

THE PROPOSED PROJECT FIFTY-EIGHT DEVELOPMENT ON PORTION 58 OF THE FARM KROMDRAAI 520 JQ PROPOSED

COMMENT AND RESPONSE REPORT

Prepared for:

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Submitted to:



**forestry, fisheries
& the environment**

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PREFACE

In terms of Section 44 of Government Notice Regulation (GNR.) 982 as published in Government Gazette No. 38282 of 04 December 2014 of the National Environmental Management Act, 1998 (Act No.107 of 1998), as amended (NEMA), comments of Interested and Affected Parties (I&APs) should be recorded in reports and plans, and such written comments, including responses to such comments and records of meetings, are attached to the reports and plans that are submitted to the competent authority [in this case, the Department of Forestry, Fisheries and Environment (DFFE)].

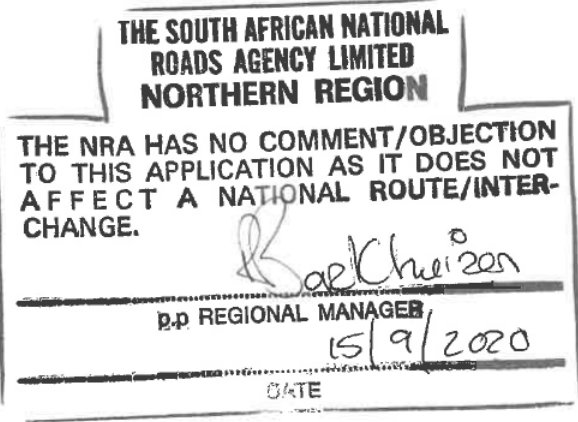
This report constitutes the Comments and Responses Report (CRR) which captures the issues raised by stakeholders during the Environmental Impact Assessment process for the development of a tourism facility on Portion 58 of the Farm Kromdraai 520 JQ in the Cradle of Humankind, Mogale City Local Municipality, Gauteng.

As part of the announcement, notification letters which append registration sheets were sent to all identified I&APs. One (1) site notice was displayed around the site boundary. One (1) newspaper advertisement has been placed in the Citizen on 27 August 2020. A 30-day registration, review and commenting period followed simultaneous announcement of the project and publication of a Background Information Document in the form of a "Draft Scoping Report" from **Thursday, 27 August 2020 to Monday, 28 September 2020**. All comments received from Stakeholders during this period were captured and responded to in this CRR (Refer to **Table 1** for comments received on the Notification Period).

The Draft Basic Assessment Report was advertised from **Monday, 12 April 2021 to Friday, 14 May 2021**. All comments received from Stakeholders during this period were captured and responded to in this CRR (Refer to **Table 2** for comments received on the Draft Basic Assessment Report).

Table 1: Comments received during the initial notification period (Thursday, 27 August 2020 to Monday, 28 September 2020)

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>Our mail dated 27th August refers.</p> <p>We look forward to your reply including proposed SDP.</p> <p>Please forward full details regarding this proposed development.</p>	<p>Eugene de Wit</p>	<p>Via E-mail</p> <p>31/08/2020</p> <p>&</p> <p>27/08/2020</p>	<p>Dear Eugene</p> <p>Thank you for your e-mail. You have been registered as an Interested and Affected Party. Please find attached a copy of the Draft Scoping Report.</p> <p>Let me know if you have any further questions at this stage. Looking forward to receiving your comments on the Draft Scoping Report before or on 28 September 2020.</p> <p>[A digital copy of the Draft Scoping Report (including the SDP) was sent to Eugene on 1 September 2020]</p>
<p>Please find attached SANRAL's comments. For any follow up or new applications, please use nrstat@nra.co.za email address.</p>	<p>Ria Barkhuizen (NR) SANRAL</p>	<p>Via E-mail</p> <p>16/09/2020</p>	<p>Dear Ria, thank you for your confirmation.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
			
