

(a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
(b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.

3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
   (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
   (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
   (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

4. A person is guilty of an offence if that person:

   - Prior to submission of a section 24G application:
     - fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
     - fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
     - fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
     - fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.

   - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.

5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.

THE DEVELOPMENT OF A TENTED CAMP ON FOUNDERS ESTATE 5, FARM 1685/5, PAARL (FE5)

Section 24G Application Form and FINAL Environmental Impact Report (EIR) for the consequences of unlawful commencement of Listed Activities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA")

Submitted by Chand Environmental Consultants cc on behalf of the applicant, Founders Estate 5 (Pty) Ltd

CHAND
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Note: This is the Final report submitted to the DEA&DP for decision-making. Minor changes/points of clarity added to the report following public review of the draft report have been underlined for ease of reference.

This final report includes a Comments & Response Report – refer to Appendix G – which also underwent public review from 18 May 2022 – 7 June 2022.

LIST OF APPENDICES

Appendix		Tick the box if Appendix is attached
Appendix A:	**Locality map**	✓
Appendix B:	**Site plan(s)**	✓
Appendix C:	**Building plans (if applicable)**	**N/A**
Appendix D:	**Colour photographs**	✓
Appendix E:	**Biodiversity overlay map**	✓
Appendix F:	**Permit(s) / license(s) from any other organ of state including service letters from the municipality** **i.** Proof of WUA submission and engagement with the DWS	✓
Appendix G:	**Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Landowner consent and any other public participation information as required in Section J above -Comments & Responses Report**	✓
Appendix H:	**Specialist Report(s), if any** i. Freshwater Impact Assessment ii. Ecological Impact Assessment iii. Animal Species Compliance Statement iv. Agricultural Compliance Statement v. Heritage Impact Assessment **vi.** Services Report	✓
Appendix I:	**Environmental Management Programme**	✓

Appendix J:	**Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.**	**N/A**
Appendix K:	**Certified copy of Identity Document of Applicant**	✓
Appendix L:	**Certified copy of the title deed (or title deeds in the case of linear activities)**	✓
Appendix M:	**Co-ordinate Maps**	✓
Appendix N:	**DEADP confirmation of NEMA triggers**	✓
Appendix O:	**DFFE Screening Tool Report**	✓
Appendix P:	**Site Sensitivity Verification Report**	✓
Appendix Q:	**Methodology employed to determine impact significance**	✓
Appendix R:	**Letter from Applicant**	✓
Appendix S	**Pre-Directive issued to the applicant on 22 March 2022**	✓

LIST OF FIGURES

LIST OF TABLES

LIST OF ACRONYMS

CI	Conservation Importance
CR	Critically Endangered
DEA&DP	Department of Environmental Affairs and Development Planning
DFFE	Department of Forestry Fisheries and Environment
DWS	Department of Water & Sanitation
EAP	Environmental Assessment Practitioner
ECO	Environmental Control Officer
EIA	Environmental Impact Assessment
EIR	Environmental Impact Report
EIS	Ecological Integrity and Sensitivity
EMF	Environmental Management Framework
EMPr	Environmental Management Programme
EN	Endangered
ESA	Ecological Support Area
FE	Founders Estate
FEPA	Freshwater Ecosystem Priority Area
FI	Functional Integrity
GA	General Authorisation
GDPR	General Data Protection Regulation
GIS	Geographic Information System
HDI	Human Development Index
HDI	Human Development Index
HDPE	High-density polyethylene
HIA	Heritage Impact Assessment
HWC:	Heritage Western Cape
I&AP	Interested & Affected Party
IDP	Integrated Development Plan
IUCN	International Union for Conservation of Nature
LED	Light Emitting Diode
LPSV	Low Pressure Safety Valve
LUPO	Land Use Planning Ordinance
NEM: ICMA	National Environmental Management: Integrated Coastal Management Act
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998)
NEMBA	National Environmental Management: Biodiversity Act
NFEPA	National Freshwater Ecosystem Priority Area
NHRA	National Heritage Resources Act (Act No. 25 of 1999)
NHS	national heritage site
NWA	National Water Act, 1998 (Act No. 36 of 1998)
PES	Present Ecological State
PSDF	Provincial Spatial Development Framework
SAHRA	South African Heritage Resource Agency
SANBI	South African National Botanical Institute
SCC	Species of Conservation Concern
SDF	Spatial Development Framework
SEI	Site Ecological Importance
SM LUPBL	Stellenbosch Municipality Land Use Planning By-Law
SM ZSBL	Stellenbosch Municipality Zoning Scheme By-law
STR	Screening Tool Report
VU	Vulnerable
WCG	Western Cape Government
ZSBL	Zoning Scheme By-law

DEPARTMENTAL DETAILS

Department of Environmental Affairs and Development Planning,
Directorate: Environmental Governance
Attention: Sub-directorate: Rectification
Private Bag X9086
Cape Town, 8000

Registry Office
1st Floor Utilitas Building
1 Dorp Street, Cape Town

Queries should be directed to the Sub-directorate: Rectification at:
Tel: (021) 483-5827 Fax: (021) 483-4033

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

DEPARTMENTAL REFERENCE NUMBER(S) (to be completed by the EAP)

File Reference number (Enforcement), if applicable	
File reference number (EIA), if applicable:	
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	

View the Department's website on http://www.westerncape.gov.za/eadp for the latest version of the documents

PART 1

PROJECT TITLE

The Development of a Tented Camp on Founders Estate 5, Farm 1685/5, Paarl (FE5)

RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED

Cross out the appropriate box "☒" in which region the unlawful activity/ies has commenced.

~~REGION 1 City of Cape Town and West Coast District~~	**REGION 2 Cape Winelands District and Overberg District**	~~REGION 3 Central Karoo District and Eden District~~
	X	

SECTION A: BACKGROUND INFORMATION

1. APPLICANT PROFILE INDEX

Cross out the appropriate box "☒".

1.1	The applicant is a Natural Person (individual)					
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					**X**
1.2.1	If a firm, please tick the relevant box below:					
	~~Body Corporate~~	~~Partnership~~	~~Trust~~	~~Parastatal~~	~~Organ of State~~	
	Director of a Company	~~Members of a Board~~	~~Other, please specify~~			

Applicant's details (duplicate this section where there is more than one applicant)	
Applicant Name:	Boschendal Founders Estate 5 (Pty) Ltd

RSA Identity Number/ Passport Number of Applicant, if natural person:	Not applicable		
Name of Firm (if applicable):	Boschendal Founders Estate 5 (Pty) Ltd		
Firm Registration Number:	2006/023139/07		
Contact Person at the Firm:	Amelia Kropman		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – **(In the list below, delete the firms that are not applicable to this application)**		
• Directors of a company; or • Members of the board; or • Executive committee or other managing body of a corporate body or parastatal; or • Members of close corporation; or • Partners of a partnership; or • Trustees of a trust	Name: Amelia Kropman RSA ID No. 8201030040089 ~~Name:~~ ~~RSA ID No.~~ ~~Name:~~ ~~RSA ID No.~~ ~~Name:~~ ~~RSA ID No.~~ ~~Name:~~ ~~RSA ID No~~.		
Postal address:	The BIG Backpackers 18 Thornhill Road		
	Green Point	Postal code:	8005
Telephone:	Not Applicable	Cell:	071 606 7102
E-mail:	amy@campcanoe.co.za	Fax:	Not Applicable
Project Consultant	Not Applicable		
Contact person:	Not Applicable		
Postal address:	Not Applicable		
		Postal code:	Not Applicable
Telephone:	Not Applicable	Cell:	Not Applicable
E-mail:	Not Applicable	Fax:	Not Applicable
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	Claudette Muller		
Company name (if any):	Chand Environmental Consultants		
Postal address:	PO Box 238		
	Plumstead	Postal code:	7801
Telephone:	(021) 762 3050	Cell:	N/a
E-mail:	claudette@chand.co.za	Fax:	N/a
EAP Qualifications	BSc (Hon) Environmental Science (Rhodes) & MPhil in Environment, Society & Sustainability (UCT)		
EAP Registrations/Associations	EAPASA Registration Pending		
Name of the Landowner:	Boschendal Founders Estate 5 (Pty) Ltd		
Name of the contact person for the landowner (if other):	Amelia Kropman		
Postal address:	Same as above		
		Postal code:	
Telephone:		Cell:	
E-mail:		Fax:	N/a
Person in control of land:	Same as above		
Contact person:	Same as above		
Postal address:	Same as above		
		Postal code:	Same as above
Telephone:	Not applicable	Cell:	Same as above
E-mail:	Same as above	Fax:	Not applicable

Please note:

In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this form. Not applicable as there is only one landowner

A certified copy of the applicant's (if natural person), alternatively a director's (as defined), Identity Document must be attached to the application. Refer to Appendix K

A certified copy of the title deed of the property/s on which the unlawful listed activity/ies has commenced must be attached to the application. Refer to Appendix L

Municipality in whose area of jurisdiction the activity falls:	Stellenbosch Municipality		
Contact person, if known:	Mr Schalk van der Merwe		
Postal address:	Plein Street		
	Stellenbosch	Postal code:	7600
Telephone	(021) 808 8679	Cell:	N/a
E-mail:	Schalk.vandermerwe@stellenbosch.gov.za	Fax:	021 886 6899

Please note:

In instances where there is more than one Municipality involved, please attach a list of Municipalities with their respective contact details to the form. Not applicable

Property location(s):	The property (Founders Estate 5) is located on Boshendal Estate within the Stellenbosch Municipality, west of the Dwars River and the R310 within the Dwars River Valley. The Founders Estates are accessed off the R310 at the Avenue 1685 access gate.
	Refer to Locality Map in Appendix A
Farm/Erf name(s) & number(s) including portion(s)	Potion 5 of Farm 1685, Paarl
Property size(s) (m^2)	Approximately 26.26ha
Development footprint size(s) (m^2)	Approximately 6ha is the area designated for the Tented Camp. The total physical footprint of the development is ±13,825.49 m^2
SG21 Digit code(s)	C05500000000168500005

Property boundary (refer to Appendix M for a corresponding map):

Point	Latitude (S)	Longitude (E)
1	33° 52' 15.1" South	18 ° 56' 34.25" East
2	33° 52' 26.19" South	18° 56' 18.86" East
3	33° 52' 28.85" South	18° 56' 22.24" East
4	33° 52' 30.31" South	18° 56' 20.63" East
5	33° 52' 31.09" South	18° 56' 20.97" East
6	33° 52' 35.45" South	18° 56' 18.64" East
7	33° 52' 43.87" South	18° 56' 26.66" East
8	33° 52' 39.69" South	18° 56' 33.18" East
9	33° 52' 25.27" South	18° 56' 34.08" East
10	33° 52' 33.34" South	18° 56' 38.86" East
11	33° 52' 33.49" South	18° 56' 43.20" East
12	33° 52' 31.91" South	18° 56' 45.73" East
13	33° 52' 20.04" South	18° 56' 36.08" East
14	33° 52' 17.22" South	18° 56' 36.51" East

The co-ordinates for the site boundary are (refer to Appendix M for a corresponding map):

Point	Latitude (S)	Longitude (E)
1	33° 52' 20.89" South	18° 56' 26.20" East
2	33° 52' 26.19" South	18° 56' 18.93" East
3	33° 52' 28.88" South	18° 56' 22.28" East
4	33° 52' 29.49" South	18° 56' 21.59" East

5	33° 52' 31.89" South		18° 56' 24.78" East
6	33° 52' 31.93" South		18° 56' 27.12" East
7	33° 52' 30.77" South		18° 56' 27.15" East
8	33° 52' 23.73" South		18° 56' 30.10" East

Please note:

Where numerous properties/sites are involved (e.g. linear activities), attach a list of property descriptions and street addresses to the consultation form. Not applicable

Street address:	Not applicable. The farm portion is located on the Founders Estate, Boschendal		
Magisterial District or Town:	Stellenbosch Municipality		
Closest City/Town:	Stellenbosch	Distance	± 14 (km)
Zoning of Property:	Agriculture & Rural (Refer to Zoning Map Appendix M)		

Please note:

In instances where there is more than one zoning applicable, please attach a list or map of the properties indicating their respective zoning to the Application Form.

Was the property rezoned after commencement of activities?	~~YES~~	**NO**
If yes, what was the previous zoning?		
The current and previous zoning, before commencement of activities, is Agriculture & Rural. The primary permitted use of the property will remain agriculture.		

Is a rezoning application required?	~~YES~~	**NO**
Is a consent use application required? Instead of a consent use application, a Temporary Departure Application will be submitted in terms of section 15 (2) (c) of the Stellenbosch Municipality Land Use Planning By-Law (2015) to "regularise" the Tented Camp. This application is currently underway.	**YES**	~~NO~~

Locality map: Refer to Appendix A	A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following: • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)
Landowner(s) Consent: Not applicable as the Applicant is the Landowner	If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated. **Note:** The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the *Infrastructure Development Act, 2014 (Act No. 23 of 2014*).

2. APPLICATION HISTORY

(Cross out the appropriate box "☒" and provide a description where required).

Has any national, provincial or local authority considered any development applications on the property previously?	**YES**	~~No~~
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application, please attach a list of these applications)		
In 2005, Founders Estate (FE) 1685/5 was approved by Stellenbosch Municipality as part of a consolidation, subdivision and registration of lease area application for 19 units on the Founders' Estate, made in terms of the then Land Use Planning Ordinance (LUPO) No. 15 of 1985 subject to certain conditions of approval (NM & Associates, 2021). The approvals granted for 18 FE's permitted the utilisation of the properties for agricultural purposes in terms of the LUPO Section 8 Scheme, on a 99-year leasehold basis and at the same time, also permitted a development area of 8000 m² (referred to as the Excluded Area) on which the construction of new buildings is limited to one new farmstead within the defined development area of 8000 m²		

(NM& Associates, 2021). In the case of FE 5, the 8000 m² Excluded Area is vacant and the Tented Camp has already been constructed on a portion of the property that forms part of the agricultural land unit that is the subject of the approved 99-year leasehold area (NM & Associates, 2021).

In terms of Condition (iii) of the approval "the utilisation of the buildings to be erected on the 18 agricultural units, shall be within the parameters of the zoning of agricultural Zone 1 at all times." Furthermore Condition (viii) states that "the buildings on the Agricultural unit must be limited to one new farmstead per farm. The only other buildings permitted are those required for bona fide agricultural purposes for the farming unit as a whole." Furthermore, "no extensions to the existing buildings or the construction of any new buildings may occur without prior approval of the Council, as well as the South African Heritage Resource Agency (SAHRA) and / or Heritage Western Cape (HWC)" (NM & Associates, 2021).

The Tented Camp is an unauthorised land use as it currently stands in terms of the approvals granted in 2005. As such a Temporary Departure application in terms of section 15 (2) (c) of the Stellenbosch Municipality Land Use Planning By-Law (2015) (SM LUPBL) (at the same time having regard for the parameters in terms of Chapters 20 and 25 of the Stellenbosch Municipality Zoning Scheme By-law of 2019 (SM ZSBL)) must be submitted to "regularise" the camp (NM & Associates, 2021). The application will run parallel to this environmental application.

Which authority considered the application:		
Stellenbosch Municipality		
Has any one of the previous application/s on the property been approved **or** refused? If so, provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	**YES**	~~No~~
The LUPO application was approved in 2005. There are no other environmental applications applicable to the property currently.		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		
In terms of the 2005 LUPO approvals, the remainder of FE 5 is subject to a 99-year lease in favour of Boschendal for agricultural purposes. The Temporary Departure, if granted, will be valid for 5 years.		

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR

I hereby apply in terms of section 24G of the National Environmental Management Act (Act 107 of 1998) for the regularisation of the unlawful commencement or continuation of the listed or waste management activities as specified in Section B:1 below.

Applicant (Full names): __Amelia Kropman _____ **Signature: _____**

Place: _____Franschhoek _____ **Date: _11 February 2022_____**

EAP (Full names): Claudette Muller **Signature:**

Place: Chand Environmental Consultants **Date: 18 February 2022**

All listed activities associated with the development must be indicated below.

1.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable			
ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
Not applicable			
NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): **(Listing Notice 1 of 2006)**	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable			
Government Notice No. R387 Activity No(s): **(Listing Notice 2 of 2006)**	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable			
NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 544 Activity No(s):	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the	State the date of commencement of each activity

(Listing Notice 1 of 2010)		applicable listed activity.	
Not applicable			
GN No. R. 545 Activity No(s): **(Listing Notice 2 of 2010)**	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable			
GN No. R. 546 Activity No(s): **(Listing Notice 3 of 2010)**	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable			
NEMA EIA Contraventions: on or after 08 December 2014			
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 327 Activity No(s): **(Listing Notice 1 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
12	The development of (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs- (a) within a watercourse (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of the watercourse…	Five components of the Tented Camp facility encroach or partially encroach into the 32 m setback of an in-channel dam at the site: • The entire Staff Office tent (43 m²); • A portion of the Guest Support Tent (70 m²); • A portion of the gravel road to the Guest Support Tent; • Fat trap; and • The electrical line and the concrete platform constructed to support the generator and associated electrical components. The total footprint of the tent structures which encroach is 113 m² which is above the 100 m² threshold. Refer also to Figure 14 which shows the extent of encroachment.	Late- 2019
GN No. R. 325 Activity No(s): **(Listing Notice 2 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable			
GN No. R. 324 Activity No(s): **(Listing Notice 3 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
4	The development of a road wider than 4 metres with a reserve less than 13.5 metres.	The informal ring road and access roadways to each tent which has been developed ranges from 3.7	Late - 2019

	Western Cape … All areas outside urban areas: (aa) Areas containing indigenous vegetation; … .	m to approx. 5 m in width. There is no road reserve, and the site is located outside an urban area within an area which contains indigenous vegetation (Boland Granite Fynbos)	

Please ensure that you have provided the similarly listed activities if the listed activities were commenced before the period the EIA Regulations came into effect, i.e. before 08 December 2014.

Listed Activity 12 of Listing Notice 1 and **Listed Activity 4 of Listing Notice 3** were confirmed as applicable by the DEA&DP on 17th September 2020 in response to the submission of an EIA Applicability to the Department. Refer to Appendix N for the correspondence.

It should be noted that **Activity 6 of Listing Notice 3** was contemplated. However, each tent has been designed to contain one double bed and has been constructed to sleep two people per tent, therefore the maximum guest capacity is 14 people which is below the threshold for this activity. As such the activity does not trigger.

Listed Activity 31 of Listing Notice 1 regarding the decommissioning of a facility was contemplated in the Draft Report. The DEA&DP: Development Management: Region 1 however confirmed in their comment on the application that this activity is not applicable and not triggered at this stage (refer to Appendix G).

Listed Activity 12 of Listing Notice 3 was also included in the Draft Report. However, the DEA&DP Development Management: Region 1 confirmed in their comment that Boland Granite Fynbos is **not** classified as an Endangered ecosystem in terms of Section 52 of the NEMBA and as such, the clearance thereof does not trigger this Listed Activity. (the vegetation is listed as Vulnerable)

1.2 Applicable Waste Management Activities

List the relevant waste management activity/ies applied for: No waste management activities are applicable to the project.

Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013			
Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008			
GN No. 718 – Category A Activity No(s):	Describe the relevant Category A waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
Not applicable			
GN No. 718 – Category B Activity No(s):	Describe the relevant Category B waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
Not applicable			

Waste Management Activity Contraventions: On or after 29 November 2013			
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,			
GN No. 921 - Category A Activity No(s):	Describe the relevant Category A waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
Not applicable			
GN No. 921 – Category B Activity No(s):	Describe the relevant Category B waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
Not applicable			

Please note:

The National Department of Environmental Affairs is the competent authority for activities regarded as hazardous waste. Such activities must be indicated as hazardous waste in the abovementioned lists.

Only those activities listed above shall be considered for authorisation. The onus is on the applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, an application for amendment or a new application for Environmental Authorisation will have to be submitted.

1.3 Activities listed similarly in terms of the EIA Regulations

Kindly indicate the listed activities in terms of the EIA Regulations that is listed similar to the unlawfully commenced activities. The descriptions provided below must clearly state why the activity/development is still similarly listed in terms of the EIA Regulations, 2014.

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): **(Listing Notice 1 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Not applicable		
GN No. R. 325 Activity No(s): **(Listing Notice 2 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Not applicable		
GN No. R. 324 Activity No(s): **(Listing Notice 3 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Not applicable		

Please note:

Where approvals for the activity have been obtained in terms of any other legislation (e.g. National Water Act, Act 36 of 1998), certified copies of such approvals must be attached to this form.

2. ACTIVITY DESCRIPTION

(Cross out the appropriate box "☒" and provide a description where required).

Is/are the activity(ies) complete or is/are the activity(ies) still to be completed? At the time of report-writing, all activities had been completed, apart from the designation of the five informal road edge parking bays at the site entrance (as described below and as depicted in Figure 2).	**Completed**	~~Incomplete~~
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced as well as the original date of commencement if the application is an upgrade.	**New**	~~Upgrade~~
Activities commenced on site in late-2019.		

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.

The Tented Camp comprises the following (refer to Figure 1):

- Seven tents for accommodation of two people each serviced with their own bathrooms and limited self-catering facilities. The tents can accommodate a maximum of 14 people on the site in total. Tents are located on decks of approximately 78 to 83 m² each.
- A large mess tent where guests staying on site can congregate as a group if necessary. The tent deck is approximately 246 m² in extent.
- A guest support tent with a communal kitchen facility and toilets. The tent deck is approximately 125 m² in extent.
- A staff office tent. This is necessary to ensure at least one staff member can be available onsite while guests are staying. It has space for an office and storage. The tent deck is approximately 43 m² in extent.

Each tent structure comprises a wooden deck/ platform which rests on a steel frame supported by steel legs that are individually cemented into the ground for support. There are no buried foundations. They foundations are pre-cast concrete blocks filled with concrete placed on top of the ground, onto which the light-weight top structures are fixed. The top structures comprise of compressed wood walling covered by canvas with a stretch "gazebo-type" roof which pin to the

ground around the platform (i.e., the roof tips extend beyond the platform footprint). The total area under deck is 988 m².

The seven accommodation tents are tucked into a patch of vegetation which comprises a combination of alien and indigenous species. The communal / operations related tents are located at a lower level, within the open fallow lands close to the in-channel dam (refer to Figure 1).

A gravel road that circulates around the site provides access to the respective units, and the communal / operations tents. The roads have been compacted, bordered by local rocks and covered with either chips or gravel, or left uncovered. Seven parking bays for the guests will be provided on the upslope side of the accommodation, with the intention of limiting vehicular movement around the site. Parking bays will be designated informally off an existing road in groups of 2 and 3 bays (refer to Figure 2).

A generator and a transformer are located downslope and north of the staff office tent. The sewage treatment infrastructure, six small bio septic tanks, is located downslope and along the northern edge of the camp. Fire hydrants are located around the periphery of the camp. A 116 m³ reservoir above the site supplies water to the camp.

See Figure 1 for an aerial view of the site. The site plan is shown in Figure 2 and is attached as Appendix B.

Site photographs have been included in Appendix D.

All development activities have been completed apart from the designation of the five road edge parking bays at the site entrance (refer to Figure 1). There will be no new surface to demarcate the parking bays except for some gravel/bark chips. These bays will be located in an already 'transformed' zone as identified and mapped by the botanical specialist (refer to Figure 11) and would thus be acceptable from a botanical impact perspective (T Martin *pers. comms,* October 2021).

The Tented Camp is a temporary tourist facility which will be decommissioned after five years of operation.

The camp has been operating since January 2022, noting that the camp did not accept new bookings from February to May 2022.

Figure 1: Aerial view of site (Image taken September 2021)

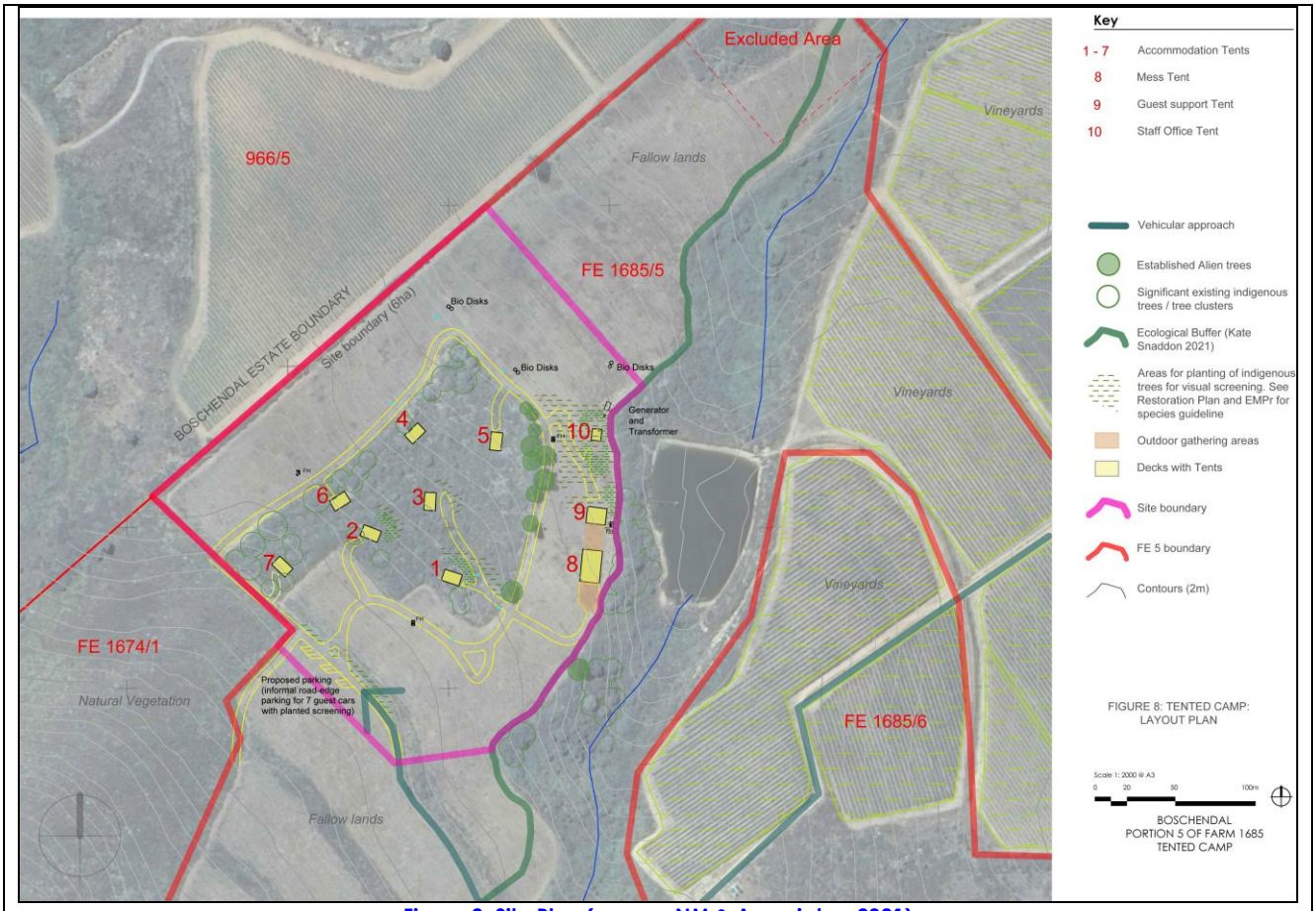

Figure 2: Site Plan (source: NM & Associates, 2021)

The construction of the Tented Camp necessitated the following activities:

- Land clearing (including of indigenous vegetation) and topsoil removal in certain areas for the roads, services, and tents;
- Earth has been excavated and replaced for the installation of underground services;
- Compaction of land in small areas around the tents and associated built structures; and
- Compaction of land within the roadways of the new roads.

(c) Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).		
Buildings	**YES**	~~NO~~
Provide brief description:		
In terms of Section 42(2) of the Stellenbosch Municipality Zoning Scheme By-law (2019) tented structures are regarded as buildings, when used for habitation (NM & Associates, pers. comms., April 2022). The tent structures are described in detail in the previous section (It is noted that the draft report marked this section as **NO** and this has since been corrected)		
Infrastructure (e.g. roads, power and water supply/ storage)	**YES**	~~NO~~
Provide brief description:		
Roads & Parking The circular road network which provides access to the respective units and the communal / operations tents, is informal and follows the natural terrain and contours of the site. The roads have been compacted, bordered by local rocks and covered with either chips or gravel, or left uncovered. Seven parking bays for the guests will be provided on the upslope side of the accommodation, with the intention of limiting vehicular movement around the site. The parking bays will be tucked informally off an existing road in groups of 2 and 3 bays (refer to Figure 2). **Electrical** The Tented Camp has a fully functional electrical reticulation system in place. The main supply is connected from the existing Boshendal Farm overhead line feeding an existing 315 kVA Transformer which supplies Kiosk "A". A 150 A 380 V 3-phase supply is fed from Kiosk "A" to an adjacent 380 V / 3,3 kV step-up transformer which then feeds via an underground cable at 3,3 kV to the Tented Village Main Supply Point (Hurworth, 2021). The main supply point at the Tented Camp contains a 3,3 kV / 380 V step-down transformer which supplies a feed into a kiosk – Kiosk "B" that is connected to the changeover panel of the standby Generator. Kiosk "B" is the main feeder to the Tented Camp and contains supplies to: Staff Accommodation, Mess tent, Fire Pump Panel and a feeder to Kiosk "C". Kiosk "C" contains supplies to: Tent 5, BioDisc Panel, BioDisc Panel 2 and a feeder to Kiosk. Kiosk "D" contains supplies to: Tent, Tent 2, Tent 3 and a supply to Kiosk "Kiosk "contains supplies to: Tent 4, Tent 6 and Tent 7 (Hurworth, 2021).		

Stormwater

There is no formal stormwater disposal system. The tented structures discharge stormwater onto the ground and this flows naturally into the landscape (Hurworth, 2021).

Telecommunications

The applicant has installed an internet system at the site (refer to Figure 3). Ethernet cables have been placed in a reticulated 25 mm black conduit. This conduit has been buried at the "road" crossings at a shallow depth of 500 mm and loosely laid (i.e., no trenching) through the vegetation to connect to the various tents (Hurworth, 2021). A pole mounted receiver antennae disc has been placed in the position indicated in Figure 3.

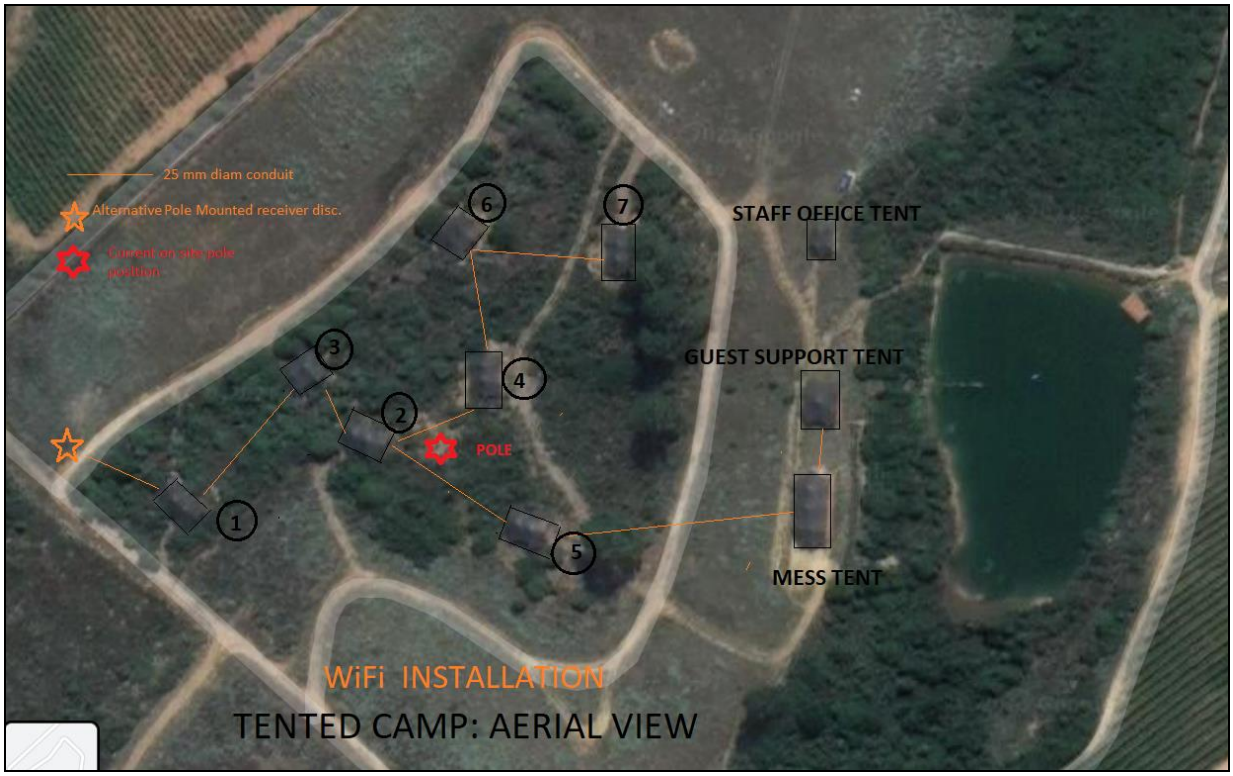

Figure 3: Internet cable installation (source: Hurworth, 2021)

Foul Sewer

All accommodation units including the mess tent are connected to a water-borne piped system that discharges into Kingspan Bio-Disk sewerage disposal units (Hurworth, 2021) (refer to Figure 7). Each unit is connected to a 110 mm diameter uPVC sewer main that flows under gravity flow to the Kingspan Bio-disk units located east of the site (Hurworth, 2021). The system treats the raw effluent via its patented system to liquid discharge quality within the "General Limits" for wastewater discharge into watercourses as set by the National Water Act (Act no 36 of 1998) (NWA), noting that there is no direct discharge to any watercourses. The treated water discharge currently flows into the landscape where the bio-disks are located (refer to Figure 4 below). The anticipated treated water discharge volume once the camp is fully operational is 75% of the anticipated water consumption, thus 1088 l/day (Hurworth, 2021).

Figure 4: Foul sewer reticulation system and location of bio disks (source: Hurworth, 2021)

Figure 5: Bio-disk sewage disposal unit

It is noted that the freshwater specialist (Snaddon, 2021) has furthermore recommended that the sewage storage facilities must be regularly checked for leaks and overflow and that the area immediately around the treatment units should be protected with a berm, which would catch surface water flowing out of any of the components. Also, that Nitrate levels be monitored regularly (every 2- 3 months) and the recycle stages adapted to ensure that levels are within General Limits. These requirements have been included in the EMPr for implementation.

Kingspan BioDisc® Units

Central to the operation of each Kingspan BioDisc® is the Rotating Biological Contactor (RBC), which supports a biologically active film or biomass on to which aerobic micro-organisms, naturally found in sewage, become established. Natural breakdown of sewage can then occur.

The components of each BioDisc and the breakdown process is depicted in the diagram below (refer to Figure 6).

Wastewater and sewage flow into the primary settlement zone (1) where solids are settled out and retained. Partially clarified liquor containing fine suspended solids flows upwards into the first stage Biozone (2) for breaking down by micro-organisms on the RBC. Suspended solids return to the primary settlement zone and the liquor is transferred to the second stage Biozone (3) for further treatment. Any solids remaining are settled out in the final settlement tank (4). The treated water is then discharged into the landscape. The RBC comprises banks of vacuum formed polypropylene media supported by a steel shaft. This is slowly rotated by a low energy consumption electric motor and drive assembly[1].

[1] https://www.kingspan.com/meati/en-in/product-groups/wastewater-management/commercial-treatment-plants/biodisc-domestic-sewage-treatment-plant (accessed 03/05/2022)

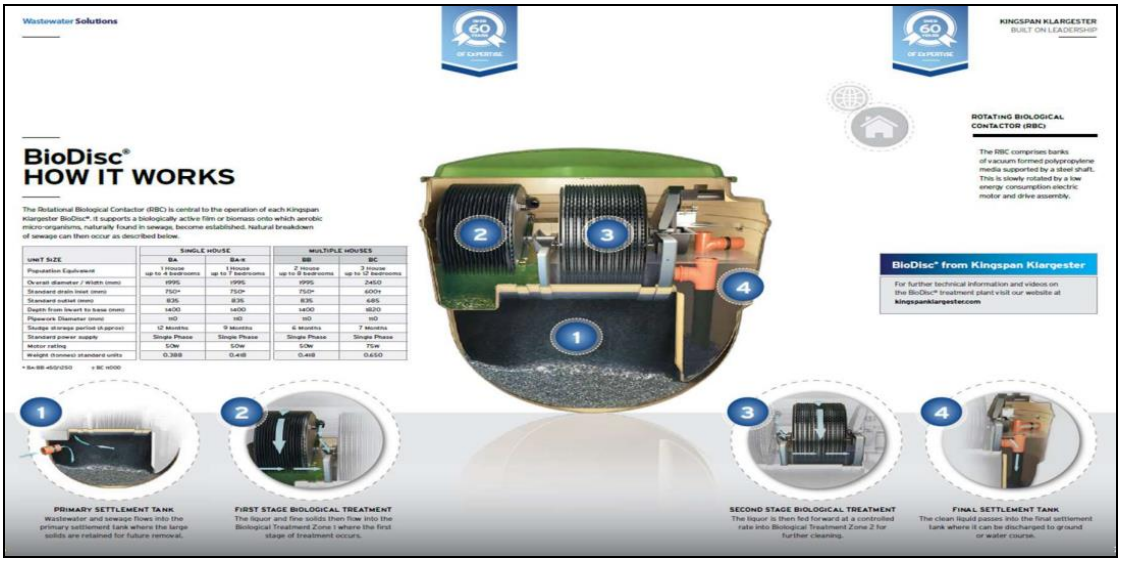

Figure 6: Components and breakdown process of the KingSpan BioDiscs used on site to treat effluent (source: Hurworth 2021)

Potable water system

Potable water is fed from a water storage reservoir as indicated in Figure 7. The reservoir is supplied from the existing farm natural spring (Hurworth, 2021). There is a constant supply of natural spring water to the reservoir that keeps the reservoir water levels constant. The reservoir supplies water under gravity flow to the tented camp via a 90 mm diameter HDPE class 12 water main (Hurworth, 2021).

An in-line aggregate filtration system and water purification system has been installed to improve water quality. A new in-line ultra-violet water purification system will be installed prior to commissioning of the Tented Camp to ensure that regulated potable water standards are achieved (Hurworth, 2021).

The reservoir supply is connected to a 63 mm diameter HDPE CL12 water ring main that is the secondary supply to the tented camp units (Hurworth, 2021).

The anticipated potable water consumption for an accommodation unit is and average of 150 l/day average (thus 1200 l/day in total). The consumption of the kitchen unit is anticipated to be an average of 250 l/day (Hurworth, 2021).

Fire water

The Tented Camp has a hydrant main as indicated in Figure 7. The ring main is supplied from a high-pressure submersible borehole pump which draws water from the farm dam. There are four strategically placed hydrant standpipes around the unit (Hurworth, 2021)

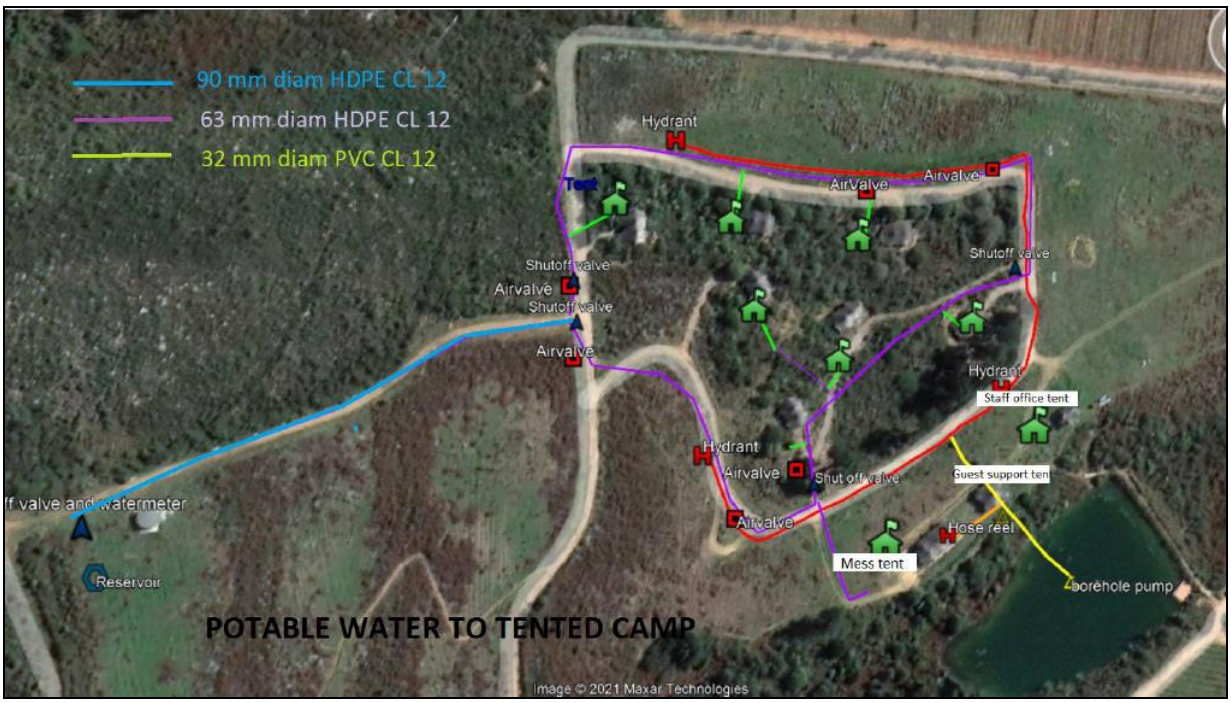

Figure 7: Potable water infrastructure and fire water hydrant main at site (source: Hurworth, 2021)

Refer also to the Services Report included in Appendix H(vi).		
Processing activities (e.g. manufacturing, storage, distribution)	~~YES~~	**NO**
Provide brief description:		
Not applicable. There are no processing activities on site.		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	~~YES~~	**NO**
Not applicable. There is no raw material storage on site.		
Storage and treatment facilities for solid waste and effluent generated by the project	**YES**	~~NO~~
Provide brief description		
See Kingspan Bio-Disk sewerage disposal units described above.		

(d) Other activities (e.g. water abstraction activities, crop planting activities)	**YES**	~~NO~~
Provide brief description		
The fire ring main is supplied from a high-pressure submersible borehole pump which draws water from the farm dam at the site. This abstraction only occurs in the event of a fire.		