<p>The Department hereby acknowledge receipt of your application for Kromdraai 520-Jq Ptn 58. The reference number for your application is: 2020_09_0049.</p>	<p>Hein Lindemann DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT</p>	<p>17/09/2020 Via E-mail</p>	<p>Dear Hein, thank you for your reply and reference.</p>
<p>I refer to the abovementioned matter, as well as my telephonic conversation with you this morning.</p> <p>I would like to confirm the following:</p>	<p>Nadia Du Preez (on behalf of Anton de Swardt DE SWARDT MYAMBO ATTORNEYS</p>	<p>22/09/2020 Via E-mail</p>	<p>Dear Anton</p> <p>We confirm that you have been Registered as an Interested and Affected Party and will receive all future</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>1. As advised, we received a mandate from an adjacent property owner, interested and affected party, to register as such in the environmental scoping process.</p> <p>2. We would like to submit proper sensible input and, in this regard, requested your consent to file any comments on the draft scoping report 7 days after the closing time, being Monday, 5 October 2020 to which you have consented. We appreciate you accommodating us in this regard and confirm that we will then submit comments for consideration as agreed.</p> <p>Kindly furnish us with the necessary form to register as an interested and affected party.</p> <p>As advised and without providing any detail at this stage, our client is very concerned about the:</p> <ol style="list-style-type: none"> 1. Water supply to the proposed development; 2. The sewer and effluent disposal and the high likelihood of ground water contamination; 	<p>NOTARIES CONVEYANCERS</p>		<p>notifications and information about the proposed project via e-mail. You are also welcome to communicate and submit any comments electronically.</p> <p>We hereby also grant you 7 days additional time to comment on the Draft Scoping Report as requested.</p> <p>Please let me know if you have any further queries at this stage.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
3. The implications of noise and the lack of proper noise abatement mechanisms.			
<p>1. INTRODUCTION AND BACKGROUND</p> <p>Kindly find attached Bokamoso comments regarding the DSR for the abovementioned project.</p> <p>Bokamoso Landscape Architects and Environmental Consultants cc was appointed by De Swardt Myambo Attorneys to compile comments, on behalf of De Swardt Myambo Attorneys and its client namely the De Wit Family Trust, regarding the Draft Scoping Report (DSR) that was made available for comment by Environmental Consultants International (Pty) Ltd (ECI) for the proposed "Project 58 Development" on Portion 58 of the Farm Kromdraai 520 JQ.</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>Dear Lizelle, thank you for your comments on the Draft Scoping Report.</p> <p>The EAP takes cognisance of Bokamoso's Power of Attorney to represent the De Wit Family Trust on behalf of De Swardt Myambo Attorneys.</p>
A copy of this comment document will be forwarded to the Gauteng Department of Agriculture and Rural Development (GDARD) and to the Department of Environment, Forestry and Fisheries (DEFF).	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>The EAP takes note that you have forwarded copies of your comments directly to the GDARD and the DEFF.</p> <p>A copy of your comments (including Addendums) is attached under Annexure E.5 of the Draft BAR.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>It was confirmed in the DSR that the EAP placed the relevant EIA notices, which invite potential I&APs to Register as I&APs on site and in the Citizen Newspaper on 27 August 2020. The EAP confirmed in the DSR that specific stakeholders were also notified of the proposed development via notification letters that were distributed on 27 August 2020.</p> <p>The EAP indicated, in the single project notification of 27 August 2020, that the public and stakeholders are not only invited to register as I&APs within 30 days from 27 August 2020 until 28 September 2020, but that comments regarding the DSR (made available as part of the notification of 27 August 2020) also had to be submitted to Environmental Consultants International (ECI) by 28 September 2020. This modus operandi of the EAP is regarded as unacceptable and will be discussed in more detail under Item 3 of this comment document.</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Notification of the Project took place on 27 August 2020, in accordance with the 2014 NEMA EIA Regulations, as amended (Chapter 6 of GNR 326 of April 2017).</p> <p>The Draft Scoping Report served as a Background Information Document and in consultation with the Department of Environment Forestry and Fisheries (DEFF) it was confirmed that the application needs to follow a Basic Assessment Reporting (BAR) process.</p> <p>Notification of the relevant BAR process and availability of the Draft BAR was also advertised on Monday 12 April 2021 in accordance with the 2014 NEMA EIA Regulations, as amended (Chapter 6 of GNR 326 of April 2017). Proof of the Notification of the relevant BAR process and availability of the Draft BAR is included in the Annexure E of the Amended Draft BAR.</p> <p>The Regulations does not prohibit or explicitly state that the project notification period and draft report review period cannot occur simultaneously.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>2. SUMMARY OF BACKGROUND INFORMATION AS SUPPLIED IN THE DRAFT SCOPING REPORT FOR PUBLIC REVIEW</p> <p>The proposed development is a tourism facility / retreat to be situated on Portion 58 of the farm Kromdraai 520 JQ, Cradle of Humankind, Mogale City Municipality, Gauteng province. Anderbridge Investments (Pty) Ltd is the applicant for the proposed development. The property is 163 hectares in extent and the total development footprint will be approximately 8.2 hectares in extent.</p> <p>Project 58 will include the following Facilities:</p> <ul style="list-style-type: none"> ➤ A Hotel; ➤ An Hindu Spiritual Sanctuary/ Temple, namely the Ashram Sanctuary; ➤ A Healing Centre; and ➤ A Farming component <p>The activities applied for under NEMA is from Government Notice Regulation (GNR) No. 327 (Listing Notice No. 1, Activities 1, 19, 25 and 27) and GNR No. 324 (Listing Notice 3, Activities 4, 6, 12 and 14).</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Bokamoso's summary of the background information, as extracted from the Draft Scoping Report (which served as a Background Information Document), is noted and correct.</p>

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<p>The proposed project also requires authorisation in terms of the National Water Act, 1998 (Act No. 36 of 1998) [NWA]. The project triggers activities listed in Section 21 of the Act and will require a Water Use License (WUL) to be administered by the Department of Human Settlements, Water and Sanitation (DHSWS).</p> <p>The proposed retreat will cater for up to 150 guests and will incorporate the following structures:</p> <ul style="list-style-type: none"> ➤ Six (6) 275 m² residential villas; ➤ Sixteen (16) 175 m² residential villas; ➤ Eighteen (18) 65 m² residential suites; ➤ Nineteen (19) 40 m² residential rooms; ➤ Six (6) 10 m² residential pods; ➤ 200 m² wellbeing facility (incl. hydrotherapy, treatments rooms and a gym); ➤ 600 m² 23-room residency; ➤ 550 m² lounge/event space; ➤ 200 m² restaurant; and ➤ 520 m² central facilities (incl. site offices and six room). <p>Total area = 8 510m²</p>			

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<p>Risks and key issues that could have an impact on the environment were listed as:</p> <ul style="list-style-type: none"> ➤ Groundwater contamination ➤ Surface water contamination ➤ Impact on flora ➤ Impact on fauna ➤ Visual impacts ➤ Noise impacts ➤ Air quality ➤ Traffic impacts ➤ Health and safety risks ➤ Socio-economic impacts 			
<p>The EAP stated on page 37 of the “Draft” SR that the following specialist studies have been completed and were attached as part of the “Final” SR (FSR):</p> <ul style="list-style-type: none"> ➤ An Ecological Assessment ➤ A Geotechnical Investigation; ➤ A Traffic Impact Assessment; 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	The specialist studies as listed on page 37 of the Draft Scoping Report (which served as a Background Information Document) is now available as part of the Draft BAR under Annexure F .

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<ul style="list-style-type: none"> ➤ A Geohydrological Report; ➤ A Phase 1 Heritage Assessment Report; and ➤ A Palaeontology Report 			
<p>In the Conclusion of the DSR EAP confirms that the FSR (not the Draft SR) “established the scope of the Proposed Activity and identified potential impacts on the receiving environments”. It states that the FSR also sets out the proposed scope of the EIR phase that will be undertaken for the proposed project.</p> <p>It then states “comments and/or concerns identified by I&APs during the review period of the DSR have been incorporated into this FSR for further investigation during the EIR phase to follow. The FSR and Plan of Study for the EIR phase will now be submitted to the DEFF for consideration. All comments regarding the FSR will also be forwarded to the DEFF for consideration.”</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>Thank you for pointing out the ambiguity in the Draft Scoping Report.</p> <p>The Draft Scoping Report served as a Background Information Document and in consultation with the Department of Environment Forestry and Fisheries (DEFF) it was confirmed that the application needs to follow a Basic Assessment Reporting (BAR) process.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>3. COMMENTS REGARDING THE DRAFT SCOPING REPORT THAT WAS MADE AVAILABLE FOR COMMENT ON 27 AUGUST 2020</p> <p>3.1 Technical Aspects</p> <ul style="list-style-type: none"> ➤ The Public Participation Process followed by the EAP is regarded as “fatally flawed”; The EAP failed to take cognisance of the directions issued by the Minister of DEFF in line with the Disaster Management Act of 2002 on 31 April 2020, 5 June 2020 and 9 September 2020 and this adds to the irregular PP process followed by the EAP; 	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>The Directions Regarding Measures to Address, Prevent and Combat the Spread of Covid-19 Relating to the National Environmental Management Permits and Licences (GN No 970 of 9 September 2020) could not have been considered as the Draft Scoping Report was published on 27 August 2020 and therefore preceded the said Directions.</p> <p>The Public Participation followed was however in line with the Directions Regarding Measures to Address, Prevent and Combat the Spread of Covid-19 Relating to the National Environmental Management Permits and Licences (GN No 650 of 5 June 2020), as follows:</p> <ul style="list-style-type: none"> ➤ Annexure 2.3 of the Directions states that at all times it must be ensured that reasonable opportunity is provided for public participation and that all administrative actions are reasonable. When additional time to comment on the DSR was requested by the De Wit Family Trust’s attorney the EAP granted the period as requested (7-days).

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			<ul style="list-style-type: none"> ➤ Annexure 2 of the Directions that all documents must be electronically available. The Notification Letter and Draft Scoping Report (which served as a Background Information Document) was made available electronically. ➤ The Draft BAR has also been made available electronically in line with the Approved Public Participation Plan (see Annexure E8 of the Draft BAR.
<ul style="list-style-type: none"> ➤ The application process followed by the EAP is regarded as incorrect; 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<ul style="list-style-type: none"> ➤ The Draft Scoping Report served as a Background Information Document and in consultation with the Department of Environment Forestry and Fisheries (DEFF) it was confirmed that the application needs to follow a Basic Assessment Reporting (BAR) process.
<ul style="list-style-type: none"> ➤ The Scoping Report that was made available for public comment does not comply with the requirements for a DSR as set out in the applicable legislation; 			<ul style="list-style-type: none"> ➤ The Draft Scoping Report served as a Background Information Document and in consultation with the Department of Environment Forestry and Fisheries (DEFF) it

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			<p>was confirmed that the application needs to follow a Basic Assessment Reporting (BAR) process.</p> <ul style="list-style-type: none"> ➤ Refer to Table 1 of the Draft BAR was included to demonstrate that this report conforms with the requirements of Appendix 1 of 2014 NEMA EIA Regulations, as amended (GNR 326 of April 2017).
<ul style="list-style-type: none"> ➤ The Plan of Study for EIA (PoS for EIA) does not comply with the requirements for a PoS For EIAS as set out in the applicable legislation. 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<ul style="list-style-type: none"> ➤ Statement noted. Please outline applicable legislation you are referring to.
<ul style="list-style-type: none"> ➤ The EAP failed to apply for all the relevant listed activities as listed in Listing Notices 1, 2 and 3 of the 2014 NEMA EIA Regulations, as amended in 2017. 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<ul style="list-style-type: none"> ➤ Statement noted – please elaborate.
<ul style="list-style-type: none"> ➤ The EAP states that the Department of Environment, Forestry and Fisheries (DEFF) will be the competent authority and that the application. will be submitted to DEFF. The Ecological Report, attached as Annexure E, states that the ecological report was submitted to 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<ul style="list-style-type: none"> ➤ Thank you for pointing this out. The Ecological Report cover page was updated to reflect that the submission is made to the Competent Authority [i.e. the Department of Environment, Forestry and Fisheries (DEFF)].