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints): **Accommodation Tents**: 574 m² **Mess Tent**: 246 m² **Guest Support Tent:** 125 m² **Office Tent:** 43 m² **Reservoir:** 78.3 m² (concrete base) with main lines in existing roads 846 m in length, with new lines beyond existing roadways approx. 655.56 m in length **Roads**: approx. 4939.36 m² in extent and approx. 927.34 m in length **Bio septic tanks**: 12.28 m² with pipelines approx. 502.1 m in length **Electrical generator and power boxes**: 14.55 m² with main connecting line within existing roads and pathways approx. 614 m in length and internal lines beyond existing roadways. 421.74 m in length **Soft Landscaping**: approx. 7918 m²	Total Physical Footprint: **13,825.49 m²**
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	5 907,49 m²
Total area: Approximately 6ha is the area designated for the Tented Camp site	60 000,00 m²

4. SITE ACCESS

Was there an existing access road? (see however description below)	**YES**	~~NO~~
If NO, what was the distance over which the new access road was built? Please indicate the length and width of the new road.	(Length) 927.34 m	
	(width) 4.6 m – 5.8 m	
Describe the type of access road constructed:		
The site is accessed via existing farm roads (the type which are located between vineyards/ planting blocks). However, some additional roadways have been created to provide a ring-road around the site with small sections protruding from the ring-road to access each tent structure (refer to Figure 1 & Figure 2). The newly created roads comprise of compacted ground. Some sections have been left uncovered, while others are covered in either gravel or wood chips. The width of the new roadways ranges from 4.6 m to 5.8 m and the overall length of new roadway (i.e. roadway that does not correspond with existing farm road) is approximately 927.34 m. The total footprint of the new farm road network is approx. 4939.36 m².		

Please Note:

Indicate the position of the access road on the site plan (See Section 5 below)

5. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph, must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date and source of photographs must be included. Photographs must be attached as an **appendix** to this form. Refer to Appendix D.

Please note:

Should the relevant photographs not be included in the application, the application may be deemed insufficient and further information in this regard will be requested.

6. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
National Water Act (Act No. 36 of 1998)	The Department of Water & Sanitation (DWS)	General Authorisation	Underway in parallel to this application. Decision pending. Refer to proof of the application process included in Appendix Fi. Comment was also received from the DWS – refer to Appendix G.
South African Heritage Resources Act (Act No. 25 of 1999)	South African Heritage Resource Agency (SAHRA)	Comment and instruction on way forward regarding unlawfully commenced development without the necessary heritage permit.	Comment received on 14 April 2022. Refer to Appendix G.
Stellenbosch Municipality Land Use Planning By-law of 2015 (SM LUPBL) & Stellenbosch Municipality Zoning Scheme By-law (ZSBL) of 2019	Stellenbosch Municipality	Temporary Departure application in terms of section 15 (2) (c) of the SM LUPBL (2015) (at the same time having regard for the parameters in terms of Chapters 20 and 25 of the Stellenbosch Municipality Zoning Scheme By-law of 2019 (SM ZSBL).)	Underway in parallel to this application. Decision pending.
National Environmental Management: Biodiversity Act (NEMBA)	Department of Environmental Affairs and Development Planning (DEA&DP)/ Department of Forestry Fisheries and Environment (DFFE)	This Act was considered in the determination of the ecosystem threat status on site, the threatened status of particular plant species and alien species management but no specific permits or approvals are required for the proposed development in terms of Section 87 of NEMBA.	Not applicable

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Stellenbosch Municipality Spatial Development Framework	Stellenbosch Municipality
Western Cape Biodiversity Spatial Plan (2017)	CapeNature/ Department of Environmental Affairs and Development Planning (DEA&DP)
Western Cape Provincial Spatial Development Framework	Western Cape Government
DEA Integrated Environmental Management Guideline: Guidelines on Need and Desirability 2017	Department of Forestry Fisheries and Environment (DFFE)
Guidelines on Alternatives, 2013	Department of Environmental Affairs & Development Planning (DEA&DP)
Guidelines on Public Participation 2011 and Department of Environmental Affairs (DEA) Guidelines on Public Participation, 2017	DEA&DP and DFFE
Species Environmental Assessment Guideline (SANBI 2020)	SANBI
Conservation of Agricultural Resources Act (Act 43 of 1983)	DEA&DP
Cape Nature Conservation Ordinance (Ordinance 19 of 1974; amended in 2000)	Cape Nature
The Founders' Estates Design Guidelines (2010)	Approved by SAHRA 2010

7. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS ("SEMAs")

If not specifically applied for in terms of this application, does the development require an application for a waste management license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?	~~YES~~	**NO**

If yes, has an application been submitted to the licensing authority? Not applicable	~~YES~~	**NO**
Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)?	**YES**	~~NO~~
If yes, has an application been submitted to the licensing authority? The proposal requires water use authorisation in terms of Section 21 (c) & (i) of the NWA (Act No 36 0f 1998) given development within the regulated area of a watercourse. Snaddon (2021) has determined that the water use can be Generally Authorised given the low risks posed to freshwater resources. Refer to Appendix H (i) for the Freshwater Risk Assessment Matrix completed. An online application process is underway in parallel to this application (Refer to Appendix F (i) for proof of the application).	**YES**	~~NO~~
If no, please provide evidence of existing water use rights (if applicable) with this application form.	**NOT APPLICABLE**	
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)? The project does not include any air emissions activities	~~YES~~	**NO**
If yes, has an application been submitted to the licensing authority?	~~YES~~	**NO**
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")? The site is located inland and not near the coast	~~YES~~	**NO**
If yes, has an application been submitted to the relevant competent authority? Not applicable	~~YES~~	**NO**
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		
Not Applicable		

8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	**YES**	~~NO~~

If yes, please complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
Stellenbosch Municipality Land Use Planning By-law of 2015 (SM LUPBL) & Stellenbosch Municipality Zoning Scheme By-law (ZSBL) of 2019 Stellenbosch Municipality Council's Consent will be required to permit the camp as tented accommodation is defined as a tourist accommodation establishment in terms of the Stellenbosch Municipality Zoning Scheme By-law (ZSBL). This use is not permitted 'as of right' in terms of the primary and / or additional rights on an Agriculture and Rural-zoned land parcel. A Temporary Departure Application to regularise the camp has been submitted in terms of the SM LUPBL (2015).	Stellenbosch Municipality	**YES**	The application was submitted in parallel to this application. A decision is pending
National Heritage Resources Act (Act No. 25 of 1999) (NHRA) The Tented Camp was constructed without a permit from the South African Heritage Resources Agency (SAHRA) as required in terms of Section 27 (18) of the National Heritage Resources Act (Winter et al., 2021). The provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively. In terms of SAHRA's draft Built Environment Permitting Policy for National Heritage Sites (2021), it is assumed that SAHRA will first consider whether the authorised work has damaged heritage significance, and the reversibility and temporary nature thereof. Thereafter, SAHRA may decide on the following two options a) Consider the work to be a minor transgression and therefore decide to not pursue the matter further b) Consider the transgression to have significant heritage implications and therefore decide to pursue criminal charges and/or seek remedial action (Winter et al., 2021).	South African Heritage Resource Agency (SAHRA)	**YES**	The HIA was submitted to SAHRA and key heritage conservation bodies for comment on 26 October 2021. Comment was received from SAHRA (refer to Appendix G). SAHRA indicated in their comment that there is no mechanism through the NHRA to retrospectively authorise development but that the 24G process through NEMA and the HIA are supported. SAHRA Case ID: 17415
National Water Act (Act No. 36 of 1998) (NWA) The proposal requires water use authorisation in terms of section 21 (c) & (i) of the NWA given development within the regulated area of a watercourse. Snaddon (2021) has determined that the water use can be Generally Authorised due to the low freshwater risks posed by the Tented Camp. An online application process is currently underway in parallel to this application	Department of Water & Sanitation (DWS)	**YES**	A pre-application submission for a GA was submitted on 10 November 2021 and a pre-application meeting held with the authorities on 22 February 2022. The application was submitted on 28 April 2022, Refer to Appendix Fi for proof of the above. A decision on the application is still pending.

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the site plan.

Section C Copy No. (e.g. 1, 2, or 3): Not Applicable

1. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE (Tick the appropriate box)

GRANITE Mainly granite of the Stellenbosch Pluton, Cape Granite Suite. The site consists of a layer of stony colluvial material overlying a deeply weathered granite saprolite with a high clay content. The colluvium is derived from the sandstone slopes above (Winter et al., 2021).	X	~~QUARTZITE~~	
~~SHALE~~		~~DOLOMITE~~	
~~SANDSTONE~~		~~DOLERITE~~	
~~OTHER (specify)~~			

2. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out the appropriate box).

~~Flat~~	~~Flatter than 1:10~~	~~1:10 – 1:5~~	Steeper than 1:5

3. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out ("☒") the appropriate boxes).

~~Ridgeline~~	~~Plateau~~	Side slope of hill/mountain	~~Closed valley~~	~~Open valley~~	~~Plain~~	~~Undulating plain/low hills~~	~~Dune~~	~~Sea-front~~	~~Other~~
The Tented Camp is located on the north-east facing slopes of the Simonsberg. The site is located between the 340 m and 355 m contour. Refer to Appendix A for a Locality Map.									

4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

4.1 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (PRE-COMMENCEMENT)

Is the site(s) located on or near any of the following (cross out ("☒") the appropriate boxes)?

Shallow water table (less than 1.5m deep) Depth is 7.79 mbgl	~~YES~~	**NO**	~~UNSURE~~
Seasonally wet soils (often close to water bodies) Found in riparian zone along stream & farm dam (refer to section 6 (d))	**YES**	~~NO~~	~~UNSURE~~
Unstable rocky slopes or steep slopes with loose soil	~~YES~~	**NO**	~~UNSURE~~
Dispersive soils (soils that dissolve in water)	~~YES~~	**NO**	~~UNSURE~~
Soils with high clay content Alluvial soils found in riparian zone along stream and farm dam (refer to section 6 (d))	**YES**	~~NO~~	~~UNSURE~~
Any other unstable soil or geological feature	~~YES~~	**NO**	~~UNSURE~~
An area sensitive to erosion	~~YES~~	**NO**	~~UNSURE~~

4.2 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (POST-COMMENCEMENT)

Shallow water table (less than 1.5m deep) Depth is 7.79 mbgl	~~YES~~	**NO**	~~UNSURE~~
Seasonally wet soils (often close to water bodies) Found in riparian zone along stream & farm dam (refer to section 6 (d))	**YES**	~~NO~~	~~UNSURE~~
Unstable rocky slopes or steep slopes with loose soil	~~YES~~	**NO**	~~UNSURE~~
Dispersive soils (soils that dissolve in water)	~~YES~~	**NO**	~~UNSURE~~
Soils with high clay content Alluvial soils found in riparian zone along stream and farm dam (refer to section 6 (d))	**YES**	~~NO~~	~~UNSURE~~

Any other unstable soil or geological feature	~~YES~~	**NO**	~~UNSURE~~
An area sensitive to erosion	~~YES~~	**NO**	~~UNSURE~~

If any of the answers to the above are "YES" or "unsure", specialist input may be requested by the Department.
(Information in respect of the above will often be available at the planning sections of local authorities. Where it does not exist, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

5. SURFACE WATER

5.1 SURFACE WATER (PRE-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("☒") the appropriate boxes)?

Perennial River	~~YES~~	**NO**	~~UNSURE~~
Non-Perennial River A seasonal to ephemeral stream (Stream 1) borders the site. The stream is a tributary of the Werda River, which ultimately flows in the Berg River.	**YES**	~~NO~~	~~UNSURE~~
Permanent Wetland	~~YES~~	**NO**	~~UNSURE~~
Seasonal Wetland	~~YES~~	**NO**	~~UNSURE~~
Artificial Wetland/ In-stream dam at the site	**YES**	~~NO~~	~~UNSURE~~
Estuarine / Lagoonal wetland	~~YES~~	**NO**	~~UNSURE~~

5.2 SURFACE WATER (POST-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("☒") the appropriate boxes)?

Note, there has been no infilling of watercourses on or adjacent the site by the development. All surface water features remain post-commencement.

Perennial River	~~YES~~	**NO**	~~UNSURE~~
Non-Perennial River A seasonal to ephemeral stream (Stream 1) borders the site. The stream is a tributary of the Werda River, which ultimately flows in the Berg River.	**YES**	~~NO~~	~~UNSURE~~
Permanent Wetland	~~YES~~	**NO**	~~UNSURE~~
Seasonal Wetland	~~YES~~	**NO**	~~UNSURE~~
Artificial Wetland/ In-stream dam at the site	**YES**	~~NO~~	~~UNSURE~~
Estuarine / Lagoonal wetland	~~YES~~	**NO**	~~UNSURE~~

6 VEGETATION AND/OR GROUNDCOVER

Please note: The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity/ies. To assist with the identification of the biodiversity occurring on site and the ecosystem status consult http://bgis.sanbi.org.za or BGIShelp@sanbi.org.za. Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Ph (021) 799 8738. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as an **appendix** to this form. Refer to **Appendix E**

6.1 VEGETATION AND/OR GROUNDCOVER (PRE-COMMENCEMENT)

Cross out ("☒") the block **and** describe (where applicable) the vegetation types / groundcover present on the site **before commencement of the activity**.

Indigenous Vegetation** - good condition		**Indigenous** Vegetation with scattered aliens	**X**	**Indigenous Vegetation with heavy alien infestation**	**X**
Describe the vegetation type above:		Describe the vegetation type above: Near intact Boland Granite Fynbos		Describe the vegetation type above: Degraded Boland Granite Fynbos	

No applicable		
Provide ecosystem status for above: No applicable	Provide ecosystem status for above: Endangered (according to the "Red List of Terrestrial Ecosystems of South Africa Assessment" published in 2021) The DEA:DP however confirmed that in terms of Section 52 of the NEMBA the vegetation type is listed as Vulnerable	Provide Ecosystem status for above: Endangered (according to the "Red List of Terrestrial Ecosystems of South Africa Assessment" published in 2021) The DEA:DP however confirmed that in terms of Section 52 of the NEMBA the vegetation type is listed as Vulnerable
~~Indigenous Vegetation in an ecological corridor or along a soil boundary / interface~~	**Veld dominated by alien species** Transformed area once agricultural field used for crops. These areas are now covered in lupins, grasses and species such as *Echium plantagineum, Verbena bonariensis and Acacia longifolia.*	~~Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe~~
~~Bare soil~~	~~Building or other structure~~	~~Sport field~~
Other (describe below) Riparian vegetation along Stream 1	~~Cultivated land~~	~~Paved surface~~

**It is noted here that there is intact Boland Granite Fynbos located west of the tented camp site, but this is not included in the above table assessment given that no structures encroach into this area. This area is considered to fall beyond the site under assessment. Similarly, there is cultivated land situated beyond the development footprint of the site.

(a) Highlight the applicable pre-commencement biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category.

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
~~Critical Biodiversity Area (CBA)~~	**Ecological Support Area (ESA)**	~~Other Natural Area (ONA)~~	~~No Natural Area Remaining (NNR)~~	The footprint of the tented camp is located within an ESA 1 area given the presence of degraded and near-intact Boland Granite Fynbos. A small portion along the eastern boundary of the site falls within an ESA 2 which has been designated along the stream and farm dam. See Figure 12 for a map of the ESAs and Appendix E for the Biodiversity Map.

(b) Highlight and describe the habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	Not applicable
Near Natural (includes areas with low to moderate level of alien invasive plants)	23 %	The patch of **Boland Granite Fynbos** that has been impacted by the project is infested with alien invasive species. Based on the historical satellite imagery available for the site and the size of some of the established trees, this appears to have been infested prior to construction. However, the construction of the platforms and upgrading of the ring road have exacerbated this (Jackson & Martin, 2021).
Degraded (includes areas heavily invaded by alien plants)	0%	Not applicable
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	77%	The **Transformed Areas** are currently fallow fields covered by ruderal species and Paterson's curse. Previously these areas were used to grow crops this (Jackson & Martin, 2021).

(c) Complete the table to indicate:

(i) the type of vegetation, including its ecosystem status, that was previously present on the site; and
(ii) whether an aquatic ecosystem was previously present on site.

Terrestrial Ecosystems		Aquatic Ecosystems						
Ecosystem threat status as per the National Environmental Management: Biodiversity Act,2004 (Act No. 10 of 2004)	~~Critical~~ ~~Endangered~~ **Vulnerable** ~~Least Threatened~~	Wetland (including rivers, depressions, channelled and un-channelled wetlands, flats, seeps pans, and artificial wetlands) See description of aquatic ecosystem in the following section			Estuary		Coastline	
		YES	~~NO~~	~~UNSURE~~	~~YES~~	**NO**	~~YES~~	**NO**

(d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

Aquatic Ecosystems at the site:

A number of small tributaries of the Dwars or Berg River cross Boshendal Estate. Those on the northern side of the road drain the Simonsberg Mountains, and many of these joins to form a tributary (the Werda River) that flows directly into the Berg River (Snaddon, 2021).

The Tented Camp site is located adjacent to Stream 1 (as mapped in 2007 and 2019 by Snaddon) – refer to Figure 8 & Figure 9. Stream 1 is a tributary of the Werda River, which ultimately flows in the Berg River. The riparian area around Stream 1 is typical of mountain streams in this area Stream 1 has good water quality (visual assessment) and seasonal surface flow (Snaddon, 2021).

According to Snaddon (2021), there is a clear boundary between terrestrial vegetation and riparian vegetation at the Tented Camp site. The riparian vegetation typically comprises:

- Tree species of various ages, with a few mature individuals, including *Searsia angustifolia, S. glauca, Kiggelaria africana, Olea europaea subsp. africana, Brabejum stellatifolium.*
- Grasses such as *Pennisetum macrourum*, and *restios*;
- Shrubs such as *Leucodendron* spp., and bracken (*Pteridium aquilinum*) occur around the margins of the riparian area.

The delineated riparian area for the Tented Camp site is shown in Figure 8

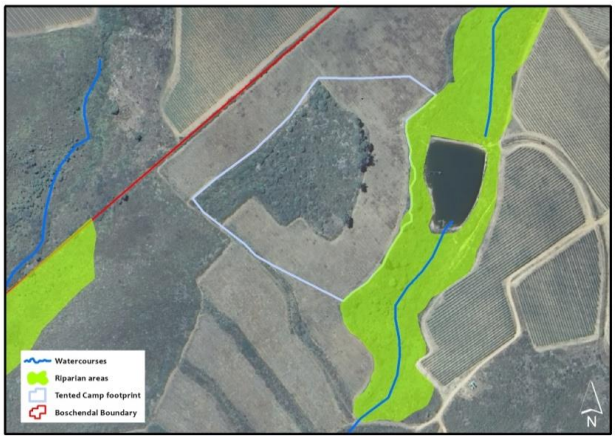

Figure 8: Stream 1 and the riparian areas (green polygons) delineated at the site (Snaddon, 2021)

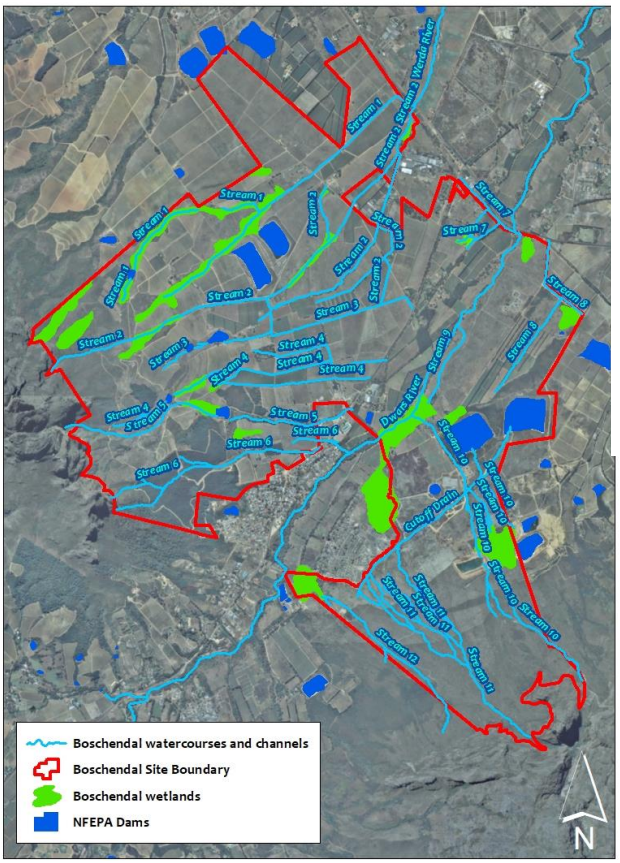

Figure 9: Location of the site and Stream 1 on Boschendal Estate (yellow arrow) (Snaddon, 2021)

According to the National Freshwater Ecosystem Priority Area (NFEPA) project maps, the sub-catchment in which the Tented Camp site lies has no FEPA status. Stream 1 and its riparian area are categorised as Ecological Support Areas (refer to Figure 10). Snaddon (2021) indicates that the site's sub-catchment is not of significant conservation importance, either regionally or nationally.

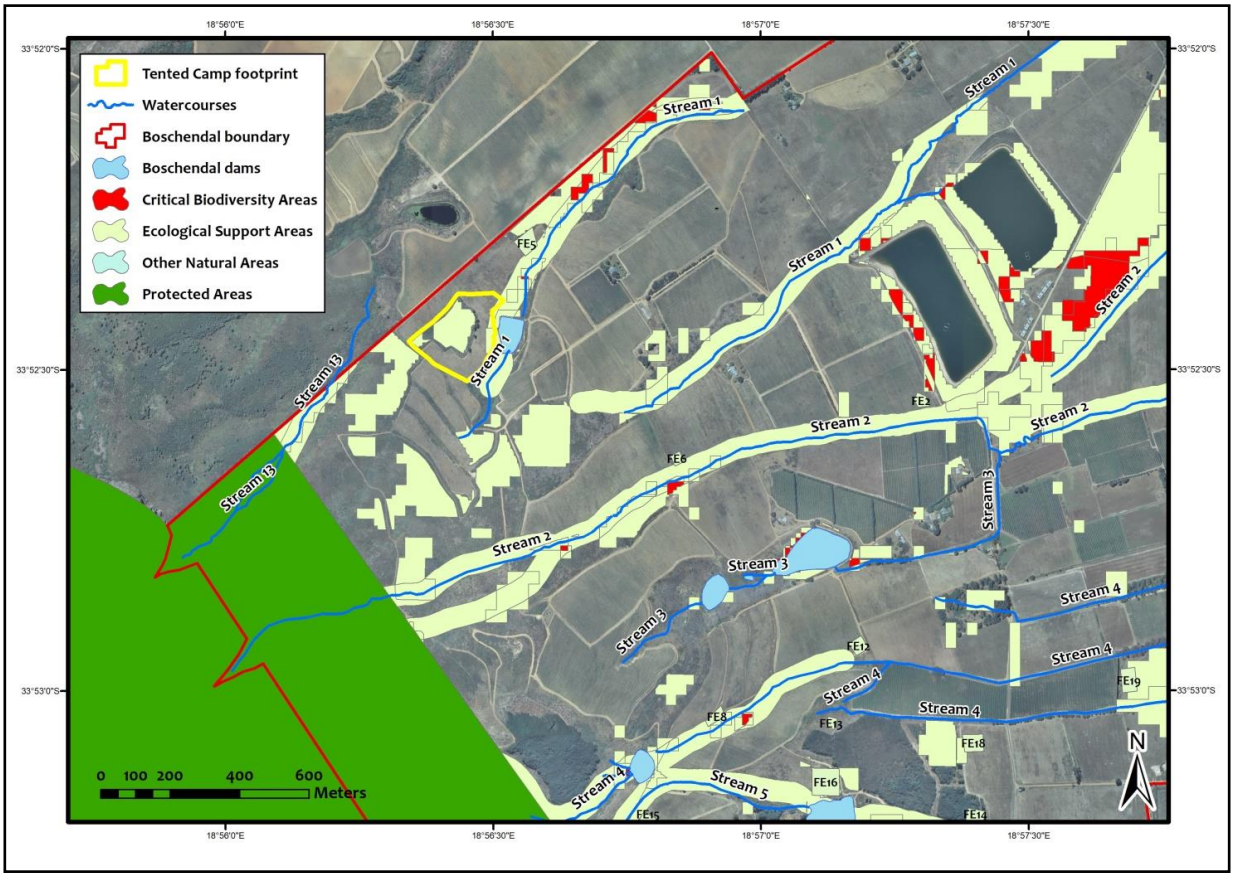

Figure 10: Map of Critical Biodiversity Areas, Ecological Support Areas and Protected Areas within and around the Tented Camp site. Adapted from the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et al., 2017 – taken from Snaddon, 2021)

The Present Ecological State (PES) and Ecological Sensitivity of Stream 1 as assessed by Snaddon (2021) are described below.

Stream 1 is in good condition, apart from the impacts associated with removal of indigenous vegetation in the catchment (for agriculture) and the presence of the farm dam adjacent to the site. The upper portion of Stream 1 above the farm dam lies in an **A Category** for PES (thus considered to be unmodified, natural), while the lower section below the dam is an **C Category** meaning the section is moderately modified, and while a loss and change of natural habitat and biota have occurred, the basic ecosystem functions are still predominantly unchanged (refer to Table 1).

Table 1: Results of the assessment of Present Ecological State for Stream 1 flowing past site as assessed by Snaddon (2021)

Criterion	Score	
	Stream 1 above the farm dam	Stream 1 below the dam
Water abstraction	0	10
Inundation	0	0
Water quality modification	5	8
Flow modification - floods	0	10
Flow modification – low flows	5	15
Bed modification	5	8
Channel modification	0	5
Exotic or invasive macrophytes	0	0
Exotic fauna	Not assessed	Not assessed
Solid waste disposal	5	5
Indigenous vegetation removal	8	8
Exotic vegetation encroachment	5	5
Bank erosion	2	5
PES - Riparian	**89 (B)**	**73 (C)**
PES – Instream	**92 (A)**	**76 (C)**
PES – Overall	**90 (A)**	**74 (C)**

Although no primary data were collected from the stream, the quality of the habitat is such that the Stream 1 will support populations of unique species that are sensitive to changes in water quantity and quality. The stream is an important refuge for

species, and provides essential ecological corridors in a highly transformed, cultivated landscape. Stream 1 is thus of high EIS (refer to Table 2).

Table 2: Results of the assessment of Ecological Importance and Sensitivity for Stream 1 as assessed by Snaddon (2021)

EIS component	Score and Category	
	Stream 1 above the farm dam	Stream 1 below the dam
Rare and/or endangered species	0	0
Populations of unique species	2	2
Populations of intolerant species	2	2
Species/taxon richness	3	3
Diversity of aquatic habitat types or features	3	3
Refuge value of habitat type	3	3
Sensitivity to changes in hydrology	3	3
Sensitivity to changes in water quality	4	4
Migration route/corridor for instream and riparian biota	3	3
Proximity to National parks, wilderness areas, Nature Reserves, Natural Heritage sites, Natural areas	3	3
Overall	**3 (High)**	**3 (High)**

A summary of the PES & EIS assessments is provided in Table 3.

Table 3: Summary descriptions of the reaches of Stream 1 and PES & EIS categories (taken from Snaddon, 2021).

Water-courses[2]	Watercourse type (geomorphological zone)	Comments	Photograph	PES Category	Ecological Sensitivity & Importance Category
Upper Stream 1 (above the farm dam at the Tented Camp site)	Mountain stream with associated riparian area	Stream flows down the slopes of the Simonsberg mountains, with a dense riparian growth of indigenous trees and shrubs with a few alien trees, such as pines. Water quality is good; and flow seasonal to ephemeral.	 **Riparian area of the upper reaches of Stream 1**	**A**	**High**
Upper Stream 1 (below the farm dam)	Upper foothill stream with associated riparian area	Stream flows below the farm dam for some distance and then is diverted to flow around agricultural fields.	 **Riparian area in Stream 1 below the farm dam**	**C**	**High**

Terrestrial Ecosystem

The project site occurs within **Boland Granite Fynbos** (according to the National Vegetation Map, 2018) which is listed as Endangered[3] according to the "Red List of Terrestrial Ecosystems of South Africa Assessment" published in 2021, with a conservation target of 30 %.

A field survey by Jackson & Martin (2021) confirmed the vegetation within the project area is comprised of

- Near intact and degraded Boland Granite Fynbos (within which the accommodation tents are located)

[2] Watercourses refers to rivers or streams.

[3] The DEA:DP confirmed that in terms of Section 52 of the NEMBA the vegetation type is listed as **Vulnerable**

- Intact Boland Granite Fynbos to the west of the Tented Camp;
- Riparian vegetation to the east (as assessed by Snaddon, 2021 and discussed elsewhere in this report); and
- Transformed land (roads and agricultural land).

These vegetation types in relation to the tent structures are depicted in Figure 11 below.

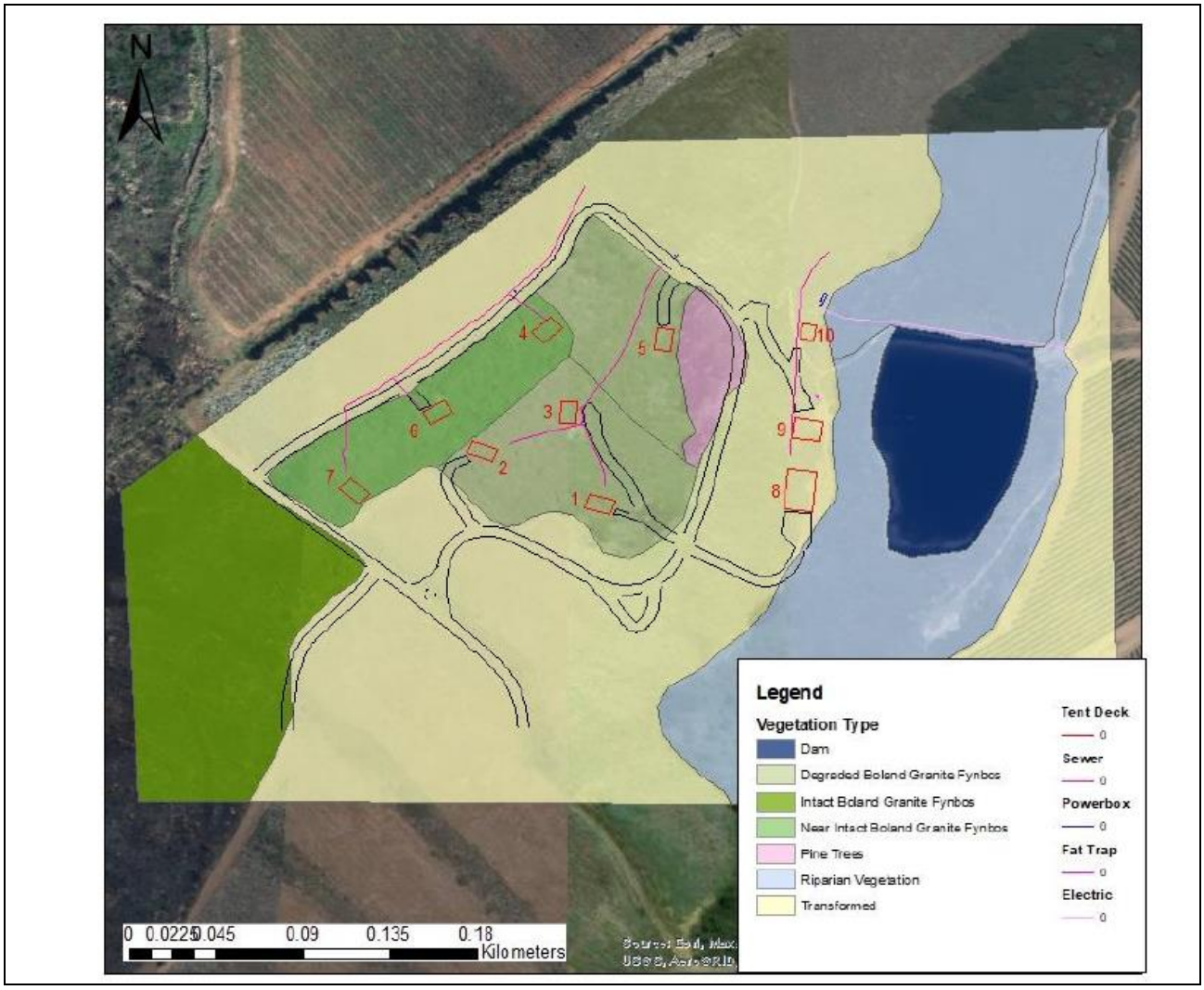

Figure 11: Vegetation map of the project area based on data collected from field survey by Jackson & Martin (2021)

In the centre of the project area where the seven accommodation tent platforms are located, is a patch of Boland Granite Fynbos (referred to as the "impacted patch of Boland Granite Fynbos" throughout this report). The north-western portion of this patch (where tents 4, 6 and 7 are located) is characterised as near intact with species such as *Cliffortia ruscifolia, Hermannia hyssopifolia, Leucadendron salicifolium, Osteospermum moniliferum, Searsia angustifolia* and *Dicerothamnus rhinocerotis* present. *Searsia angustifolia* (a small tree species) was also present within the patch. The eastern portion of this patch is more degraded and has a higher number of alien invasive species. On the eastern edge of this patch is a stand of large pine trees (Jackson & Martin, 2021).

There are also a large number of alien/weedy species within impacted patch of Boland Granite Fynbos, specifically the degraded patch. These include species such as Acacia longifolia, Pinus *cf. pinaster, Verbena bonariensis, Echium plantagineum, Phytolacca octandra, Solanum mauritanium* and *Pittosporum undulatum* (Jackson & Martin, 2021).

The Mess Tent (platform 8), Guest Support Tent (platform 9), Staff Office Tent (platform 10) and power boxes are all located in an area that was previously transformed. Based on historical imagery, this area was once an agricultural field used for crops. These areas are now covered in lupins, grasses and species such as *Echium plantagineum, Verbena bonariensis* and *Acacia longifolia* (Jackson & Martin, 2021).

Thirty-one plant species were recorded within the project area. Of these species, seven alien invasive and/or ruderal species, two Species of Conservation Concern (SCC) and 21 indigenous species were recorded. One Species of Conservation Concern (SCC) (*Hermannia rugosa* listed as VU) was confirmed to occur within the impacted project area and one species (Protea *burchelli* listed as VU) was recorded immediately to the west of the site and is therefore likely to occur within the site (Jackson & Martin, 2021).

According to the Western Cape Biodiversity Spatial Plan (2017), the footprint of the Tented Camp falls within an Ecological Support Area (ESA) 1 area with a small portion along the eastern boundary falling within an ESA 2 along the stream and farm dam (refer to Figure 12).

The desired management outcome of ESA 1 is "Maintain in a functional, near-natural state. Some habitat loss is acceptable,

provided the underlying biodiversity objectives and ecological functioning are not compromised" and for ESA 2 is to "restore and/or manage to minimize impact on ecological infrastructure functioning; especially soil and water-related services".

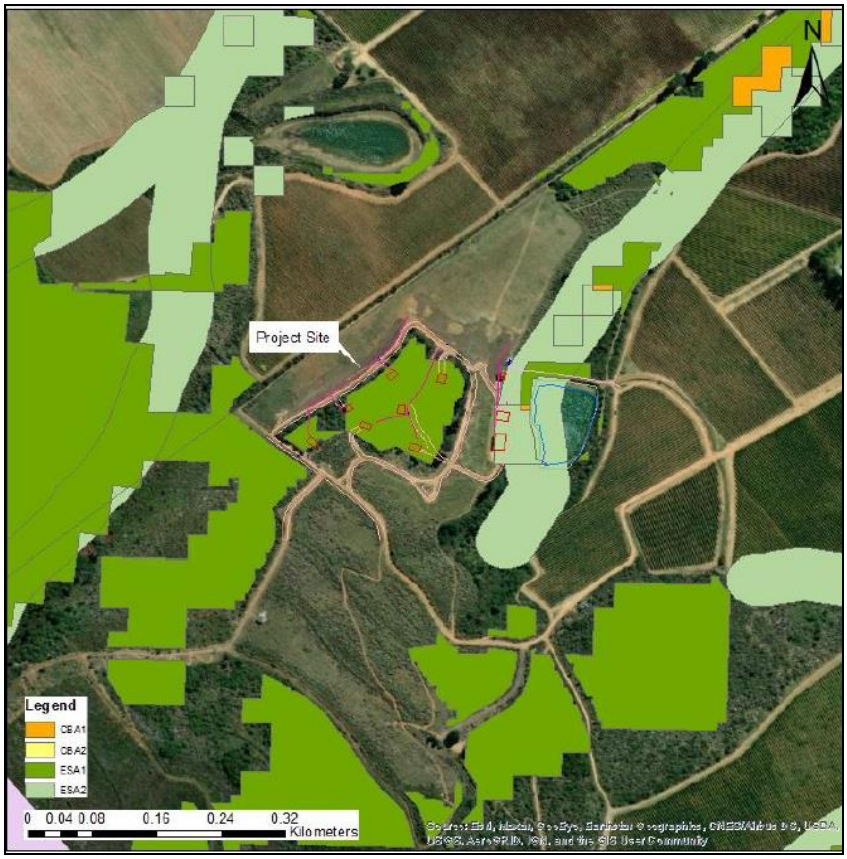

Figure 12: The project site in relation to identified CBAs and ESAs (taken from Jackson & Martin, 2021)

The Site Ecological Importance (SEI) for each vegetation type identified is assessed in Table 4 and their location depicted in Figure 13 below.

Although the near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos has a high sensitivity due to its status of Endangered, the SEI specific to this project infrastructure, which has a small footprint and is of low impact, is rated as Medium. However, if additional clearing occurs within this patch of vegetation, this score is likely to increase to High. The intact patch of Boland Granite Fynbos to the west of the impacted site has an overall SEI of High. The agricultural land surrounding the near-intact and degraded Boland Granite Fynbos is classified as transformed and has an overall SEI of Very Low (Jackson & Martin, 2021).

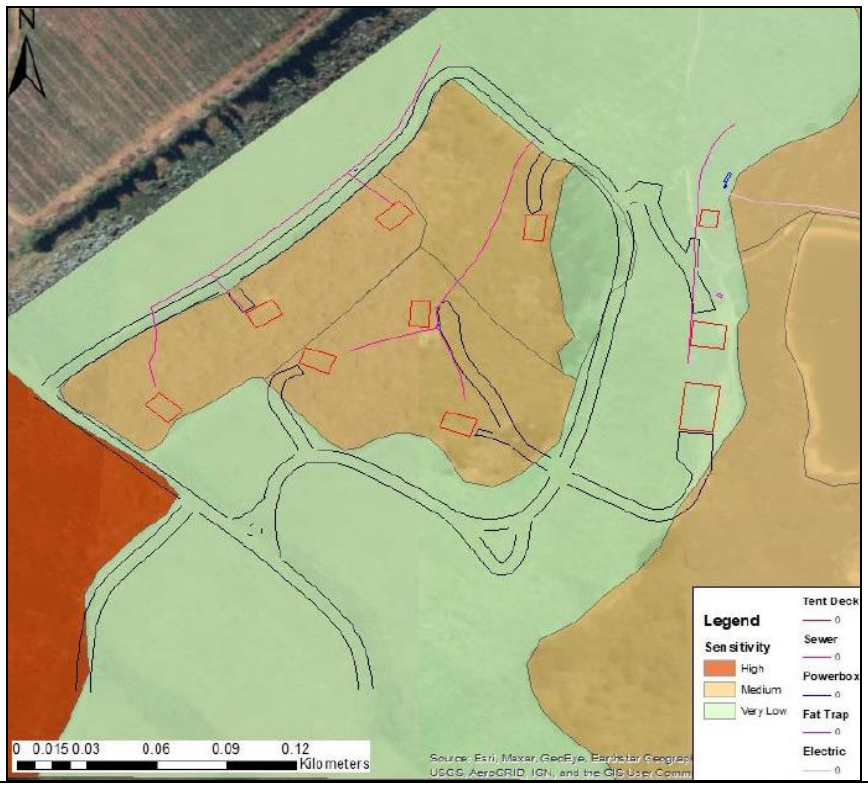

Figure 13: SEI map of the project area based on data collected from the field survey by Jackson & Martin (2021)

Table 4: Evaluation of Site Ecological Importance (SEI) of habitat and SCC (taken from Jackson & Martin, 2021)

Habitat / Species	Conservation Importance (CI)	Functional Integrity (FI)	Receptor Resilience	SEI
Near intact and Degraded Boland Granite Fynbos	**High**	**High**	**High**	**MEDIUM**
	One confirmed vulnerable species listed under criterion B and one vulnerable species listed under criterion A were recorded within or directly adjacent to the project site. In addition, it is calculated that approximately 0.08% of this Endangered [4]vegetation type has been lost to project infrastructure.	The impacted patch of Boland Granite Fynbos is small (1.6 ha) and has experienced edge effects due to being surrounded by agricultural land on three of its four sides. However, there is good habitat connectivity on its western side to intact Degraded Boland Granite Fynbos allowing ecological processes to continue. The impacted Boland Granite Fynbos also has good rehabilitation potential.	Due to the small footprint of the project infrastructure within this vegetation type (15% of the patch was cleared for the tents and 0.08% of the remaining extent of this vegetation type), the vegetation present within the area identified as near intact and degraded Boland Granite Fynbos is likely to recover to its current state relatively quickly (5-10 years). However, this is only if the alien invasive species are removed from the area. Species diversity is likely to increase if alien species are managed as seed dispersal into the project site from the neighbouring area to the west is possible and there has been limited impact to the topsoil within the site other than where each tent is located. Although this vegetation type has a high sensitivity, the SEI specific to this project infrastructure, which has a small footprint and is of low impact, for near-intact Boland Granite Fynbos is Medium. However, if additional clearing occurs within this vegetation this score will increase too high.	
	 **Near-intact Boland Granite Fynbos at Tent 6 (source: Jackson & Martin, 2021)**			
Intact Boland Granite Fynbos	**Very High**	**High**	**High**	**HIGH**
	The intact patch of Boland Granite Fynbos to the west of the impacted site is highly likely to support the occurrence of CR, EN and VU plant species (Refer to Table 4.1).	This vegetation occurs on the lower slopes of the Simonsberg Mountains. The vegetation on the mid to upper slopes is indigenous although there is infestation of alien invasive plant species. This area has good habitat	For reasons discussed above, the resilience related to impacts associated with this project has been determined to be High.	

[4] According to the "Red List of Terrestrial Ecosystems of South Africa Assessment" published in 2021

		connectivity with functional ecosystems and there are limited signs of disturbance.		
Transformed Land	**Very Low**	**Medium**	**Very High**	**VERY LOW**
	No natural habitat remaining and no confirmed and highly unlikely populations of SCC and/or range restricted species.	Transformed agricultural land with low rehabilitation potential.	Habitat can be easily returned to its current state.	
	 **Transformed the Mess Tent, Guest Support Tent, and Staff Office Tent are located (source: Jackson & Martin, 2021)**			

6.2 VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)

Cross out ("☒") the block **and** describe (where required) the vegetation types / groundcover present **on the site after commencement of the activity.**

Indigenous Vegetation – good** condition		Indigenous Vegetation with scattered aliens	X	Indigenous Vegetation with heavy alien infestation	X
Describe the vegetation type above: Not applicable		Describe the vegetation type above: Near intact Boland Granite Fynbos		Describe the vegetation type above: Degraded Boland Granite Fynbos	
Provide ecosystem status for above: Not applicable		Provide ecosystem status for above: Vulnerable according to Section 52 of NEMBA but Endangered according to the "Red List of Terrestrial Ecosystems of South Africa Assessment (2021)"		Provide Ecosystem status for above: Vulnerable according to Section 52 of NEMBA but Endangered according to the "Red List of Terrestrial Ecosystems of South Africa Assessment (2021)"	
~~Indigenous Vegetation in an ecological corridor or along a soil boundary / interface~~		**Veld dominated by alien species** Transformed area, which was once an agricultural field used for crops		~~Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe~~	
~~Bare soil~~		**Building or other structure** Camp & service infrastructure including farm roads as described in this report		~~Sport field~~	
Other (describe below) Riparian vegetation along Stream 1 and farm dam		~~Cultivated land~~**		~~Paved surface~~	

**It is noted here that there is intact Boland Granite Fynbos located west of the tented camp site, but this is not included in the above table assessment given that no structures encroach into this area. This area is considered to fall beyond the site under assessment. Similarly, there is cultivated land but situated beyond the development footprint of the site.