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>the Gauteng Department of Agriculture and Rural Development (GDARD). Who will be the competent authority?</p>			
<p>➤ On some sections of the report the EAP refers to the document that was made available for review as the Draft Scoping Report and in other sections the EAP states that the report represents the Final Scoping Report (i.e. in the conclusion of the report the EAP states that “the comments and/or concerns identified by I&APs during the review period of the DSR have been incorporated into this FSR for further investigation during the EIR phase to follow”.</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>➤ The EAP’s Conclusion in the Draft Scoping Report (which served as a Background Information Document) was included prematurely, and was only relevant with publishing of the Draft BAR.</p>
<p>➤ The EAP states that the following specialist reports were attached as part of the SR:</p> <ul style="list-style-type: none"> ○ An Ecological Assessment; ○ A Geotechnical Investigation; ○ A Traffic Impact Assessment; ○ A Geohydrological Report; ○ A Phase 1 Heritage Assessment Report; and ○ A Paleontology Report. 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>➤ The specialist studies as listed on page 37 of the Draft Scoping Report (which served as a Background Information Document) is now available as part of the Draft BAR under Annexure F.</p>

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<p>This information was misleading. Only an Ecological Assessment was attached as part of the SR.</p>			
<p>➤ The ecological report that was submitted as part of the SR was not compiled or overseen by an independent specialist and this is not in line with the legislative requirements for a specialist report;</p>			<p>➤ Please outline applicable legislation you are referring to.</p> <p>➤ The relevant specialist signed a Declaration of Independence.</p>
<p>➤ The impacts identification of the specialist did not take the comments of any Registered I&APs or stakeholders into consideration and the EAP failed to list all the potential impacts and the specialist report/inputs required.</p>			<p>➤ Impacts identified in the Draft Scoping Report (which served as a Background Information Document) is not the absolute and more impacts can be identified and added as the process progresses and more information and input is obtained.</p> <p>➤ Additional Specialist Studies (other than those outlined in the Scoping Report Plan of Study) will only be undertaken if recommended by the Competent Authority.</p>

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<ul style="list-style-type: none"> ➤ The development layout as provided failed to provide all the necessary information regarding the activities related to the development and the facilities and infrastructure to be provided as part of the development; 			<ul style="list-style-type: none"> ➤ Detailed Layout Plans will only be available during the Detail Design Phase which will follow Environmental Authorisation (should it be granted by DEFF).
<ul style="list-style-type: none"> ➤ The EAP failed to utilise the DEFF Screening Tool, which is now compulsory for all EIA applications. 			<ul style="list-style-type: none"> ➤ A Screening Report was submitted to the DEFF with the Application.
<ul style="list-style-type: none"> ➤ The Listed Activities triggered by the proposed development as stated on Page iii of the DSR do not correlate with those listed on the public notice or the remainder of the DSR. 			<ul style="list-style-type: none"> ➤ Activities applied for and advertised in the Public Notice are correct, namely: Government Notice Regulation (GNR) No. 327 (Listing Notice No. 1, Activities 19 and 27) and GNR No. 324 (Listing Notice 3, Activities 4, 6, 12 and 14)
<p>3.2 More Detailed Comments regarding the DSR (FSR) ???</p> <p>3.2.1 Description of the Bio-Physical, Economic and Institutional Environments</p> <p>3.2.1.1 Biophysical Environment</p>			

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The site is considered as highly sensitive from an ecological point of view. Only small sections in the northern parts of the site have medium to low sensitivity. Virtually all buildings and infrastructure will be situated within the highly sensitive areas.			Buildings and associated infrastructure were mostly concentrated in areas that are already developed/transformed.
Sensitive aspects of the environment include agricultural potential, aquatic biodiversity, animal and plant species biodiversity, the possibility of the occurrence of red data flora and fauna species on the site and terrestrial biodiversity. A ridge and watercourses also affect the study area.	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	Impacts on sensitive ecological features have been assessed as per the Draft BAR.
<p>Finding:</p> <p>The ecological assessment conducted for the study area is regarded as a general assessment and no detailed attention were given to the possible occurrence of red data fauna and flora species. The site is located on a ridge (a bio-diversity “hot spot”) and within a “World Heritage Site” and therefore it is regarded as necessary that proper specialist studies be conducted.</p>			The Ecological Assessment Reports provides a regional, local as well as site-specific description of vegetation. Refer to Table 1 on Pages 9-10 for an extensive list of species identified on site. No Red Data flora or fauna were identified on site (23 April 2019).
The study area is also affected by at least x3 drainage channels/ watercourses and a wetland. No wetland or	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	A Floodline Study is included in the Roads and Stormwater Report (Annexure D if the Draft BAR).

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<p>watercourse delineation exercise was proposed to determine the impact of the proposed development and its associated infrastructure on watercourses/ watercourse buffers. It will also be necessary to conduct a wetland/water course delineation and a flood line delineation in order to determine the location of the proposed development in relation to the watercourse, watercourse buffers and floodlines on the study area.</p>			
<p>The proposed localities of roads and infrastructure were not indicated on the facility layout plan and it was therefore not possible to identify potential impacts of roads and infrastructure on the ridges and watercourses/ watercourse buffers.</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<ul style="list-style-type: none"> ➤ Detailed Layout Plans will only be available during the Detail Design Phase which will follow Environmental Authorisation (should it be granted by DEFF).
<p>Additional Specialist Studies Required:</p> <ul style="list-style-type: none"> ➤ Flood Line delineation; ➤ Wetland/ watercourse and watercourse buffer delineation; ➤ Delineation of the 100m/ 500m regulated area; ➤ Identification of the layout of the proposed services and roads associated with the development; 	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<ul style="list-style-type: none"> ➤ A Floodline Study is included in the Roads and Stormwater Report (Annexure D if the Draft BAR). ➤ Detailed Layout Plans will only be available during the Detail Design Phase which will follow Environmental Authorisation (should it be granted by DEFF).

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<ul style="list-style-type: none"> ➤ Red data species survey (at the correct season/ when such species can be identified); <p>Based on Bokamoso’s evaluation of the sensitivities of the site as well as the Screening Tool, the recommended list of specialist studies included in the SR is not sufficient. Bokamoso utilised the DEFF Screening Tool and the Screening Tool confirmed that the following bio-physical environment specialist inputs will be required: Refer to Addendum A of this document</p> <ul style="list-style-type: none"> ➤ Terrestrial biodiversity ➤ Aquatic biodiversity ➤ Hydrology ➤ Fauna and Flora 			<ul style="list-style-type: none"> ➤ No Red Data flora or fauna were identified on site (23 April 2019). ➤ A Screening Report was submitted to the DEFF with the Application. Additional Specialist Studies (other than those outlined in the Scoping Report Plan of Study) will only be undertaken if recommended by the Competent Authority.
<p>3.2.1.2 Socio-Economic Environment</p> <p>3.2.1.2.a Public Participation</p> <p>The PP process that was followed is regarded as “fatally flawed”. ECI invited the public to register as I&APs on 27 August 2020 and afforded them until 28 September 2020 to Register and to peruse the Draft Scoping Report and this parallel “time saving” action is regarded as highly irregular and</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>Simultaneous notification of the project and availability of draft reports is a common and acceptable practice.</p> <p>The Regulations does not prohibit or explicitly state that the notification period and draft report review period cannot occur simultaneously.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>potential I&APs are most definitely prejudiced by this. It appears that you also ignored the Special Covid-19 Directions for PP.</p>			<p>If an I&AP requires additional time, it can be requested and it will be considered.</p>
<p>The PP took place during the Covid-19 Lockdown period and the EAP completely ignored the directions issued by the Minister of DEFF in line with the Disaster Management Act of 2002 on 31 April 2020, 5 June 2020 and 9 September 2020 and this adds to the irregular PP process followed by the EAP.</p> <p>Bokamoso, our client and all other potential I&APs had the right to register as Interested and Affected Parties at any time during the 30-day registration period, even on the last day, which was 28 September 2020. The DSR which has been made available for comment on 27 August 2020 should have also been made available to all I&APs (also those who were still allowed to register on 28 September 2020) for a 30-day period. In the DSR that was made available, the EAP could not even supply a complete list of the I&APs who requested to be registered in your process, because the report was compiled and completed before the I&APs were invited to register.</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>The Directions Regarding Measures to Address, Prevent and Combat the Spread of Covid-19 Relating to the National Environmental Management Permits and Licences (GN No 970 of 9 September 2020) could not have been considered as the Draft Scoping Report was published on 27 August 2020 and therefore preceded the said Directions.</p> <p>The Public Participation followed was however in line with the Directions Regarding Measures to Address, Prevent and Combat the Spread of Covid-19 Relating to the National Environmental Management Permits and Licences (GN No 650 of 5 June 2020), as follows:</p> <ul style="list-style-type: none"> ➤ Annexure 2.3 of the Directions states that at all times it must be ensured that reasonable opportunity is provided for public participation and that all administrative

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			<p>actions are reasonable. When additional time to comment on the DSR was requested by the De Wit Family Trust's attorney the EAP granted the period as requested (7-days).</p> <ul style="list-style-type: none"> ➤ Annexure 2 of the Directions that all documents must be electronically available. The Notification Letter and Draft Scoping Report was made available electronically. ➤ The Draft BAR has also been made available electronically in line with the Approved Public Participation Plan (see Annexure E8 of the Draft BAR.
<p>None of the surrounding landowners were identified in the initial Public Participation Process or included in the I&AP list. It must be confirmed how the surrounding landowners were informed of the application.</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Written Notice was issued to all surrounding landowners, namely Plot 22, Plot 18C, Plot 17, Plot 37, Plot 15, Plot 1 and Plot 90.</p> <p>No registrations (other than the De Wit Family Trust) have been received to date. Interested and Affected Parties can however still register throughout the process.</p>