(a) Highlight and describe the **post-construction** habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).

	to 100%)	
Natural	0%	Not applicable
Near Natural (includes areas with low to moderate level of alien invasive plants)	23 %	The **patch of Boland Granite Fynbos** that has been impacted by the project is infested with alien invasive species. Based on the historical satellite imagery available for the site and the size of some of the established trees, this appears to have been infested prior to construction. However, the construction of the platforms and upgrading of the ring road have exacerbated this (Jackson & Martin, 2021).
Degraded (includes areas heavily invaded by alien plants)	0%	Not applicable
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	77%	The **Transformed Areas** are currently fallow fields covered by ruderal species and Paterson's curse. Previously these areas were used to grow crops this (Jackson & Martin, 2021).

(b) How have the vegetation and/or aquatic ecosystem(s) present on site (including any important biodiversity features identified on site (e.g. threatened species and special habitats)) been affected by the commencement of the listed activity(ies)?

The Tented Camp has resulted in the clearance of 0.24 hectares of Boland Granite Fynbos. The patch of fynbos affected is believed to have been near-intact to degraded (i.e., not pristine) with alien species present likely due to edge effects over several years (Jackson & Martin, 2021).

The loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos has been assessed as a Moderate (-) significance. Jackson & Martin (2021) concluded that although the diversity at the site can be improved based on the recommended mitigation measures, the loss of extent of this vegetation type is permanent and cannot be fully mitigated. As such, this impact will remain Moderate (-) even after mitigation.

Other ecological impacts associated with the construction of the tent structures include the, the loss of plant Species of Conservation Concern (SCC), disruption of ecosystem function and process, infestation of alien plant species and disturbance to terrestrial faunal species (Jackson & Martin, 2021). These impacts were assessed as Moderate (-) significance prior to mitigation which could be reduced to Low (-) significance after mitigation measures are implemented.

Ecological impacts have generally been Moderate to Low given the small footprint of the project and the limited disturbance of soil, the considered clearing of the site by the contractors (which appears to have been limited to the infrastructure footprint) and the current condition of the vegetation on site (Jackson & Martin, 2021). The raised platforms furthermore allow for certain ecological processes to continue uninterrupted.

In terms of aquatic ecosystems (i.e., the stream an in-stream dam at the site) Snaddon (2021) notes that there have been few residual impacts on aquatic ecosystems post-construction. The following impacts have however been identified for the construction, operation and eventual decommissioning of the camp (as identified by Snaddon, 2021):

- Storage of building or demolition materials (sand, soil, bricks etc) in or close to sensitive areas – this would damage the soil structure and would destroy or shade out plants growing in and around these ecosystems. Dump areas frequently lead to the compaction of soils, which can influence re-growth of plants
- Leakage or spillage of fuels, oils, etc. from construction / demolition machinery – this would lead to pollution of the stream.
- Leakage or spillage of fuels, oils, etc. from construction / demolition machinery – this would lead to pollution of the stream.
- Foot and vehicular traffic across the site, leading to destruction or deterioration of freshwater habitat.
- Presence of construction / demolition teams and their machinery on site – this may lead to noise and light pollution in the area, which will disturb aquatic and terrestrial fauna and flora.
- Topsoil or sand brought onto the site, for filling and landscaping can lead to the introduction of alien or invasive seedbanks.
- Disturbance of soils and vegetation as a result of removal of tents and infrastructure.

These impacts were all assessed as being of Low (-) significance, if after the implementation of all recommended mitigation measures.

The impacts listed above have been assessed in detail in the impact tables contained in section F6 and the key findings of the two specialist reports are discussed in section F7.

6.3 VEGETATION / GROUNDCOVER MANAGEMENT

(a) Describe any mitigation/management measures that were adopted and the adequacy of these:

When interrogating historic satellite aerial imagery of the site (refer to Figure 15), the construction of the tent platforms and pathways appear to have been kept to a minimum, with clearing contained to the footprints of the constructed infrastructure, thus reducing the overall impact of the project footprint. This is supported by the botanical and faunal specialist Jackson & Martin (2021) who are of the opinion that the development has had a relatively low impact on the

ecological functioning of the patch of fynbos in which the structures have been built. Nevertheless, the development has resulted in the clearance of 2400² of Boland Granite Fynbos which is classified as Vulnerable in terms of Section 52 of NEMBA but listed as Endangered by the Red List of Terrestrial Ecosystems of South Africa Assessment published in 2021 . This impact is assessed to hold a significance of Medium (-).

It is further noted that no infilling or encroachment into the watercourses at the site occurred to allow for the development. The 32 m setback set by the NEMA & EIA Regulations, 2014 (as amended) has furthermore, only been minimally encroached upon by certain development components (refer to the survey diagram depicted in Figure 14)

It should however be noted that Snaddon (2021) has since determined a wider ecological buffer based on the PES and EIS of the watercourse at the site as well as the quality of the current vegetation buffer for both the construction and operational phase of the development (refer to Appendix H (i) and Figure 14 in section F7). These buffers have been included in the EMPr for strict implementation as necessary mitigation measures.

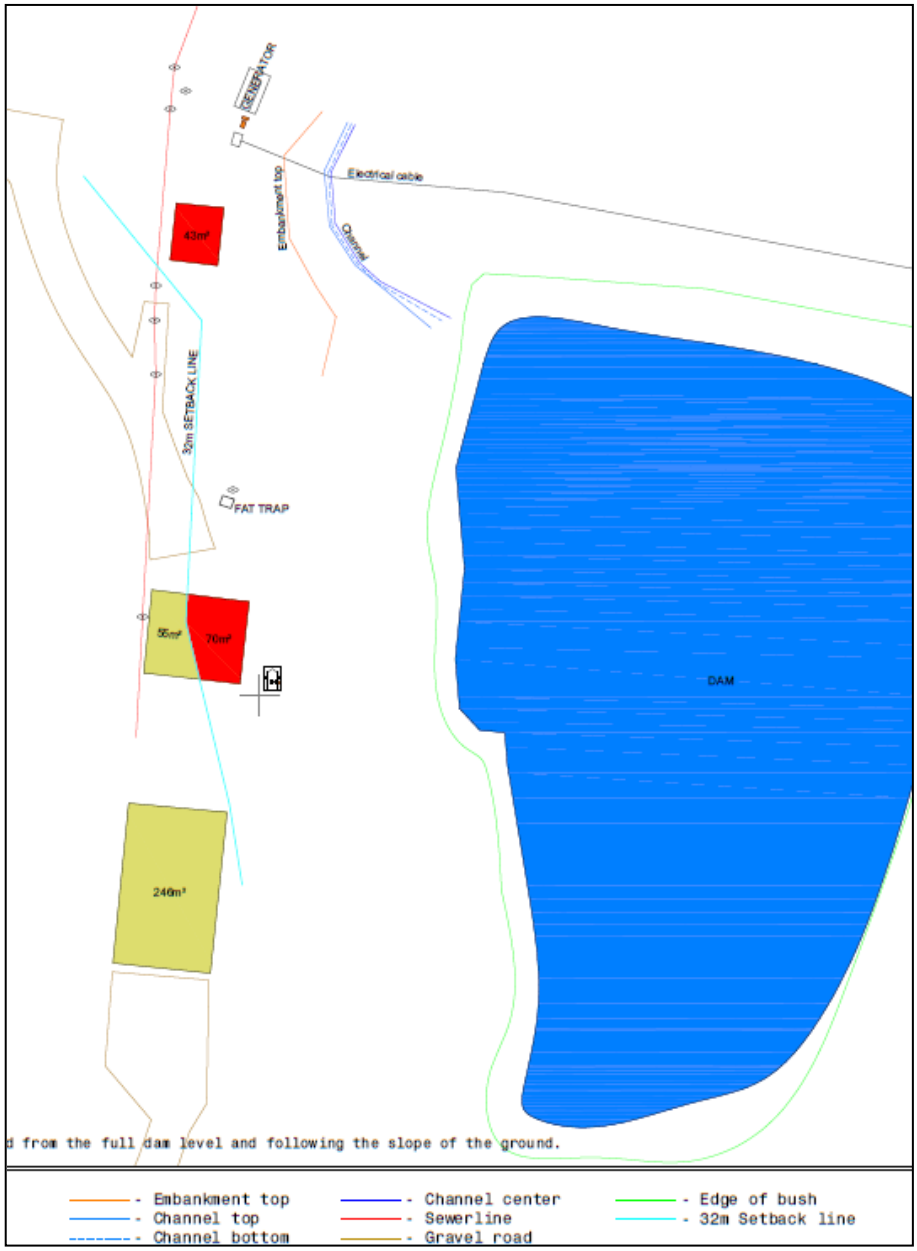

Figure 14: Topographical survey conducted showing 32 m setback and the development components located within the setback area (completed by fbv, March 2021)

Other environmental management measures undertaken during the construction phase are unknown as no environmental monitoring took place at the time.

7 LAND USE OF THE SITE (PRE-COMMENCEMENT)

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the activity/ies.

Untransformed area	~~Low density residential~~	~~Medium density residential~~	~~High density residential~~	~~Informal residential~~
~~Retail~~	~~Commercial & warehousing~~	~~Light industrial~~	~~Medium industrial~~	~~Heavy industrial~~
~~Power station~~	~~Office/consulting room~~	~~Military or police base/station/compound~~	~~Casino/entertainment complex~~	~~Tourism & Hospitality facility~~
~~Open cast mine~~	~~Underground mine~~	~~Spoil heap or slimes dam~~	~~Quarry, sand or borrow pit~~	~~Dam or reservoir~~
~~Hospital/medical centre~~	~~School~~	~~Tertiary education facility~~	~~Church~~	~~Old age home~~
~~Sewage treatment plant~~	~~Train station or shunting yard~~	~~Railway line~~	~~Major road (4 lanes or more)~~	~~Airport~~
~~Harbour~~	~~Sport facilities~~	~~Golf course~~	~~Polo fields~~	~~Filling station~~
~~Landfill or waste treatment site~~	~~Plantation~~	**Agriculture**	**River, stream or wetland, in-stream dam**	~~Nature conservation area~~
~~Mountain, koppie or ridge~~	~~Museum~~	~~Historical building~~	~~Graveyard~~	~~Archaeological site~~
Other land uses (describe):	Other land uses include a gravel access road and bike path. The site also formed part of the Founders Estate National Heritage site at the time. Refer also to the historic imagery and description in the following section.			

(a) Please provide a description.

Historic satellite aerial imagery of the site from 2011- 2021 is depicted in Figure 15 below.

Before development of the camp in late-2019, the site consisted of an area of untransformed (in terms of development) Boland Granite Fynbos (where the accommodation tents and internal roadways are currently located), a transformed area periodically used for agriculture (where the operations tents are currently located) and a riparian area along the stream and in-stream dam (refer to aerial imagery for 2011, 2014, 2018 & 2019 in Figure 15 below).

The imagery shows that the impacted patch of Boland Granite Fynbos has remained almost static since at least 2011 and the area to the immediate north, east and south has been used for agriculture for just as long. Jackson & Martin (2021) note that edge effects on this patch of fynbos, which are likely to have contributed to the introduction of alien invasive species, have been present since before the development of the site in 2019.

Figure 15: Historical satellite imagery of the project site for 2011, 2014, 2018, 2019 (construction), 2020 and 2021.

8 LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("☒") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	~~Low density residential~~	~~Medium density residential~~	~~High density residential~~	~~Informal residential~~
~~Retail~~	~~Commercial & warehousing~~	~~Light industrial~~	~~Medium industrial~~	~~Heavy industrial~~
~~Power station~~	~~Office/consulting room~~	~~Military or police base/station/compound~~	~~Casino/entertainment complex~~	**Tourism & Hospitality facility**
~~Open cast mine~~	~~Underground mine~~	~~Spoil heap or slimes dam~~	~~Quarry, sand or borrow pit~~	**Dam or reservoir**
~~Hospital/medical centre~~	~~School~~	~~Tertiary education facility~~	~~Church~~	~~Old age home~~
~~Sewage treatment plant~~	~~Train station or shunting yard~~	~~Railway line~~	~~Major road (4 lanes or more)~~	~~Airport~~
~~Harbour~~	~~Sport facilities~~	~~Golf course~~	~~Polo fields~~	~~Filling station~~
~~Landfill or waste treatment site~~	~~Plantation~~	**Agriculture**	River, stream or wetland: **in-stream dam**	**Nature conservation area**
Mountain, koppie or ridge	~~Museum~~	~~Historical building~~	~~Graveyard~~	~~Archaeological site~~
Other land uses (describe):	Other surrounding land-uses include informal farm roads. The surrounding Founders Estate (of which FE5 forms part) is furthermore a National Heritage Site. Note that the surrounding land-uses pre-commencement have remained unchanged post-commencement of the development activities. These land-uses are described below and depicted in Figure 16.			

9 LAND USE CHARACTER OF SURROUNDING AREA (POST-COMMENCEMENT)

Cross out ("☒") the block that reflects the current land uses and/or prominent features that occur(s) within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	~~Low density residential~~	~~Medium density residential~~	~~High density residential~~	~~Informal residential~~
~~Retail~~	~~Commercial & warehousing~~	~~Light industrial~~	~~Medium industrial~~	~~Heavy industrial~~
~~Power station~~	~~Office/consulting room~~	~~Military or police base/station/compound~~	~~Casino/entertainment complex~~	**Tourism & Hospitality facility**
~~Open cast mine~~	~~Underground mine~~	~~Spoil heap or slimes dam~~	~~Quarry, sand or borrow pit~~	**Dam or reservoir**
~~Hospital/medical centre~~	~~School~~	~~Tertiary education facility~~	~~Church~~	~~Old age home~~

~~Sewage treatment plant~~	~~Train station or shunting yard~~	~~Railway line~~	~~Major road (4 lanes or more)~~	~~Airport~~
~~Harbour~~	~~Sport facilities~~	~~Golf course~~	~~Polo fields~~	~~Filling station~~
~~Landfill or waste treatment site~~	~~Plantation~~	**Agriculture**	**River, stream or wetland**	**Nature conservation area**
Mountain, koppie or ridge	~~Museum~~	~~Historical building~~	~~Graveyard~~	~~Archaeological site~~
Other land uses (describe):	The surrounding land-uses of the site is shown in the map below (refer to Figure 16). The surrounding land-use is predominantly agriculture (mostly vineyards) given that Boshendal is a working farm and wine estate. There are various farm dams in proximity to the site as well as streams with associated wetland areas. The Simonsberg Nature Reserve is located approx. 500 m from the site to the west along which untransformed natural areas are located on the lower slopes of the Simonsberg. Other tourist accommodation facilities are located to the east of the site to which access is obtained via informal farm roads. The surrounding Founders Estate (of which FE5 forms part) is furthermore a National Heritage Site.			

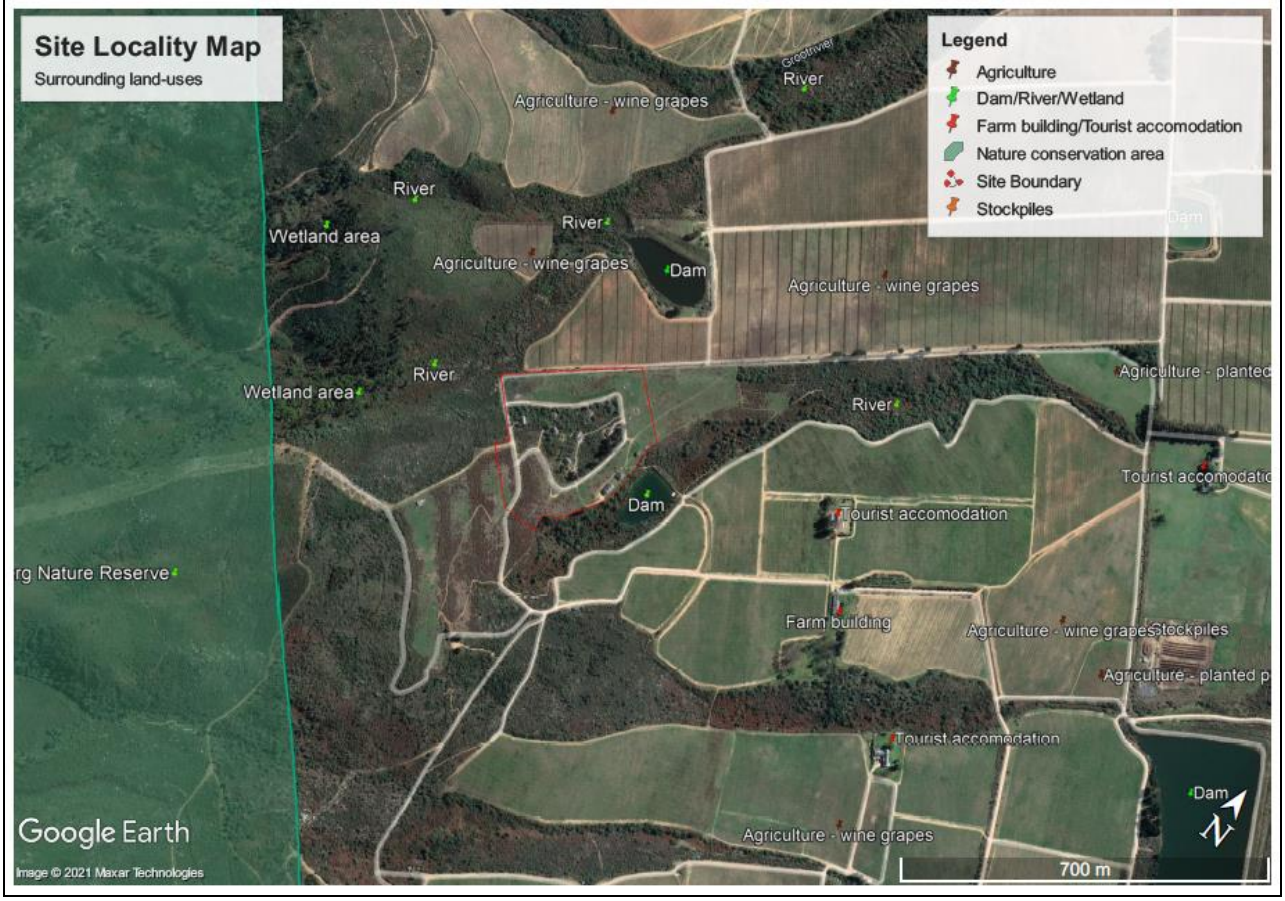

Figure 16: Map of surrounding land-uses (created using Google Earth Pro, October 2021)

10. SOCIO-ECONOMIC CONTEXT

10.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

The site falls within the Stellenbosch Municipality. An economic profile was done for Stellenbosch Municipality by the Western Cape Government (WCG) in 2017[5]. This study was used to inform this section of the EIR.

The Stellenbosch municipal area had an estimated population of 176 523 people in 2018 with an estimated five-year growth rate of 8% (2.3% higher than that of the Cape Winelands) (WCG, 2019).

A large proportion of the population is of working age (refer to Figure 17). The dependency ratio indicated in Figure 17 describes the ratio of those within the workforce to those depending on them (e.g. children and the elderly) and a higher dependency ratio indicates greater pressure on social systems and delivery of basic services (WCG, 2019). The trend indicates an increase in this ratio

Year	Children: 0 - 14 Years	Working Age: 15 - 65 Years	Aged: 65 +	Dependency Ratio
2011	35 544	112 583	7 652	38.4
2018	41 354	125 042	10 123	41.2
2023	44 103	134 294	12 208	42.0

Figure 17: Age cohorts of Stellenbosch Municipality (source: WCG, 2019)

With respect to education, the latest figure on learner-teacher ratio is for 2016 which indicates 32.4. This figure, if it increases could affect learner performance (WCG, 2019) as teachers would be spread more thinly across learners and be potentially unable to assist with certain issues that individuals may have. The learner-teacher ratio has been steadily dropping slightly from 2014. There is also a high level of Grade 12 drop-out rates, with 23% identified in 2016 (WCG, 2019). WCG (2019) indicates that drop-outs are "influenced by a wide array of economic factors including unemployment, poverty, indigent households, high levels of households with no income or rely on less than R515 a month and teenage pregnancies". In 2016, 39 schools were recorded in Stellenbosch, 64.1% of which were no-fee schools. The matric pass rate, which is an access point for learners to enter higher education, was at 86.9% in 2016, which is the highest when compared to the other regions in the Cape Winelands District (WCG, 2019).

In terms of health, the municipality has 14 public healthcare clinics (as of 2016) and a coverage of 3.4 ambulances per 10 000 inhabitants (WCG, 2019). HIV/AIDS and tuberculosis cases have been on a decline from 2015 to 2016 and child health has improved with an increase in the immunisation rate, a decrease in the malnutrition rate as well as the neonatal mortality rate (WCG, 2019). Maternal health has been positive in terms of a zero maternal mortality ration achieved in 2016, however delivery rate to women under 18 years has increased from 4.3% in 2015 to 4.5% in 2016, indicating an increase in teenage pregnancies.

Stellenbosch's real GDPR per capita was at 61,871 in 2016 and higher than the Cape Winelands District (but slightly below that of the Western Cape) (WCG, 2019). Income inequality (indicated by the Gini coefficient) in Stellenbosch is comparatively higher than the Cape Winelands District and Western Cape in general and was at 0.62 in 2016. The Human Development Index (HDI) has enjoyed a general increasing trend in Stellenbosch, which is indicative of improvements in education, housing, access to basic services and health (WCG, 2019). Interestingly, the number if indigent households within the municipality has shown a steady increase from 2014 to 2016, at 6,262 in 2016.

Basic service delivery in the municipality aims to ensure that households enjoy a decent standard of living through provision of access to housing and access to services such as potable water, basic sanitation, safe energy sources and refuse removal services (WCG, 2019). There were 52,374 households in Stellenbosch in 2016 and, although the number of formal dwellings has increased it could not match the pace of growth in total household numbers, which resulted in 65.1% of houses with access to a formal dwelling (WCG, 2019). Access to piped water (to within 200 metres of the yard) was provided to 98.5% of households in 2016 and, similarly, access to sanitation services (i.e. flush toilet connected to the sewerage system) was at 98.1% of households in 2016 (WCG, 2019). Most households (i.e. 90.9%) had access to electricity as a primary source of lighting in 2016, but access to refuse removal services has been on a steady decline and reached 71% of households in 2016 (WCG, 2019).

Crime in Stellenbosch has been on a decline with respect to murder and sexual offences, while drug-related crimes and burglaries have increased somewhat and were at 1,532 cases (per 100,000 population) and 1,118 cases (per 100,000 population) respectively in 2017 (WCG, 2019). Cases of driving under the influence of alcohol have been on the increase in Stellenbosch with 136 cases in 2017 (WCG, 2019).

Stellenbosch is a key contributor to the economy of the cape Winelands District, being the second largest contributor with a GDPR of R13.5 billion (in 2015) (WCG, 2019). Stellenbosch has a well-developed tertiary sector (note that tourism is part of this), but still receives a significant contribution from the manufacturing sector (WCG, 2019). The sectors achieving above average growth over a ten-year period is the construction sector, the finance, insurance, real estate, and business services as well as the transport, storage, and communication sector, showing continued investment in these sectors (WCG, 2019). WCG (2019) concede that the Stellenbosch municipal area has not yet fully recovered from the recession as five-year average growth rates have been lower than 10-year average growth rates, attributed primarily to the primary and secondary sectors.

[5] https://www.westerncape.gov.za/assets/departments/treasury/Documents/Socio-economic-profiles/2017/wc024_stellenbosch_2017_socio-economic_profile_sep-lg_-_22_december_2017.pdf

Labour and employment in Stellenbosch is summarised by WCG (2019) which indicates that the sectors that contribute the most to the 75 425 jobs within the Stellenbosch municipal area are the wholesale and retail trade, catering and accommodation sector (26.6 per cent), the finance, insurance, real estate and business services sector (15.3 per cent), the community, social and personal services sector (13.0 per cent) and the agriculture, forestry and fishing sector (12.4 per cent).

The WCG (2019) economic analysis also indicates that job creation in the local economy is slowing down between 2015 and 2016, highlighting that the agriculture, forestry and fishing, the manufacturing and the transport, storage and communication sectors jointly shed 528 jobs in 2016. Unemployment in the Stellenbosch municipal area was estimated at 11.9% in 2016 (WCG, 2019).

At a local level, the nearest towns/residential areas to Boschendal include Pniel, Kylemore and Lanquedoc. Key statistics from the Stats SA (2011 Census) has been assimilated below to provide a snapshot of each of these communities.

Pniel

In terms of the 2011 Census by Statistics South Africa the total population of Pniel (refer to Figure 18) is estimated at 1,975 with around 497 households. This averages to a household size of 4 people.

Figure 18: Pniel (source: Adrian Frith- https://census2011.adrianfrith.com/place/167006 [accessed 02 October 2021])

The dependency ratio for Pniel is 38.8.

The demographic profile is predominantly Coloured (97.7%) and slightly skewed toward female inhabitants (at 50.4% of the population). The sex and age distribution are indicated in Figure 19. Most of Pniel (72.1%) is of a working age, with the bulk of the remaining population being under 15 (Refer to Figure 19). There is, however, an unusually larger than typical proportion of the population in the 40 to 49 age group.

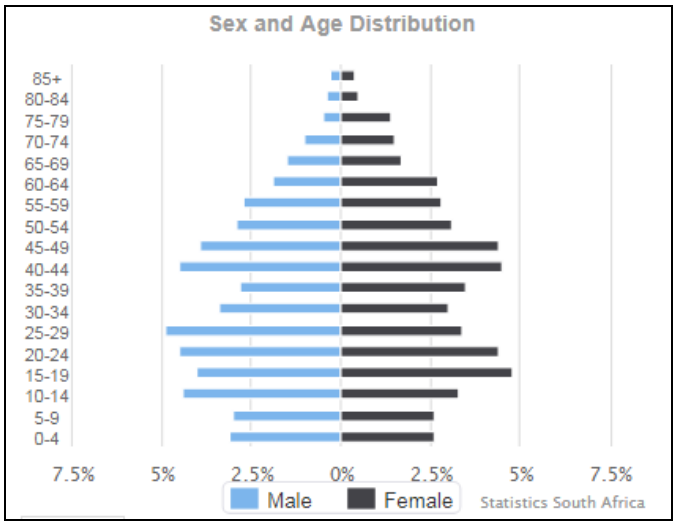

Figure 19: Age pyramid for Pniel (source: Stats SA, 2011)

The following provides key features of the Pniel area:

- The population is predominantly Coloured (97.7%);
- 92% of the population speaks Afrikaans, with English coming in second at 6.7%;
- 51.7% of those aged 20 years and older have completed Grade 12 or higher;
- 12.7% of households have no income;
- 98.6% of households live in formal dwellings;
- 96% of households have access to piped water in their dwelling;
- 97.8% of households have access to a flush toilet connected to the public sewer system;
- 94.6% of households have their refuse removed at least once a week; and
- 98.6% of households use electricity for lighting in their dwelling.

.

Most households earn an avewhether R19, 601 or more, however 10.1% earn less than this and there is a large percentage (12.7%) of households which have no income at all. Most of the population has a qualification of Grade 12 or higher, with a small percentage of people (0.4%) having no schooling at all. Most of the population (61.4%) has access to the internet and 34% has internet access via their cell phones and 24.4% accessing the internet via home/work. 91.1% of households own a cell phone and 58.1% own a computer

Kylemore

In terms of the 2011 Census by Statistics South Africa the total population of Kylemore (refer to Figure 20) is estimated at 4,328 with around 994 households. This averages to a household size of 4.35 people.

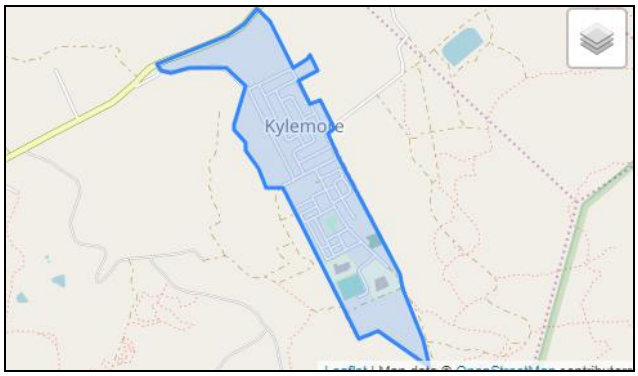

Figure 20: Kylemore (source: Adrian Frith- https://census2011.adrianfrith.com/place/167016 [accessed 02 October 2021])

The dependency ratio for Kylemore is 42.7.

The demographic profile is predominantly Coloured (91.7%) and slightly skewed toward female inhabitants (at 50.3% of the population). The sex and age distribution are indicated in Figure 21. Most of Kylemore (70.1%) is of a working age, with the bulk of the remaining population is under 15 (Refer to Figure 21). There is, however, a much larger proportion of the population in the 15 – 24 age group when compared to the other age groups.

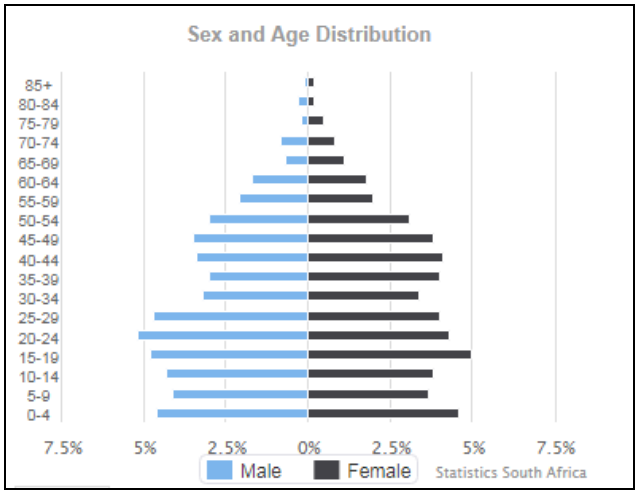

Figure 21: Age pyramid for Kylemore (source: Stats SA, 2011)

The following provides key features of the Kylemore area:

- The population is predominantly Coloured (91.7%);
- 94.6% of the population speaks Afrikaans, with English coming in second at 2.7%;
- 38.2% of those aged 20 years and older have completed Grade 12 or higher;
- 9.3% of households have no income;
- 77.7% of households live in formal dwellings;
- 87.9% of households have access to piped water in their dwelling;
- 92.4% of households have access to a flush toilet connected to the public sewer system;
- 99.6% of households have their refuse removed at least once a week; and
- 97.6% of households use electricity for lighting in their dwelling.

Most households earn an average income of R19, 601 or more, however 12.6% earn less than this and there is a large percentage (9.3%) of households which have no income at all. Most of the population has a qualification of Grade 12 or lower, with a small percentage of people (7.7%) holding a qualification higher than Grade 12. Just over half of the population (53.2%) does not have access to the internet and 32.7% has internet access via their cell phones. 89.6% of households own a cell phone and 36% own a computer.

Lanquedoc

In terms of the 2011 Census by Statistics South Africa the total population of Lanquedoc (refer to Figure 22) is estimated at 4,289 with around 946 households. This averages to a household size of 4.5 people.

The dependency ratio for Lanquedoc is 44.6.

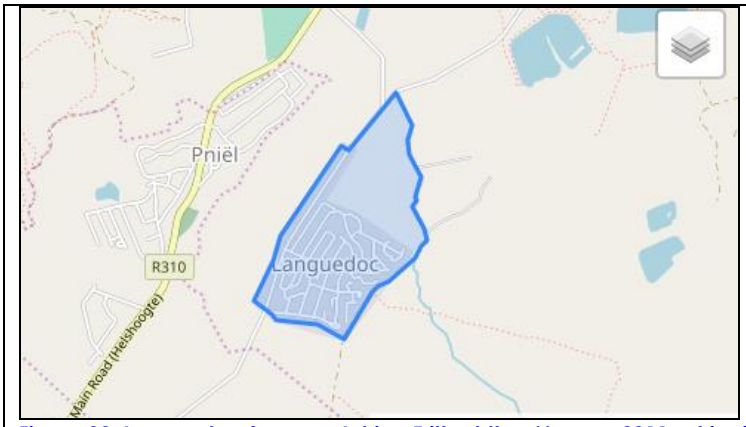

Figure 22: Lanquedoc (source: Adrian Frith- https://census2011.adrianfrith.com/place/167008 [accessed 02 October 2021])

The demographic profile is predominantly Coloured (76.8%), with Black African (22.4%) being the second largest group. The gender demographics are slightly skewed toward male inhabitants (at 50.7% of the population). The sex and age distribution are indicated in Figure 23. Most of Lanquedoc (69.1%) is of a working age, with the bulk of the remaining population being under 15 (Refer to Figure 23), notably, a large proportion is 0 to 4.

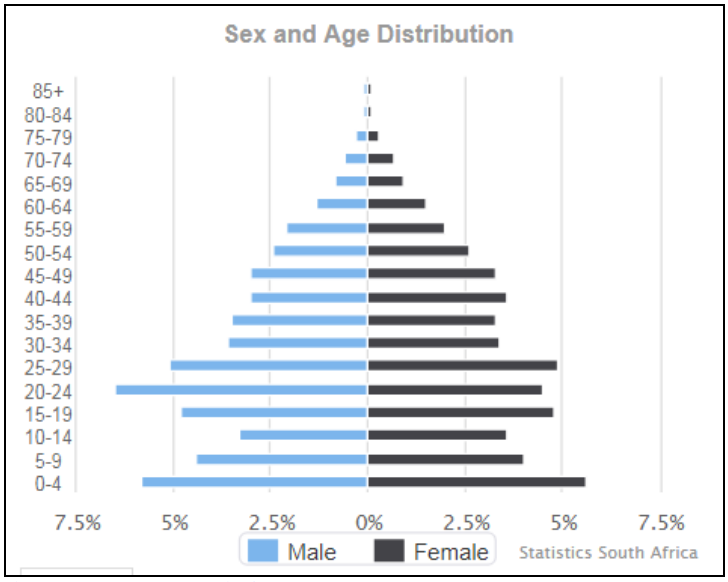

Figure 23: Age pyramid for Lanquedoc (source: Stats SA, 2011)

The following provides key features of the Lanquedoc area:

- The population is predominantly Coloured (76.8%) and Black African (22.4%);
- 79.2% of the population speaks Afrikaans, with isiXhosa coming in second at 17.1%;
- 20.5% of those aged 20 years and older have completed Grade 12 or higher;
- 7.4% of households have no income;
- 85.3% of households live in formal dwellings;
- 77.8% of households have access to piped water in their dwelling;
- 83.4% of households have access to a flush toilet connected to the public sewer system;
- 99.9% of households have their refuse removed at least once a week; and
- 97.9% of households use electricity for lighting in their dwelling.

Most households earn an average income of R19, 601or more, however 18.9% earn less than this and there is a percentage (7.4%) of households which have no income at all. Most of the population has a qualification of Grade 12 or lower, however higher education is rare and a small percentage of people (4.7%) having no schooling at all. Most of the population (78%) does not have access to the internet and most that do access it 17.8% via their cell phones. 88.1% of households own a cell phone and 13.1% own a computer.

10.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change. Where differences between pre- and post-commencement exist, state which are as a result of the activity(ies) for which rectification is being applied for.

The socio-economic context remains unchanged post-commencement given the small-scale nature of the development. The only minor change is the temporary job creation stemming from the construction phase of the Tented Camp. Refer to section F1(c) for the financial value of this.

11 HISTORICAL AND CULTURAL ASPECTS

(a) Please be advised that every application for Environmental Authorisation including an application for a Waste Management Licence, must include, where applicable the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.

Please be further advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your application, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows: "*38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-*

(a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
(b) the construction of a bridge or similar structure exceeding 50m in length;
(c) any development or other activity which will change the character of a site-
(i) exceeding 5 000 m² in extent; or
(ii) involving three or more existing erven or subdivisions thereof; or
(iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
(iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
(d) the re-zoning of a site exceeding 10 000 m² in extent; or
(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."

(b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "*3(2) Without limiting the generality of subsection (1), the national estate may include—*

(a) places, buildings, structures and equipment of cultural significance;
(b) places to which oral traditions are attached or which are associated with living heritage;
(c) historical settlements and townscapes;
(d) landscapes and natural features of cultural significance;
(e) geological sites of scientific or cultural importance;
(f) archaeological and palaeontological sites;
(g) graves and burial grounds, including—
(i) ancestral graves;
(ii) royal graves and graves of traditional leaders;
(iii) graves of victims of conflict;
(iv) graves of individuals designated by the Minister by notice in the Gazette;
(v) historical graves and cemeteries; and
(vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
(h) sites of significance relating to the history of slavery in South Africa;
(i) movable objects, including—
(i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
(ii) objects to which oral traditions are attached or which are associated with living heritage;
(iii) ethnographic art and objects;
(iv) military objects;
(v) objects of decorative or fine art;
(vi) objects of scientific or technological interest; and
(vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?	**YES** / ~~NO~~ / ~~UNCERTAIN~~
If YES, explain:	FE 5 is situated on the Founders' Estates National Heritage Site. The Tented Camp was constructed without a permit from the South African Heritage Resources Agency (SAHRA) as required in terms of Section 27 (18) of the National Heritage Resources Act (Act 25 of 1999; NHRA) (Winter et al., 2021). The provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively. In terms of SAHRA's draft Built Environment Permitting Policy for National Heritage Sites (2021), it was assumed at the pre-application stage that SAHRA will first consider whether the authorised work has damaged heritage significance, and the reversibility and temporary nature thereof. Thereafter, SAHRA may decide on the following two options a) Consider the work to be a minor transgression and therefore decide to not pursue the matter further b) Consider the transgression to have significant heritage implications and therefore decide to pursue criminal charges and/or seek remedial action (Winter et al., 2021). SAHRA requested a Heritage Impact Assessment (HIA) form part of this environmental application process and that it is in agreement that the Section 24G process be followed. Refer to Appendix H (v) for the HIA. Final Comment from SAHRA was received on 14 April 2022. Refer to Appendix G for the comment. As identified by the Heritage Impact Assessment (HIA), SAHRA confirmed that the provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively. In their comment they acknowledge

	that the development of the Tented Camps work has not irreversibly damaged heritage significance and the integrity of the heritage resources also located within the Boschendal Cultural Landscape and that the reversibility and temporary nature thereof poses a very low impact as per the finding of the HIA, and states that the recommendations of the heritage specialists are supported and must be adhered to. SAHRA further listed procedures to be followed should anything of heritage importance be found on site during any further development activities, all of which have been incorporated into the Environmental Management Programme (EMPr).

Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?	~~YES~~	**NO**
	~~UNCERTAIN~~	
If YES, explain:	Section 27 of the NHRA is however applicable – refer to preceding section.	

Was any building or structure older than 60 years affected in any way?	~~YES~~	**NO**	~~UNCERTAIN~~
If YES, explain:	Not applicable as there are/were no historical buildings on site.		

Please Note:

If uncertain, the Department may request that specialist input be provided. If, yes, a copy of the Notice of Intent submitted to Heritage Western Cape must be submitted with this form.

12 COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)

(a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).
If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

AREA	**YES**	**NO**	**UNSURE**	**If "YES": Distance to nearest area (m)**
An area within 100m of the high water mark of the sea	~~YES~~	**NO**	~~UNSURE~~	Not Applicable as the site is inland and not near the coast
An area within 100m of the high water mark of an estuary/lagoon	~~YES~~	**NO**	~~UNSURE~~	
An area within the littoral active zone	~~YES~~	**NO**	~~UNSURE~~	
An area in the coastal public property	~~YES~~	**NO**	~~UNSURE~~	
Major anthropogenic structures	~~YES~~	**NO**	~~UNSURE~~	
An area within a Coastal Protection Zone	~~YES~~	**NO**	~~UNSURE~~	
An area seaward of the coastal management line	~~YES~~	**NO**	~~UNSURE~~	
An area within the high-risk zone (20 years)	~~YES~~	**NO**	~~UNSURE~~	
An area within the medium risk zone (50 years)	~~YES~~	**NO**	~~UNSURE~~	
An area within the low risk zone (100 years)	~~YES~~	**NO**	~~UNSURE~~	
An area below the 5m contour	~~YES~~	**NO**	~~UNSURE~~	
An area within 1km from the high-water mark of the sea	~~YES~~	**NO**	~~UNSURE~~	
A rocky beach	~~YES~~	**NO**	~~UNSURE~~	
A sandy beach	~~YES~~	**NO**	~~UNSURE~~	

(b) If any of the answers to the above is "YES" or "UNSURE", specialist input may be requested by the Department. (The 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

13 REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	~~YES~~	**NO**	**Please explain**
As advised by NM & Associates (2021), the Tented Camp on Farm 1685/5(FE 5) is not in accordance with the approvals granted by Stellenbosch Municipality in 2005 because: 1. A land use application to permit a Tented Camp was never submitted and approved by the Stellenbosch Municipality; 2. The tented camp is not permitted 'as of right' in respect of the primary and / or additional rights permitted in terms of the Stellenbosch Municipality Zoning Scheme By-law (ZSBL) of 2019 for a land portion zoned Agriculture and Rural Zone in terms of the SM ZSBL (2019); and 3. The 2005 conditions of approval applicable to FE 5 have not been fulfilled in terms of the permissible development of one new farmstead within the defined development area of 8000 m² Excluded Area. It must be noted that the Tented Camp is located outside of the 8000 m² Excluded Area.			

The above town planning aspects are in process of being regularised through a Temporary Departure application to the Stellenbosch Municipality in terms of Chapter III, Section 15(2)(c) of the Stellenbosch Municipality Land Use Planning By-law of 2015 (SM LUPBL).

The development has also been carried out without the necessary permission from SAHRA (as described in the preceding section).

Will the activity be in line with the following?

Provincial Spatial Development Framework (PSDF)	**YES**	~~NO~~	~~Please explain~~

The Western Cape PSDF encourages economic growth and the protection of biodiversity, heritage, scenic landscapes and agricultural areas.

The Tented Camp development promotes economic opportunities for the local area (Dwars River Valley) and economic diversification of the Boschendal Farm to be more financially sustainable through provision of an additional offering for tourist accommodation and tourist facilities.

The intention of this NEMA 24G processes is to regularise the Tented Camp to ensure the protection of biodiversity. This process has brought to light that the development has not resulted in any significant adverse impacts on the environment, and that the eventual decommissioning of the camp will allow for the rehabilitation of the site, potentially resulting in a positive ecological impact especially if Invasive Alien Plants (IAPs) are consistently removed from the site (Snaddon, 2021). The process has furthermore confirmed that there has been no impact on agricultural resources (Lanz, 2021). The HIA has determined that the development has resulted in a limited and temporary impact on the Cape Winelands cultural landscape and that it has not caused irreversible damage to the heritage significance of the area (Winter et al., 2021).

With the strict implementation of all mitigation measures, including the eventual decommissioning of the camp, alignment with the PSDF can thus be achieved.

Urban edge / Edge of Built environment for the area	**YES**	~~NO~~	~~Please explain~~

While the site is located on farm land (Farm 1685/5) outside the urban edge as delineated in the Stellenbosch Municipality's SDF (2019), the Municipality (as per sections 207 and 209 of the ZSBL) allows for development of tourist accommodation and tourist facilities as additional or consent uses outside the urban edge on land parcels zoned Agriculture and Rural in terms of the ZSBL particularly if these take place within existing building footprints on a land unit where the primary use of the land unit remains agriculture and where the proposed activity is subservient to the primary land uses on the existing Farm Portion.

In addition, the activities described herein are compatible with activities which would typically occur beyond the urban edge (i.e. accommodation). As such, an application process is currently underway to allow for the land-use and so to regularise the camp in terms of the urban edge and spatial policies of the local municipality.

Integrated Development Plan of the Local Municipality	**YES**	NO	Please explain

The Stellenbosch Municipality IDP 2017-2022 defines the vision for the Stellenbosch Municipality and Greater Stellenbosch Area as a "Valley of Opportunity". To support the vision, a number of strategic focus areas were defined, two of which are relevant in the context of the Tented Camp (NM & Associates, 2021):

- **Valley of possibility** (Unlocking of possibilities to encourage opportunity for enterprise, creativity and business development to address unemployment, poverty, income inequality and skills shortages that impact the economy).
- **Green and sustainable valley** (Acknowledgement of the importance of the multiple dimensions of the environment on which Stellenbosch's residents rely including the natural, economic, social and cultural dimensions of the environment. This focus area talks to the importance of the spatial dimension of all of these including losing agricultural land to urban development)

The IDP notes that the agricultural sector is still recovering from the provincial drought. Simultaneously it identifies the need for local economic development including tourism initiatives that can create jobs and upskill residents without resulting in a reduction of land for agriculture (NM & Associates, 2021).

The Tented Camp acknowledges the "Valley of Opportunity" by utilising existing scenic and environmental assets for tourism purposes, to help diversify and sustain the current rural economy (NM & Associates, 2021).

Spatial Development Framework of the Local Municipality	**YES**	**NO**	**Please explain**

The Stellenbosch Municipality SDF states that agriculture and tourism are the Municipality's most competitive economic sectors and encourages the diversification of Stellenbosch's local economy. The SDF also encourages the conservation of Stellenbosch's natural environment and heritage assets.

The SDF is clear that the sense of place of an area must be protected at all costs. Against this background, the SDF proposes that "the areas and spaces – built and unbuilt – that embody the cultural heritage and opportunity of Stellenbosch need to be maintained intact, and that others provide the opportunity for new activity, in turn exposing and enabling new expressions of culture" (NM & Associates, 2021). Therefore, although the notion of a tented camp would be acceptable in terms of the SDF, the location of this tented camp is not aligned with the principles contained therein, particularly with regard to the conservation of Stellenbosch's heritage assets, given that it is in direct contravention of the NHRA of 1999 and the conditions of approval for the Founders Estates, which is a national heritage site (NHS) and have specific design and conservation guidelines to be followed.

However, as motivated in the Temporary Departure application, making use of lightweight decks and temporary structures assists to preserve agricultural land and contributes to protecting and reinforcing the sense of place and overall rural character of the area while supporting the viability of the Boschendal Estate and the local economy (NM & Associates, 2021).

When considering the desirability of the Tented Camp it should be noted that the HIA has determined that the development has a limited and temporary impact on views and the Cape Winelands cultural landscape (Winter et al., 2021). Alien clearing and rehabilitation of the fynbos, after removal of the camp, as recommended by the ecologists, will furthermore contribute to protection of the sense of place. Thus, the sense of place of the area is protected in the long term, with conservation of the natural environment and heritage assets, aligning with the goals of the SDF in this regard.

Approved Structure Plan of the Municipality	~~YES~~	~~NO~~	~~Please explain~~
The Stellenbosch SDF is the approved Structure Plan of the municipality. See discussion of the SDF in the previous section.			
An Environmental Management Framework (EMF) adopted by the Department	**YES**	~~NO~~	**Please explain**
The site is not located within any conservation spatial planning categories indicated in the Stellenbosch Municipality EMF (2014) therein (refer to Figure 24). With respect to Figure 24, the draft EMF states that this plan is "the first indicator or informant to be considered when considering a change in land-use that has the potential to affect the integrity of the environment". It also states that "the plan would also inform any EIA that may be required in terms of the NEMA".			

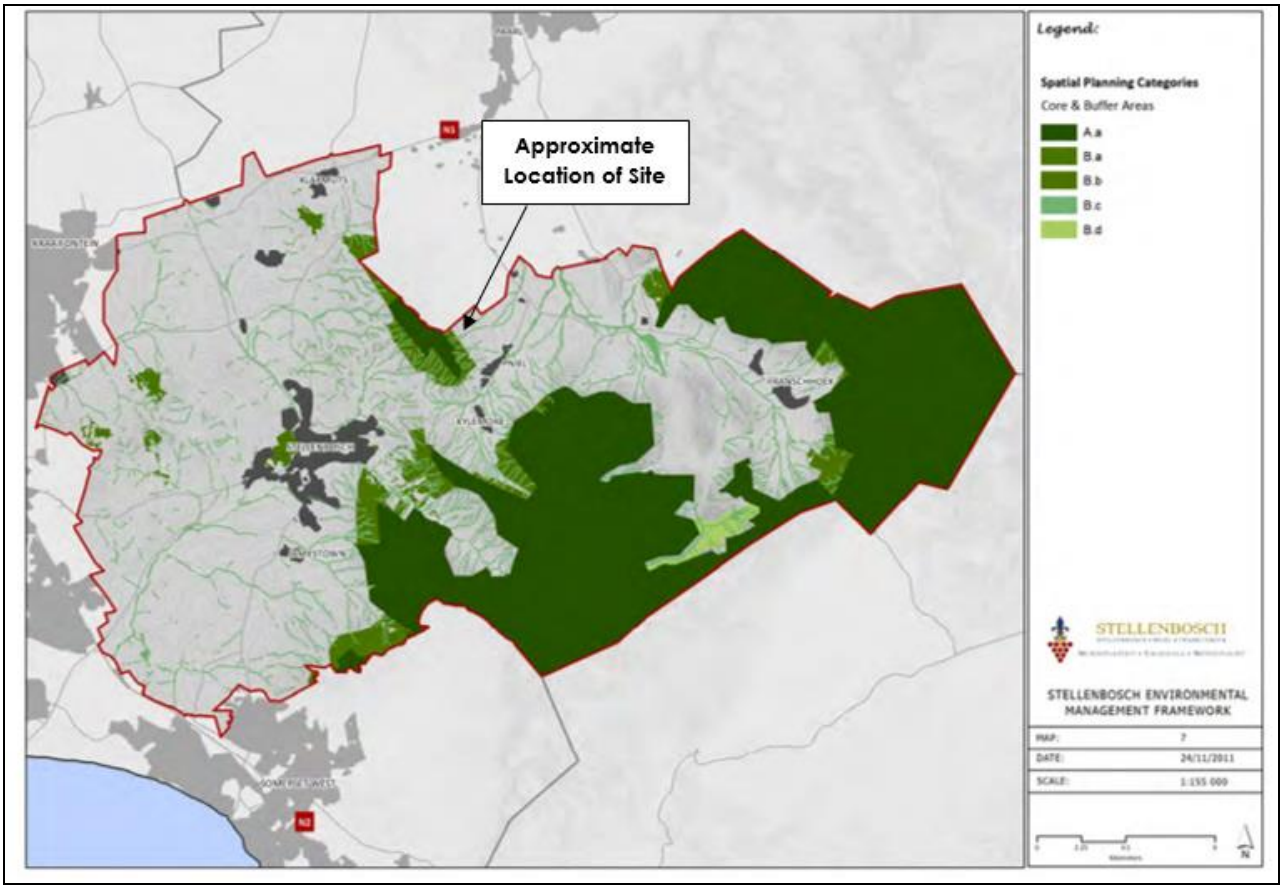

Figure 24: Approximate Location of Sites Relative to Stellenbosch Municipality Spatial Planning Categories (adapted from the EMF, 2014)

Any other Plans	~~YES~~	~~NO~~	~~Please explain~~
No other plans are applicable			

SECTION D: NEED AND DESIRABILITY

Please Note: Before completing this section, first consult this Department's *Guideline on Need and Desirability* (March 2013) available on the Department's website (**http://www.capegateway.gov.za/eadp**).

1. **Was** the activity permitted in terms of the property's land use rights at the time of commencement?	~~YES~~	**NO**	~~Please explain~~

As advised by NM & Associates (2021), the Tented Camp on Farm 1685/5(FE 5) is not in accordance with the approvals granted by Stellenbosch Municipality in 2005 because:

1. A land use application to permit a Tented Camp was never submitted and approved by the Stellenbosch Municipality;
2. The tented camp is not permitted 'as of right' in respect of the primary and / or additional rights permitted in terms of the Stellenbosch Municipality Zoning Scheme By-law (ZSBL) of 2019 for a land portion zoned Agriculture and Rural Zone in terms of the SM ZSBL (2019); and
3. The 2005 conditions of approval applicable to FE 5 have not been fulfilled in terms of the permissible development of one new farmstead within the defined development area of 8000 m² Excluded Area. It must be noted that the Tented Camp is located outside of the 8000 m² Excluded Area.

The above town planning aspects are in process of being regularised through a Temporary Departure application to the Stellenbosch Municipality in terms of Chapter III, Section 15(2)(c) of the Stellenbosch Municipality Land Use Planning By-law of 2015 (SM LUPBL).

The development has also not been carried out in accordance with the Founders Estate Design Guidelines (as a National Heritage Site) as approved by SAHRA and certain conditions of approval established through the HIA have not yet been fulfilled.

2. **Was** the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	**YES**	**NO**	**Please explain**
As explained above, the Western Cape PSDF encourages economic growth and the protection of biodiversity, heritage, scenic landscapes and agricultural areas. In this regard, the Tented Camp development promotes economic opportunities for the local area (the Dwars River Valley) and economic diversification of the Boschendal Farm to be more financially sustainable through provision of an additional offering for tourist accommodation and tourist facilities. At the time of establishment, however it did not acknowledge the importance of the heritage, scenic landscapes and environmental and agricultural importance of the area and disregarded the existing rights for the Founder's Estates, which have been historically established through a rigorous process which had already contemplated the heritage and scenic landscape at length and includes that development on the Founders Estate is subject to environmental law and assessment, which has also not been done. Therefore, although the development of a tented camp for tourist accommodation as a project was aligned with the PSDF, the specific location of this camp was not aligned with the PSDF at the time of development.			
(b) Urban edge / Edge of Built environment for the area	~~YES~~	**NO**	**Please explain**
The site is located on farmland zoned Agriculture & Rural outside the urban edge as delineated in the Stellenbosch Municipality's SDF (2019). The Municipality (as per sections 207 and 209 of the ZSBL) allows for development of tourist accommodation and tourist facilities as additional or consent uses outside the urban edge on land parcels zoned Agriculture and Rural, but at the time of commencement of the activity application had not been made for this additional use.			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have compromised the integrity of the existing approved and credible municipal IDP and SDF?).	**YES**	**NO**	**Please explain**
The Stellenbosch Municipality SDF is clear that the sense of place of an area must be protected at all costs. Against this background, the SDF proposes that "the areas and spaces – built and unbuilt – that embody the cultural heritage and opportunity of Stellenbosch need to be maintained intact, and that others provide the opportunity for new activity, in turn exposing and enabling new expressions of culture" (NM & Associates, 2021). At the time of commencement of the activity, the chosen location of the Tented Camp was not aligned with the principles contained in the Stellenbosch SDF, particularly with regard to the conservation of Stellenbosch's heritage assets, given that it is in direct contravention of the NHRA of 1999 and the conditions of approval for the Founders Estates (in 2005), which is a national heritage site (NHS) with specific design and conservation guidelines which must be followed. In terms of the Stellenbosch Municipality IDP (as explained above) the Tented Camp is aligned with the vision for Stellenbosch as a "Valley of Opportunity". The IDP identifies the need for local economic development including tourism initiatives that can create jobs and upskill residents without resulting in a reduction of land for agriculture or impacting on the natural environment negatively. The IDP further notes that the agricultural sector is still recovering from the provincial drought. The Tented Camp acknowledges the "Valley of Opportunity" by utilising existing scenic and environmental assets for tourism purposes, to help diversify and sustain the current rural economy (NM & Associates, 2021).			
(d) Approved Structure Plan of the Municipality	~~YES~~	~~NO~~	~~Please explain~~
The Stellenbosch SDF is the approved Structure Plan of the municipality. See discussion of the SDF in the previous section.			

(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	**YES**	~~NO~~	**Please explain**

The site is not located within any conservation spatial planning categories indicated in the Stellenbosch Municipality EMF (2014) (refer to Figure 24). The approval of this application would thus not have compromised the integrity of the existing environmental management priorities for the area and the development was/is aligned with the local EMF.

(f) Any other Plans (e.g. Guide Plan)	~~YES~~	~~NO~~	~~Please explain~~

No other plans are applicable to the site.

3. Was the land use (associated with the activity for which rectification is sought) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. was the development in line with the projects and programmes identified as priorities within the relevant IDP)?	~~YES~~	~~NO~~	**Please explain**

There are no real temporal aspects to consider. The small-scale nature of the development does not hold any implications for the projects and programmes identified by the IDP. The alignment of the Tented Camp with the Stellenbosch SDF and IDP is discussed in the preceding sections.

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) **have occurred here** when activities commenced?	~~YES~~	**NO**	**Please explain**

It is acknowledged that the siting of the Tented Camp was not aligned with the principles and spatial priorities contained in the various planning documents for the site and larger context. It is in contravention of the NHRA (1999) given that the camp was built in a National Heritage Site without undertaking the necessary processes and applying the specific design and conservation guidelines. The location of the camp is also in contravention of the land-use conditions of approval for the Founders Estates (as per LUPO in 2005).

However, it is noted that the camp is a temporary facility. It has furthermore been established through this environmental process as well as the HIA that the camp has not resulted in irreversible adverse impacts and that all impacts identified can be mitigated to an acceptable level without the need to immediately remove the camp from its current location. SAHRA is in agreement with the findings of the HIA. It is also the intention of the applicant to regularise the camp from all legal planning perspectives.

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	~~YES~~	**NO**	**Please explain**

Given the small-scale and private nature of the development, it cannot be considered as a societal priority (especially not at a national level). However, at a local scale, the development has (during the construction phase) and would (during operation and decommissioning) result in a positive socio-economic impact (albeit temporary) through job creation while serving as a local economic stimulus for the Stellenbosch/Dwars River Valley community.

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an **appendix**, where applicable.)	**YES**	~~NO~~	**Please explain**

The service demand for the Tented Camp is very low given its small scale (refer to section F2-5) and no major service capacity upgrades are required (Hurworth, 2021):

- The required electricity for the camp would be supplied from Boshendal's existing municipal power supply;
- Potable water would be obtained from a reservoir which is constantly fed by a natural spring on the farm;
- Sewage will be treated on site by the installed bio-disk septic tank system and not discharged into the local sewer system; and
- Waste generation will be minimal and included in the existing waste stream of Boshendal farm which has existing services in place.

It is therefore not anticipated that the development will place any strain on the service capacity of the local municipality.

The Cape Winelands District Municipality visited the site and provided comment, all have which have been addressed – Refer to the Comments and Responses Report attached as G.

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an **appendix**, where applicable.)	~~YES~~	**NO**	**Please explain**

Refer to the section 6. above.

According to the Services Report (refer to Appendix H (vi)), no major service infrastructure upgrades would be required to accommodate the Tented Camp. All required services will be supplied by Boschendal Farm.

8. Was this project part of a national programme to address an issue of national concern or importance?	~~YES~~	**NO**	~~Please explain~~
Not Applicable. The project is a private development on privately owned land.			

9. **Did** location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	~~YES~~	**NO**	**Please explain**
From the developer's perspective the location of the Tented Camp was favoured due to the site's scenic value - located within natural vegetation, on the slopes of Simonsberg and next to a farm dam. The tented camp was furthermore developed at its location so as to be distanced from main upmarket tourist accommodation nodes and to provide a less formal, "nature-orientated" accommodation offering. From a planning perspective, the siting of the camp is not ideal given the sensitive cultural and heritage landscape within which the site is located. The siting of the camp is also not aligned with the land-use approvals for the Founders Estate. Environmentally, the site can be considered as sensitive, and the clearing of fynbos has resulted in a Moderate (-) impact. In the broader context, the site does not form part of the local EMF. It is furthermore mapped as an ESA within which some habitat loss is acceptable while maintaining ecological functional in a near-natural state – which has been achieved by the development and would be better realised through restoration of affected areas as required by the EMPr.			

10. How did/does the activity or the land use associated with the activity applied for, impact on **sensitive natural and cultural areas** (built and rural/natural environment)?	~~YES~~	~~NO~~	**Please explain**
Impacts on sensitive natural areas have been assessed in detail and discussed elsewhere in this EIR – refer to Section F6 and F7. Freshwater (aquatic biodiversity) and terrestrial biodiversity impacts have been realised given the patch of Boland Granite Fynbos in which the accommodation tents are located and the position of the camp next to a stream and in-stream dam. Overall, the identified impacts can be mitigated to acceptable levels (as assessed by specialist ecologists). The Tented Camp was built within in a National Heritage Site which holds cultural significance (i.e., the Founders Estate). The impact of this activity on the cultural landscape was assessed in detail by Winter et al. (2021) through an HIA (refer to Appendix H (v)). The findings of the HIA are discussed in Section F6 and F7 of this EIR and are supported by SAHRA.			

11. How **did/does** the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	~~YES~~	~~NO~~	**Please explain**
During the construction phase there would have been nuisance related impacts in terms of dust and noise generation. The EAP has assessed this impact as Low (-). The same impact would be realised during the decommissioning of the camp. No noise or dust impacts are anticipated for the operational phase as the proposed use is for tourism (which is largely seasonal) and accommodation, which is not a typically noisy or dusty activity. The camp is also relatively secluded and situated away from nuisance receptors. The impact on the sense of place has been assessed in detail by Winter et al., (2021) in the HIA (refer to Appendix H (v)). The HIA has determined that the development has a limited and temporary impact on views, and the Cape Winelands cultural landscape (Winter et al., 2021). Furthermore, making use of lightweight decks and temporary structures contributes to protecting and reinforcing the sense of place and overall rural character of the area. Alien clearing and restoration in disturbed areas of the impacted patch of fynbos and the eventual complete rehabilitation of the site, after removal of the camp would furthermore contribute to the long-term protection of the sense of place of the area.			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in **unacceptable opportunity costs**?	~~YES~~	**NO**	**Please explain**
It is believed that the impacts of the Tented Camp are far less significant, particularly with regard to the impacts on sensitive vegetation, than those which could have occurred had the land been used for the agricultural purpose for which it is zoned or if a larger, higher impact development had been opted for. The only other low-impact alternative for the site would have been the conservation thereof i.e., no development. This would however be achieved following the decommissioning of the camp in five years' time and the rehabilitation of the patch of fynbos which has been impacted on by the accommodation tents (as recommended by the specialist ecologists – see elsewhere in this EIR). This opportunity is therefore not lost.			

13. What were the **cumulative impacts** (positive and negative) of the land use associated with the activity applied for?	~~YES~~	~~NO~~	**Please explain**
The cumulative impacts of the development are assessed in the impact tables in section F5. As a summary, from a freshwater impact perspective, cumulative impacts before mitigation have been assessed as either Moderate (-) or Low (-), three of which can be mitigated to a Low (-) impact and four to 'No Impact' with the implementation of recommended measures.			

Snaddon (2021) furthermore highlights the following cumulative impacts of concern:

- Loss of open space, through catchment hardening;
- Loss or fragmentation of riverine or wetland habitat, as a result of encroachment into ecosystems and/or their ecological buffers; and
- Deterioration in water quality, from discharge of stormwater or treated wastewater into natural areas and ecosystems.

The following activities could also impact negatively on the resource quality of the watercourses on Boschendal Estate, and downstream (Snaddon, 2021):

- Discharge of treated wastewater from package units, and untreated stormwater runoff into the riparian areas, wetlands or watercourses;
- Clearing of vegetation for preparation of construction sites, and for landscaping, and for operational maintenance of infrastructure;
- Maintenance of gravel roads, tracks and boardwalks; and
- Proximity of developments to sensitive areas, resulting in the disturbance of fauna and flora through noise and light pollution, and trampling / cycling.

In terms of terrestrial biodiversity, Jackson & Martin (2021) postulate that because there have not been similar developments within the immediate area most cumulative impacts are not applicable in this instance. The cumulative impact of habitat fragmentation is however Low (-) given that habitat fragmentation within the impacted patch of fynbos already occurred prior to construction. The infestation of alien plant species has furthermore been assessed as a Moderate (-) cumulative impact.

The creation of temporary employment opportunities as a result of construction/decommissioning and operation of the Tented Camp has/would likely result in a Low (+) cumulative socio-economic impact. There would have been/be no cumulative noise or dust impacts as there are no other development activities in vicinity to the camp. Resource use has resulted in a Very Low (-) cumulative impact given the small-scale of the development.

14. Is/was the development the **best practicable environmental option** for this land/site?	**YES**	~~NO~~	**Please explain**

It is believed that the impacts of the Tented Camp are far less significant, particularly with regard to the impacts on sensitive vegetation, than those which could have occurred had the land been used for the agricultural purpose for which it is zoned. The low-impact, "tread- lightly," rural design of the camp is furthermore the most suitable accommodation offering for the site. The complete conservation of the site is also not the conservation objective of the site, which is listed as an ESA within which some habitat loss is allowed as long as ecological processes can continue – which is the case.

The construction phase has resulted in acceptable environmental impacts, and the temporary operation and eventual decommissioning of the site will furthermore result in Low (-) impacts. The rehabilitation of the site could also potentially result in a positive impact depending on the success of rehabilitation efforts (as assessed by Snaddon, 2021) and if IAPs are consistently removed from the site per an alien invasive management plan.

15. What **are/were** the benefits to society in general and to the local communities?	**Please explain**

The construction of the Tented Camp resulted in a temporary positive socio-economic through job creation.

Similarly, when the camp is operated as a tourist facility seven employment opportunities would be created while promoting economic opportunities for the local area (Stellenbosch/Dwars River Valley). The Tented Camp development furthermore promotes the economic diversification of the Boschendal Farm to be more financially sustainable through provision of an additional offering for tourist accommodation and tourist facilities.

16. Any other need and desirability considerations related to the activity?	~~Please explain~~

Not applicable. There are no other need and desirability factors to consider.

17. Please describe how the **general objectives of Integrated Environmental Management** as set out in section 23 of NEMA were taken into account:

An explanation of the applicable general objectives of integrated environmental management as well as the manner in which they have been taken into account is described below-

a) ***Promote the integration of the principles of environmental management set out in section 2 into the making of all decisions which may have a significant effect on the environment;***

Refer to section 18 below.

b) ***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 minimizing negative impacts, maximising benefits, and promoting compliance with the principles of environmental management set out in section 2;***

The undertaking of this Section 24G application process evaluates the impacts which the development had on the

environment retrospectively. The assessment of these impacts has been conducted by the EAP and independent specialists and has resulted in the recommendation of methods for mitigation, which have been included in the EMPr (see **Appendix I**).

c) Ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them;

While the development triggered the need for Environmental Authorisation, the Applicant was unaware of this fact and is attempting to rectify this situation by conducting this Section 24G application process. Considered clearing of indigenous vegetation and careful placement of low-impact, temporary structures were furthermore undertaken. The effects of the activity on the environment have been taken into consideration by various relevant specialists (i.e., heritage, ecological and freshwater) through this process and are detailed in this EIR.

d) Ensure adequate and appropriate opportunity for public participation in decisions that may have a significant effect on the environment;

The requisite public engagement activities have been as part of the Section 24G application process. Comments received on the application during a 30-day public review period have been collated and responded to, and the necessary changes made to this report and the EMPr. All comments received on the application and proof of the public participation undertaken is included in the Comments & Responses report attached as Appendix G. The Comments and Responses also underwent public review for 21 days from 18 May 20220 – 7 June 2022.

e) Ensure the consideration of environmental attributes in management and decision-making which may have a significant effect on the environment;

The environmental impacts have been considered as part of this NEMA Section 24 process and will be presented to the authorities to provide the necessary information and support for their decision on whether or not to authorise the activities retrospectively. Comments received on the application during the public participation process have also been incorporated into the EIR and Comments & Responses Report (refer to Appendix G) for consideration by the authorities.

f) Identify and employ the modes of environmental management best suited to ensuring that a particular activity is pursued in accordance with the principles of environmental management set out in section 2.

The applicable mode of environmental management in this case is to apply to the environmental authorities (DEA&DP) for authorisation retrospectively through a NEMA Section 24G application. To assist with decision-making the development has been assessed in terms of the socio-economic, environmental and heritage/cultural impacts associated with the construction, operation and decommissioning of the Tented Camp. The report informs authorities of uncertainties and assumptions to ensure that a cautious approach is adopted in decision-making

18. Please describe how the **principles of environmental management** as set out in section 2 of NEMA were taken into account:

The following principles of environmental management were considered and applied through this Section 24 process:

2 Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, cultural and social interests equitably.

It can be said that the Tented Camp, serves the physical, psychological, cultural and social interests of a certain group of people (i.e. tourists/guests/clients), however, the additional facilities have resulted in no loss of these attributes to the general public. In fact, the general public would have been equally unaffected whether the camp had been constructed or not.

3 Development must be socially, environmentally and economically sustainable;

The development has not resulted in any adverse socio-economic impacts. The environmental sustainability of the site will be secured through the restoration of cleared fynbos, clearing and ongoing monitoring of alien plant species and the eventual rehabilitation of the site, the applicant's commitment to the implementation of the mitigation measures provided by the independent specialists, and the investments made by the applicant towards the facility and operation thereof.

4a) Sustainable development requires the consideration of all relevant factors including the following:

i) That the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied;

The loss of the entire patch of Boland Granite Fynbos was avoided through considered clearing and careful placement of structures. Nevertheless, some biodiversity has been lost. In pursuit of sustainability with regard to the loss of endangered vegetation, restoration will be implemented as suggested by the ecological specialists along with the implementation of alien invasive clearing efforts (all have which would be applied through the EMPr). The camp is furthermore temporary, and the site will be rehabilitated to its condition pre-commencement of development activities, which depending on the success of rehabilitation efforts, could result in a positive impact from a biodiversity perspective.

ii) That pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied

There is no evidence that significant pollution of the environment took place during the construction of the camp. During operations, the camp would be obligated to adhere to the pollution prevention environmental management specifications contained in the EMPr. Overall, some degradation of the environment took place as a result of the camp, mainly due to vegetation clearing. However, the clearing of endangered indigenous vegetation would be remedied partly through restoration efforts and alien invasive clearing as well as the eventual rehabilitation of the site following the dismantling of the camp.

iii) That the disturbance of landscapes and site that constitute the nation's cultural heritage is avoided, or where it cannot be altogether avoided, is minimised and remedied;

While there has been an impact on cultural heritage (refer to the HIA contained in **Appendix H (v)**) this impact has not caused irreversible damage to the cultural landscape. The heritage implications can be satisfactorily addressed and remedied through the mitigation measures recommended by the HIA and the heritage authorities, SAHRA, who are in agreement with the HIA.

iv) That the use and exploitation of non-renewable natural resources is responsible and equitable, and takes into account the consequences of the depletion of the resource;

Resource-use is minimal given the temporary and small-scale nature of the site and would not result in a significant impact.

v) That the development, use and exploitation of renewable resources and the ecosystems of which they are a part do not exceed the level beyond which their integrity is jeopardised;

The small-scale nature of the Tented Camp ensures that no significant risk is posed to the integrity of the surrounding ecosystem. The construction of the tent platforms and paths through the ESA 1 have had a relatively low impact on the ecological functioning of the patch of fynbos. The raised platforms furthermore allow for certain ecological processes to continue uninterrupted.

vi) That a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions;

A risk averse approach was undertaken in the sense that a low-impact, temporary development with a considered footprint was opted for.

vii) That negative impacts on the environment and on people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied;

The main negative impact associated with the establishment of the camp has been the clearance of indigenous vegetation for the construction of the accommodation tents. Although this impact could not be prevented at the chosen site, it was limited to areas absolutely necessary for the construction of the tent structures. Other environmental impacts can be mitigated to an acceptable level. Following five years of operation, the camp will furthermore by dismantled allowing for the complete remediation of the site. People's environmental rights are not considered to be impinged upon by the development.

4b) 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;

In light of the agricultural zoning of the site, it is believed that far less harm was done to the environment through the implemented "light," small-scale development than what would have been incurred had active agriculture been pursued. Furthermore, it must be taken into account that the facility is temporary and that it will be dismantled, following which the site will be rehabilitated. The operation of the facility will furthermore not result in any unacceptable negative environmental impacts, with the implementation of recommended mitigation measures.

4c) Environmental justice must be pursued so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons;

The principle of environmental justice is currently being pursued in the applicant has commenced this Section 24G process in order to rectify the matter and obtain authorisation from the authorities. The applicant will also be liable for payment of the administrative fine and any additional mitigation measures set by DEA&DP. It is not believed that the development has discriminated against any persons.

4d) Equitable access to environmental resources, benefits and services to meet basic human needs and ensure human well-being must be pursued and special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination;

The development has not impinged on any basic human needs or well-being, nor has it restricted access to environmental resources.

4e) Responsibility for the environmental health and safety consequences of a policy, programme, project, product, process, service or activity exists throughout its life cycle;

The environmental impacts associated with the operation and decommissioning of the Tented Camp as identified through this process will be mitigated, managed and remedied through the implementation of the EMPr. The EMPr furthermore requires environmental monitoring and auditing by independent parties to ensure that recommended measures are implemented to ensure that negative impacts are kept at acceptable levels, and to ensure that positive impacts are realised.

4f) The participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills, and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured;

Pre-application public participation in terms of Regulation 8 of the Section 24G Fine Regulations was. A public participation process which complies with Chapter 6 of the Environmental Impact Assessment Regulations, 2014 has furthermore been conducted in support of this application which has included public review of the environmental report and supporting documentation through notification via post, e-mail, advertisement and notices on site (the latter two methods included Afrikaans translation) to potential I&APs. Comments received on the application, responses thereto and proof of all public participation undertaken is included in a Comments & Responses Report (refer to Appendix G) which was also distributed to the I&AP database for comment for a period of 21 days, noting that no further comments were received.

SECTION E: ALTERNATIVES

Please Note: Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (**http://www.capegateway.gov.za/eadp**).

"Alternatives", in relation to an activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

(a) the property on which, or location where, it is to undertake the activity/the activity was undertaken;
(b) the type of activity to be undertaken;
(c) the design or layout of the activity;
(d) the technology to be used in the activity;
(e) the operational aspects of the activity; and
(f) the option of not implementing the activity.

The NEMA prescribes that the procedures for the investigation, assessment and communication of the (potential) consequences or impacts of activities on the environment must, *inter alia*, with respect to every application for environmental authorisation –

- ensure that the general objectives of integrated environmental management laid down in NEMA and the National Environmental Management Principles set out in NEMA are taken into account; and (where applicable)
- include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

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.

1. In the sections below, please provide a description of any considered alternatives and alternatives that were found to be feasible and reasonable.

Please note:

- Detailed written proof of the investigation of alternatives must be provided. If no reasonable or feasible alternative exists, a motivation must be provided.
- Alternatives considered for a Section 24G application are used to determine if the development was the best practicable alternative (environmentally, socially and economically) for the site or property.
- In respect of a section 24 application, the option of not implementing the activity ("no-go"), includes the option of ceasing the activity, not implementing continuation of the activity, refusal of the commenced activity and complete rehabilitation of the affected site.

(a) **Property and location/site alternatives** to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

Property alternatives were not considered by the applicant. The Tented Camp has been developed at this location so as to be distanced from main upmarket tourist accommodation nodes and to provide a less formal accommodation offering. The aim of the camp is to attract guests wanting to be closer to nature and wanting direct access to the mountain slopes for recreational and leisure purposes. The specific site was chosen for its scenic value and location next to the farm dam.

(b) **Activity alternatives** to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

When considering the larger context of the Boshendal Founders Estates and the zoning of the site, the only other "appropriate" land-use for the site would have been to use it for agricultural purposes. The site is however not suitable for agriculture given its rocky soils (Lanz, 2021) and, more significantly, would have resulted in much higher environmental impacts had agriculture been pursued. The landowner and applicant decided on tented accommodation as this was the most viable option to fill a gap in the services provided by Boshendal at the time and the property was well-suited for such an offering.

(c) **Design or layout alternatives** to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

While there would have been an infinite number of possible design alternatives available, those implemented in the development of the Tented Camp were chosen with the surrounding environment and target market in mind. Tented accommodation as opposed to formal buildings were chosen to maintain a "rural feel" with the aim to attract guests wanting to be close to nature. The accommodation units have been tucked into a patch of indigenous vegetation so as to provide a combination of privacy and views of the Berg River Valley below. Roads have been kept informal.

(d) **Technology alternatives** (e.g. to reduce resource demand and resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts or detailed motivation if no reasonable or feasible alternatives exist:

There are no technology alternatives for this type of development i.e., tourist accommodation. In terms of resource-use, a generator serves as alternative power supply on site. Resource use overall is limited due to the small-scale and temporary nature of the site. There will be no additional strain on municipal service infrastructure thus alternatives in this regard have not been investigated.

(e) Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

There are no operational alternatives to this type of development i.e., tourist accommodation. The Tented Camp can only operate as an accommodation facility.

(f) The option of ceasing the activity (the refusal of the activity(ies) and/or rehabilitation of the site):

As a starting point, it should be taken into account that the Tented Camp is a temporary facility which will be dismantled after five years of operation following which the site will be rehabilitated.

To achieve the scenario which existed prior to the construction of the additional facilities, it would be necessary to demolish the structures and rehabilitate the site with immediate effect. In light of the mostly 'Low' negative impacts resulting from the development (as assessed by various specialists and the EAP and as presented in Section F of this Report), the "premature" decommissioning of the camp is not considered reasonable, necessary or, from the applicant's perspective, financially viable. The independent ecologists have also not recommended the immediate removal of the camp, but have rather recommended the restoration of cleared areas, and eventual rehabilitation of the site once the Tented Camp is dismantled.

Furthermore, should the camp be demolished, and the site returned to its state prior to construction, the positive operational impact of job creation would be foregone.

The potential loss of revenue (as a result of both the absence of the facility and the cost of demolition and rehabilitation prior to operation) is believed to have greater negative impacts than operating the facility for five years while applying the mitigation measures recommended by the various specialists. All operational impacts can be mitigated to an acceptable level so as not to have a high impact on the environment. Therefore, the immediate removal of structures and rehabilitation of the site has not been further assessed as a viable alternative and is not recommended by the EAP. The impacts associated with the eventual decommissioning of the camp is detailed in Section F of this report.

(g) Any **other alternatives** to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The preferred "Alternative" was chosen based on the viability in terms of the following:

- Market-related factors;
- Appeal to guests/tourists;
- Scenic value of the chosen site;
- Synergy with the natural environment;
- Cost and return on investment.

While considered thought went into the location of the various components, the scale and nature of the facility did not warrant extensive investigation of alternatives at the time of implementation (noting that the applicant was unaware of the requirement in terms of NEMA to consider alternatives). The development alternative furthermore presents only Low (-) impacts and one Moderate (-) impact. Positive socio-economic impacts have/would furthermore be realised and positive ecological impacts should rehabilitation efforts and removal of IAPs be successful.

(h) Please provide a summary of the alternatives investigated and the outcomes of such investigation:

Please note: If no feasible and reasonable alternatives exist, the description and proof of the investigation of alternatives, together with motivation of why no feasible or reasonable alternatives exist, must be provided.

SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

Please note: The information in this section must be duplicated for all the feasible and reasonable alternatives (where relevant).

1. PLEASE DESCRIBE THE MANNER IN WHICH THE DEVELOPMENT HAS IMPACTED ON THE FOLLOWING ASPECTS:

(a) Geographical and physical aspects:

The scale and nature of the development have been such that it has not impacted on physical aspects in a manner that is of any significance. Minor excavations that were required to fix the tent structures, road stabilisation and associated infrastructure have had no major impacts on geographical aspects. Such impacts are not assessed further in this EIR.

(b) Biological aspects:

Has the development impacted on **critical biodiversity areas (CBAs) or ecological support areas (ESAs)**?	**YES**	~~NO~~
If yes, please describe:		
The development has impacted on an ESA 1 and ESA 2 as described in section C6 of this report (refer also to Figure **10** & Figure 12). The construction of the tent platforms and paths through the ESA 1 appear to have been kept to a minimum and have had a relatively low impact on the ecological functioning of the patch of fynbos in which they have been built. Jackson & Martin (2021) have advised that any future required clearing is kept to an absolute minimum and that the alien invasive species that are present within the site are removed. Although the guest support tent and mess tent are located within an ESA 2 area, the field survey by Jackson & Martin (2021) indicates that this site has been transformed and used for agriculture for a number of years. This is supported by the historical satellite imagery available for the site (refer to Figure 15). The impact of these structures on the ESA2 has therefore been minimal.		
Has the development impacted on **terrestrial vegetation**, or **aquatic ecosystems** (wetlands, estuaries or the coastline)?	**YES**	~~NO~~
If yes, please describe:		
With respect to **terrestrial vegetation**, the accommodation tents have been placed within a patch of near intact to degraded Boland Granite Fynbos and as a result, the construction of the Tented Camp has resulted in the clearance of 0.24 ha of this vegetation type. Jackson & Martin (2021) note that the impacted fynbos is infested with alien invasive species and was likely infested prior to construction due to edge effects. However, the construction of the platforms and upgrading of the ring road have exacerbated this (Jackson & Martin, 2021). The significance of negative impacts on terrestrial vegetation have generally been 'Low' to 'Moderate' given the small footprint of the project and the limited disturbance of soil, the considered clearing of the site by the contractors (which appears to have been limited to the infrastructure footprint) and the current condition of the vegetation on site (Jackson & Martin, 2021). The raised platforms furthermore allow for certain ecological processes to continue uninterrupted. Botanical impacts are assessed in section F6 and the key findings of the specialist investigation discussed in section F7. The Ecological Impact Assessment is attached as Appendix H (ii). In terms of **aquatic ecosystems**, the development has also impacted on the riparian area of a stream ("Stream 1") which flows past the site (refer to Figure 8). Snaddon (2021) notes that there have been few residual impacts on aquatic ecosystems post-construction. Aquatic impacts have all been assessed as being of Low (-) significance for all phases of development. Freshwater impacts are assessed in section F6 and the key findings discussed in section F7. The Freshwater Impact Assessment is attached as Appendix H (i).		
Has the development impacted on any populations of **threatened plant or animal species**, and/or on any habitat that may contain a **unique signature of plant or animal species**?	~~YES~~	**NO**
If yes, please describe:		

The patch of Boland Granite Fynbos which the camp has impacted on is listed as Vulnerable in terms of Section 52 of the NEMBA but classified as Endangered by the Red List of Terrestrial Ecosystems of South Africa Assessment published in 2021.

It is unclear what is meant by a "unique signature" of species but Jackson & Martin (2021) recorded two plant Species of Conservation Concern (SCC) (one within the site and one directly adjacent to the site) during the field survey as well thirteen SCC that have a high likelihood of occurrence within or adjacent to the site. They conclude that the clearing of vegetation within the impacted Boland Granite Fynbos may have resulted in the loss of some SCC. This impact has been assessed as having a Moderate (-) impact but could be reduced to a Low (-) significance through avoiding any further clearing and replanting certain plant species in the area.

In terms of animal species, Jackson & Martin (2021) note that the only amphibian that may have occurred on site during the time of development is the Cape Rain Frog (*Breviceps gibbosus*) previously listed as Vulnerable and its status has since been updated to near-threatened (IUCN SSC, 2017). While other SCCs have distributions which include the site, none were observed during the field survey and they have unlikely been impacted on significantly by the development (Jackson & Martin, 2021).

While habitat clearing for the construction of the tent platforms and access paths would have created a disturbance to faunal species using the site for foraging, shelter and breeding, the impact has been assessed as having a Low (-) significance, given that amphibians, reptiles, mammals and birds would have likely moved out of the area due to the disturbance to more suitable habitats in the vicinity (Jackson & Martin, 2021). The tents also have been elevated to allow for faunal movement and external lighting kept to a minimum for the operational phase.

The DFFE Screening Tool also flagged the potential presence of sensitive butterfly species *Kedestes lenis lenis* and SSp7 within the site (refer to Appendix O). An analysis of distribution and habitat requirements by Hawkes (2021) however has demonstrated that the probability of occurrence of both species is negligible and thus no impacts on either species will occur as a result of the development. The key findings of this study are discussed in section F7 and the full report is attached as Appendix H(iii).

Please describe the manner in which any other biological aspects were impacted:
No other biological aspects have been impacted on.

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R 17 million	
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	R 4 million	
Has/will the activity have contributed to service infrastructure?	~~YES~~	**NO**
How many new employment opportunities were/~~will~~ be created in the construction phase of the activity?	Estimated 40 jobs – the same is estimated for the decommissioning phase	
What was the value of the employment opportunities during the construction phase?	Unknown	
What percentage of this accrued to previously disadvantaged individuals?	Unknown	
How was this ensured and monitored (please explain):		
It was communicated to the EAP that there has been a change in the project management staff of the Tented Camp since inception in 2019. As such construction phase information is not readily available and there are also no records to examine to determine the above figures. An estimation for job creation has been provided based on the projected number of jobs to be created during the decommissioning phase.		
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	7 (for five years)	
What is the current/expected value of the employment opportunities during the first ~~10~~ 5 years?	R 4 million	
What percentage of this accrued/will accrue to previously disadvantaged individuals?	80 %	
How was/will this be ensured and monitored (please explain):		
This will be ensured through the required hiring process to procure candidates from the community and to upskill them within the job. This requirement has furthermore been written into the EMPr.		
Any other information related to the manner in which the socio-economic aspects was/will be impacted:		
None		

(d) Cultural and historic aspects:

The site is located within the Founders Estate National Heritage Site (NHS) and is therefore protected in terms of the NHRA (Act No 25 of 1999). The Founders' Estates development rights application was approved by SAHRA in 2008 subject to a number of conditions. According to Winter *et al.*, (2021) these conditions have been largely satisfied including Design Guidelines. The requirement for an Archaeological Historical Residues Management Plan (AHRMP), Conservation Management Plan (CMP) and Landscape Guidelines is in the process of being addressed and will be submitted to SAHRA in

due course (Winter et al., 2021). The draft AHRMP and draft Landscape Guidelines have been prepared and were taken into account by the HIA. The Tented Camp was developed without the required permission from SAHRA and without consideration of these draft plans.

A Heritage Statement has been completed by Winter et. al (2021) to report on the heritage implications of the development, the findings of which are presented below.