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<p>The EAP also fails to elaborate in the Plan of Study for EIA how the PP will be handled during the EIA process. The Plan of Study for EIA is supposed to supply detail regarding PP methodology during the EIA process.</p>			<ul style="list-style-type: none"> ➤ Please refer to Annexure E8 of the Draft BAR for the Public Participation Plan approved by DEFF as part of the Pre-Application meeting.
<p>The report compile by the EAP is regarded as misleading and confusing. Even though the header of the document refers to the document as a Draft Scoping Report, the Introduction, Conclusion and various other sections of the report refer to the report as the Final Scoping Report.</p> <p>Even though no comments have been received from I&APs when the DSR was compiled, the EAP stated in the Conclusion of the report that the Final SR took all the comments/ issues raised by the I&APs into consideration.</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	The EAP's Conclusion in the Draft Scoping Report (which served as a Background Information Document) was included prematurely, and was only relevant with publishing and submission of the Draft BAR.
<p>3.2.1.2.b Qualitative Environment</p> <p>Due to the magnitude of the proposed development, it is not regarded as a low impact development.</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	Impacts including noise, visual and socio-economic have been assessed as part of the Draft BAR.

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<p>Surrounding areas characterised by smallholdings with large open areas, lodges and agriculture. Noise levels are generally low. The potential noise to be created by the proposed development must be considered, specifically for periods when the facility is at full capacity or during school holidays when families with children are present.</p> <p>The proposed development site is situated on a Class 2 ridge, providing scenic views and high visibility of the surrounding landscape. The visual impact to the views of surrounding properties is a concern as the site is generally natural and undisturbed. Development will remove the natural scenery and vegetation, causing a permanent change in the aesthetic value of the area.</p> <p>Data on the existing socio-economic conditions in the area and the potential job creation provided by the proposed development are to be included in a Market/Feasibility Study. Due to the high sensitivity and biodiversity of the site, the environmental impacts have to be carefully weighed against</p>			

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<p>the potential job opportunities presented by the proposed development.</p> <p>Finding:</p> <p>The proposed development will take place on a ridge and will most probably be very visible from the surrounding environments. The visual impacts assessment must take views towards and from sensitive viewsheds into consideration and it must also consider visual impacts associated with lighting into consideration. The study area and its surroundings have a tranquil atmosphere and the proposed activities as well as the increased traffic will cause an increase of the noise levels in the area, especially during events/ gatherings.</p> <p>Additional Specialist Studies Required (Studies required by the DEFF screening tool also listed)</p> <ul style="list-style-type: none"> ➤ PP process to be repeated and proper DSR to be made available for comment; ➤ Acoustical study; ➤ Visual Impact Assessment; and ➤ Socio-Economic Assessment 			<ul style="list-style-type: none"> ➤ Additional Specialist Studies (other than those outlined in the Scoping Report Plan of Study) will only be undertaken if recommended by the Competent Authority.

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<p>3.2.1.2.c Services and Infrastructure</p> <p>➤ Water Availability</p> <p>The site currently makes use of 5 boreholes for water as no municipal services are available in the area. The developer proposes rainfall harvesting for potable use and irrigation. The proposed development will require a significant amount of water and it will be necessary to conduct the necessary borehole yield studies and reserve determinations in order to confirm whether there is enough ground water available in the catchment area for the development and for the ecological reserve. The water requirements for the development may impact surrounding water users due to drawdown within the boreholes decreasing the groundwater table. The impact on surrounding landowners must be thoroughly investigated as water supply in the area is limited.</p> <p>The storage of stormwater in attenuation ponds could impact downstream environments (water quality, quantity and water flow). Furthermore, the proposed use of effluent for irrigation</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	

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<p>and finally discharge into the natural system, is a risk for pollution of soil and surface/ground water resources. Erosion is not the only impact of concern regarding stormwater attenuation and release.</p> <p>Finding: The availability of ground water as main water source for the development was not confirmed. The lack of sufficient water for the development is regarded as a “fatal flaw” which could prevent a project from happening.</p> <p>Additional Specialist Studies Required (Studies required by the DEFF screening tool also listed)</p> <ul style="list-style-type: none"> ➤ Geo-Hydrological study in line with the requirements of DHSWS, must also include a sanitation risk assessment. 			<p>Groundwater as main source was assessed as part of the Draft BAR and was found to be adequate for the proposed development.</p> <p>Total Yield (from 5 boreholes) = 295.2 KL/Day Total Demand = 265.38 KL/Day</p> <p>Refer to Annexure D Water and Sanitation Report.</p> <p>Sustainable practices such as rainwater harvesting, attenuation, and water recycling will be implemented in order to reduce the estimated demand as much as possible.</p> <p>Groundwater monitoring (yield and quality) of the five existing boreholes will be carried out on a quarterly basis during the operational period. If the yield reduces dramatically a new water resource will be secured.</p>