Archaeological aspects

In terms of archaeological remains, pre-Colonial, early historic, and early C20th (Rhodes Fruit Farms) remains are all found within the Boschendal landscape (refer to Figure 25 indicating the areas of archaeological significance and sensitivity within the Founders' Estates). Pre-Colonial finds are predominantly Early Stone Age artefacts, found in isolated, ex-situ contexts, with occasional Middle or Later Stone Age finds of ephemeral scatters, or isolated artefacts (Kaplan, 2005). Most finds are stone tools, while organic remains are rare. Generally, these finds have been disturbed from their original context due to extensive history of agricultural activities. Reflecting the nature of this disturbance, Stone Age materials are fairly frequently found heaped in field margins and boundaries, having been cleared from ploughed fields (Winter et al., 2021).

Early colonial period archaeological remains predominantly relate to the historic werfs and areas utilised by the early farm dwellers. Such finds include structural remains, ceramics and faunal remains and are either found distributed in the werf landscape or concentrated in middens associated with historic structures (Hart and Webley, 2009). Areas further from the core werfs tend to contain less material cultural remains, and areas far removed from known settlement areas are unlikely to contain anything more than occasional material if anything at all (Winter et al., 2021).

According to Winter et al., (2021) the intensive utilisation of the Dwars River Valley in early C20th under Rhodes Fruit Farms came with extensive investment of infrastructure in the form of leiwater canals and sluite, as well as other landscape features designed to assist with irrigation and other agricultural activities (Hart and Webley 2009). These features often persist as features in the landscape, such as the stone lined irrigation canals identified on lower lying fields. There are several areas of archaeological sensitivity within the Founders' Estates, including the early industrial landscape of the Silvermine Complex, Goedehoop Farmstead and Nieuwedorp Farmstead (ACO, 2021). However, while Stone Age material might have been located on the site, this is unlikely to have been of high significance, in situ, or densely concentrated, impacts to such archaeological materials are therefore of low significance. Given the remoteness of the location from historic werfs or settlements, no early colonial archaeology is likely to have occurred on the site, and impacts are considered to be unlikely. As the area does not fall on the lower slopes where C20th agriculture was more intensive, features associated with this period are similarly unlikely (Winter et al., 2021).

In light of the extent of previous archaeological survey and assessment of the Founder's Estate (Hart and Gribble, 2021; Hart and Webley, 2009; Kaplan, 2005), confidence in these conclusions is high, and supported by the findings of the recently compiled AHRMP which indicates that no monitoring is required for Founders' Estate 5 or the site.

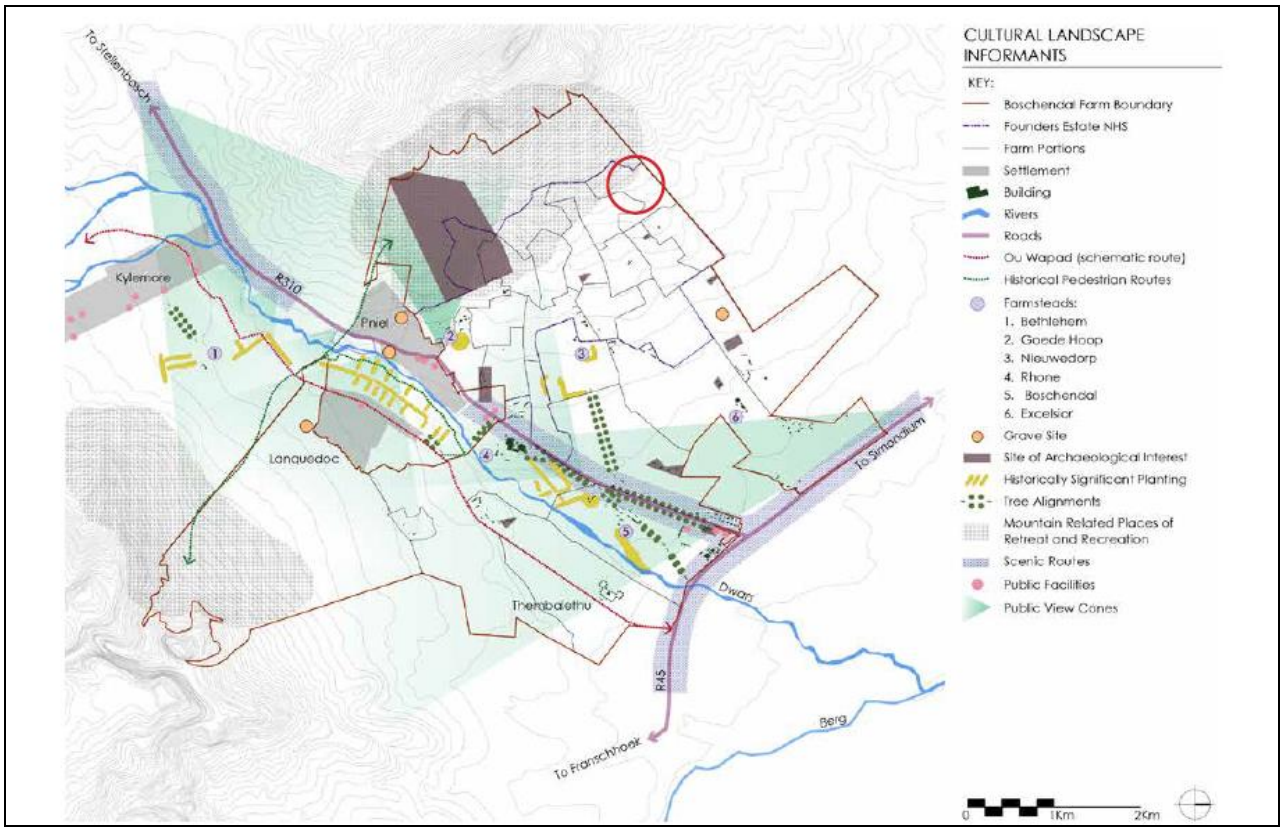

Figure 25: Cultural Landscape Informants - location of Tented Camp indicated in red (source RSA, 2019, taken from Winter et al 2021)

Visual aspects

The property (FE 5) has high heritage value in terms of its landscape qualities being located on the upper slopes of the Simonsberg at the interface with the Simonsberg Nature Reserve. It has high visibility from surroundings, with localised ridgelines to the north and south of the tented camp shielding the visibility of the site from immediately surroundings especially from the western portion of the Founders Estates NHS (Winter et al., 2021). The visibility of the camp from across the

farm dam at the site is shown in Figure 26.

A view shed analysis was undertaken of the Tented Camp by Winter et al., (2021). The key findings of this view shed are the following:

- A zone of high visibility is confined to 500 m of the tented camp affecting FE 5, FE 3 and FE6 in the north-west portion of the Founders' Estates.
- The tents are not visible from most of the Founders' Estates.
- The tents are not visible from Goede Hoop, Cottage 1685 and Nieuwedorp.
- The tents are indiscernible beyond 3km especially with their muted colours. Rhone and Boschendal are located close to 3 km from the tented camp within a zone of low visibility. The R45 and the R310 are also located within a zone of low visibility.
- The yellow wood avenue located on axis with Cottage 1685 and linking the historic core within the Founders' Estates is located within a zone of low-medium visibility.
- The north-south linking route at the base of the Founders Estates will not be impacted by the tented camp.

Thus, at a broader landscape scale the tent structures are visually recessive in terms of their modest scale, low pitched canopies, muted colours and vegetation. At the site scale, some of the structures are visually intrusive (Winter et al., 2021).

Winter et al., (2021) concludes that a number of visual concerns need to be addressed including the treatment of roads and parking, the rehabilitation of the exposed embankment and platform created for the larger tent structures, signage and lighting, and landscaping.

Figure 26: View from across the dam showing the visibility of Tent Structure 1, 2, 9 & 10 (source: Winter et al., 2021)

Heritage Indicators and Assessment

Heritage indicators were formulated by Winter et al., (2021) to assess the impact of the development on heritage resources. These were drawn from the various previous studies for Boschendal Estate and Founders' Estates[6]. The 2006 HIA for Founders Estates' and subsequent heritage studies did not contemplate the use of the upper slopes for nature-based tourism facilities as the focus was on the subdivision application, the development parameters for the homesteads across the 18 subdivisions and the continuing agricultural base of the landscape. The role of the upper slopes of the Simonsberg above the Founder's Estate as a place of refuge and retreat related to its wilderness landscape qualities was identified as well as its local tourism opportunities This theme has relevance is terms of this application and has been incorporated into the heritage indicators below.

The heritage indicators were addressed at the following three scales:

(a) The broader landscape of the Founders Estates NHS as a whole;
(b) The landscape zone scale comprising the upper slopes of the Founders' Estates (Landscape Zone C); and
(c) The site scale comprising FE 5.

The Tented Camp was furthermore tested against two principles associated with the establishment of the Founders Estates, namely:

- The establishment of a consolidated agricultural landholding.
- The restriction on development to one farmstead per farm unit subject to a number of parameters and guidelines.

Winter et al., (2021) explains that the exceptional heritage value of the landscape and high architectural quality of historical set pieces embedded within this landscape requires that new development be subject to rigorous design with attention to architectural language, technology, materials, execution and landscaping. While the particular nature of a tented camp does not warrant the same attention to design issues as required in terms of conventional building development, it does

[6] RSA, 2019. Baseline Study: Heritage Inputs into Boschendal Farm Conceptual Framework.
Todeschini, F. and Jansen, L. 2018. Draft Revised Heritage Inventory of the Tangible Heritage Resources in the Stellenbosch Municipality
Todeschini, F., Jansen, L., Franklin, M., Abrahamse, C., Malan, A. and Lavin, J. 2018. Draft Conservation Management Plan for the Tangible
Heritage Resources in the Stellenbosch Municipality: Phase 4 Report. Baumann, N., Winter, S., Dewar, D. and Louw, P. 2012. Boschendal
Heritage Impact Scoping Report: an in-principle review of the case and the identification of composite heritage indicators
Boschendal Estates Design Guidelines (Founders' Estate) approved by SAHRA 2010.
Winter, S. and Baumann, N. 2006. Heritage Impact Assessment of Founders' Estates, Boschendal.

need to be tested in terms of certain heritage related design criteria.

The heritage assessment is included in Table 5, Table 6 and Table 7 and the key conclusions drawn from the assessment discussed below.

A key principle of the Founders' Estates subdivision application was to limit the effects of incremental development being scattered across the landscape and eroding its integrity and authenticity (Winter et al., 2021). It sought to restrict development to one homestead per subdivision subject to a number of development parameters relating to the siting, scale and form of building development. A second key principle of the Founder's Estates application was to protect the consolidated agricultural landholding within the concept of a working farm. This was achieved through a 99-year agricultural lease area registered across the 18 subdivisions excluding the 0.8-hectare developable area for one homestead per subdivision.

According to the HIA, the tented camp does not impact the principle of a consolidated agricultural landholding for following reasons:

- It does not change the underlying planning status of the Founder's Estates as a consolidated agricultural landholding.
- The primary rights of the property as Agricultural and Rural Zone are not being changed.
- The 99-year agricultural leasehold registered over the landholding remains in place.
- Temporary Departure is relatively short term, i.e. 5 years.

However, the development considered to be variance with the principle of restricting development to one homestead per subdivision. The tented camp is located outside of the 0.8-hectare developable area for FE 5 and comprises a site development area of approximately 6 hectares, i.e. 23% of the farm portion. It is further highlighted that there are mitigating circumstances that would deem the nature of the intervention to be acceptable (Winter et al., 2021).

- Consideration should be given to the nature orientated tourism use of the Tented Camp which is an appropriate use located at the interface of the Founder's Estates and the Simonsberg Nature Reserve.
- This should be considered in conjunction with the tread-lightly, low visual impact, temporary and reversible nature of the intervention.
- Lastly, the property owner of FE 5 has agreed to withhold the right to develop a homestead on the Excluded Area until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed.

In terms of design considerations, the design of the Tented Camp has not been carefully considered in terms of the siting of some tented structures, technology, materials, execution and landscaping. This impacts micro-site conditions which are mitigated to an acceptable level by the temporary nature of the tented camp facility.

Table 5 Discussion of Heritage Indicators at the Broader Landscape Scale (taken from Winter et al., 2021)

HERITAGE INDICATOR: Broader Landscape Scale	**CONVERGENCE OF PROPOSALS & INDICATORS**	**COMMENT**
General landscape indicators		
1. Positive response to the natural and cultural landscape qualities of the broader landscape and also the unique features of each Founders' Estate.	Positive	The tented camp is located on the steep upper slopes well above the 320 m contour line which is at variance with the heritage indicators. However, consideration is given to a number of mitigation circumstances: • The nature orientated tourism use of the tented camp at the interface of the Founder's Estates and the Simonsberg Nature Reserve. • The tread lightly, low visual impact, temporary and reversible nature of the intervention. A number of visual considerations need to be addressed at the broader landscape and site scales including the treatment of roads and parking, the rehabilitation of the exposed embankment and platform created for the larger tent structures, signage and lighting, and planting mitigation. These are unpacked in Section F.3 below. The tented camp is not at variance with the principle of the Founders Estates to establish a single consolidate landholding. However, it is considered to be at variance with the principle of limiting development to one homestead per farm unit. A key mitigation is to withhold the right to develop a homestead on the Excluded Area of FE 5 until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed.
Natural landscape indicators		
1. Prevent development on visually sensitive mountain slopes and	Positive	The tented camp is located on the steep upper slopes well above the 320 m contour line which is at variance

ridgelines in order to preserve the continuity and integrity of the mountains as a backdrop. Limit cultivation and development on upper slopes greater than 1:4 to protect scenic resources and water catchments, and to minimise visual scarring and erosion. Ridgelines, land steeper than 1:4 and elevated slopes, i.e. above the 320 m contour line are identified as no-go areas.		with the heritage indicators. However, consideration is given to a number of mitigation circumstances: • The nature orientated tourism use of the tented camp at the interface of the Founder's Estates and the Simonsberg Nature Reserve. • The tread lightly, low visual impact, temporary and reversible nature of the intervention. A number of visual considerations need to be addressed at the broader landscape and site scales including the treatment of roads and parking, the rehabilitation of the exposed embankment and platform created for the larger tent structures, signage and lighting, and planting mitigation. These are unpacked in Section F.3 below.
2. No building on good agricultural soils in order to protect agricultural production and contribution to food security, as well as the productive agricultural landscape character	Positive	The tented camp is located on the upper periphery of the working farm on uncultivated land comprising indigenous thicket of botanical value and fallow land and thus cannot be regarded as eroding its productive rural landscape qualities. The temporary and reversible nature of the tented camp does not compromise the agricultural soil potential of the land. It is also arguable whether cultivation on these steep upper slopes is desirable from a combined natural and cultural landscape perspective.
3. Avoid areas within the 100-year floodplain, wetlands, areas prone to flooding and riverine corridors as well as areas of biodiversity value.	Positive	Subject to specialist input of a freshwater ecologist as part of the NEMA process.
4. No not disturb rare and endangered indigenous fauna/flora mainly occurring on the upper slopes of Simonsberg as well as migratory paths of fauna. Removal of invasive alien vegetation	Positive	Subject to specialist input of an ecologist as part of the NEMA process. The site of the tented camp includes a patch of indigenous thicket including wild olive trees. Mountain fynbos occurs on the slopes above the camp, and dense indigenous thicket along the drainage lines.
5. Retain the role of the upper slopes of the Simonsberg above the Founders Estates as a place of refuge and retreat with very limited development focused on nature orientated tourism activities related to the Simonsberg Nature Reserve, e.g., hiking, cycling.	Positive	The nature-based tourism use of the tented camp responds to the transitional nature of the landscape at the interface between agricultural and wilderness landscape domains, and the role of the upper slopes of the Simonsberg above the Founders' Estates as a place of refuge and retreat related to the Simonsberg Nature Reserve.
6. Limit the footprint and form of nature orientated tourism facilities to ensure a tread lightly approach to the landscape; they must be visually discrete and embedded in the wilderness landscape domain related to the Simonsberg Nature Reserve	Positive	The tented camp constitutes a very small footprint of the Founders Estates, i.e., 1.5 %. It is located on the upper periphery of the working farm within an indigenous thicket of vegetation related to the wilderness landscape qualities of Farm 1674/1 and the Simonsberg Nature Reserve.
Cultural landscape informants		
1. Respect the valley section in maintaining a balance between wilderness, agricultural and settlement domains with the built form being concentrated on the lower-mid slopes and valley floor and avoiding the steeper upper slopes related to the wilderness domain.	Positive	The tented camp is located within a transitional zone between agricultural and wilderness domains. The tread-lightly, low visual impact and temporary nature and form of the structures does not detract from the relationship between the valley section and settlement patterns; it relates to the wilderness landscape above the Founders' Estates.
2. Positive response to the role of landscape as a consolidated working farm as opposed to an ornamental, suburban or fragmented landscape.	Positive	The siting of the tented camp on the periphery of the working farm limits a sense of the fragmentation of the agricultural landscape; the utilitarian, tread-lightly, temporary nature and form of the structures and their predominant siting within an indigenous thicket relates to the wilderness landscape above the Founders' Estates and cannot be construed as detracting from the consolidated working farm nature of the landholding. The Temporary Departure for the tented camp does not change the underlying planning status of the Founder's Estates as a consolidated agricultural landholding for the following reasons: • The primary rights of the property as Agricultural and Rural Zone are not being changed. • The 99-year agricultural leasehold registered

		over the landholding remains in place • Temporary Departure is relatively short term, i.e., 5 years.
3. Integrate new development with the inherent logic of existing settlement patterns and route structure; do not repeat or reinforce settlement patterns at odds with this pattern and structure; do not place new structures randomly across the landscape but in response to environmentally based structural principles (water, soils, topography, access).	Positive	The precedent established by FE 15 located well above the 320 m contour line should not be used to motivate further development in this elevated location. The tented camp should be considered on its own in terms of comprising a tread-lightly, low visual impact, temporary and nature orientated tourism facility in response to the wilderness landscape qualities at the interface with the Simonsberg Nature Reserve. It is accessed by existing farm road network. It is sited adjacent to an existing farm dam avoiding visually sensitive ridgelines and largely tucked within an indigenous thicket and cluster of pine trees. As discussed previously, the principle of the establishment of the Founders' Estates was to limit development to one homestead per farm unit. A Temporary Departure for the Tented Camp affecting 6 hectares or 23 % of the landholding comprising FE 5, is considered to be at variance with this principle. A key mitigation is to withhold the right to develop a homestead on the Excluded Area of FE 5 until the Temporary Departure as lapsed and the tented camp has been removed.
4. Retain view-lines and vistas focused on prominent natural features such as mountain peaks, as these are important place-making and orientating elements for experiencing the cultural landscape. They are not only important for landscape character, but also for water security, and biodiversity	Positive	As per the viewshed analysis, the R310 and R45 are located within a zone of low visibility of the tented camp. Therefore, the tented structures will not impact the experiential qualities of the main movement routes through the Valley in terms of the visual prominence of the Simonsberg slopes. While the tents will be visible from the yellow wood avenue located on axis with Cottage 1685 and linking the historic core within the Founders' Estates, this avenue is located within a zone of low-medium visibility. Furthermore, it will not impact the direct line of sight along this avenue towards the backdrop of the Simonsberg. The north-south linkage route at the base of the Founders Estates will not be impacted by the tented camp.
5. Retain the landscape setting of the historic set pieces by avoiding prominent views towards and from them or disrupting visual-spatial relationships between elements.	Positive	The tented camp does not impact the landscape setting of the three historical set pieces associated with Founders Estates, i.e., Goede Hoop, Cottage 1685 and Nieuwedorp.
6. The addition of a new contemporary layer in the landscape but not at the expense of existing layers of heritage significance especially in terms of historical patterns of development.	Positive	The tented camp is at variance with the historical settlement pattern located on the mid and lower slopes of the Simonsberg. Its location well above the 320 m contour is an anomaly in terms of settlement patterns associated with the creation of the Founders' Estates. However, this is mitigated by the tread-lightly, low visual impact and temporary nature and form of development, its role as a nature orientated tourism facility responding to the inherent wilderness landscape qualities at the interface with the Simonsberg Nature Reserve.
7. New development should be embedded in the landscape and not compete or contrast in terms of height, scale, massing, materials and architecture; no urban or suburban built form and landscape typologies; applicable particularly to the upper slopes where development should be subordinate to the landscape.	Positive	At a broader landscape scale, the tent structures are visually recessive in terms of their modest scale, low pitched canopies, muted colours and vegetation. At the site scale, some of the structures are visually intrusive as discussed in Section F.3 below.
8. Positive response to the exceptional heritage value of the landscape and high architectural quality of historical set pieces by ensuring that new development is of a high-quality design in terms of architecture, technology, materials, execution and landscaping	Positive	While particular nature of a tented camp may not warrant the same attention to design issues as required in terms of building development, the design of the tented structures at variance with the exceptional aesthetic and architectural value of the cultural landscape in terms of tent architecture, technology, materials, execution and landscaping. This predominately impacts negatively at a site scale as discussed in Section F.3 below
9. Maintain landscape features contributing to the ecological, aesthetic and historical character of the landscape, e.g., treed settings of	Positive	The tented camp does not involve the removal of any landscape features of heritage value. It is located within a cluster of mature Monterey pines (Pinus radiata) and indigenous thicket including wild olive trees providing

homesteads, tree lined avenues, windbreaks, forests, indigenous thicket, orchards and vineyards		visual screening. Landscaping recommendations are addressed in Section F3 below.
10. An emphasis on a low-key 'soft' engineering and landscaping approach to infrastructure, particularly roads, stormwater, parking, signage and lighting. Make use of existing farm roads as far as possible. Protect the rural quality of farm roads in terms of road width, surfacing and edge treatments.	Positive	The access to the camp is via existing unpaved farm roads that largely serve the vineyards and existing farmsteads. Access to the individual tent sites and camp facilities is via narrow vehicular tracks that form a loop around the camp. No new roads or road upgrading is proposed. The primary visual concerns related to infrastructure are parking and lighting. These are addressed in Section F.3 below
11. Avoid areas of high archaeological value, especially associated with the Silvermine Landscape.	Positive	The tented camp is located some distance from the Silvermine Landscape. It is not within an area of archaeological sensitivity.

Table 6 Discussion of Heritage Indicators of Landscape Zone C

HERITAGE INDICATOR: LANDSCAPE ZONE C	CONVERGENCE OF PROPOSALS & INDICATORS	COMMENT
1. Limit development within this zone of high visual sensitivity, especially above the 320 m contour. Notwithstanding the siting of FE 15 on the 360 m contour, additional development above the 320 m contour should not be permitted.	Positive	The tented camp is located between the 360 m and 380 m contour. It is considered acceptable in this location due its tread lightly, low visual impact and temporary nature of development, and how it relates to the wilderness landscape qualities of the Simonsberg Nature Reserve.
2. Apply stricter controls on development above the 265 m contour, i.e., smaller development footprints smaller building envelopes (i.e., single storey), recessive architecture.	Positive	The concept of the tented camp is very different from conventional building development in terms of its tread lightly, low visual impact and temporary nature. The tented camp occupies a small footprint on the periphery of the upper slopes of the Founders Estates. As discussed previously, the principle of the establishment of the Founders' Estates was to limit development to one homestead per farm unit. A Temporary Departure for the Tented Camp affecting 6 hectares or 23 % of the landholding comprising FE 5, is considered to be at variance with this principle. A key mitigation is to withhold the right to develop a homestead on the Excluded Area of FE 5 until the Temporary Departure as lapsed and the tented camp has been removed.
3. Development above the 265 m contour should be visually recessive in the landscape; buildings are to be wrapped and embedded in nature and agriculture; new structures should be nestled into rather than being superimposed on the landscape, e.g., use of fragmented forms, muted earth colours, natural materials such as stone and timber are encouraged, follow contours	Positive	The concept of the tented camp is very different from conventional building development in terms of being temporary, low-slung and fragmented, the use of muted colours that blend into the natural background, as well as the scale and form which easily tucks into landscape. As per the viewshed analysis, a zone of high visibility is confined to within 500 m of the tented camp affecting FE 5, FE 3 and FE6 in the upper north-west portion of Founders' Estates. Lights at night could be an issue because of their visibility to the rest of the Founders' Estates. Recommendations for lighting are discussed in Section F.3 below. At the site scale, some of the structures are visually intrusive as discussed in Section F.3 below.
4. Retain the role of the upper slopes of the Simonsberg above the Founders Estates as a place of refuge and retreat with development focused on nature orientated tourism activities related to the Simonsberg Nature Reserve, e.g., hiking, cycling.	Positive	The upper slopes of the Founder's Estates are characterised by a mosaic of natural areas and agriculture which serves as a transitional zone between the working farm and the wilderness landscape above the Founders Estates. The principle of a tented camp in this zone is compatible with nature orientated tourism activities but more attention should have been given to its design and execution in response to exceptional quality of the landscape.
5. Limit the footprint and form of nature orientated tourism facilities to ensure a tread lightly approach to the landscape, are visually discrete and embedded in the wilderness landscape domain related to the Simonsberg Nature Reserve.	Positive	The concept of a tented camp is compatible with a tread-lightly visually discrete nature of development. The tented structures are visually recessive in terms of their modest scale, low pitched canopies, muted colours and existing vegetation. More attention should have been given to its design and execution in response to exceptional quality of the landscape. At the site scale, a

		few of the structures are visually intrusive as discussed in Section F.3 below.
6. Excessive cut and fill excavations are to be avoided when creating building platforms; structures are to be stepped to accommodate the slope conditions and follow contours.	Positive	The tented camp is generally in accordance with this indicator. The camp mess and kitchen tent facilities are the largest structures, located on a levelled, excavated platform. The excavation has exposed the granite saprolite, which, because of its high clay content, is difficult to stabilise or vegetate. Mitigation measures are addressed in Section F.3 below.
7. Access roads should utilise existing farm roads and tracks wherever possible. No new roads should be constructed. The upgrading of roads should retain their rural character in terms of road width, surfacing and edge treatments	Positive	The tented camp is generally in accordance with this indicator making use of existing farm roads that serve the vineyards and existing farmsteads. Access to the individual tent sites and camp facilities is via narrow vehicular tracks that form a loop around the camp. No new roads or road upgrading is proposed. The primary visual concerns related to infrastructure is parking.
8. Parking should be obscured from view as far as possible, and visually fragmented by appropriate landscaping and planting.	Positive	The primary visual concerns related to infrastructure are parking and lighting. These are addressed in Section F.3 below.

Table 7 Discussion of Heritage Indicators of Portion 5 of 1685 (taken from Winter et al., 2021)

HERITAGE INDICATOR: PORTION 5 OF 1685	CONVERGENCE OF PROPOSALS & INDICATORS	COMMENT
1. Positive response to the micro-conditions of the site, i.e., ridgelines, sightlines, water course, dam, indigenous thicket and interface with the Simonsberg Nature Reserve.	Positive	The tented camp has responded to the micro-site conditions in terms of avoiding ridgelines and predominantly tucked into the indigenous thicket. However, a few of the structures do impact sight lines, i.e., 1, 3, 9 and 10 and require mitigation. The levelled, excavated platform for the camp mess and kitchen facilities also requires mitigation. **Landscaping:** Some of the tented accommodation has become visually screened over time by largely natural vegetation, while other tents remain visually exposed. Given the relatively short time frame for the camp, no major landscape intervention is envisaged. The following is recommended in terms of the landscaping mitigation: • No gardenesque planting layouts or exotic plant material should be permitted. • All invasive exotic vegetation, such as pine seedlings, Port Jackson and bugweed, should be cleared from the farm portion relating to the camp on an ongoing basis. This will also help to reduce fuel load in terms of fire hazard. The mature Monterey pines, which are spreading seedlings on the mountain slopes, should ideally be removed on a phased basis over the next 5 years, as the indigenous vegetation takes over. • Suitable fast-growing indigenous trees should be planted adjacent to the more visually exposed tents. Potential tree species are indicated in the table below. **Camp facilities:** The camp mess and kitchen tent facilities are the largest structures, located on a levelled, excavated platform. The excavation has exposed the granite saprolite, which, because of its high clay content, is difficult to stabilise or vegetate. The following mitigation measures are recommended: • Further clearing or excavations that expose the saprolite should be avoided. • Existing exposed embankments could be revegetated if a low dry-packed stone wall or gabion is constructed at the foot of the embankment, and back-filled with any available colluvial soil from the site. • The clayey ground surface around the mess and kitchen, which becomes sticky in winter and hard in summer, could be covered with a

		geofabric and stone chips to create a more trafficable and visually pleasing surface.
2. Positive response to the role of the site within landscape of exceptional heritage value where new development should be subject to a rigorous design review process.	Negative	The design of the tented structures has not been well-considered in terms of the siting of some of the structures, tent architecture, technology, materials, execution and landscaping. This negatively impacts the landscape qualities of the site. This impact mitigated by the temporary nature of the facility.
3. Positive response to the carrying capacity of the site to accommodate new development from a combined heritage, visual and environmental perspective with consideration of cumulative impacts.	Negative	The size of FE 5 is 26.6 hectares. The tented camp is located outside of the 0.8-hectare developable area and comprises a site development area of approximately 6 hectares, i.e., 23 % of the landholding. This together with the positioning of the tented camp directly above the FE 5 homestead will have cumulative impact on the principle of Founders' Estates, i.e., one homestead per farm unit. A key mitigation is to withhold the right to develop a homestead on the Excluded Area of FE 5 until the Temporary Departure as lapsed and the tented camp has been removed.
4. Roads and parking to be carefully considered in terms of visual scarring and ensuring minimal visual intrusion.	Positive	**Roads and parking:** As the camp is seen as relatively short term (5 years), no upgrading of the access roads is envisaged, except for minor maintenance and stormwater management to prevent erosion. The following is recommended: • Further roads, tracks or cleared areas should be avoided, if possible, to minimise visual scars in the landscape. • Where sections of access roads / tracks are no longer required, these should be revegetated, or narrowed down to single-track paths. • Excavations for parking or turn-arounds should be avoided, especially where the underlying saprolite will be exposed. • Even small parking areas tend to be visually intrusive, and therefore cars should instead be parked in groups of not more than 2 or 3 alongside the access roads in unobtrusive positions as identified on the site plan. • Imported material or paving for roads and parking should be avoided, except for stone chips and mulch.
5. Signage and lighting to be low-key and not visually intrusive.	Positive	**Signage and lighting:** The existing signage on site is low-key and not visually intrusive. This is helped by using a dark background on the signboards. Way-finding signage to the camp appears to be lacking. Lights at night could be an issue because of their visibility to the rest of the Founders' Estates: The following is recommended in terms of mitigation: • Signage should be kept to a minimum, be no higher than 1,2 m and have dark backgrounds as per existing signage. • No advertising signage, flags or banners should be permitted to avoid visual intrusion on the surroundings. • Outdoor lighting should be kept to a minimum and consist of low-level bulkhead or bollard type lighting with reflectors that cast the light downwards, and where the light source is not visible. • The existing lights fixed to the outside of the tents should be fitted with reflectors or replaced with bulkhead lights as described above.

Winter et al., (2021) concludes the following:

"*…the unauthorised work has not caused irreversible damage to heritage significance predominantly due to the tread – lightly, low visual impact and temporary nature of the tented camp. However, the unauthorised work does have heritage implications which need to be addressed in terms of remedial action/mitigation measures which are outlined in the recommendations. A primary consideration is that the property owner of FE 5 has agreed to withhold the right to develop a homestead on the Excluded Area until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed.*"

The recommended mitigation measures of the HIA are presented in section F7 and the full report is included in Appendix H (v).

It is noted that SAHRA in their comment stated that the provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively but that it has no objections to the rectification application (in terms of NEMA). They note that the development of the Tented Camps work has not irreversibly damaged heritage significance and the integrity of the heritage resources also located within the Boschendal Cultural Landscape. The reversibility and temporary nature thereof furthermore poses a very low impact, that the recommendations of the HIA are supported and must be adhered to and that they have no further additional specific conditions for the development.

2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	**YES**	~~NO~~
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	Unknown m³	
The construction of the Tented Camp would have resulted in construction-related waste such as rubble, plaster and wood off cuts, cement bags, etc. The volume of construction waste is unknown as this was not recorded during construction but would have been minimal given the small-scale nature of the development and the type of structures built.		

Does the activity produce waste during its operational phase?	**YES**	~~NO~~
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	See below m³	

Where and how was/will the waste be treated / disposed of (describe)?		
There are no designated refuse areas at the camp. Clleaning staff collect refuse from the bins in each tent and this is handled within the existing waste management system of Boschendal farm. In this regard, the Boschendal maintenance department cleans bins at the existing "Droëbaan" site where some recycling takes place. The waste is collected by a private contractor and delivered to an appropriate municipal waste facility. The operation of the Tented Camp will produce general domestic and food waste associated with the accommodation tents, kitchen as well as the office. The volumes/quantities of this waste are unknown as the site is not yet fully operational (ie., at full capacity since new bookings weren't being undertaken at the time of compiling this report). It is anticipated that waste per accommodation tent will not exceed one plastic bag per week, while the mess tent will generate between 1-2 bags per week (M Hurworth *pers comms*. 3/11/2021). The generation of hazardous waste is not anticipated. Given the small scale and seasonal nature of the Tented Camp, there are low volumes of sewage that would result from its operation. Effluent is piped into bio septic tanks/ units and the treated effluent discharged into the landscape (as described elsewhere in this report).		
Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority	~~YES~~	**NO**
Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream?	~~YES~~	**NO**
If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility: Not applicable	~~YES~~	~~NO~~
Does the facility have an operating license? (If yes, please attach a copy of the license.) Not applicable	~~YES~~	~~NO~~
~~Facility name:~~		
~~Contact person:~~		
~~Postal address:~~		
	~~Postal code:~~	
~~Telephone:~~	~~Cell:~~	
~~E-mail:~~	~~Fax:~~	

Describe the measures that were/will be taken to **reduce, reuse or recycle waste:**
It is unknown what waste management measures were undertaken during the construction of the camp as no environmental monitoring was undertaken at the time. During the operational phase of the Tented Camp, recyclable waste (plastic, glass, tin etc.) will be collected from the site and sorted and compressed at the existing Droëbaan waste facility on Boshendal farm, from where the recyclables are collected by a private contractor for further processing (W George *pers. comms*. 3/11/2021)

(b) Emissions into the atmosphere

Does/will the activity produce emissions that will be disposed of into the atmosphere?	~~YES~~	**NO**
If yes, does it require approval in terms of relevant legislation?	~~YES~~	**NO**
Describe the emissions in terms of type and concentration and how it is/will be treated/mitigated:		
Not applicable		

3. WATER USE

Please indicate the source(s) of water for the activity by ticking the appropriate boxes)

~~Municipal~~	~~Water board~~	**Groundwater**	River, Stream, **Dam** or Lake	~~Other~~	~~The activity did/does/will not use water~~

If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate	
the volume that was extracted per month: The potable water is fed from a reservoir. The reservoir is supplied from the existing farm natural spring (Hurworth, 2021). The reservoir supplies water under gravity flow to the Tented Camp via a 90 mm diam HDPE class 12 water main (Hurworth, 2021). The fire water line is linked to a borehole pump in the dam at the site. Water is only abstracted from the dam in the case of fire.	The anticipated potable water consumption for an accommodation unit is an average of 150 l/day (thus 1200 l/day in total). The consumption of the kitchen unit is anticipated to be an average of 250 l/day.

Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)		
Did/does the activity require a water use permit / license from DWA?	~~YES~~	**NO**
If yes, please submit a certified copy of the water use permit/license or submit the necessary application to Department of Water Affairs and attach proof thereof to this application, whichever is applicable.		
Describe the measures that were/ will be taken to **reduce water demand, and measures to reuse or recycle water**:		
Given the seasonal and small-scale nature of the camp, water-use is anticipated to be limited and volumes relatively low. As such, there is this no real opportunity for water management strategies to be implemented.		

4. POWER SUPPLY

Please indicate the source of power supply e.g. Municipality / Eskom / Renewable energy source

The main supply is connected from the existing Boshendal Farm overhead line feeding an existing 315 kVA Transformer at the site. Boschendal is supplied with power by the Stellenbosch Municipality. There is also a generator at the site.

If power supply is not available, where will power be sourced from?
Not applicable

5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
Given the seasonal and small-scale nature of the camp, electricity use is limited, and the development provides little opportunity for energy-saving. Low energy lighting will be implemented, and the lights will be on during the night only.

Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

A generator is available on site.

6. DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS prior to and after MITIGATION

Please note:

- While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.
- Mitigation measures that were implemented and mitigation measures that are to be implemented should be clearly distinguished.

(a) **Impacts that resulted from the planning, design and construction phases (briefly describe and compare the impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that occurred as a result of the planning, design and construction phases.**

PLANNING, DESIGN & CONSTRUCTION PHASE IMPACTS

Construction phase impacts have been assessed retrospectively and would also be applicable if further construction works take place on site (this is however not the intention of the applicant and against specialist recommendations).

The only planning & design impacts are those related to visual/sense of place and cultural-historical impacts and are outlined in the below impact tables.

Impact on biological aspects: **FRESHWATER IMPACTS (as assessed by Snaddon, 2021)**		
Alternative:	**Development Alternative**	**No Go Alternative**
Nature of impact:	Storage of building materials (sand, soil, bricks etc) in or close to sensitive areas – this would damage the soil structure and would destroy or shade out plants growing in and around these ecosystems. Dump areas frequently lead to the compaction of soils, which can influence re-growth of plants.	**Not applicable** as there would be no impact
Extent and duration of impact:	Site (Low) and Short-term	
Probability of occurrence:	Improbable	
Degree to which the impact can be reversed:	Fully reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	
Cumulative impact prior to mitigation:	Low (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• Store materials at least 50 m away from any sensitive areas in bunded areas. Protect piles (must be less than 1.5 m high) of soil and other fine material, such as using shade-cloth. • Rehabilitate sensitive areas that are impacted by this activity.	
Cumulative impact post mitigation:	No impact	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact**	
Nature of impact:	Leakage or spillage of fuels, oils, etc. from construction machinery – this would lead to pollution of the stream.	**Not applicable** as there would be no impact
Extent and duration of impact:	Downstream (medium) and Short-term	
Probability of occurrence:	Improbable	
Degree to which the impact can be reversed:	Fully reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	
Cumulative impact prior to mitigation:	Low (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	High	

Proposed mitigation:	• Store materials at least 50 m away from any sensitive areas in bunded areas. • Protect piles (must be less than 1.5 m high) of soil and other fine material, such as using shade-cloth. • Rehabilitate sensitive areas that are impacted by this activity.	
Cumulative impact post mitigation:	No impact	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact**	
Nature of impact:	Leakage or spillage of fuels, oils, etc. from construction machinery – this would lead to pollution of the stream.	
Extent and duration of impact:	Downstream (medium) and Short-term	
Probability of occurrence:	Probable	
Degree to which the impact can be reversed:	Partly reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	
Cumulative impact prior to mitigation:	Medium (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• No mixing of concrete may occur close to (less than 50 m from the riparian area) the stream. • Machinery prone to oil or fuel leakage must be located at least 50 m away from the edge of the riparian area, and the area adequately bunded in order to contain leakages. • Water pumps and cement mixers shall have drip trays to contain oil and fuel leaks – these must be cleaned regularly. • Suitable toilet and wash facilities must be provided to avoid the use of sensitive areas for these activities. These service areas must be maintained, and toilets emptied on at least a weekly basis.	**Not applicable** as there would be no impact.
Cumulative impact post mitigation:	Low (-)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Nature of impact:	Foot and vehicular traffic across the site, leading to destruction or deterioration of freshwater habitat.	
Extent and duration of impact:	Site (low) and Short-term	**Not applicable** as there would be no impact.
Probability of occurrence:	Improbable	
Degree to which the impact can be reversed:	Fully reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	
Cumulative impact prior to mitigation:	Low (-)	

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• Pathways and access roads for construction or demolition must avoid the stream and its riparian area. • The edge of the riparian area must be clearly demarcated and fenced off (using temporary fencing and danger tape) before any work or site preparation begins. These are no-go areas during the construction/demolition phase. • All impacted natural areas must be ripped and re-planted after the activity, to the satisfaction of the ECO.	
Cumulative impact post mitigation:	No impact	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact**	
Nature of impact:	Presence of construction teams and their machinery on site – this may lead to noise and light pollution in the area, which will disturb aquatic and terrestrial fauna and flora	**Not applicable** as there would be no impact.
Extent and duration of impact:	Site (Low) and Short-term	
Probability of occurrence:	Probable	
Degree to which the impact can be reversed:	Partly reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	
Cumulative impact prior to mitigation:	Medium (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	• If lights are used, these must be directed away from all sensitive areas. • The boundary of the riparian area must be clearly demarcated and fenced off (using temporary fencing and danger tape) before any work or site preparation begins. These are no-go areas during the construction/demolition phase.	
Cumulative impact post mitigation:	Low (-)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Nature of impact:	Topsoil or sand brought onto the site, for filling and landscaping can lead to the introduction of alien or invasive seedbanks. Whole Estate and downstream	**Not applicable** as there would be no impact.
Extent and duration of impact:	(Medium) and Medium-Term	
Probability of occurrence:	Probable	

Degree to which the impact can be reversed:	Fully reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	
Cumulative impact prior to mitigation:	Medium (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• Topsoil and sand brought onto the site should be inspected for seedlings throughout construction. Seedlings must be removed regularly. • Constant monitoring of the construction/demolition site by the Site Engineer and ECO must occur, and all alien plant species removed from or destroyed on the site	
Cumulative impact post mitigation:	Low (-)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)** (possibly even low positive, if IAPs are consistently removed from the site)	

Impact on biological aspects: **ECOLOGICAL IMPACTS (as assessed by Jackson & Martin, 2021)**		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 1: Loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos** The clearing of vegetation for the construction of seven tent platforms (three in near-intact granite fynbos and four within degraded granite fynbos) and associated access paths has resulted in the permanent loss of 0.24 ha of vegetation. This accounts for 15% of the total impacted patch of natural vegetation and 0.08% of the total remaining extent of this vegetation type within the Western Cape Province.	**Negligible** If the project did not go ahead, there would be no loss of vegetation within this patch and the impact under the no-go alternative would be negligible.
Extent and duration of impact:	Low (Site) & High (Long-term)	
Probability of occurrence:	High	
Degree to which the impact can be reversed:	Reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Cumulative impact prior to mitigation:	There are no known similar developments within the immediate area and as such the cumulative impact is not applicable in this instance	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Moderate (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	It is noted that clearing of natural vegetation for the construction of the tent platforms and access paths has been kept to a minimum thus reducing the impact of the project footprint. • No further clearing should occur within this vegetation type. • It is recommended that the vegetation around the tent platforms is restored using species	

	indigenous to Boland Granite Fynbos to increase diversity. • Only species indigenous to the vegetation associated with Simonsberg Mountain should be planted within this vegetation type	
Cumulative impact post mitigation:	Not applicable	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Moderate (-)** Although the diversity at the site can be improved based on the recommended mitigation measures, the loss of extent of this vegetation type, which is listed as Endangered in terms of the Red List of Terrestrial Ecosystems of South Africa Assessment (2021), is permanent and cannot be mitigated unless the impacted areas are restored to their natural state. As such, this impact will remain Moderate even after mitigation.	
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 2: Loss of Plant Species of Conservation Concern** There are two confirmed SCC (one within the site and one directly adjacent to the site) that were recorded during the field survey as well thirteen SCC that have a high likelihood of occurrence within or adjacent to the site. The clearing of vegetation within the impacted Boland Granite Fynbos has resulted in the loss of biodiversity and may have resulted in the loss of some SCC.	**Low (-)** If the project did not go ahead, there may be some loss of SCC within this patch due to the displacement of species by alien invasive plant species. The impact under the no-go alternative would be low.
Extent and duration of impact:	Low (Site) and Medium (Medium-term)	
Probability of occurrence:	Moderate	
Degree to which the impact can be reversed:	Reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Cumulative impact prior to mitigation:	There are no known similar developments within the immediate area and as such the cumulative impact is not applicable in this instance.	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Moderate (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	It is noted that clearing of natural vegetation for the construction of the tent platforms and access paths has been kept to a minimum thus reducing the impact of the project footprint. • No further clearing should occur within this vegetation type. • Only species indigenous to the vegetation associated with Simonsberg Mountain should be planted within this vegetation type. • It is recommended that Protea burchelli and Hermannia rugosa are replanted within the impacted patch of Boland Granite Fynbos.	
Cumulative impact post mitigation:	Not applicable	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)** Given that the footprint of the	

	development is small (15% of the patch of Boland Granite Fynbos), if the recommended mitigation measures are implemented this impact can be reduced to low.	
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 3:** **Disruption of Ecosystem Function and Process** Habitat fragmentation occurs when a large expanse or strip of habitat is transformed such that the natural landscape is cut into smaller patches that are isolated from each other resulting in a reduction in ecological functioning, species diversity and species richness. This impact occurs when areas are cleared resulting in reduced movement due to the absence of ecological corridors. The impacted patch of Boland Granite Fynbos has been exposed to some habitat fragmentation and edge effects prior to the construction of the project infrastructure as the area surrounding it has been previously used for agriculture. The clearing of an additional 15% of this patch will have further contributed to fragmentation. However, it should be noted that clearing for the construction of access roads and the tent platforms appears to have been kept to a minimum as the vegetation surrounding these areas is well established indicating minor impacts. Further to this, the platforms are raised off the ground allowing for free the movement of faunal species and dispersal of seeds. So, although some habitat fragmentation has occurred this has been minimised by the low-impact design of the tent platforms.	**Low (-)** If the project did not go ahead, there may be increased habitat fragmentation if the alien invasive plant species that are present were not managed. The impact under the no-go alternative would be low.
Extent and duration of impact:	**Low (Site) and Low (Short-term)**	
Probability of occurrence:	**Medium**	
Degree to which the impact can be reversed:	**Reversible**	
Degree to which the impact may cause irreplaceable loss of resources:	**Low**	
Cumulative impact prior to mitigation:	Low (-) Habitat fragmentation within this patch has already occurred prior to construction. The cumulative impact associated with the construction of infrastructure in relation to the existing impact is therefore low.	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• No further clearing should occur within this vegetation type. • Only species indigenous to the vegetation associated with Simonsberg Mountain should be planted within this vegetation type. • Access roads should not be widened. • Any future infrastructure required for this site must be located within the transformed area (fallow land).	
Cumulative impact post mitigation:	**Low (-)**	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Alternative:	**Development Alternative**	**No-Go Alternative**

Nature of impact:	**IMPACT 4: Infestation of Alien Plant Species** These are common in areas that have been recently disturbed such as along the access roads, paths and around the tent platforms. There is also evidence of alien invasive species tree species such as Acacia longifolia and Pinus pinaster within the patch. It is highly probable that this patch was already infested with alien species given the size of some of these and because areas adjacent to the site show evidence of infestation. Nevertheless, the construction of the infrastructure within this patch has exacerbated the level of infestation.	**Low (-)** If the project did not go ahead, infestation of alien invasive plant species is likely to continue. The impact under the no-go alternative would be low negative.
Extent and duration of impact:	Low & Low	
Probability of occurrence:	High	
Degree to which the impact can be reversed:	Reversible	
Degree to which the impact may cause irreplaceable loss of resources:	High	
Cumulative impact prior to mitigation:	Medium (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Moderate (-)**	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• An alien invasive management plan must be included in the EMPr. • With the exception of the large pine trees on the north-eastern corner of the site which could be heritage trees (this needs to be confirmed) all category 1b species must be removed. The removal will need to be managed and maintained until these species have been eradicated. It is suggested that locally indigenous species specific to this vegetation type are planted in the gaps left by the removal of alien invasive plants. • No exotic species should be planted within this patch of fynbos.	
Cumulative impact post mitigation:	**Moderate (-)**	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)** The removal and management of alien invasive species, especially in a small area of 1.6 ha is easily manageable and as such this impact is easily mitigated.	
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 5: Disturbance to terrestrial faunal species due to construction of the tented camp** Habitat clearing for the construction of the tent platforms and access paths would have created a disturbance to faunal species using the site for foraging, shelter and breeding.	**Negligible** If the project did not go ahead, there would be no loss of habitat or disturbance of faunal species within this patch and the impact under the no-go alternative would be negligible.
Extent and duration of impact:	Low and Low	
Probability of occurrence:	High	
Degree to which the impact can be reversed:	Reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Cumulative impact prior to mitigation:	Not applicable There are no known similar developments within the immediate area and as such the cumulative impact is not applicable in this instance.	

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	• Habitat clearing for the construction of the tent platforms and access paths has been kept to a minimum thus reducing the impact of the project footprint. • The tents have also been elevated to allow for faunal movement and external lighting kept to a minimum. • It is unknown if clearing was done by machinery or by hand and if slow moving species were moved out of harm's way prior to clearing.	
Cumulative impact post mitigation:	Not applicable	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Not applicable** The impact associated with habitat clearing and disturbance to faunal foraging, shelter and breeding sites has already occurred and no mitigation will reverse it.	

Impacts on socio-economic aspects:		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	Creation of temporary employment opportunities as a result of construction/decommissioning of the facility.	
Extent and duration of impact:	Medium (beyond site boundary) and Short-term	Not applicable as no impact would be realised (positive impact would be foregone)
Probability of occurrence:	High (Definite)	
Degree to which the impact can be reversed:	Positive impact so not applicable	
Degree to which the impact may cause irreplaceable loss of resources:	Positive impact so not applicable	
Cumulative impact prior to mitigation:	**Low (+)**	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (+)**	
Degree to which the impact can be mitigated:	No opportunity to enhance positive impact as already realised	
Proposed mitigation:	Not applicable	
Cumulative impact post mitigation:	Low (+)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (+)**	

Nuisance Impacts: Dust & Noise Generation		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**Dust & noise generation:** The land clearing and other construction activities would have resulted/ will result in the generation of dust and noise which may have been/ will be a nuisance to surrounding land users whilst construction/decommissioning is ongoing.	
Extent and duration of impact:	Low (Site and adjacent to site) and Short-term	**Not applicable** as there would be no impact
Probability of occurrence:	Definite	
Degree to which the impact can be reversed:	Irreversible	
Degree to which the impact may cause irreplaceable loss of resources:	None	
Cumulative impact prior to mitigation:	None – as no other development activities in the vicinity	

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	Implementation of the specifications contained in the EMPr (Appendix I) during which pertain to the management of the noise and dust elements of the construction site	
Cumulative impact post mitigation:	None	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Very Low (-)** It is noted that the Tented Camp is relatively secluded and far from occupied residences on the farm. Workers also move around the farm so would not be permanently stationed adjacent to or on the site.	

Depletion of Natural Resources		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	Depletion of natural resources through use as material in the development/construction phase (such as water, resources for the generation of energy, construction materials etc.).	
Extent and duration of impact:	Medium (beyond site boundary) and Short-term	**Not applicable** as there would be no impact
Probability of occurrence:	Definite	
Degree to which the impact can be reversed:	Irreversible	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Cumulative impact prior to mitigation:	Very Low (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	None, as impact has already occurred	
Cumulative impact post mitigation:	Very Low (-)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	

Visual impacts / Sense of Place: **AS ASSESSED BY** Winter et al., 2021	
Nature of impact:	**DISCUSSION OF IMPACT:** The visual impact of the development has been assessed by the HIA (refer to Appendix H (v)) which notes that the Tented Camp is located on the steep upper slopes well above the 320 m contour line which is at variance with the heritage indicators and approvals for the Founders Estates. However, consideration is given to the fact that the development can be considered as "nature-orientated tourism" and considered acceptable in this location due its tread lightly and temporary nature of development, and how it relates to the wilderness landscape qualities of the Simonsberg Nature Reserve In addition, following the results of the viewshed analysis of the site which found that a zone of high visibility is confined to 500 m of the tented camp (which means that the tents are not visible from most of the Founders' Estates and other heritage sites) and since the tents are indiscernible beyond 3 km especially with their muted colours the overall visual impact is described as '**Low' negative.** A number of visual considerations however need to be addressed
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

	at the broader landscape and site scales including the treatment of roads and parking, the rehabilitation of the exposed embankment and platform created for the larger tent structures, signage and lighting. **PROPOSED MITIGATION:** • **Roads and parking:** o Further roads, tracks or cleared areas should be avoided, if possible, to minimise visual scars in the landscape. o Where sections of access roads / tracks are no longer required, these should be revegetated, or narrowed down to single-track paths. o Excavations for parking or turn-arounds should be avoided, especially where the underlying saprolite will be exposed. o Even small parking areas tend to be visually intrusive, and therefore cars should instead be parked in groups of not more than 2 or 3 alongside the access roads in unobtrusive positions as identified on the site plan. o Imported material or paving for roads and parking should be avoided, except for stone chips and mulch. • **Camp facilities:** o Further clearing or excavations that expose the saprolite should be avoided. o Existing exposed embankments could be revegetated if a low dry-packed o stone wall or gabion is constructed at the foot of the embankment and backfilled with any available colluvial soil from the site. o The clayey ground surface around the mess and kitchen, which becomes sticky in winter and hard in summer, could be covered with a geofabric and stone chips to create a more trafficable and visually pleasing surface. • **Signage and lighting:** o Signage should be kept to a minimum, be no higher than 1,2 m and have dark backgrounds as per existing signage. o No advertising signage, flags or banners should be permitted to avoid visual intrusion on the surroundings. o Outdoor lighting should be kept to a minimum and consist of low-level bulkhead or bollard type lighting with reflectors that cast the light downwards, and where the light source is not visible. o The existing lights fixed to the outside of the tents should be fitted with o reflectors, or replaced with bulkhead lights as described above. • **Landscaping:** o No gardenesque planting layouts or exotic plant material should be permitted. o All invasive exotic vegetation, such as pine seedlings, Port Jackson and bugweed, should be cleared from the farm portion relating to the camp on an ongoing basis. This will also help to reduce fuel load in terms of fire hazard. o The mature Monterey pines, which are spreading seedlings on the mountain slopes, should ideally be removed on a phased basis over the next 5 years, as the indigenous vegetation takes over. o Suitable fast-growing indigenous trees should be planted adjacent to the more visually exposed tents (a tree species list with input from a botanical specialist has been prepared and included in the EMPr).

Impacts on cultural-historical aspects: **AS ASSESSED BY** Winter et al., 2021	
Nature of impact:	**DISCUSSION OF IMPACT:** The Tented Camp is located outside of the 0.8-hectare developable area and comprises a site development area of approximately 6 hectares, i.e. 23% of the landholding. This together with the positioning of the tented camp directly above the FE 5 homestead will have cumulative impact on the principle of Founders' Estates, i.e. one homestead per farm unit. A key
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	

Cumulative impact prior to mitigation: Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High) Degree to which the impact can be mitigated: Proposed mitigation: Cumulative impact post mitigation: Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	mitigation is to withhold the right to develop a homestead on the Excluded Area of FE 5 until the Temporary Departure as lapsed and the tented camp has been removed. The design of the tented structures has not been well-considered in terms of the siting of some of the structures, tent architecture, technology, materials, execution and landscaping. This negatively impacts the landscape qualities of the site. This impact is however mitigated by the temporary nature of the facility. The tented camp has also not resulted in the removal of any landscape features of heritage value. Winter et al. (2021) concludes that the unauthorised work has not caused irreversible damage to heritage significance predominantly due to the tread – lightly, low visual impact and temporary nature of the camp. However, the unauthorised work does have heritage implications which need to be addressed in terms of remedial action/mitigation measures. **PROPOSED MITIGATION:** • The lifespan of the Tented Camp be temporary as specified by the • Temporary Departure application (5 years) in terms of section 15 (2) (c) of the SM LUPBL. • No expansion of the tented camp may be undertaken without a permit from SAHRA in terms of Section 27 (18) of the NHRA. • A homestead on the Excluded Area of FE 5 not be constructed until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed. • A number of visual mitigation measures be implemented (as set out below): • **Roads and parking:** o Further roads, tracks or cleared areas should be avoided, if possible, to minimise visual scars in the landscape. o Where sections of access roads / tracks are no longer required, these should be revegetated, or narrowed down to single-track paths. o Excavations for parking or turn-arounds should be avoided, especially o where the underlying saprolite will be exposed. o Even small parking areas tend to be visually intrusive, and therefore cars o should instead be parked in groups of not more than 2 or 3 alongside the access roads in unobtrusive positions as identified on the site plan. o Imported material or paving for roads and parking should be avoided, except for stone chips and mulch. • **Camp facilities:** o Further clearing or excavations that expose the saprolite should be avoided. o Existing exposed embankments could be revegetated if a low dry-packed o stone wall or gabion is constructed at the foot of the embankment and backfilled with any available colluvial soil from the site. o The clayey ground surface around the mess and kitchen, which becomes sticky in winter and hard in summer, could be covered with a geofabric and stone chips to create a more trafficable and visually pleasing surface. • **Signage and lighting:** o Signage should be kept to a minimum, be no higher than 1,2 m and have dark backgrounds as per existing signage. o No advertising signage, flags or banners should be permitted to avoid visual intrusion on the surroundings. o Outdoor lighting should be kept to a minimum and consist of low-level bulkhead or bollard type lighting with reflectors that cast the light downwards, and where the light source is not visible. o The existing lights fixed to the outside of the tents should

	be fitted with o reflectors, or replaced with bulkhead lights as described above. • **Landscaping:** o No gardenesque planting layouts or exotic plant material should be permitted. o All invasive exotic vegetation, such as pine seedlings, Port Jackson and bugweed, should be cleared from the farm portion relating to the camp on an ongoing basis. This will also help to reduce fuel load in terms of fire hazard. o The mature Monterey pines, which are spreading seedlings on the mountain slopes, should ideally be removed on a phased basis over the next 5 years, as the indigenous vegetation takes over. o Suitable fast-growing indigenous trees should be planted adjacent to the more visually exposed tents (a tree species list with input from a botanical specialist has been prepared and included in the EMPr).

(b) **Impacts that result from the operational phase (briefly describe and compare impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the operational phase.**

OPERATIONAL PHASE IMPACTS

Impacts on biological aspects: FRESHWATER ECOSYSTEM IMPACTS (as assessed by Snaddon, 2021)		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 1:** Stormwater discharge into natural areas – water quality impacts.	
Extent and duration of impact:	Site and downstream (Medium) and Long-term	Site and downstream (Medium) and Long-term
Probability of occurrence:	Probable	Highly improbable
Degree to which the impact can be reversed:	Partly reversible	Partly reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	Marginal loss
Cumulative impact prior to mitigation:	Medium (-)	No impact
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**	**No impact**
Degree to which the impact can be mitigated:	High	Not applicable
Proposed mitigation:	• New hardened surfaces (impermeable) must be limited to the developable area outside the stream's riparian area (i.e. outside the ecological buffer). • Pathways through the stream's riparian area must be permeable. • No fertilizer may be used on the site. Soaps and cleaning agents must be environmentally friendly brands. • Runoff from hardened surfaces must be allowed to filter into the soil.	Not applicable
Cumulative impact post mitigation:	Low (-)	No impact
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	**No impact**
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 2:** Stormwater discharge into natural areas – water quantity impacts.	
Extent and duration of impact:	Site and downstream (Medium) and Long-term	Site and downstream (Medium) and Long-term
Probability of occurrence:	Probable	Highly improbable
Degree to which the impact can be reversed:	Partly reversible	Partly reversible

Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss	Marginal loss
Cumulative impact prior to mitigation:	Medium (-)	No impact
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**	**No impact**
Degree to which the impact can be mitigated:	High	Not applicable
Proposed mitigation:	• Effort should be made to minimise the hardening of surfaces across the whole site. Natural areas, gardens and road verges are areas where water can filter into the ground. • New hardened surfaces (impermeable) must be limited to the developable area outside the ecological buffers. • Stormwater should not be conveyed directly (e.g., by pipe or drain) into the stream but must flow along unlined swales, permeable areas, and bioswales. • Parking areas should preferably be constructed using permeable materials to allow for infiltration of water.	Not applicable
Cumulative impact post mitigation:	**Low (-)**	**No impact**
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	**No impact**
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 3:** On-site treatment and/or storage of wastewater – impacts on water quality.	
Extent and duration of impact:	Site and downstream (Medium) and Long-term	**Not applicable** (no impact as there would be no storage of wastewater on site)
Probability of occurrence:	Probable	
Degree to which the impact can be reversed:	Partly reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Significant loss	
Cumulative impact prior to mitigation:	Medium (-)	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	• Wastewater conveyance, storage or treatment infrastructure must be placed outside of the delineated ecological buffers. • All sewage storage facilities must be regularly checked for leaks and overflow. Nitrate levels must be monitored regularly (every 2- 3 months) and the recycle stages adapted to ensure that levels are within General Limits. • The area immediately around the treatment Units should be protected with a berm, which would catch surface water flowing out of any of the components. • Treated wastewater should be directed to a soakaway downslope of each Unit, and not discharged to the stream, or used for irrigation	

	on the site.	
Cumulative impact post mitigation:	**Low (-)**	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 4:** Proximity of tents and human activity to the stream.	Proximity of bike paths to the stream.
Extent and duration of impact:	Site (Low) and Long-term	Site (Low) and Long-term
Probability of occurrence:	Probable	Probable
Degree to which the impact can be reversed:	Fully reversible	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	Significant loss	Significant loss
Cumulative impact prior to mitigation:	Medium (-)	Low (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**	**Low (-)**
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	• Lighting should face away from the stream. • Visitors should be discouraged from walking on the bed and banks of the stream, and into the wetter areas, through construction of walkways and benches, guiding visitors to use specific pathways and areas. • Bicycle paths through the riparian area around the stream must be limited, and no new paths constructed. • All pathways must be regularly checked for signs of erosion, and stabilised or re-routed should this occur.	• Bicycle paths through the riparian area around the stream must be limited, and no new paths constructed. • All pathways must be regularly checked for signs of erosion, and stabilised or re-routed should this occur.
Cumulative impact post mitigation:	Low (-)	No impact
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	**No impact**
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**IMPACT 5:** Clearing of vegetation and disturbance of soils for maintenance/landscaping/gardening and disturbance of soils for landscaping/gardening	
Extent and duration of impact:	Site and downstream (Medium) and Long-term	**Not applicable** (as no impact if no development)
Probability of occurrence:	Probable	
Degree to which the impact can be reversed:	Fully reversible	
Degree to which the impact may cause irreplaceable loss of resources:	Significant loss	
Cumulative impact prior to mitigation:	**Medium (-)**	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (-)	
Degree to which the impact can be mitigated:	High	
Proposed mitigation:	• Clearing of indigenous vegetation should not be permitted. • Eco-logs should be placed in areas that are bare of vegetation or that are being rehabilitated, in order to trap sediment, water and seeds. • Landscaping requiring ongoing	

	maintenance around the tents must be kept to a minimum, especially within the ecological buffers. • No kikuyu grass is allowed anywhere on site. • The spread of alien plant species into all natural areas must be prevented and monitored. • Road verges must be monitored for alien species, especially grasses.	
Cumulative impact post mitigation:	Low (-)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	

Impacts on socio-economic aspects:		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	Creation of temporary employment opportunities as a result of operation of the facility for five years. Note that additional indirect stimulus as a result of attracting more tourists to the area would also result.	
Extent and duration of impact:	Medium (beyond site boundary) and Medium-term	**Not applicable** as no impact would be realised (positive impact would be foregone)
Probability of occurrence:	Definite	
Degree to which the impact can be reversed:	Positive impact so not applicable	
Degree to which the impact may cause irreplaceable loss of resources:	Positive impact so not applicable	
Cumulative impact prior to mitigation:	**Low (+)**	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (+)**	
Degree to which the impact can be mitigated:	Not applicable as impact is positive	
Proposed mitigation:	Not applicable	
Cumulative impact post mitigation:	Low (+)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (+)**	

Other impacts:

No **noise or dust impacts** are anticipated for the operational phase as the proposed use is for tourism (which is largely seasonal) and accommodation, which is not a typically noisy or dusty use. The camp is also relatively secluded and situated away from nuisance receptors.

Visual/Sense of Place and Cultural Impacts have been contemplated in the Planning & Design phase (see impact tables above)

(c) Impacts that may result from the <u>decommissioning and closure phase</u> (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the decommissioning and closure phase.

<u>DECOMMISSIONING PHASE IMPACTS</u>

Impacts associated with the eventual decommissioning of the Tented Camp are presented and assessed in the tables below.

Note that there are no demolition impacts associated with the No-Go Alternative.

Impact on biological aspects: **FRESHWATER IMPACTS (as assessed by Snaddon, 2021)**	
Nature of impact:	**IMPACT 1:** Storage of demolition materials (sand, soil, bricks etc) in or close to sensitive areas – this would damage the soil structure and would

	destroy or shade out plants growing in and around these ecosystems. Dump areas frequently lead to the compaction of soils, which can influence re-growth of plants.
Extent and duration of impact:	Site (Low) and Short-term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Low (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• Store materials at least 50 m away from any sensitive areas in bunded areas. Protect piles (must be less than 1.5 m high) of soil and other fine material, such as using shade-cloth. • Rehabilitate sensitive areas that are impacted by this activity.
Cumulative impact post mitigation:	No impact
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact**
Nature of impact:	**IMPACT 2:** Leakage or spillage of fuels, oils, etc. from demolition machinery – this would lead to pollution of the stream.
Extent and duration of impact:	Downstream (medium) and Short-term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Low (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• Store materials at least 50 m away from any sensitive areas in bunded areas. • Protect piles (must be less than 1.5 m high) of soil and other fine material, such as using shade-cloth. • Rehabilitate sensitive areas that are impacted by this activity.
Cumulative impact post mitigation:	No impact
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact**
Nature of impact:	**IMPACT 3:** Leakage or spillage of fuels, oils, etc. from demolition machinery – this would lead to pollution of the stream.
Extent and duration of impact:	Downstream (medium) and Short-term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Partly reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• No mixing of concrete may occur close to (less than 50 m from the riparian area) the stream. • Machinery prone to oil or fuel leakage must be located at least 50 m away from the edge of the riparian area, and the area adequately bunded in order to contain leakages. • Water pumps and cement mixers shall have drip trays to contain oil and fuel leaks – these must be cleaned regularly. • Suitable toilet and wash facilities must be provided to avoid the use of sensitive areas for these activities. These service areas must be maintained, and toilets emptied on at least a weekly basis.
Cumulative impact post mitigation:	Low (-)

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Nature of impact:	**IMPACT 4:** Foot and vehicular traffic across the site, leading to destruction or deterioration of freshwater habitat.
Extent and duration of impact:	Site (low) and Short-term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Low (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• Pathways and access roads for construction or demolition must avoid the stream and its riparian area. • The edge of the riparian area must be clearly demarcated and fenced off (using temporary fencing and danger tape) before any work or site preparation begins. These are no-go areas during the construction/demolition phase. • All impacted natural areas must be ripped and re-planted after the activity, to the satisfaction of the ECO.
Cumulative impact post mitigation:	No impact
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact**
Nature of impact:	**IMPACT 5:** Presence of teams and their machinery on site – this may lead to noise and light pollution in the area, which will disturb aquatic and terrestrial fauna and flora
Extent and duration of impact:	Site (Low) and Short-term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Partly reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	• If lights are used, these must be directed away from all sensitive areas. • The boundary of the riparian area must be clearly demarcated and fenced off (using temporary fencing and danger tape) before any work or site preparation begins. These are no-go areas during the construction/demolition phase.
Cumulative impact post mitigation:	Low (-)
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Nature of impact:	**IMPACT 6:** Topsoil or sand brought onto the site, for filling and landscaping can lead to the introduction of alien or invasive seedbanks.
Extent and duration of impact:	Whole Estate and downstream (Medium) and Medium-Term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• Topsoil and sand brought onto the site should be inspected for seedlings throughout construction. Seedlings must be removed regularly. • Constant monitoring of the construction/demolition site by the Site Engineer and ECO must occur, and all alien

	plant species removed from or destroyed on the site
Cumulative impact post mitigation:	Low (-)
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)** (possibly even low positive, if IAPs are consistently removed from the site)
Nature of impact:	**IMPACT 7:** Disturbance of soils and vegetation as a result of removal of tents and infrastructure
Extent and duration of impact:	Site (Low) and Short- to medium-term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Medium to High
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Medium (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• All impacted areas on the Tented Camp site and areas impacted by the associated infrastructure must be rehabilitated once the Camp has been removed. • A rehabilitation plan must be compiled with input from a terrestrial and freshwater ecologist.
Cumulative impact post mitigation:	No impact
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**No impact, to Low (+) significance (depending on the success of rehabilitation)**

Potential impact on biological aspects: **Ecological Impacts** (as assessed by Jackson & Martin, 2021)	
Nature of impact:	**Loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos:** The decommissioning of the tented camp and removal of tent platforms and infrastructure will require laydown areas and will disrupt vegetation that has re-established around the areas that were disturbed during the construction phase. Given the nature of the tents and the platforms, it is anticipated that the removal of these can be done with limited impact to the surrounding vegetation.
Extent and duration of impact:	Low and Low
Probability of occurrence:	High
Degree to which the impact can be reversed:	Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	There are no known similar developments within the immediate area and as such the cumulative impact is not applicable in this instance.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• Remove the tents and platforms using the access path created to access each tent. • The foundations must be left intact to reduce disturbance. • Rehabilitate each tent site that occurs within previously indigenous vegetation. back to Boland Granite Fynbos using locally indigenous species representative of the site.
Cumulative impact post mitigation:	Not applicable
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Nature of impact:	**Infestation of Alien Plant Species:** There are seven alien invasive species present within the site. These are common in areas that have been recently disturbed such as along the access roads, paths and around the tent platforms. There is also evidence of alien invasive species tree species such as Acacia longifolia and Pinus pinaster within the patch. Disturbance associated with the decommissioning of the site can lead to further infestation of existing alien invasive species.
Extent and duration of impact:	Low and Low
Probability of occurrence:	High
Degree to which the impact can be reversed:	Reversible
Degree to which the impact may cause irreplaceable loss of resources:	High

Cumulative impact prior to mitigation:	Medium (-)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Moderate (-)**
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• An alien invasive management plan must be included in the EMPr and must be implemented for the duration of the project and up to at least five years after decommissioning phase or up until a botanist signs off that the site has been adequately rehabilitated and infestation of alien species is no longer a threat.
Cumulative impact post mitigation:	Medium (-)
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Nature of impact:	**Disturbance to terrestrial faunal species due to construction and operation of the tented camp:** Habitat clearing for the decommissioning of the tent platforms and access paths would have created a disturbance to faunal species using the site for foraging, shelter and breeding.
Extent and duration of impact:	Low and Low
Probability of occurrence:	High
Degree to which the impact can be reversed:	Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	There are no known similar developments within the immediate area and as such the cumulative impact is not applicable in this instance.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	• Areas that were previously natural habitat prior to construction must be rehabilitated back to their original state.
Cumulative impact post mitigation:	Not applicable
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**

Impacts on socio-economic aspects:		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	Creation of temporary employment for labourers during decommissioning of the facility.	**Not applicable** as no impact would be realised (positive impact would be foregone)
Extent and duration of impact:	Medium (beyond site boundary) and Short-term	
Probability of occurrence:	High (Definite)	
Degree to which the impact can be reversed:	Positive impact so not applicable	
Degree to which the impact may cause irreplaceable loss of resources:	Positive impact so not applicable	
Cumulative impact prior to mitigation:	**Low (+)**	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (+)**	
Degree to which the impact can be mitigated:	Not applicable as positive impact.	
Proposed mitigation:	Not applicable	
Cumulative impact post mitigation:	Low (+)	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (+)**	

Nuisance Impacts: Dust & Noise Generation		
Alternative:	**Development Alternative**	**No-Go Alternative**
Nature of impact:	**Dust & noise generation:** Decommissioning activities will result in the generation of dust and noise which may be a nuisance to surrounding land users whilst decommissioning is underway.	

Extent and duration of impact:	Low (Site and adjacent to site) and Short-term	**Not applicable** as there would be no impact
Probability of occurrence:	Definite	
Degree to which the impact can be reversed:	Irreversible	
Degree to which the impact may cause irreplaceable loss of resources:	None	
Cumulative impact prior to mitigation:	None – as no other development activities in the vicinity	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	**Low (-)**	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	• Implementation of the specifications contained in the EMPr (Appendix I) which pertain to the management of the noise and dust elements of the construction site.	
Cumulative impact post mitigation:	None	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	**Very Low (-)** It is noted that the Tented Camp is relatively secluded and far from occupied residences on the farm. Workers also move around the farm so would not be permanently stationed adjacent to or on the site.	

Please note: If any of the above information is not available, specialist input may be requested.

OTHER IMPACTS

There are no adverse **agricultural impacts** associated with the development for any of the phases (Lanz, 2021) as the site does not possess ideal soils for planting of crops. No mitigation is required in this regard. Refer to Appendix H (iv) for the Agricultural Compliance Statement.

7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

Please note: Specialist inputs/studies that will be undertaken as part of this application. These specialist inputs/studies must take into account the Department's relevant Guidelines on the Involvement of Specialists in EIA Processes available on the Department's website (**http://www.capegateway.gov.za/eadp**). A summary of all the specialist inputs/studies must be provided with the additional information.

The "Protocols for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes ("the Protocols") have been promulgated and came into effect in 2020. The Protocols are allowed for in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA").

The Protocols must be complied with for every new application for Environmental Authorisation that is submitted after 9 May 2020. According to the Protocols, the EAP must verify the current use of the site in question and its environmental sensitivity as identified by the screening tool to determine the need for specialist inputs in relation to the themes included in the Protocols. A Screening Tool Report (STR) was generated for the site (refer to Appendix O) and a Site Sensitivity Verification Report completed following a site visit (refer to Appendix P).

The sensitivities of the site, the specialist studies called for by the STR and how this has been addressed in response to the applicable protocols are indicated in Table 8 below:

Table 8: Environmental Themes and Specialist Assessments flagged by the DFFE Screening Tool and associated specialist protocols

SENSITIVITY AND SPECIALIST INPUT IDENTIFIED IN TERMS OF THE DFFE SCREENING TOOL	VERIFICATION OF SITE-SPECIFIC SENSITIVITY AND MOTIVATION ON THE NEED FOR SPECIALIST INVESTIGATION
Agricultural Theme: **High** sensitivity Necessitating an agricultural impact assessment (in accordance with the protocol prescribed in GNR 320). Actual Sensitivity: **Medium**	The STR assigns a 'High' sensitivity for the agricultural theme. Given this rating, a site sensitivity verification was undertaken by soil scientist, Johann Lanz, who verified the entire site as being of 'Medium' sensitivity instead and confirmed the required level of agricultural assessment as an Agricultural Compliance Statement. An Agricultural Compliance Statement in compliance with the protocols prescribed by GNR 320 has been undertaken (refer to Appendix H (iv)) and the findings included in this EIR.
Animal Species Theme: **Medium** sensitivity Necessitating an animal species assessment (in accordance with Animal Species Assessment Protocols prescribed in GNR 43855) Actual Sensitivity: **Low**	The STR indicates the site as having 'Medium' sensitivity for the animal species theme given the potential presence of two invertebrate species, namely *Kedestes lenis lenis* (False Bay Unique Ranger butterfly) and Sensitive species 7 (SSp7) (a butterfly of which the identity is not revealed). As such, a thorough desktop study was commissioned to ascertain whether there is any chance of the species occurring on site and hence whether a detailed survey of the entire project area for these species would be appropriate to determine specific impacts. Hawkes (2021) confirmed that the probability that either *Kedestes lenis lenis* or SSp7 will be present on site is negligible and no impact on these species is expected. As such, an Animal Species Compliance Statement for the two species was completed and included in this EIR (refer to Appendix H (iii) for the full report). In addition, the Ecological Assessment commissioned for the project looked at faunal diversity at the site and the potential impacts on fauna (refer to Appendix H (ii)).
Aquatic Biodiversity Theme: **Very High** sensitivity Necessitating an aquatic biodiversity impact assessment (in accordance with the protocol prescribed in GNR 320, Aquatic Biodiversity Assessment Protocols). Actual Sensitivity: **Very High**	Given this rating and the presence of a watercourse and in-stream dam at the site, a Freshwater Impact Assessment was undertaken by Snaddon (2021), and the findings included in this EIR (refer to Appendix H (i) for the full report)
Archaeological and Cultural Heritage Theme: **Very High** sensitivity Necessitating archaeological & cultural impact assessments (General Assessment Protocols) Actual Sensitivity: **Vey High**	The STR indicate Vey High sensitivity in this regard, which is in line with the Founders Estates' state of protection as a National Heritage Site. A full Heritage Impact Assessment has been undertaken (Winter et al., 2021) which contemplated this theme and related impacts in detail (refer to Appendix H (v) for the full HIA).
Civil Aviation Theme **Medium** sensitivity The need for a civil aviation assessment (in accordance with the protocol prescribed in GNR 320) Actual Sensitivity: **Low - Negligible**	The STR notes that the site is located within 8 and 15 km of a civil aviation aerodrome and within 15 - 35 km from a major civil aviation aerodrome/radar. This is presumably as a result of the Cape Town Flight School in Durbanville being located approx. 31 km away. The Tented Camp would, however, not affect any civil aviation activity given that the structures are not high and do not comprise any telecommunications structures that may have potential to interfere with navigation/communication. There are also no runway facilities or any other activity that could affect an aviation aerodrome or radar or its operations. This rating is therefore disputed to, in fact, be Low- Negligible. As such, no specialist investigations are deemed necessary.
Defence Theme **Low** sensitivity Actual Sensitivity: **Low**	Defence is rated as 'Low' sensitivity by the STR as such no specialist investigations into this theme and associated impacts are deemed necessary.
Palaeontology Theme: **Low** sensitivity Necessitating a palaeontological assessment (General Assessment Protocols) Actual Sensitivity: **Low**	Palaeontology is rated as 'Low' sensitivity by the STR as such no specialist investigations into this theme and associated impacts are deemed necessary. Despite this, the HIA undertaken has contemplated cultural and heritage aspects in detail.

Plant Species Theme: **Medium** sensitivity Necessitating a plant species assessment (General Assessment Protocols). Actual Sensitivity: **Medium**	Given the 'Medium' rating for the plant species theme (along with a Very High rating for Terrestrial Biodiversity) an Ecological Impact Assessment was undertaken for the site. The Report notes the various plant species (indigenous and alien) located within the proposed development footprint. The Ecological Impact Assessment has been included in this EIR and appended to the report (refer to Appendix H (ii))
Terrestrial Biodiversity Theme: **Very High** sensitivity Necessitating a terrestrial biodiversity impact assessment and a plant species assessment (Terrestrial Biodiversity Assessment Protocols) Actual Sensitivity: **Very High**	Given the 'Very High' rating for this theme Ecological Impact Assessment was undertaken for the site. The study reports on both terrestrial plants and animal species and associated ecological impacts brought upon by the development. The Ecological Impact Assessment has been included in this EIR and appended to the report (refer to Appendix H (ii))
Additional specialist studies called for by the Screening Report	
Landscape/Visual Impact Assessment (General Assessment Protocols)	A detailed HIA has been undertaken which includes a detailed assessment of impacts on the cultural landscape including visual considerations.
Socio-Economic Assessment (General Assessment Protocols)	The socio-economic aspects of the site and proposal have been considered and addressed in the EIR through inclusion of the following: • Socio-economic profile of the affected community and • Detailing the financial contribution of the project to the economy as well as to previously disadvantaged individuals. Given the small-scale, seasonal and temporary nature of the development, a full Socio-Economic Impact Assessment is not deemed necessary.
Avian Impact Assessment	Avian species occurring near the site have been noted and potential impacts considered in the Ecological Impact Report. The specialist found that larger bird species (vultures, eagles) and waterbirds would not have been negatively influenced by the habitat removed for the Tented Camp and that the disturbance to faunal species using the site for foraging, shelter and breeding would have resulted in a Low (-) impact. Given this a more detailed Avian Impact Assessment is not deemed necessary.

In summary, the following specialist studies were undertaken in support of this application:

- Freshwater Impact Assessment (by Kate Snaddon of the Freshwater Consulting Group)
- Ecological Impact Assessment (by Tarryn Martin and Amber Jackson of Biodiversity Africa)
- Animal Species Compliance Statement (by Peter Hawkes of AfriBugs)
- Agricultural Compliance Statement (by Johann Lanz)
- Heritage Impact Assessment (by Sarah Winter in collaboration with Mike Scurr (Rennie Scurr Adendorff Architects) and Bernard Oberholzer (BOLA))

Specialist inputs/studies and recommendations:

Freshwater Impact Assessment

A Freshwater Impact Assessment was undertaken by Kate Snaddon of the Freshwater Consulting Group. The study is included in Appendix H (i) and is referred to as Snaddon (2021) throughout this EIR.

Key Findings

The Tented Camp site is located adjacent to a seasonal stream ("Stream 1") (as delineated by Snaddon, 2019). Stream 1 flows into the Werda River and then, ultimately, the Berg River, in quaternary catchment G10C. The sub-quaternary sub-catchment in which the Tented Camp site lies is not a freshwater priority area, while the riparian area around Stream 1 has been identified as an Ecological Support Area (ESA). Stream 1 itself was assessed as being in pristine condition above the farm dam adjacent to the site, deteriorating to moderate condition below the dam. In terms of ecological importance and sensitivity, the quality of the habitat is such that the stream will support populations of unique species that are sensitive to changes in water quantity and quality. The stream is an important refuge for species, and provides essential ecological corridors in a highly transformed, cultivated landscape (Snaddon, 2021).

Impacts relating to the construction and eventual removal (decommissioning) of the Tented Camp infrastructure were all assessed as being of Low (-) significance, if all recommended mitigation measures are implemented. It was noted by Snaddon (2021) on a site visit on 23 September 2021 that there are few residual impacts post-construction. It is however important that the mitigation measures recommended for the demolition / removal phase are implemented, in order to maintain this low level of negative impact on the site (Snaddon, 2021).

Of importance is that the removal of the camp must be guided by a Rehabilitation Plan for the site, compiled with input from a terrestrial and freshwater ecologist. All impacted areas on the site, and areas impacted by infrastructure, must be rehabilitated – at the very least, ripped and re-vegetated – in order to ensure that the site is not invaded by pioneer IAPs,

with possible erosion of bare areas (Snaddon, 2021).

With respect to the operational phase, the impacts of concern are the discharge of treated waste from the BioDisc Treatment Units, and the possible introduction of invasive alien plants (IAPs) into disturbed areas of the site through landscaping, gardening or clearing of vegetation during maintenance activities (Snaddon, 2021). The effluent discharged from the BioDisc Treatment Units are expected to be of acceptable quality (i.e. within General Limits), with the exception of nitrate levels. Nitrate levels must be regularly monitored (every 2 – 3 months) and the recycling stages adapted to ensure that the nitrate levels are within acceptable limits. In order to avoid any negative impacts on Stream 1, it is recommended that soakaways be installed downslope of each Unit, to encourage local filtration of treated effluent into the soil rather than allowing it to flow into the stream (Snaddon, 2021). Furthermore, bare areas around the site should be stabilised with eco-logs, and re-vegetated with appropriate plant species and no new cycle paths should be located in the riparian area of Stream 1. Assuming that all mitigation measures are implemented, all operational phase impacts are, at most, of Low (-) significance.

Snaddon (2021) concludes that the development is acceptable from a freshwater ecological perspective.

Recommended Mitigation Measures

The following mitigation measures have been recommended for the **construction/decommissioning** phase:

- Ensure that all building and demolition materials and rubble are stored at least 50 m away from the edge of the riparian area of Stream 1, as demarcated prior to the activity. Storage areas should be bunded adequately to prevent contaminated runoff from entering the watercourse.
- Materials should be stored in piles that do not exceed 1.5 m in height and should be protected from the wind (such as using shade-cloth), to prevent spread of fine materials across the site.
- All natural areas that are to remain untransformed but that are impacted by the dumping of materials must be ripped and re-planted after construction is complete, to the satisfaction of the Environmental Control Officer (ECO).
- No mixing of concrete may occur close to (less than 50m from the riparian area) the stream.
- Machinery prone to oil or fuel leakage must be located at least 50 m away from the edge of the riparian area, and the area adequately bunded in order to contain leakages.
- Water pumps and cement mixers shall have drip trays to contain oil and fuel leaks – these must be cleaned regularly.
- Suitable toilet and wash facilities must be provided to avoid the use of sensitive areas for these activities. These service areas must be maintained, and toilets emptied on at least a weekly basis.
- Pathways and access roads for construction or demolition must avoid the stream and its riparian area.
- The edge of the riparian area must be clearly demarcated and fenced off (using temporary fencing and danger tape) before any work or site preparation begins. These are no-go areas during the construction/demolition phase.
- All impacted natural areas must be ripped and re-planted after the activity, to the satisfaction of the ECO.
- If lights are used, these must be directed away from all sensitive areas.
- The boundary of the riparian area must be clearly demarcated and fenced off (using temporary fencing and danger tape) before any work or site preparation begins. These are no-go areas during the construction/demolition phase.
- Topsoil and sand brought onto the site should be inspected for seedlings throughout construction. Seedlings must be removed regularly.
- Constant monitoring of the construction/demolition site by the Site Engineer and ECO must occur, and all alien plant species removed from or destroyed on the site.
- All impacted areas on the Tented Camp site and areas impacted by the associated infrastructure must be rehabilitated once the Camp has been removed.
- A rehabilitation plan must be compiled with input from a terrestrial and freshwater ecologist.
- **The recommended buffer for Stream 1 (above the dam) is 42 m for the Construction Phase reducing to 36m below the dam** (refer to Figure 27).