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<p>➤ Other Services</p> <p>No indication is provided of where the sewage treatment plants will be situated or the location of the required pipelines from the buildings to the treatment plants. This is a concern as pollution of groundwater and surface water is a risk considering that buildings are planned along some of the watercourses within the site.</p> <p>Findings:</p> <p>The layout must include detail regarding the sewage, water and road infrastructure for a better idea of the extent of the development footprint and associated impacts.</p> <p>Additional Specialist Studies Required:</p> <ul style="list-style-type: none"> ➤ Services report for the proposed development, which must address sewer provision, water provisions, solid waste management, road upgradings and the access to the development and electricity supply. 	<p>Lizelle Gregory Bokamoso</p>	<p>05/10/2020 Via: E-mail</p>	<p>Detailed Layout Plans will only be available during the Detail Design Phase which will follow Environmental Authorisation (should it be granted by DEFF).</p> <p>The Engineering Services Report and a Traffic Impact Assessment with recommendations have been included in the Draft BAR (Annexure D).</p>
<p>Preliminary Impact Assessment and Statement</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Impacts identified in the Draft BAR is not the absolute and more impacts can be identified and added as the</p>

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<p>The impact assessment does not consider all potential impacts from the development and must be expanded to include (amongst others):</p> <ul style="list-style-type: none"> ➤ Impacts on surface water quality during operation; ➤ Visual impacts during operation; ➤ Sewage leaks during operation; ➤ Impacts on fauna and flora including the endangered Egoli Granite Grassland vegetation; ➤ Impacts on floodlines, rivers and wetlands; and ➤ Impacts on groundwater supply for surrounding landowners 			<p>process progresses and more information and input is obtained.</p>
<p>5 Discrepancies identified in the Scoping Report that was made available</p> <p>DSR (page iii): Activities applied for under NEMA include GN R No. 327 (Listing Notice 1, Activities 1, 19, 25 and 27) and GN R No.324 (Listing Notice 3, Activities 4, 6, 12 and 14)</p> <p>Bokamoso Comments: The activities list does not correlate with those included in the public notice or remainder of the DSR</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Activities applied for and advertised in the Public Notice are correct, namely: Government Notice Regulation (GNR) No. 327 (Listing Notice No. 1, Activities 19 and 27) and GNR No. 324 (Listing Notice 3, Activities 4, 6, 12 and 14)</p>

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<p>DSR (Page 1) The property size is approximately 163 hectares (ha) in extent and the proposed development will have a footprint of approximately 8.2 ha.</p> <p>DSR (page7) The facility will consist of the following components and will be able to accommodate a maximum of 150 people:</p> <ul style="list-style-type: none"> ➤ Six (6) 275 m² residential villas; ➤ Sixteen (16) 175 m² residential villas; ➤ Eighteen (18) 65 m² residential suites; ➤ Nineteen (19) 40 m² residential rooms; ➤ Six (6) 10 m² residential pods; ➤ 200 m² wellbeing facility (incl. hydrotherapy, treatments rooms and a gym); ➤ 600 m² 23-room residency; ➤ 550 m² lounge/event space; ➤ 200 m² restaurant, and ➤ 520 m² central facilities (incl. site offices and six room). <p>Bokamoso Comments</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Detailed Layout Plans will only be available during the Detail Design Phase which will follow Environmental Authorisation (should it be granted by DEFF).</p> <p>The EAP is confident that the footprint will not exceed 20 hectares and no additional listed activities will therefore be triggered.</p>

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<p>The total area to be covered by the facilities / buildings within the list is 8.5 hectares, and not 8.2 hectares as stated within the report. However, the total footprint of the parking, access and internal roads as well as the required pipelines for stormwater, sewage and water to each building have not been considered. The sizes, lengths and layouts of the above-mentioned associated facilities and infrastructure also needed to be considered in the application as the inclusion of this information may trigger additional listed activities.</p>			
<p>DSR (page 9)</p> <p>The existing buildings on site are being supplied with potable water from five boreholes on site. The boreholes were tested and provided yields as outlined in Table 1 below. Understanding that the municipality is not able to provide potable water to the site, it is proposed that the site harvests rainwater from the rooftops of the buildings on site and supplements the supply with borehole water.</p> <p>Bokamoso Comments</p> <p>The total water requirement for the development must be determined.</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>The total water requirement is 265.38 KL/Day.</p> <p>Refer to the Water and Sanitation Report (Annexure D).</p>

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<p>DSR (page 11) Effluent will be used for site irrigation with the excess effluent to be discharged into the natural drainage channel/watercourse on the western side of the property which feeds into the Bloubankspruit. This activity is a listed activity in terms of the Section 21(e) and (21g) of the National Water Act, 1998 (Act 36 of 1998) and will be included in the Water Use Licence Application to be administered by the Department of Water and Sanitation.</p> <p>Bokamoso Comments Pollution of surface and groundwater is a concern for surrounding landowners who also make use of borehole water.</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	Water quality of waste water to be discharged will comply with the limits set in the Water Use Licence (WUL) to be administered by the Department of Human Settlements, Water and Sanitation (DHSWS).
<p>DSR (page 23) The EIA Regulations 2014 define alternatives as: "different means of meeting the general purpose and requirements of the activity, which may include alternatives to; - a) the property on which or location where it is proposed to undertake the activity;</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>Due to the lack of any other suitable land in the area, owned by the Applicant or available to the Applicant, no other site alternatives could be identified for the proposed development.</p> <p>In accordance with the GPEMF desirable development activities for the Primary Zone of the CHKWHS Special</p>