The following mitigation measures have been recommended for the **operational** phase:

- New hardened surfaces (impermeable) must be limited to the developable area outside the stream's riparian area (i.e. outside the ecological buffer).
- Pathways through the stream's riparian area must be permeable.
- No fertilizer may be used on the site.
- Soaps and cleaning agents must be environmentally friendly brands.
- All hardened areas within the site should be associated (where possible) with vegetated filter strips (broad, sloped vegetated areas that accept shallow runoff from hardened surfaces), bioswales (landscaped areas that are designed to remove silt and a number of pollutants from runoff, through ensuring that water flows slowly along these gently sloping (<6% slope) features, often planted with grass or other plant species, mulch or riprap), and / or bio-retention systems (vegetated areas where runoff is filtered through a filter media layer, e.g. sand, as it percolates downwards), all of which are designed to reduce the quantity of runoff leaving a hardened surface and entering the stormwater system.
- Effort should be made to minimise the hardening of surfaces across the whole site. Natural areas, gardens and road verges are areas where water can filter into the ground.
- New hardened surfaces (impermeable) must be limited to the developable area outside the ecological buffers.
- Stormwater should not be conveyed directly (e.g. by pipe or drain) into the stream but must flow along unlined swales, permeable areas, and bioswales.
- Parking areas should preferably be constructed using permeable materials to allow for infiltration of water.
- As a principle, hardened areas should be associated (where possible) with vegetated filter strips (broad, sloped vegetated areas that accept shallow runoff from hardened surfaces), bioswales (landscaped areas that are designed to remove silt and a number of pollutants from runoff, through ensuring that water flows slowly along these gently sloping (<6% slope) features, often planted with grass or other plant species, mulch or riprap), and / or bio-retention systems (vegetated areas where runoff is filtered through a filter media layer, e.g. sand, as it

percolates downwards), all of which are designed to reduce the quantity of runoff leaving a hardened surface and entering the stormwater system.
- Wastewater conveyance, storage or treatment infrastructure must be placed outside of the delineated ecological buffers.
- All sewage storage facilities must be regularly checked for leaks and overflow.
- Nitrate levels must be monitored regularly (every 2- 3 months) and the recycle stages adapted to ensure that levels are within General Limits.
- The area immediately around the treatment Units should be protected with a berm, which would catch surface water flowing out of any of the components.
- Treated wastewater should be directed to a soakaway downslope of each Unit, and not discharged to the stream, or used for irrigation on the site.
- Lighting should face away from the stream.
- Visitors should be discouraged from walking on the bed and banks of the stream, and into the wetter areas, through construction of walkways and benches, guiding visitors to use specific pathways and areas.
- Bicycle paths through the riparian area around the stream must be limited, and no new paths constructed.
- All pathways must be regularly checked for signs of erosion, and stabilised or re-routed should this occur.
- No additional clearing of indigenous vegetation (i.e. post construction) should be permitted.
- Eco-logs should be placed in areas that are bare of vegetation or that are being rehabilitated, in order to trap sediment, water and seeds.
- Landscaping requiring ongoing maintenance around the tents must be kept to a minimum, especially within the ecological buffers.
- No kikuyu grass is allowed anywhere on site.
- The spread of alien plant species into all natural areas must be prevented and monitored.
- Road verges must be monitored for alien species, especially grasses.
- **The recommended buffer for Stream 1 (above the dam) is 42m for the Operational Phase reducing to 33 m below the dam** (refer to Figure 27).

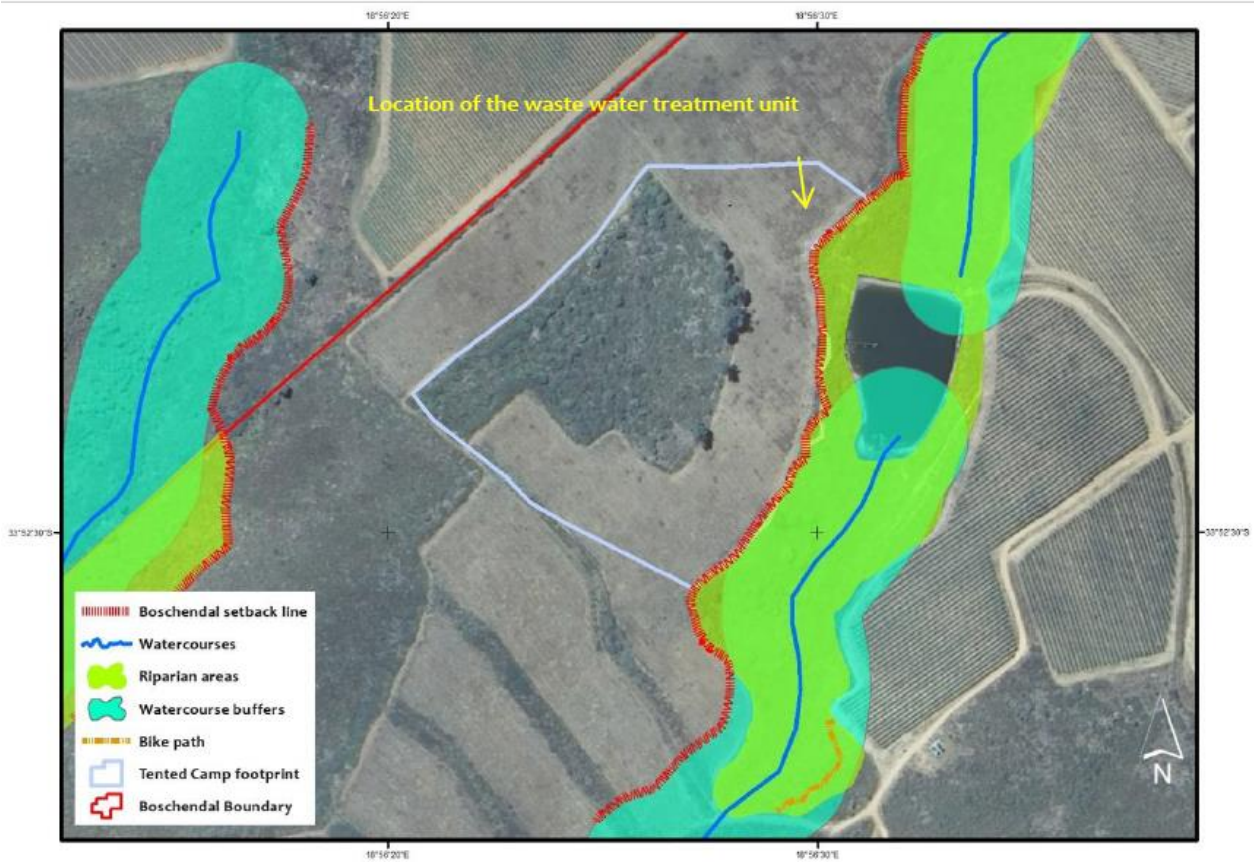

Figure 27: Ecologically based setback lines for the decommissioning and operational phase, as determined by Snaddon, 2021 (red dashed lines)

All recommended measures have been included in the EMPr for strict implementation.

Ecological Impact Assessment

An Ecological Impact Assessment for the project was undertaken by Tarryn Martin and Amber Jackson of Biodiversity Africa. The study is included in Appendix H (ii) and is referred to as Jackson & Martin (2021) throughout this EIR.

Key Findings

The patch of impacted Boland Granite Fynbos (listed as Vulnerable in terms of section 52 of the NEMBA but classified as Endangered in terms of the Red List of Terrestrial Ecosystems of South Africa Assessment (2021) that the tented camp occurs within is 1.6ha or 0.54% of the total extent of remaining natural habitat in the province (Jackson & Martin, 2021). The area impacted by the infrastructure associated with the tented camp (tent platforms, access roads, paths) is approximately 0.24ha or 0.08% of the total remaining extent (Jackson & Martin, 2021).

The impacted Boland Granite Fynbos vegetation patch is not pristine and has been subjected to edge effects and likely infestation of alien plant species for several years. Although further loss of an endangered[7] vegetation type, even if degraded, should be avoided, the impact associated with the tented camp has generally been moderate to low given the small footprint of the project and the limited disturbance of soil, the considered clearing of the site by the contractors (which appears to have been limited to the infrastructure footprint) and the current condition of the vegetation on site (Jackson & Martin, 2021). If the remaining patch of this vegetation is managed appropriately through the removal of alien invasive plant species and the restoration of the remaining patch (not impacted by the access roads and tent platforms) to its natural state, the specialist is of the opinion that this will improve diversity within the site and contribute towards the conservation of the remaining portion of this vegetation type within the impacted area. The specialist therefore recommends that this patch is restored using locally indigenous species representative of Boland Granite Fynbos (Jackson & Martin, 2021).

Based on the field survey and the low impact associated with the nature of the tented camp, which has a small footprint, and due to the raised platforms allows for certain ecological processes to continue uninterrupted, the SEI for the site was determined to be of Moderate sensitivity. However, if any further clearing is to occur within this vegetation patch it is likely that the SEI will increase to High (Jackson & Martin, 2021).

Impacts associated with this infrastructure were typically of Moderate (-) significance prior to mitigation which could be reduced to Low (-) significance after mitigation measures are implemented. These impacts include the, the loss of plant Species of Conservation Concern (SCC), disruption of ecosystem function and process, infestation of alien plant species and disturbance to terrestrial faunal species due to construction and operation of the tented camp.

The loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos can be reduced to Moderate (-) significance. Jackson & Martin (2021) concluded that although the diversity at the site can be improved based on the recommended mitigation measures, the loss of extent of this vegetation type is permanent and cannot be mitigated unless the impacted areas are restored to their natural state. As such, this impact will remain Moderate (-) even after mitigation.

Based on the SEI and the identified ecological impacts, the specialist concluded that these are acceptable provided the mitigation recommendations are implemented.

Recommended Mitigation Measures

- No further construction activities may occur until Environmental authorisation has been received and the required permits are in place.
- Alien invasive plant clearing should be undertaken in line with an Alien Invasive Management plan, which should be compiled as part of the EMPr and implemented with immediate effect.
- Alien species should be removed from the area to the west of the impacted patch to ensure that these do not spread downhill and back into the area around the tented camp.
- With the exception of the large pine trees on the north-eastern corner of the site which could be heritage trees (this needs to be confirmed) all category 1b species must be removed. The removal will need to be managed and maintained until these species have been eradicated. It is suggested that locally indigenous species specific to this vegetation type are planted in the gaps left by the removal of alien invasive plants.
- No exotic species should be planted within this patch of fynbos.
- No further clearing within the impacted Boland Granite Fynbos patch may occur for additional roads or tents.
- No infrastructure must be placed in areas of high sensitivity.
- Access roads should not be widened.
- Any future infrastructure required for this site must be located within the transformed area (fallow land).
- If any SCC are to be impacted, these must be relocated to nearest appropriate habitat.
- It is recommended that the 1.6 ha patch that the project infrastructure is located within is restored to represent natural Boland Granite Fynbos and as such a restoration plan for the site should form part of the EMPr. This includes removal of aliens and re-introduction of representative species.
- It is recommended that the vegetation around the tent platforms is restored using species indigenous to Boland Granite Fynbos to increase diversity.
- Only indigenous plant species typical of the local vegetation and approved by a botanist should be used for rehabilitation purposes.
- Only species indigenous to the vegetation associated with Simonsberg Mountain should be planted within this vegetation type.
- It is recommended that Protea *burchelli* and *Hermannia rugosa* are replanted within the impacted patch of Boland Granite Fynbos.
- Once the tent platforms within the areas of indigenous vegetation have been decommissioned, the sites must be restored back to Boland Granite Fynbos using only locally indigenous species representative of the site.

All recommended measures have been included in the EMPr

Animal Species Compliance Statement

Given the 'Medium' rating for the Animal Species Theme flagged by the DFFE Screening Tool, an Animal Species Compliance Statement was completed by Peter Hawkes with focus on the two terrestrial invertebrate Species of Conservation Concern highlighted by the screener, namely *Kedestes lenis lenis* (False Bay Unique Ranger butterfly) and Sensitive species 7 (SSp7) (a butterfly of which the identity is not revealed, in accordance with the provisions of the Species Environmental Assessment Guideline (SANBI 2020)). The report is included in Appendix O.

Key Findings

Hawkes (2021) notes that neither of these species is included in the IUCN Red List, but both have been evaluated against the

[7] According to the Red List of Terrestrial Ecosystems of South Africa Assessment published in 2021.

IUCN Red List criteria and assessed as Critically Endangered (CR) in the latest Southern African Lepidoptera Conservation Assessment (Mecenero et al. 2020, Morton 2018, Selb 2018).

Currently *Kedestes lenis lenis* is known to occur at only four sites, all within the Cape Flats (see Figure 28). The habitat of *Kedestes lenis lenis* is damp seeps, containing stands of *Imperata cylindrica* (L.) Raeuschel, commonly known as Cottonwool or Cogon grass, between dunes on the south-west portion of the Cape Flats in Cape Town (Ball, 2006). According to Hawkes (2021) current evidence suggests that *Kedestes lenis lenis* is (at least currently) restricted to Cape Flats Dune Strandveld in the Cape Flats region and that there is a low probability of its distribution extending as far east as Boschendal, which is 30 km east of the easternmost known locality, and in Boland Granite Fynbos.

SSp7 is known only from a single site, on the southern slopes of, and extending to the peak of, the Swartberg Mountain near Moreesberg within Swartland Shale Renosterveld (SANBI 2006-2018) (see Figure 28). "Heuweltjies", characteristic of this vegetation type, are abundant over the entire Swartberg. The vegetation type is characterised by clay soils derived from the underlying shale; SSp7 occurs in an area of low scrubby vegetation with numerous Mesembryanthemum plants (Mecenero et al. 2020). The larvae feed on Roepera species and are associated with *Crematogaster peringueyi* ants (Heath & Pringle 2007, Heath et al., 2008). It has been suggested (Selb 2018) that additional populations could occur within the Piketberg and potentially also on some mountains 20–40 km to the south and south-east but this would be dependent on the presence of the host plant and associated ants as well (Hawkes, 2021). Hawkes (2021) states that given that SSp7 has not yet been recorded in any of these areas, the probability that it would occur at or near Boschendal, 96 km south of its type locality, is very low.

The most critical habitat element for *Kedestes lenis lenis* is thus the presence, and adequate abundance, of *Imperata cylindrica* in wetland or damp seep areas and for SSp7 the presence of *Roepera* spp. and *Crematogaster peringueyi*.

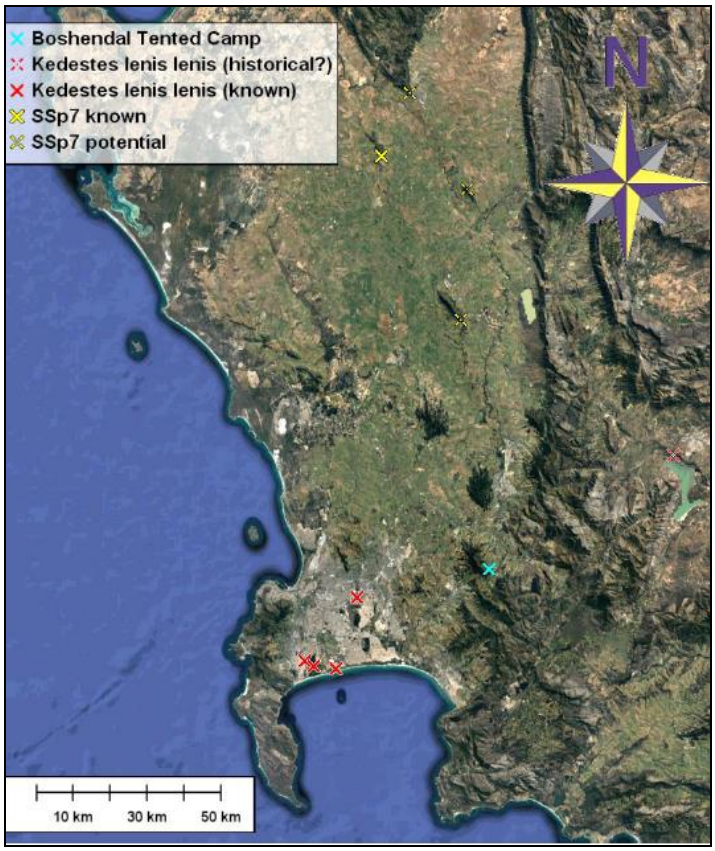

Figure 28: Portion of south-western Cape showing distributions of Kedestes lenis lenis and Sensitive Species 7 in relation to the FE5 (Pty) Ltd Tented Camp site. [Background image: Image Landsat / Copernicus © 2021 Google, Data SIO, NOAA, U.S. Navy, NGA, GEBCO, © (source: Hawkes, 2021)

During the field assessment of the botanist (Martin, 2021) no *Roepera species* or *Imperata cylindrica* were observed on the site. Although the season was not ideal for identifying grasses, the grasses observed were predominantly within previously disturbed areas such as the edges of the tracks/roads. According to the botanist's assessment, *Imperata cylindrica* is unlikely to be present in the area where the tents are located as this is mostly fynbos; if this species does occur on the site, it is more likely to be near the three support structures (mess, support and staff tents) which are all located in a fallow field area. Although a very small chance does exist that this plant could occur on the site, or at least in the adjacent disturbed areas, the camp area does not include any wetland or damp seep areas, so even if I. cylindrica was present, the habitat would still be unsuitable (Hawkes, 2021). Since no evidence of the occurrence of the food plants (Roepera spp.) required for SSp7 was found, the probability of its occurrence on the site is negligible. Additionally, the site falls within a different vegetation type than that of the species (Hawkes, 2021).

Hawkes (2021) concludes that although the Screening Tool flagged the potential presence of *Kedestes lenis lenis* and SSp7 within the site, an analysis of distribution and habitat requirements demonstrates that the probability of occurrence of both species is negligible and thus no impacts on either species will occur as a result of the development and no further

assessment in this regard is required.

Recommended Mitigation Measures

The only potential impacts on invertebrate populations is likely to be from externally visible lighting which can be minimised by implementing the following general recommendations as appropriate:

- **Eliminate unnecessary lighting**
  Much external lighting installed worldwide is unneeded and, especially in the context of the type of clientele that the FE5 (Pty) Ltd Tented Camp is designed for, elimination/minimisation of external lighting would probably be seen as an additional attraction.
- **Replace essential fittings with environmentally friendly options**
  Wherever possible all fluorescent (including compact fluorescent), high pressure sodium vapour, mercury vapour and metal halide fittings should be exchanged for low pressure sodium vapour or monochrome yellow/orange LED fittings. Alternatively, filters should be fitted to eliminate all UV and blue components of the light emitted.
- **Switch off lights not in use**
- **Install motion-detector control**
  Especially appropriate for security lighting, control of light sources by motion-detectors can substantially reduce impacts even of high-power white light sources. The main impacts of artificial lighting arise from continuous operation that results in long-term attraction of insects to the source. If a light source switches on in response to motion and switches off again after a few minutes, any insects attracted during this period will then be freed from the trap effect and move away, unless they have been trapped within the fixture itself within this period (but see (g)).

- **Direct fixtures correctly**
  Omni-directional light fittings should be avoided, and all directional fittings should be correctly oriented so that light is restricted to where it is needed, without unnecessary spill into the surroundings. If external lighting of structures is essential (e.g. for security reasons), light sources should be directed inward toward the structure/building, so as to light up the structure and result in this becoming a large diffuse light source, rather than having bright point sources directed from the structure/building outward into the natural environment.
- **Shield fixtures to limit spread**
  Non-directed, partially directed or omnidirectional light sources should be shielded so that light is prevented from reaching the surrounding environment. Internal lighting should as far as possible be shielded by blinds/curtains.
- **Seal fixtures to prevent insects becoming trapped / select fixtures that are already sealed.**
  Light fixtures comprising enclosures within which insects can become trapped after being attracted by the light should be rendered insect-proof by being properly sealed. Where complete sealing is not possible due to resulting heat build-up and danger of equipment failure or fire, the fixtures should be replaced, or sealed using metal gauze to allow airflow but prevent ingress by insects. Sealing fixtures may increase life-span of light sources by reducing heat build-up and reduce fire risk due to accumulation of dead insects within the fixtures.
- **Investigate alternative monochrome LED options**
  In view of recent evidence that LPSV and monochrome LEDs with similar spectra may have significant adverse impacts on fireflies, while having limited effects on most other insects, research into alternative monochrome LED sources that avoid peak firefly sensitivity wavelengths should be encouraged.

All recommended measures have been included in the EMPr

Agricultural Compliance Statement

An Agricultural Compliance Statement Assessment was undertaken for the site by Johann Lanz (2021). The full study is included in Appendix H (iv).

Key Findings

According to the DFFE Screening Tool, the land capability rating of the site varies between 8 and 10. Values of 8 translate to a medium agricultural sensitivity, and values of 9 and 10 translate to a high agricultural sensitivity. As such, a 'High' agricultural sensitivity is assigned by the screening tool (refer to Appendix O for the Screening Tool Report). Lanz (2021) however disputes this rating as the small-scale data does not capture the detail of the site, the majority of which has never been cultivated because it is extremely limited by large boulders and very rocky soils (Lanz, 2021). Lanz (2021) explains that such soils do not justify a land capability rating of more than 7, which would translate to an agricultural sensitivity of 'Medium'.

Most of the development impacts land that has no agricultural value and that does not therefore require conservation as agricultural production land (Lanz, 2021). Theoretically, the two small footprints to the east are on land that could be considered suitable for supporting crop production (Lanz, 2021). However, this land would not be used for agricultural production, whether the camp development was located there or not when considering the broader context of Boschendal Estate which has no agricultural use for the impacted land. Lanz (2021) concludes that the camp development does not have an unacceptable negative impact on the agricultural production capability of the site. Therefore, from an agricultural impact point of view, it is recommended that the development be approved (Lanz, 2021).

Recommended Mitigation Measures

There are no mitigation measures required for the protection of agricultural potential on the site given the findings of the Compliance Statement.

Heritage Impact Assessment

A Heritage Impact Assessment (HIA) has been undertaken by Sarah Winter in collaboration with Mike Scurr (Rennie Scurr Adendorff Architects) and Bernard Oberholzer (BOLA). The full HIA is included in Appendix H (v).

Key Findings

The site is located within the Founders Estate National Heritage Site (NHS) and is therefore protected in terms of the NHRA (Act No 25 of 1999).

In terms of archaeological remains, pre-Colonial, early historic, and early C20th (Rhodes Fruit Farms) remains are all found within the Boschendal landscape. Early colonial period archaeological remains predominantly relate to the historic werfs and areas utilised by the early farm dwellers. Such finds include structural remains, ceramics and faunal remains and are either found distributed in the werf landscape or concentrated in middens associated with historic structures (Hart and Webley, 2009). Areas further from the core werfs tend to contain less material cultural remains, and areas far removed from known settlement areas are unlikely to contain anything more than occasional material if anything at all (Winter et al., 2021).

Stone Age material might have been located on the site, this is unlikely to have been of high significance, in situ, or densely concentrated, impacts to such archaeological materials are therefore of low significance. Given the remoteness of the location from historic werfs or settlements, no early colonial archaeology is likely to have occurred on the site, and impacts are considered to be unlikely. As the area does not fall on the lower slopes where C20th agriculture was more intensive, features associated with this period are similarly unlikely (Winter et al., 2021).

In light of the extent of previous archaeological survey and assessment of the Founder's Estate (Hart and Gribble, 2021; Hart and Webley, 2009; Kaplan, 2005), confidence in these conclusions is high, and supported by the findings of the recently compiled AHRMP which indicates that no monitoring is required for Founders' Estate 5.

Winter et al., (2021) explains that FE 5 has heritage value in terms of its landscape qualities being located on the upper slopes of the Simonsberg (with the Tented Camp being located well above the 320 m contour line which is at variance with the heritage indicators and approvals for the Founders Estates) at the interface with the Simonsberg Nature Reserve. It has high visibility from surroundings with localised ridgelines to the north and south of the tented camp shielding the visibility of the site from immediately surroundings especially from the western portion of the Founders Estates NHS (Winter et al., 2021). Consideration must however be given to the fact that the development can be considered as "nature-orientated tourism" and considered acceptable in this location due its tread lightly and temporary nature of development, and how it relates to the wilderness landscape qualities of the Simonsberg Nature Reserve

A viewshed analysis of the site has found that a zone of high visibility is confined to 500 m of the tented camp (which means that the tents are not visible from most of the Founders' Estates and other heritage sites) and the tents are indiscernible beyond 3 km especially with their muted colours. The overall visual impact is described as being low butt Winter et al., (2021) notes that a number of visual concerns need to be addressed including the treatment of roads and parking, the rehabilitation of the exposed embankment and platform created for the larger tent structures, signage and lighting, and landscaping.

Following an assessment of heritage indicators at three landscape scales (refer to Table 5, Table 6 and Table 7) Winter et al., (2021) concludes the following:

"*…the unauthorised work has not caused irreversible damage to heritage significance predominantly due to the tread – lightly, low visual impact and temporary nature of the tented camp. However, the unauthorised work does have heritage implications which need to be addressed in terms of remedial action/mitigation measures which are outlined in the recommendations. A primary consideration is that the property owner of FE 5 has agreed to withhold the right to develop a homestead on the Excluded Area until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed.*"

Further that;

1. "No action be taken in terms of Section 51(1) d of the NHRA given the tread-lightly, low visual impact and temporary nature of the tented camp and that heritage significance has not been irreversibly damaged.
2. The decision to not pursue criminal charges be subject to a number of conditions" (as outlined below)

Recommended Mitigation Measures

Winter et al., make the following recommendations (but note that SAHRA must make the final decision on the unauthorised work and comment is still awaited):

- The lifespan of the tented camp be temporary as specified by the Temporary Departure application (5 years) in terms of section 15 (2) of the SM LUPBL.
- No expansion of the tented camp may be undertaken without a permit from SAHRA in terms of Section 27 (18) of the NHRA.
- A homestead on the Excluded Area of FE 5 not be constructed until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed.
- A number of visual mitigation measures be implemented as set out below:
- **Roads and parking:**
    - Further roads, tracks or cleared areas should be avoided, if possible, to minimise visual scars in the landscape.
    - Where sections of access roads / tracks are no longer required, these should be revegetated, or narrowed down to single-track paths.
    - Excavations for parking or turn-arounds should be avoided, especially where the underlying saprolite will be exposed.
    - Even small parking areas tend to be visually intrusive, and therefore cars should instead be parked in groups of not more than 2 or 3 alongside the access roads in unobtrusive positions as identified on the site plan.

- Imported material or paving for roads and parking should be avoided, except for stone chips and mulch.

- **Camp facilities**:
  - Further clearing or excavations that expose the saprolite should be avoided.
  - Existing exposed embankments could be revegetated if a low dry-packed
  - stone wall or gabion is constructed at the foot of the embankment and backfilled with any available colluvial soil from the site.
  - The clayey ground surface around the mess and kitchen, which becomes sticky in winter and hard in summer, could be covered with a geofabric and stone chips to create a more trafficable and visually pleasing surface.
- **Signage and lighting:**
  - Signage should be kept to a minimum, be no higher than 1,2 m and have dark backgrounds as per existing signage.
  - No advertising signage, flags or banners should be permitted to avoid visual intrusion on the surroundings.
  - Outdoor lighting should be kept to a minimum and consist of low-level bulkhead or bollard type lighting with reflectors that cast the light downwards, and where the light source is not visible.
  - The existing lights fixed to the outside of the tents should be fitted with
  - reflectors, or replaced with bulkhead lights as described above.
- **Landscaping:**
  - No gardenesque planting layouts or exotic plant material should be permitted.
  - All invasive exotic vegetation, such as pine seedlings, Port Jackson and bugweed, should be cleared from the farm portion relating to the camp on an ongoing basis. This will also help to reduce fuel load in terms of fire hazard.
  - The mature Monterey pines, which are spreading seedlings on the mountain slopes, should ideally be removed on a phased basis over the next 5 years, as the indigenous vegetation takes over.
  - Suitable fast-growing indigenous trees should be planted adjacent to the more visually exposed tents (a tree species list with input from a botanical specialist has been prepared).

All recommended measures have been included in the EMPr.

8. IMPACT ASSESSMENT SUMMARY

Briefly describe the impacts (as appropriate), significance rating of impacts, mitigation and significance rating of impacts of the activity. This must include an assessment of the significance of all impacts.

The identified impacts for all phases of development are summarised in the table overleaf.

PHASE		Development Alternative		No-Go Alternative	
	Impacts	**Significance rating of impacts <u>before</u> mitigation** (Low, Medium, Medium-High, High, Very High):	**Significance rating of impacts <u>after</u> mitigation** (Low, Medium, Medium-High, High, Very High):	**Significance rating of impacts <u>before</u> mitigation** (Low, Medium, Medium-High, High, Very High):	**Significance rating of impacts <u>after</u> mitigation** (Low, Medium, Medium-High, High, Very High):
CONSTRUCTION PHASE	**Freshwater Impacts:** Storage of building materials (sand, soil, bricks etc) in or close to sensitive areas – this would damage the soil structure and would destroy or shade out plants growing in and around these ecosystems. Dump areas frequently lead to the compaction of soils, which can influence re-growth of plants.	Low (-)	No impact	Not applicable	Not applicable
	Freshwater Impacts: Leakage or spillage of fuels, oils, etc. from construction machinery – this would lead to pollution of the stream.	Low (-)	No impact	Not applicable	Not applicable
	Freshwater Impacts: Leakage or spillage of fuels, oils, etc. from construction machinery – this would lead to pollution of the stream.	Medium (-)	Low (-)	Not applicable	Not applicable
	Freshwater Impacts: Foot and vehicular traffic across the site, leading to destruction or deterioration of freshwater habitat.	Low (-)	No impact	Not applicable	Not applicable
	Freshwater Impacts: Presence of construction teams and their machinery on site – this may lead to noise and light pollution in the area, which will disturb aquatic and terrestrial fauna and flora	Low (-)	Low (-)	Not applicable	Not applicable.
	Freshwater Impacts: Topsoil or sand brought onto the site, for filling and landscaping can lead to the introduction of alien or invasive seedbanks. Whole Estate and downstream	Medium (-)	Low (-) (possibly even low positive, if IAPs are consistently removed from the site)	Not applicable	Not applicable
	Ecological Impact: **Loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos** The clearing of vegetation for the construction of seven tent platforms (three in near-intact granite fynbos and four within degraded granite fynbos) and associated access paths has resulted in the permanent loss of 0.24 ha of vegetation. This accounts for 15% of	Moderate (-)	Moderate (-)	Negligible	Negligible

	the total impacted patch of natural vegetation and 0.08% of the total remaining extent of this vegetation type within the Western Cape Province.				
	Ecological Impact: **Loss of Plant Species of Conservation Concern** There are two confirmed SCC (one within the site and one directly adjacent to the site) that were recorded during the field survey as well thirteen SCC that have a high likelihood of occurrence within or adjacent to the site. The clearing of vegetation within the impacted Boland Granite Fynbos has resulted in the loss of biodiversity and may have resulted in the loss of some SCC.	Moderate (-)	Low (-)	Low (-)	Low (-)
	Ecological Impact: **Disruption of Ecosystem Function and Process** Habitat fragmentation occurs when a large expanse or strip of habitat is transformed such that the natural landscape is cut into smaller patches that are isolated from each other resulting in a reduction in ecological functioning, species diversity and species richness. This impact occurs when areas are cleared resulting in reduced movement due to the absence of ecological corridors. The impacted patch of Boland Granite Fynbos has been exposed to some habitat fragmentation and edge effects prior to the construction of the project infrastructure as the area surrounding it has been previously used for agriculture. The clearing of an additional 15% of this patch will have further contributed to fragmentation. However, it should be noted that clearing for the construction of access roads and the tent platforms appears to have been kept to a minimum as the vegetation surrounding these areas is well established indicating minor impacts. Further to this, the platforms are raised off the ground allowing for free the movement of faunal species and dispersal of seeds. So, although some habitat fragmentation has occurred this has been minimised by the low-impact design of the tent platforms.	Low (-)	Low (-)	Low (-)	Low (-)
	Ecological Impact: **Infestation of Alien Plant Species** These are common in areas that have been recently disturbed such as along the access roads, paths and around the tent platforms. There is also evidence of alien invasive species tree species such as Acacia longifolia and Pinus pinaster within the patch. It is highly probable that this patch was already infested with alien species given the size of some of these and because areas adjacent to the site show evidence of	Moderate (-)	Low (-)	Low (-)	Low (-)

	infestation. Nevertheless, the construction of the infrastructure within this patch has exacerbated the level of infestation.				
	Ecological Impact: **Disturbance to terrestrial faunal species due to construction of the tented camp** Habitat clearing for the construction of the tent platforms and access paths would have created a disturbance to faunal species using the site for foraging, shelter and breeding.	Low (-)	Not applicable	Negligible	Negligible
	Socio Economic Impact: Creation of temporary employment opportunities as a result of construction/decommissioning of the facility.	Low (+)	Low (+)	Not applicable	Not applicable
	Nuisance Impacts: Dust & Noise Generation The land clearing and other construction activities would have resulted/ will result in the generation of dust and noise which may have been/ will be a nuisance to surrounding land users whilst construction/decommissioning is ongoing.	Low (-)	Very Low (-)	Not applicable	Not applicable
	Depletion of Natural Resources: Depletion of natural resources through use as material in the development/construction phase (such as water, resources for the generation of energy, construction materials etc.).	Low (-)	Low (-)	Not applicable	Not applicable
	Visual impacts / Sense of Place: The visual impact of the development has been assessed by the HIA (refer to Appendix H (v)) which notes that the Tented Camp is located on the steep upper slopes well above the 320m contour line which is at variance with the heritage indicators and approvals for the Founders Estates. However, consideration is given to the fact that the development can be considered as "nature-orientated tourism" and considered acceptable in this location due its tread lightly and temporary nature of development, and how it relates to the wilderness landscape qualities of the Simonsberg Nature Reserve In addition, following the results of the viewshed analysis of the site which found that a zone of high visibility is confined to 500 m of the tented camp (which means that the tents are not visible from most of the Founders' Estates and other heritage sites) and since the tents are indiscernible beyond 3 km especially with their muted colours the overall visual impact is described as **'Low' negative.**				
	Cultural-Historical Aspects: The tented camp is located outside of the 0.8-hectare developable area and comprises a site development area of approximately 6 hectares, i.e. 23% of the landholding. This together with the positioning of the tented camp directly above the FE 5 homestead will have cumulative impact on the principle of Founders' Estates, i.e. one homestead per farm unit. A key mitigation is to withhold the right to develop a homestead on the Excluded Area of FE 5 until the Temporary Departure as lapsed and the tented camp has been removed. The design of the tented structures has not been well-considered in terms of the siting of some of the structures, tent architecture, technology, materials, execution and landscaping. This negatively impacts the landscape qualities of the site. This impact is however mitigated by the temporary nature of the facility. The tented camp has also not resulted in the removal of any landscape features of heritage value. Winter et al. (2021) concludes that the unauthorised work has not caused irreversible damage to heritage significance predominantly due to the tread – lightly, low visual impact and temporary nature of the camp. However, the unauthorised work does have heritage implications which need to be addressed in terms of remedial action/mitigation measures.				
OPERATIONAL PHASE	**Freshwater Impact:** Stormwater discharge into natural areas – water quality impacts.	Medium (-)	Low (-)	No impact	No impact
	Freshwater Impact: Stormwater discharge into natural areas – water quantity impacts.	Medium (-)	Low (-)	No impact	No impact
	Freshwater Impact: On-site treatment and/or storage	Medium (-)	Low (-)	Not applicable	Not

	of wastewater – impacts on water quality.				
	Freshwater Impact: Proximity of tents and human activity to the stream.	Medium (-)	Low (-)	Low (-)	No impact
	Freshwater Impact: Clearing of vegetation and disturbance of soils for maintenance/landscaping/gardening and disturbance of soils for landscaping/gardening	Medium (-)	Low (-)	Not applicable	Not applicable
	Socio-Economic Impact: Creation of temporary employment opportunities as a result of operation of the facility for five years. Note that additional indirect stimulus as a result of attracting more tourists to the area would also result.	Low (+)	Low (+)	Not applicable	Not applicable
DECOMMISSIONING PHASE	**Freshwater Impacts:** Storage of demolition materials (sand, soil, bricks etc) in or close to sensitive areas – this would damage the soil structure and would destroy or shade out plants growing in and around these ecosystems. Dump areas frequently lead to the compaction of soils, which can influence re-growth of plants.	Low (-)	No impact	Not Applicable	Not Applicable
	Freshwater Impacts: Leakage or spillage of fuels, oils, etc. from demolition machinery – this would lead to pollution of the stream.	Low (-)	No impact	Not Applicable	Not Applicable
	Freshwater Impact: Leakage or spillage of fuels, oils, etc. from demolition machinery – this would lead to pollution of the stream.	Medium (-)	Low (-)	Not Applicable	Not Applicable
	Freshwater Impact: Foot and vehicular traffic across the site, leading to destruction or deterioration of freshwater habitat.	Low (-)	No impact	Not Applicable	Not Applicable
	Freshwater Impact: Presence of teams and their machinery on site – this may lead to noise and light pollution in the area, which will disturb aquatic and terrestrial fauna and flora	Low (-)	Low (-)	Not Applicable	Not Applicable
	Freshwater Impact: Topsoil or sand brought onto the site, for filling and landscaping can lead to the introduction of alien or invasive seedbanks.	Medium (-)	Low (-) (possibly even low positive, if IAPs are consistently removed from the site)	Not Applicable	Not Applicable
	Freshwater Impact: Disturbance of soils and vegetation as a result of removal of tents and infrastructure	Medium (-)	No impact, to Low (+) significance (depending on the success of rehabilitation)	Not Applicable	Not Applicable
	Ecological Impacts: Loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos: The decommissioning of the tented camp and removal of tent platforms and infrastructure will require laydown areas and will disrupt vegetation that has re-established around the areas that were disturbed	Low (-)	Low (-)	Not Applicable	Not Applicable

	during the construction phase. Given the nature of the tents and the platforms, it is anticipated that the removal of these can be done with limited impact to the surrounding vegetation.				
	Ecological Impacts: **Infestation of Alien Plant Species:** There are seven alien invasive species present within the site. These are common in areas that have been recently disturbed such as along the access roads, paths and around the tent platforms. There is also evidence of alien invasive species tree species such as Acacia longifolia and Pinus pinaster within the patch. Disturbance associated with the decommissioning of the site can lead to further infestation of existing alien invasive species.	Moderate (-)	Low (-)	Not Applicable	Not Applicable
	Ecological Impacts: **Disturbance to terrestrial faunal species due to construction and operation of the tented camp:** Habitat clearing for the decommissioning of the tent platforms and access paths would have created a disturbance to faunal species using the site for foraging, shelter and breeding.	Low (-)	Low (-)	Not Applicable	Not Applicable
	Socio – Economic Impact: Creation of temporary employment for labourers during decommissioning of the facility.	Low (+)	Low (+)	Not applicable	Not applicable
	Nuisance Impacts: Dust & Noise Generation Decommissioning activities will result in the generation of dust and noise which may be a nuisance to surrounding land users whilst decommissioning is underway	Low (-)	Very Low (-)	Not applicable	Not applicable

9. SUMMARY OF THE CONSEQUENCES OF/ IMPACTS OF THE UNLAWFULLY COMMENCED ACTIVITY/IES

Please provide a detailed summary of the consequences/impacts of commencement of the activity/ies on the environment.

Summary:

The main impact from the development of the Tented Camp is the clearance of 0.24 hectares of Boland Granite Fynbos which is listed as Vulnerable in terms of Section 52 of the NEMBA but classified as Endangered by the Red List of Terrestrial Ecosystems of South Africa Assessment published in 2021.. The patch of fynbos affected is believed to have been near-intact to degraded (i.e., not pristine) with alien species present likely due to edge effects over several years (Jackson & Martin, 2021). The construction of the platforms and upgrading of the ring road have exacerbated alien infestation of the site (Jackson & Martin, 2021). The tent platforms and paths have been constructed within an ESA 1, but disturbance appear to have been kept to a minimum and have had a relatively low impact on the ecological functioning of the ESA patch of fynbos in which they have been built. The loss of extent near-intact Boland Granite Fynbos and degraded Boland Granite Fynbos has been assessed as a Moderate (-) significance.

Other ecological impacts associated with the construction of the tent structures include the, the loss of plant Species of Conservation Concern (SCC), disruption of ecosystem function and process, infestation of alien plant species and disturbance to terrestrial faunal species (Jackson & Martin, 2021). These impacts were assessed as Moderate (-) significance prior to mitigation which could be reduced to Low (-) significance after mitigation measures are implemented. The impacts have generally been Moderate to Low given the small footprint of the project and the limited disturbance of soil, the considered clearing of the site by the contractors (which appears to have been limited to the infrastructure footprint) and the current condition of the vegetation on site (Jackson & Martin, 2021). The raised platforms furthermore allow for certain ecological processes to continue uninterrupted.

While habitat clearing for the construction of the tent platforms and access paths would have created a disturbance to faunal species using the site for foraging, shelter and breeding the impact has been assessed as having a Low (-) significance, given that amphibians, reptiles, mammals and birds would have likely moved out of the area due to the disturbance to more suitable habitats in the vicinity (Jackson & Martin, 2021). The tents also have been elevated to allow for faunal movement and external lighting kept to a minimum for the operational phase. The DFFE Screening Tool flagged the potential presence of sensitive butterfly species *Kedestes lenis lenis* and SSp7 within the site however an analysis of distribution and habitat requirements has demonstrated that the probability of occurrence of both species is negligible and thus no impacts on either species will/has occurred as a result of the development.

In terms of aquatic ecosystems (i.e., the stream an in-stream dam at the site), no infilling of watercourses at the site occurred to allow for the development. The 32 m setback set by the NEMA & EIA Regulations, 2014 (as amended) has furthermore, only been minimally encroached upon by certain development components. There have been few residual impacts on aquatic ecosystems post-construction and construction/decommissioning and operational phase impacts have all been assessed as being of Low (-) significance, if all recommended mitigation measures are implemented. Snaddon (2021) further notes that a positive impact of 'Low' significance can furthermore be achieved with constant removal of IAPs and with successful rehabilitation of the site following dismantling of the Tented Camp.

An agricultural study had furthermore confirmed that there has been no impact on agricultural resources (Lanz, 2021) as the site does not possess ideal soils for planting of crops.

A key mitigation measure is the restoration of areas bare of vegetation to represent natural Boland Granite Fynbos (this has been recommended by the terrestrial biodiversity as well as the freshwater ecologist). Further that the site, is eventually rehabilitated to its former condition following the dismantling of the camp. A rehabilitation must be compiled in this regard with input from a terrestrial and freshwater ecologist. CapeNature is in agreement with the need for a rehabilitation plan. An alien invasive management plan must also be implemented with immediate effect.

With respect to visual considerations, at a broader landscape scale the tent structures are visually recessive in terms of their modest scale, low pitched canopies, muted colours and surrounding vegetation. At the site scale, some of the structures are however visually intrusive. The overall visual impact is considered to be low mostly due to the temporary nature of the camp. Nevertheless, a number of visual concerns have been highlighted by the HIA and need to be addressed including the treatment of roads and parking, the rehabilitation of the exposed embankment and platform created for the larger tent structures, signage and lighting, and landscaping. No archaeological impacts are anticipated, and no monitoring is required in this regard. Overall, the camp has not caused irreversible damage to the heritage significance of the area due to the tread – lightly, low visual impact and temporary nature of the camp. SAHRA is in agreement with the findings and recommendations of the HIA.

The scale and nature of the development have been such that it has not impacted on physical aspects in a manner that is of any significance. The service demand and resource use of the Tented Camp is furthermore very low given its small scale and no major service infrastructure upgrades are required to service to camp.

Under the No-Go Alternative i.e., had the development not gone ahead, infestation of alien invasive plant species is likely to continue and there would be potential loss of some SCC and increased habitat fragmentation within this patch due to the displacement of species by alien invasive (impacts of Low negative significance). The previously developed bike paths within the riparian area of the stream have also resulted in a Low (-) impact but could be fully mitigated with the implementation of recommended measures. Under the No-Go positive socio-economic impacts in terms of job creation would be foregone.

The environmental process, along with the HIA, has established that the Tented Camp has not resulted in irreversible adverse impacts and that all impacts identified can be mitigated to an acceptable level. The camp must however still be regularised and the recommended mitigation measures strictly implemented.

10. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES

(a) Over and above the mitigation measures described above, please indicate any additional management, mitigation and monitoring measures.

General environmental specifications for construction/decommissioning an operational phase have been included in the EMPr (refer to Appendix I).

The impact management objective and outcomes included in the EMPr are summarised in Table 9.

Table 9: Summary of impact mitigation measures and outcomes as included in the EMPr

CONSTRUCTION/DECOMMISSIONING PHASE			
No.	**Impact/ Aspect of the proposed development**	**Impact Management Objective**	**Impact Management Outcome**
	Waste Management	To prevent pollution/contamination associated with the generation and temporary storage of general waste, hazardous waste construction rubble and litter generated by the workforce on site.	No non-conformances and no pollution of soil, groundwater and/or stormwater/freshwater as a result of waste generation and management activities.
	Soil and Water Pollution Management	To prevent impacts on the riparian area, to prevent groundwater and freshwater pollution / sedimentation associated with the handling storage and use of hazardous materials or materials that have the potential to cause environmental harm.	No non-conformances, no evidence of sedimentation and no pollution groundwater and/or stormwater or any water courses as a result of the construction activities.
	Protection of natural Features, Fauna and Flora	To ensure that no vegetative cover is removed and/or impacted on outside of the approved works area. To protect any protected plant species on the property and prevent impacts on fauna found on the site. To preserve the top layers of soil for use in rehabilitation. Appropriate temporary storage and stockpiling of topsoil to prevent erosion, sedimentation, and dust pollution. To avoid intrusion into the adjacent natural areas and prevent related impacts.	No removal of vegetation and/or other impacts on any vegetative cover. No damage or defacing of any natural features situated in or around the site. No negative impacts on the breeding seasons of fauna found in the vicinity of the site No harm or destruction of faunal habitats or the death of any animals on the site or as a result of actions of removing fauna off site.
	Protection of any Palaeontological and Archaeological Resources	Protection of archaeological and/or palaeontological resources on, or adjacent to the site.	No non-conformances in terms of the specifications contained in the EMPr and no impacts on such resources.
	Noise Management	To avoid and/or minimise impacts on the adjacent land-users. To provide a forum for any Interested and/or Affected Parties to raise their concerns and log complaints for remediation action and prevention of similar incidents.	No disruptions or nuisance to adjacent land-usres caused by noise from the construction/decommissioning of the site. Effective complaints handling. No repeat complaints received
	Dust Management	No unacceptable levels of dust. To avoid and/or minimise impacts on adjacent land-users to ensure that any such impacts are appropriately dealt with to prevent further impacts in the longer term. To prevent wind and water erosion and/or sedimentation of any natural features. To provide a forum for any	No disruptions to surrounding land-use activities, no nuisance to adjacent land-users caused by dust. Effective complaints handling. No repeat complaints received.

		Interested and/or Affected Parties to raise their concerns and log complaints for remediation action and prevention of similar incidents.	
	Aesthetics/ Visual	To ensure that visual impacts are avoided as far as possible, and where these cannot be altogether avoided, that it is reduced to acceptable limits.	No unacceptable visual impacts occur as a result of construction activities.
	Hazardous Substances Management	To prevent pollution or fire associated with the handling storage and use of materials deemed hazardous to human health or the environment.	No non-conformances and no pollution of soil, groundwater and/or stormwater as a result of the construction activities. No fires as a result of the handling / use of fuel.
	Site Access, Access Routes and Traffic Management	To avoid and/or minimise impacts on the adjacent road network and road users any such impacts are appropriately dealt with to prevent further impacts in the longer term. To avoid construction related impacts associated with the movement of construction/demolition vehicles on adjacent residents.	No disruptions to traffic or adjacent residents, no damage to vehicles and related claims and no nuisance to adjacent communities caused by dust.
	Labour Relations, Facilities and Site Health and Safety	To ensure the safety of all site personnel as well as the adjacent land users.	No injuries / incidents on site and emergency situations managed effectively. No safety breaches.
	Incident Management	To guide the way in which emergencies and/or environmental incidents are handled on site and remediate any damage appropriately. To prevent the starting of fires on site.	No non-conformances and no adverse impacts on the environment as a result of emergency situations and/or environmental incidents. No fires started on the site.
	Site Clean-up and Rehabilitation	To prevent impacts on the environment as a result of the decommissioning activities. Rehabilitation of the site to its previous condition (prior to construction)	No non-conformances with the specifications contained within the EMPr.
OPERATIONAL PHASE			
No.	**Impact/ Aspect of the proposed development**	**Impact Management Objective**	**Impact Management Outcome**
	Freshwater Ecosystem Impacts	To protect the watercourse and riparian area at the site	No impacts to freshwater ecosystems during the operation of the development.
	Employment Policy	To provide fair and equal opportunities for employment.	Employment of at least 95% local staff.
	Alien invasive species management plan	To bring the invasive alien plants on site under control through systematic, integrated and appropriate control methods within (1-5) years that will allow indigenous vegetation to recover, reduce fire risk, and improve water security.	Recovered indigenous vegetation with little to zero alien infestation.
	Solid waste management plan	To prevent pollution associated with the generation and temporary storage of general waste, hazardous waste and litter generated by operations on site.	No non-conformances and no pollution of soil, groundwater and/or stormwater/freshwater as a result of waste generation and management activities.
	Noise & food preparation management	To prevent noise pollution and adherence to local laws related to food preparation	No non-conformances and no noise pollution, no complaints related to noise
	Prevention of human-wildlife conflict	To prevent human conflict with wildlife	No harming of wild animals or human harm from wildlife interactions

(b) Describe the ability of the applicant to implement the management, mitigation and monitoring measures.

The Applicant is responsible, financially capable and able to manage the impacts identified through this rectification process so as to ensure that the operation of the facility complies with the conditions of the Environmental Authorisation (if granted), other relevant legislation and the EMPr. The Applicant is committed to implementing all mitigation measures recommended by the specialist investigations as presented in this EIR and the EMPr, including the eventual decommissioning of the site and rehabilitation of the affected area.

The Applicant has read this EIR and EMPr and through signing this application has confirmed their understanding of the requirements contained therein and the need to ensure compliance thereto.

Please note: A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached to this application as Appendix I.

SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES

(a) Please describe adequacy of the assessment methods used.

The assessment methods used in this process and study are described below. These are deemed acceptable for the nature and scale of the development. The methods used have been carried out according to the legal requirements for such a process and are considered sufficient for this purpose.

(b) Please describe the assessment criteria used.

Independent specialist studies have been conducted to inform the 24G application process and this EIR. This includes an Ecological Impact Assessment, Freshwater Impact Assessment, Heritage Impact Assessment, Agricultural Compliance Statement and Animal Species Compliance Statement. These specialist studies have been conducted by reputable professionals with the aim of identifying the environmental impacts associated with the development, as well as measures to mitigate and remediate any environmental impacts associated with the development.

Furthermore, the scope of the study has been determined with reference to the requirements of the relevant legislation, namely the NEMA EIA Regulations, as amended in 2017. As stipulated by the EIA Regulations, the main responsibilities of the EAP has been *inter alia*:

- Pre-application advertisement of the application in terms of the Regulation 8 of the Section 24G Fine Regulations Fine Regulations;
- Compilation and maintenance of an I&AP database for the project;
- Compilation of the required EIR, describing the proposed activity, the affected environment, the environmental impacts for all phases of development, all applicable legislation and applicable guidelines, the detail of the public participation process followed, and the findings of the specialist studies and recommendations and/or mitigations measures to be implemented during construction and operation;
- Distribution of the EIR to the public for comment and to the DEA&DP for a decision; and
- Ensuring the consideration of and response to the issues that are raised during public participation.

The overall assessment criteria used to determine significance of impacts is based on the requirements of the National Environmental Management, 1998 (Act 107 of 1998), and the EIA Regulations, 2014 (as amended). Refer to the methodology included in Appendix Q.

The assessment criteria and methods employed by each specialist have been indicated in the various specialist reports contained in Appendix H which has include the consultation of historic satellite imagery to assist with determining potential impacts associated with the construction of the camp.

One of the fundamental aims of an Environmental Assessment process is to ensure that the demands of sustainable development are met on a project level, within the context of the greater area. The assessment was therefore undertaken with sustainable development as a goal. The assessment looked at the impacts of the development in context of its surrounds, to determine the significance of these and to understand whether the design decisions taken, and mitigation measures employed are acceptable or lacking. This is to ensure that the development makes "equitable and sustainable use of environmental and natural resources for the benefit of present and future generations".

(c) Please describe the gaps in knowledge.

There are no significant gaps in knowledge or in any of the specialist assessments that would reduce confidence in the findings. The following limitations are however acknowledged:

- A limitation of the Freshwater Impact Assessment is that mapping was done with a hand-held GPS in order to save time and costs. Accuracy is estimated as being approximately 2-3 m. Delineation of wetlands was done using the indicators described in the DWAF (2005) guidelines for delineation of wetlands and riparian areas. Primary data were not collected from any of the aquatic ecosystems, however, the visual assessments done for this baseline assessment, and historical data collected on Boschendal Estate since 2005, are considered sufficient for the purposes of this project (Snaddon, 2021).
- It is acknowledged that no site inspection was carried out specifically for the assessment of the likelihood of *K. l. lenis* or SSp7 within the Tented Camp, but during a visit by the botanical specialist (Tarryn Martin, Biodiversity Africa) special attention was paid to potential food plants of the butterfly SCC predicted for the site.
- The inspection of the vegetation of the site was carried out at a time that was not optimal for identification of grasses, so the absence of *Imperata cylindrica* cannot be conclusively determined; this however does not affect the overall conclusions drawn by the Animal Species Compliance Statement.
- Species of Conservation Concern (SCC) are difficult to find and may be difficult to identify, thus species described in the Ecological Report do not comprise an exhaustive list. It is almost certain that additional SCCs are present (Jackson & Martin, 2021).
- Sampling could only be carried out at one stage in the annual or seasonal cycle. The survey was conducted in late spring when most plants were flowering. Some early flowering species, specifically geophytes may have gone undetected. However, the time available in the field, and information gathered during the survey was sufficient to provide enough information to determine the status of the affected area (Jackson & Martin, 2021).

(d) Please describe the underlying assumptions.

It is assumed that all third-party information provided and used (e.g. GIS data and satellite imagery) is true and correct at the time of compilation of this report. It is also assumed that the applicant would implement all mitigation measures that have been put forward in this report.

(e) Please describe the uncertainties.

It is uncertain whether the Contractor/Applicant would implement the EMPr as required, however there are legal mechanisms in place to ascertain this and the EMPr (and EIA Regulations, as amended) includes a requirement for auditing and the Applicant/Holder of the Environmental Authorisation (if issued) would be required to include the EMPr in all contract documentation with other parties.

This report has undergone public review and comments received thereon have been added to the final EIR so this is no longer considered as an uncertainty.

There are however no significant uncertainties directly pertaining to the project/site which would compromise the assessment undertaken and the conclusion drawn in this Draft report so far.

SECTION H: RECOMMENDATIONS OF THE EAP

In my view (EAP), the information contained in the Application and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	**YES**	~~NO~~

If "NO", list the aspects that should be further assessed through additional specialist input/assessment:		
Not applicable		
If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:		
Applicant should be directed to cease the activity:	~~YES~~	**NO**
Please provide reasons for your opinion		
The development of the Tented Camp on Portion 5 of Farm 1685 on the Founders Estates has not resulted in significant adverse environmental, heritage or social impacts. Impacts which have occurred during construction and would occur during operation and decommissioning of the camp can be mitigated to an acceptable level. Disturbance to the patch of Boland Granite Fynbos during the construction of accommodation tents appears to have been kept to a minimum through the careful siting of structures and this activity has had a relatively low impact on the ecological functioning of the fynbos, noting that the vegetation was not pristine at the time of development. Other structures have been placed within already transformed areas. All ecological impacts can be mitigated to a Low (-) significance apart from one impact. The only impact of Moderate (-) significance has been the loss of Endangered vegetation. There are no High impacts associated with the development. A positive ecological can furthermore be realised should alien invasive species monitoring and removal be undertaken the site successfully rehabilitated following decommissioning. Positive socio-economic impacts would, albeit temporary, also be		

realised through job creation. No agricultural impacts have been realised and sensitive invertebrate species have not been impacted upon.

From a heritage perspective, while the camp has been constructed within a sensitive cultural landscape, overall, the camp has not caused irreversible damage to the heritage significance of the area.

The scale and nature of the development have been such that it has not impacted on physical aspects in a manner that is of any significance. The service demand and resource use of the Tented Camp is furthermore very low given its small scale and no major service infrastructure upgrades are required to service to camp.

All specialists (freshwater, ecological, agricultural, faunal) have concluded that the Tented Camp would be acceptable with the implementation of all recommended mitigation measures, and none have recommended that the activity be ceased immediately.

On balance, it is believed that the negative impacts realised are outweighed by the temporary, small-scale nature of the facility and the eventual rehabilitation of the site, which could result in a positive impact (depending on the success of rehabilitation efforts).

The decision for the authorisation lies with the Competent Authority and should be taken based on the information provided in the Final EIR. The Draft EIR underwent public review and was distributed to I&APs and the relevant state departments which have not brought novel issues to light, but recommendations and points of clarity have been included in this report and the EMPr in response to comments received. The EAP is confident in the conclusions drawn in this report, and in the light of the findings, there is no apparent reason why the development should not be retrospectively authorised. It is however critical that mitigation measures required by specialists and the specifications documented in the EMPr are strictly adhered to.

If you are of the opinion that the activity should be authorised, then please provide any **conditions**, including mitigation measures that should in your view be considered for inclusion in an authorisation.

- All mitigation, management and monitoring measures noted in this EIR have been included in the EMPr (Appendix I). The EMPr must be strictly implemented, and the requirements therein considered and observed as conditions of authorisation. The EMPr should be incorporated into all tender and contract documentation.
- The Applicant should ensure that operational phase and decommissioning recommendations are strictly adhered to.
- Restoration of disturbed areas on site must be implemented as per the recommendations of the freshwater and terrestrial biodiversity ecologists. Restoration efforts must include the ongoing removal and monitoring of alien invasive plant species.
- An ECO must be employed throughout the duration of the decommissioning phase of the activity.
- A Rehabilitation Plan must be compiled with input from a terrestrial and freshwater ecologist and implemented following the dismantling of the Tented Camp under the supervision of an ECO. The Rehabilitation Plan must be incorporated into the EMPr and provided to the DEA&DP for their information prior to the commencement of rehabilitation efforts

SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION

This section is only applicable to instances where Section 49A (2) of NEMA applies. Please list all steps that where taken in response to the incident or emergency situation.

Not applicable

Please note:

Section 30 of NEMA deals with the procedures to be followed for the control of emergency incidents and Section 30A deals with procedures to the followed in the case of emergency situations.

SECTION J: PUBLIC PARTICIPATION

1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct public participation **prior to submission** of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement).

"The applicant must place a preliminary advertisement in-

(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.

(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.
(3) The applicant must open and maintain of a register of interested and affected parties.
*(4) The **register must be attached to the application form and included in the report**, or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of-* *(a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application;* *(b) all persons who have requested the applicant, in writing, to place their names on the register; and* *(c) all organs of state that have jurisdiction in respect of the activity to which application relates."*

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, *inter alia*, proof of preliminary advertisement in a local newspaper.		
The following pre-liminary public participation activities have been undertaken: • The compilation of pre-liminary I&AP database. The database contains all necessary persons stipulated by regulation 41 of the EIA Regulations, 2014 (as amended) as well as other potential I&APs. • The placement of a pre-liminary advertisement in the Eikestad Nuus on 21 October 2021. The advertisement complies with Annexure A, Section D of the Section 24G Fine Regulations, 2017. • The placement of a notification of the application on the EAPs website in lieu of a website for the applicant. Proof of the above public participation activities is included in Appendix G.		
Please indicate whether the applicant has a website (please tick relevant box):	~~YES~~	**NO**
If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application. Note however that a notice was placed on the EAP's website (refer to Appendix G (iii).		

Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.

1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014

As the applicant, you may be directed to conduct the public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that **has been** or to give notice of the application to all potential interested and affected parties, including deviations that may be agreed to by the competent authority:

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	**YES**	~~DEVIATION~~	
(ii) any alternative site Not applicable as there are no Alternative sites	~~YES~~	~~DEVIATION~~	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to –			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	**YES**	~~DEVIATION~~	~~N/A~~
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	**YES**	~~DEVIATION~~	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	**YES**	~~DEVIATION~~	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	**YES**	~~DEVIATION~~	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	**YES**	~~DEVIATION~~	
(vi) any other party as required by the Department;	**YES**	~~DEVIATION~~	~~N/A~~
(c) placing an advertisement in -			

(i) one local newspaper; or (one in English & one in Afrikaans)	**YES**	~~DEVIATION~~	
(ii) any official *Gazette* that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	~~YES~~	~~DEVIATION~~	**N/A**
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	~~YES~~	~~DEVIATION~~	**N/A**
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	~~YES~~	~~DEVIATION~~	**N/A**
If you have indicated that "DEVIATION" applies to any of the above, then Section 2. below must be completed.			
NOTE: 2. The NEM: WA requires that a notice must be placed in at least two newspapers. Not applicable			
If applicable, have/will an advertisement be placed in at least two newspapers?	~~YES~~	~~NO~~	
If "NO", then an application for exemption from the requirement must be applied for. Not applicable			

Note that the Comments & Responses Report was also distributed to the I&AP database (as instructed by the Department in a pre-Directive) following the public review of the Draft Report. Proof of this exercise is included in Appendix G.

Provide a list of all the state departments that has been consulted:		
List of State Depts.	**Comment obtained (YES/NO)**	**If not, provide reasons**
WCG Department of Environmental Affairs and Development Planning: Development Planning	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
WCG Department of Environmental affairs & Development Planning: Waste Management	YES	Not applicable – comment was received
WCG Department of Environmental Affairs and Development Planning: Pollution & Chemical Management	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
WCG Department of Environmental Affairs and Development Planning: Air Quality	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. It is noted that the development does not entail any air emission activities. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
WCG Department of Environmental Affairs and Development Planning: Biodiversity	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence.

		In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
Cape Nature	YES	Not applicable – comment was received
Western Cape Government: Road Network Management	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
Western Cape Dept. of Health	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment. It is further noted that the development does not present health related risks.
Department of Transport and Public Works-PGWC - National	NO	The Depts. were notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
Western Cape Department of Transport and Public Works	NO	
National Department of Environment, forestry, and fisheries (DEFF): Biodiversity and Conservation	NO	
Department of Economic Development and Tourism	NO	
SANParks	NO	
Department of Water & Sanitation	YES	Not applicable – comment was received
Department of Agriculture, Land Reform and Rural Development	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. A site visit was arranged with an official but this was cancelled due to his unavailability. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment
Stellenbosch Municipality	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022, but no comment was received. Refer to Appendix G for proof of the correspondence. In terms of Regulation 3 (4) of the EIA Regulations, 2014 (as amended), it can be assumed that the department has no comment.
Cape Winelands District	YES	Not applicable – comment was received

Municipality		
Heritage Western Cape	NO	The Dept. was notified of the availability of the application on 24 March 2022 and reminded of the closing of the public review period on 20 April 2022. Refer to Appendix G for proof of the correspondence. No official comment was received after it was clarified to the HWC official that SAHRA is the applicable heritage authority.
SAHRA	YES	Not applicable

1. **Provide a summary of the issues raised by I&APs and an indication of the manner in which the issues raised were incorporated, or the reasons for not being incorporated or addressed.**

(The details of the outcomes of this process, including supporting information must be included in the Comments and Report to be attached to this application as Appendix G.)

Issues raised by I&APs are summarised in Table 10**Error! Reference source not found.** below. The original comments and responses to these comments are included in the Comments & Responses Report in Appendix **G.**

Table 10: Summary of issues raised during public participation

No.	Category	Issue	How issue has been addressed
1.1	**Terrestrial Biodiversity and vegetation**	The need for a rehabilitation plan which includes determination of an appropriate fire regime and burning schedule.	The need for a Rehabilitation Plan is included in the EMPr and has been recommended as a condition of authorisation.
1.2		The need for immediate mitigation including restoration of disturbed areas immediately around the tents, paths, pipelines and other infrastructure.	A Restoration Plan for immediate implementation is included in the EMPr.
1.3		The need for erosion control measures and prevention of human-wildlife conflict.	Recommended measures have been included in the EMPr.
1.4		Agreement with botanical specialist findings that no additional tent platforms or other hard surfaces should be permitted in the natural or near natural vegetation.	Noted and included in the EIR.
1.5		Confirmation from DEA&DP: Development Management Region 1 that Boland Granite Fynbos on site is listed as Vulnerable and not Endangered in terms of Section 52 of the NEMBA.	Noted and Listed Activity 12 of Listing Notice 3 removed from the application.
2.1	**Aquatic Biodiversity**	Agreement with freshwater specialist findings that access to freshwater resources should be limited to the dam and paths should not be placed through wetland or riparian areas.	Noted and included in the EIR.
3.1	**Heritage/ Design**	No objections to the rectification application. Confirmation that the provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively but that SAHRA do not object to the rectification application in terms of the NEMA	SAHRA's comment has been incorporated into the EIR and this C&R Report
		Support for the findings and recommendations of the HIA.	Noted - SAHRA's comment has been incorporated into the EIR and this C&R Report
		No objection to the proposal by the Drakenstein Heritage	Noted and considered by the EAP.

		Foundation	
4.1	**Services**	The need for any remaining construction waste to be removed from site.	Confirmed that no more construction waste remains on site.
4.2		The need for a waste management plan for the operational phase including how vegetative wate will be handled.	This has been included in the operational EMPr.
4.3		Confirmation from the DEADP: Waste Management that all waste generated on site is managed by the owners and that waste manifest documents be kept as record of proper removal by private contractors	Noted and the need to keep waste documents included in the operational EMPr.
4.4		Request for more detail on the treatment of sewage via the BioDisk units	The components of the BIoDisk units and the treatment process employed have been elaborated upon in the EIR.
5.1	**Construction Management**	The responsibilities and functions of the ECO must be comprehensively listed in the EMPr.	The responsibilities of the ECO are listed in section 2.2.4 of the EMPr.
5.2		Procedures to be implemented should heritage remains be unearthed during any further development activities on site.	These procedures have been included in the EMPr for the development.
5.3		The need for wastewater to be connected to the sewer system and that no sewage may be discharged to the ground.	This comment has been responded to the C&R Table, noting that there is no existing sewer system to connect to and that the direct discharge of sewage is not done on site.
5.4		The need for a fat trap in the kitchen	This comment has bene responded to the C&R Table – a fat trap has been installed.
5.5		The need for the appropriate bins to be placed at the camp for female sanitation products.	The requirement has been included in the EMPr
6.1	**Noise**	The need to comply with noise regulations and the SABS standards for noise generation.	The requirement has been included in the EMPr
7.1	**Permitting**	Confirmation to continue with the water use authorisation process.	Noted. This is underway.
7.2		The need to apply for a certificate from the district municipality terms should food be prepared on site and sold to the public and to comply with Regulation 638 of 22 Junie 2018 in terms of food preparation.	The requirement has been included in the EMPr
7.3		Confirmation from DEA&DP Development Management Region 1 that Activity 31 of Listing Notice ("LN") 1 is not applicable to the development because the listed activities that have been commenced with does not include the clause "and related operation".	Noted, the Listed Activity has been removed from the application.
8.1	**General Issues**	Town planning issues related to the Stellenbosch Municipality Land Use and Planning Ordinance and Zoning Scheme.	These issues do not fall within the provisions of NEMA and this environmental application.
8.2		Objection to the operations of the camp while application processes are still underway.	The application for retrospective environmental authorisation is for construction activities and not operational activities thus operations may continue (if not directed by the authority to stop)
8.3		Objection against visually intrusive spotlights at the camp	There are no spotlights at the camp.

2. **Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.**
As identified by the Heritage Impact Assessment (HIA), SAHRA confirmed that the provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively. In their comment they acknowledge that the development of the Tented Camps work has not irreversibly damaged heritage significance and the integrity of the heritage resources also located within the Boschendal Cultural Landscape and that the reversibility and temporary nature thereof poses a very low impact as per the finding of the HIA, and states that the recommendations of the heritage specialists are supported and must be adhered to. SAHRA further listed procedures to be followed should anything of heritage importance be found on site during any further development activities, all of which have been incorporated into the Environmental Management Programme (EMPr). A pre-application meeting was held with the DWS with information submitted to them for further consideration. Discussions/ engagement with DWS revolved around the development components nearby the watercourses on site, the potential impacts thereof, information requirements from the Department's side and the applicable process. It was indicated in the meeting that the compliance unit may visit site, but this has not yet realised. Following the opening of the next phase of the application on the DWS eWULAAS system the WUA application was submitted. Engagement with the DWS will continue via the online platform until the water-use is registered. DWS also provided comment on the application in which they confirm the need for a water use authorisation. Comment was received from CapeNature in which they note that they would not have supported any structures or paths within the intact and semi-intact sections of the natural vegetation remnant. They however support the recommendations of the biodiversity specialists including the rehabilitation of the site following dismantling, the immediate restoration of impacted areas, the restriction of paths and access to the dam and that no further structures be permitted in the natural or near natural vegetation. DEA: DP Waste Management recommended a number of waste management measures which have been included in the EMPr. The Directorate also asked for clarity on sewage treatment on site which has been elaborated upon in the EIR. The Cape Winelands District Municipality recommended a number of measures related to sewage treatment and disposal, noise management, waste management and potable water provision all of which have been responded to and addressed in the EIR. It is noted that the municipality commented that wastewater streams be connected to the sewer system and that it may not be discharged above ground. For clarity, currently there is no sewer system on the farm to which the development can connect, and sewage is treated on site (within General Limits) before discharge to the surrounding environment i.e., there is not direct discharge of sewage above ground. The municipality confirmed via email that all items raised in their comment had been satisfactorily addressed. DEA: DP Development Region 1 clarified that the Boland Granite Fynbos, is listed as vulnerable in terms of Section 52 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA"). Activity 12 of LN 3 is therefore not applicable to the development and has been excluded from the application. They furthermore confirmed that Activity 31 of Listing Notice ("LN") 1 is not applicable to the development because the listed activities that have been commenced with does not include the clause "and related operation". This activity has therefore been excluded.

Please note:

- **A list of all the potential interested and affected parties, including the organs of State must be opened, maintained and made available to any person requesting access, in writing, to the register.**
- **All comments of interested and affected parties on the Application Form and Additional Information must be recorded, responded to and included in the Comments and Responses Report attached as Appendix G to the Application. The Comments and Responses Report must also include a description of the Public Participation Process followed.**
- **The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the additional information/Environmental Impact Report as Appendix G.**
- **Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the Application Form/Additional Information must be submitted as part of the public participation information to be attached to the application as Appendix G.**

2. REPRESENTATIONS REGARDING DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS IN TERMS OF THE EIA REGULATIONS, 2014

Please provide detailed reasons (representations) as to why it would be appropriate not direct you to comply with all of the requirements and to deviate from the requirements of regulation 41 as indicated above.

There is no intention or any reason to deviate from the public participation activities stipulated by regulation 41. All required activities were undertaken during the public review period of this Draft EIR.

3. LIST OF STATE DEPARTMENTS

Section 24(O)(2) obliges the relevant authority to consult with every State department that administers a law relating to a matter affecting the environment when such authority considers an application for an environmental authorisation.

Provide a list of all the State departments that have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
Department of Environmental Affairs and Planning (DEADP) Development Management (Region 2)	Mare-Liez Oosthuizen	Tel	
		Fax	
		E-mail	Mare-Liez.Oosthuizen@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Waste Management Specialised Environmental Officer: Waste Management Licensing	Etienne Roux	Tel	'021 483 8378
		Fax	
		E-mail	Etienne.Roux@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Pollution Management	Gottlieb Arendse	Tel	'021 950 7100
		Fax	
		E-mail	gmarend@pgwc.gov.za
Department of Environmental Affairs and Planning (DEADP): Air Quality: Provincial Air Quality Officer	Joy Learner	Tel	'(021) 483 2798
		Fax	
		E-mail	Joy.Leaner@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Waste Management	Lance McBain-Charles	Tel	021 483 2747
		Fax	
		E-mail	Lance.McBain-Charles@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Biodiversity	Marlene Laros	Tel	
		Fax	
		E-mail	Marlene.Laros@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Pollution Management	Masixole Langa	Tel	
		Fax	
		E-mail	Masixole.Langa@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP)	Zaahir Toefy	Tel	
		Fax	
		E-mail	Zaahir.toefy@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Waste Management	Simon Botha	Tel	'0214830752
		Fax	
		E-mail	Simon.Botha@westerncape.gov.za
Department of Environmental Affairs and Planning (DEADP): Pollution and Chemicals Management	Arabel McClelland	Tel	(021) 483 2660
		Fax	
		E-mail	Arabel.McClelland@westerncape.gov.za
Cape Nature	Alana Duffel-Canham	Tel	
		Fax	
		E-mail	aduffell-canham@capenature.co.za
Western Cape Government: Road Network Management	Alvin Cope	Tel	'021-483 2009
		Fax	
		E-mail	alvin.cope@westerncape.gov.za
Department of Agriculture, Forestry & Fisheries	Anette Geertsema	Tel	
		Fax	
		E-mail	AnnetteS@daff.gov.za
Western Cape Department of Agriculture	Francis Steyn	Tel	'021 808 5090
		Fax	
		E-	franciss@elsenburg.com

		mail	
Department of Agriculture: Landuse Manager	Brandon Layman	Tel	'0218085093
		Fax	
		E-mail	BrandonL@elsenburg.com
Western Cape Dept. of Health	Keith Cloete	Tel	'021 483 4473/ 021 483 4470
		Fax	
		E-mail	Keith.Cloete@westerncape.gov.za
Department of Transport and Public Works-PGWC - National	Dru Martheze	Tel	
		Fax	
		E-mail	nmarthez@pgwc.gov.za
Western Cape Department of Transport and Public Works	Barend Du Preez	Tel	021- 553 4167
		Fax	
		E-mail	barend@sturgeonsa.co.za
Western Cape Department of Transport and Public Works: Head of Department	Jacqui Gooch	Tel	
		Fax	
		E-mail	HOD.TransportPublicWorks@westerncape.gov.za
National Department of Environment, forestry, and fisheries (DEFF): Biodiversity and Conservation	Darryl Colenbrander	Tel	
		Fax	
		E-mail	Darryl.Colenbrander@capetown.gov.za
Department of Economic Development and Tourism Head of Department	Solly Fourie	Tel	
		Fax	
		E-mail	ecohead@westerncape.gov.za
Department of Economic Development and Tourism	Crystal De Bron	Tel	
		Fax	
		E-mail	crystal.lebron@westerncape.gov.za
SANParks	Mike Slayen	Tel	
		Fax	
		E-mail	michaels@sanparks.org
Department of Human Settlements, Water and Sanitation (DHSWS)	Nelisa Ndobeni	Tel	'021-941 6140
		Fax	
		E-mail	ndobenin2@dws.gov.za
Department of Transport and Public Works WCG	Harry Thompson	Tel	0214834669
		Fax	
		E-mail	harry.thompson@westerncape.gov.za
Department of Agriculture, Land Reform and Rural Development	Mary James	Tel	0218085008
		Fax	
		E-mail	MaryJ@elsenburg.com
Stellenbosch Municipality: Community & Protection Services: Stellenbosch Municipality	Schalk Van Der Merwe	Tel	021-808 8679
		Fax	
		E-mail	Schalk.VanderMerwe@stellenbosch.gov.za
Stellenbosch Municipality: Spatial Planner: Spatial Planning, Heritage & Environment Planning and Economic Development	Barbara-Ann Henning	Tel	
		Fax	
		E-mail	Barbara-Ann.Henning@stellenbosch.gov.za
Cape Winelands Biosphere Reserve / Cape Winelands District Municipality: Environmental Management	Quinton Bailey	Tel	
		Fax	
		E-mail	Quinton@capewinelands.gov.za

Cape Winelands District Municipality: Environmental Management	Councillor Kobus du Plessis	Tel	
		Fax	
		E-mail	kobusdp@capewinelands.gov.za / Brigitte@capewinelands.gov.za
Stellenbosch Municipality: Planning & Development	Bernabe De Le Bat	Tel	
		Fax	
		E-mail	bernabe.delabat@stellenbosch.gov.za
Cape Winelands District Municipality: Engineering & Infrastructure Services Department	Francois De Eck	Tel	021 808 8111
		Fax	
		E-mail	francois@capewinelands.gov.za
Cape Winelands District Municipality: Environmental Management: Stellenbosch office	Julian Kruger	Tel	0218885818
		Email	julian@capewinelands.gov.za

Please note:

A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department/EAP's request for comment, submit such comment in writing to the Department. The applicant/EAP is therefore required to inform this Department in writing when the application/relevant information is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA inform the relevant State Departments of the commencement date of the 30-day commenting period.

PART 2 – ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVES

Section 24G(1) of NEMA provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environment Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to-

i	*immediately cease the activity pending a decision on the application submitted in terms of this subsection*	
ii	*investigate, evaluate and assess the impact of the activity on the environment*	
iii	*remedy any adverse effects of the activity on the environment*	
iv	*cease, modify or control any act, activity, process or omission causing pollution or environmental degradation*	
v	*contain or prevent the movement of pollution or degradation of the environment*	
vi	*eliminate any source of pollution or degradation*	
vii	*compile a report containing-*	
	aa	*a description of the need and desirability of the activity*
	bb	*an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity*
	cc	*a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity*

	dd	*a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed*
	ee	*an environmental management programme*
viii	*provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.*	

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instructions including where you are of the opinion that any of these instructions are not relevant for the purposes of your application setting out the reasons for your assertion. Kindly note further that after taking your representation into account a final directive may be issued.

Please Note:

Notwithstanding the above, subsequent to submission of the application form to the Department, you may be issued with a specific directive in terms of section 24G(1)(i) to (viii), and you will therefore be provided with an opportunity to make further representations as to the specific directive.

The appointed Environmental Assessment Practitioner, on behalf of the applicant, may be directed to compile and submit a report that meets the requirements of section 24G(vii)(aa)-(ee) as specified above.

It is noted that a pre-Directive was issued to the applicant on 22 March 2022 – refer to Appendix S. All items raised in the pre-directive with regard to the required public participation to be undertaken and the Comments & Responses Report have been addressed through this 24G application process and is evidenced in this EIR.

SECTION B: DEFERRAL OF THE APPLICATION

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

(a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
(b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
(c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is not subject to this application and in any province in the Republic?	~~YES~~	**NO**	~~UNCERTAIN~~
If yes provide details of the offence being investigated and authority conducting the investigation. *If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.*			
Not applicable			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is not subject to this application and in any province in the Republic?	~~YES~~	**NO**	~~UNCERTAIN~~
If yes provide details of the offence being investigated and authority conducting the investigation. *If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.*			

Not applicable			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA in terms of which this application directly relates?	~~YES~~	**NO**	~~UNCERTAIN~~
If yes provide details of the offence being investigated and authority conducting the investigation. *If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.*			
Not applicable			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index	**Socio Economic Impact** **Description of variable**	**Place an "x" in the appropriate box**
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	**X**
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation: Given the small-scale nature of the development on a secluded private property, there have been no negative socio-economic impacts associated with the Tented Camp. No impacts are anticipated during the operation and decommissioning of the facility. It is evident from the impact assessment that the development is only associated with positive impacts on socio-economic aspects.		

Index	**Biodiversity Impact** **Description of variable**	**Place an "x" in the appropriate box**
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
	The activity is giving, has given or could give rise to localised biodiversity impacts	**X**
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation: Local biodiversity impacts, both aquatic and terrestrial, have been realised as outlined in this report (mostly of Low significance with the implementation of recommended mitigation measures). The most significant impact has been the loss of Boland Granite Fynbos (0.24 ha) which is listed as Vulnerable in terms of Section 52 of the NEMBA but classified as		

Endangered by the Red List of Terrestrial Ecosystems of South Africa Assessment published in 2021. through clearing activities. This patch of vegetation is however not pristine, infested with alien invasive plant species and described as near intact to degraded. The impacted patch of fynbos has furthermore not been irreversible transformed and rehabilitation efforts will aim to restore the area to its former condition.

Index	Sense of Place Impact and / or Heritage Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	
	The activity is not in keeping with the surrounding environment and will have a **temporary** localised impact on the affected area's sense of place and/or heritage	X
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	Motivation: The activity has impacted on the sensitive cultural landscape through not strictly aligning with the and-use planning and heritage limitations of the Founder's Estates National Heritage Site. However, this impact is **temporary** and has **not caused irreversible damage to heritage significance**. Immediate heritage implications would furthermore be addressed through remedial action/mitigation measures including the Applicant withholding the right to develop a homestead on the Excluded Area of FE5 until the Temporary Departure to regularise the Tented Camp from a land use and planning perspective has lapsed, and the Tented Camp has been removed. **The sense of place will furthermore be restored following rehabilitation of the site.**	

Index	Pollution Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any pollution	X
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
	Motivation: No impacts related to the pollution of the environment have been identified. There is no evidence of the pollution of freshwater, groundwater, soil, or air at the site. The Tented Camp is a tread lightly, nature-orientated tourist facility and no potential pollution of the environment is anticipated for the operational phase of the development, with the implementation of suggested mitigation measures. Pollution of the environment during the decommissioning phase will furthermore be controlled through the EMPr.	

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
	Description of variable	
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
	Administrative action was **not** previously taken against the applicant in respect of the abovementioned provisions.	X
	Explanation of all previous administrative action taken in respect of the above: **Not applicable**	

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
	Description of variable	

The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	
The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	X
Explanation of all previous convictions in respect of the above: **Not applicable**	

Index	Number of section 24G applications previously submitted by the applicant Description of variable	Place an "x" in the appropriate box
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	X
	Explanation in respect of all previous applications submitted in terms of section 24G: **Not applicable**	

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

Index	Applicant's legal persona Description of variable	Place an "x" in the appropriate box
	The applicant is a natural person.	
	The applicant is a firm.	X
	Describe the firm: The firm is Founders Estate 5 Pty Ltd which is the landowner of FE5. The private company is not involved in any other business activities apart from the development and operation of FE5. Amy Kropman is the sole director of the company – Refer to Appendix R for a letter from the applicant.	

Index	Any other relevant information that the applicant would like to be considered.
	Motivate and explain fully:

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application. Refer to Appendix R.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any. Refer to Appendix G for a copy of and proof of placement of a preliminary advertisement

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an interested and affected party and / or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following:

Annexures for waste listed activity/ies supporting information		Tick the box if Annexure is attached
Annexure 1	**Waste listed activities supporting information (as in prescribed attached form)**	**N/A**
Other	(please list accordingly)	**N/A**

REFERENCES

Hawkes, P.G, 2021, FE5 (Pty) Ltd Tented Camp: Terrestrial Invertebrate Assessment, Afribugs CC, Pretoria.

Hurworth, M, 2021, Civil Engineering Services Report, MH & A Consulting Engineers, Cape Town

Jackson, A & Martin T, 2021, Boschendal Tented Camp S24G Ecological Report, Biodiversity Africa, Cape Town.

Lanz, J, 2021, Site sensitivity verification and Agricultural compliance statement for NEMA 24G Application for FE5 (Pty) Ltd Tented Camp, Wynberg.

Snaddon, K, 2021, Environmental Impact Assessment of Founders Estate 5 Tented Camp, Boschendal Estate, The Freshwater Consulting Group, Kommetjie.

Winter, S, 2021, Heritage Statement: Tented Camps, Founders Estates National Heritage Site, Boschendal Farmlands, Dwars River Valley, Stellenbosch, Muizenburg.

DECLARATIONS

THE APPLICANT

Note: Duplicate this section where there is more than one applicant

- I ...Amelia Kropman ....., in my personal capacity or duly authorised as ...Director..... [state capacity] by .....FES PTY LTD..... thereto hereby declare/affirm that all the information contained in this application to be true and correct, and that I:
- am fully aware of my responsibilities in terms of t the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and all relevant specific environmental management Act(s), and that failure to comply with these requirements may constitute an offence in terms of the environmental legislation;
- appointed the environmental assessment practitioner as indicated above, which meet all the requirements in terms of Regulation 13 of the EIA Regulations to act as the independent Environmental Assessment Practitioner for this application;
- have provided the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- am aware that I may be issued with a directive and that I must comply with such a directive;
- am fully aware of the administrative fine to be paid before a decision, with respect to the continuation of the listed activity(ies), will be made;
- will be responsible for the costs incurred in complying with the environmental legislation including but not limited to –
  - costs incurred in connection with the appointment of the environmental assessment practitioner or any specialist appointed in terms of Regulation 13 of the EIA Regulations);
  - costs incurred in respect of the undertaking of any process required in terms of this application;
  - costs in respect of any prescribed fee payable in respect of this application;
  - costs in respect of specialist reviews, if the competent authority decides to recover costs;
  - the provision of security to ensure compliance with the applicable management and miligation measures; and
  - fine costs
- am responsible for complying with the conditions that might be attached to any decision(s) issued by the competent authority;
- have the ability to implement the applicable management, miligation and monitoring measures; and
- hereby indemnify, the government of the Republic of South Africa, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible.

am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014

Please Note: If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

Signature of the applicant:

Name:
Amelia Kropman

Name of Firm (if applicable):

Date: 1 February 2022

THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I **Claudette Muller**, as the appointed independent environmental practitioner ("EAP") hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this application to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and the relevant specific environmental management Act(s);
- have and will not have any vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the EIA Regulations, the NEM:WA and any specific environmental management Act(s);
- am able to meet the responsibilities in terms of NEMA, the EIA Regulations (specifically in terms of Regulation 13 of the EIA Regulations, 2014) and any specific environmental management Act, and am fully aware that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations

Note: The terms of reference must be attached.

Signature of the environmental assessment practitioner:

Chand Environmental Consultants
Name of company:

18 February 2022
Date:

PART 4 -

ANNEXURE B - SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)

NOT APPLICABLE

NOT APPLICABLE

NOT APPLICABLE

LIST OF APPENDICES

Appendix A: Locality map

Appendix B: Site plan(s)

Appendix C: Building plans (if applicable) – **Not Applicable**

Appendix D: Colour photographs

Appendix E: Biodiversity overlay map

Appendix F: Permit(s) / license(s) from any other organ of state including service letters from the municipality

- **i.** Proof of WUA submission and engagement with the DWS

Appendix G: Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Landowner consent and any other public participation information as required in Section J above. – **Comments & Responses Report**

Appendix H: Specialist Report(s), if any

- **i.** Freshwater Impact Assessment
- **ii.** Ecological Impact Assessment
- **iii.** Animal Species Compliance Statement
- **iv.** Agricultural Compliance Statement
- **v.** Heritage Impact Assessment
- **vi.** Services Report

Appendix I: Environmental Management Programme

Appendix J: Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc. – **Not Applicable**

Appendix K: Certified copy of Identity Document of Applicant

Appendix L: Certified copy of the title deed (or title deeds in the case of linear activities)

Appendix M: Co-ordinate Maps

Appendix N: DEADP confirmation of NEMA triggers

Appendix O: DFFE Screening Tool Report

Appendix P: Site Sensitivity Verification Report

Appendix Q: Methodology employed to determine impact significance

Appendix R: Letter from Applicant

Appendix S: Pre-Directive issued to the applicant on 22 March 2022