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<p>b) the type of activity to be undertaken; c) the design or layout of the activity; d) technology to be used in the activity; or e) operational aspects of the activity” All proposed alternatives must be both reasonable and feasible.</p> <p>Bokamoso Comments Technology alternatives are the only option considered. No alternative land uses (type of activity) or layout alternatives were considered as is required by NEMA.</p>			<p>Control Zone includes boutique hotels and lodges as well as tourism incentive accommodation. As the Proposed Activity falls within this category and no other feasible Land Use Alternatives, that are similarly in line with the GPEMF could be identified, the Proposed Activity was assessed in conjunction with two technology alternatives.</p> <p>The Proposed Activity Layout and the associated operational offerings and activities went through an organic process of collaboration of artists, architects, permaculturalists, spiritualists, investors, business operators, yogis, doctors, psychologists and community members. Although various other concept layouts were explored throughout the non-linear design process they were scoped out and the Applicant believes that he proposed Layout offers the most holistic understanding of the site with the lowest environmental impact.</p>
<p>DSR (page29) Low impact development activities, such as tourism facilities, which comprise of an ecological footprint of 5% or less of the</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>We take note of this threshold and have updated the Draft BAR accordingly (i.e. proposed development will not exceed the 5% development threshold).</p>

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<p>property may be permitted. (The ecological footprint includes all areas directly impacted on by a development activity, including all paved surfaces, landscaping, property access and service provision).</p> <p>Bokamoso Comments</p> <p>Refer to comment above regarding the footprint of services, parking and roads. Based on the total property size of 163 hectares, 5% is equal to 8.15 hectares. The proposed development is above the permitted development size for the Class 2 Ridge, as the entire development will be situated on the ridge portion of the site.</p>			
<p>DSR (Annexure D) Public Participation information</p> <p>Bokamoso Comments</p> <p>The location of the site notices is not provided and it cannot be confirmed by the few photographs added, whether all the surrounding landowners were notified of the proposed development. The surrounding landowners have not been included in the I&AP list. In terms of regulation 41 (1) (b), the</p>	Lizelle Gregory Bokamoso	Via: E-mail 05/10/2020	<p>One Site Notice was displayed in accordance with Regulation 41 (2)(a).</p> <p>Written Notice was issued to all surrounding landowners, namely Plot 22, Plot 18C, Plot 17, Plot 37, Plot 15, Plot 1 and Plot 90.</p>

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<p>EAP must give written notice of the project to “owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken....”. No proof of notification for the surrounding properties has been provided in the DSR.</p>			<p>Proof of the Notification of the relevant BAR process and availability of the Draft BAR is included in Annexure E of the Amended Draft BAR.</p>
<p>Conclusions and Recommendations</p> <p>Our general impression of the Draft Scoping report is that it was compiled in a rushed manner, it represents a “cut and paste” exercise and information provided throughout the report appeared to be inconsistent. References to the proposed development infrastructure, Listed Activities triggered and type of report (Draft or Final) vary within the report as well as in the public notices that were distributed.</p> <p>Bokamoso is of the opinion that the Draft Scoping Report was compiled haphazardly without proper I&AP participation or impact identification. The EAP created an enormous amount of confusion in the report regarding the status of the report that was made available for review to I&APs and the competent authority. The report stated in some paragraphs that the report was a Final Scoping Report and in other sections of the report the EAP referred to the report as a Draft Scoping Report. The</p>	<p>Lizelle Gregory Bokamoso</p>	<p>Via: E-mail 05/10/2020</p>	<p>Noted</p>

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<p>EAP stated that the application will be submitted to DEFF and the Cover page of the Ecological Report stated that the Report was submitted to GDARD. The public participation process followed during the Scoping Phase is regarded as insufficient and “fatally flawed”. It is requested that the proposed development be re-advertised and that the I&AP, stakeholder and organ of state data base be updated (during a repeated Scoping PP process/ during the EIA Phase). A public meeting/ focus group meeting should be arranged during the EIA phase in order to discuss the results of the impact assessment and to answer questions regarding Draft EIA Report and the specialist reports attached as part of the DEIA. The PP process must allow for enough time to make amendments to the layouts and reports available to the I&APs before the final EIA Report is submitted to the competent authority. The EIA process specifically makes provision for this requirement in the timeframes as set out in the applicable legislation.</p>			
<p>The Fossil Hominid Sites of Sterkfontein, Swartkrans, Kromdraai and Environs, known as the Cradle of Humankind is a component of the Fossil Hominid Sites of South Africa that was declared as a World Heritage Site (WHS) on December</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment,</p>	<p>25/11/2020 Via E-mail</p>	<p>Thank you for your comments. Your summary of the background Cradle of Humankind is noted.</p>

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<p>2, 1999. The Cradle of Humankind covers an area of over 47 000 hectares of privately owned land North West of Johannesburg and is home to over 17 000 residents. The area is of Outstanding Universal Value (OUV). The WHS contains a complex of archaeological and paleontological sites, which have yielded some of the most valuable evidence, world-wide, of the origins of modern humans, hence its name Cradle of Humankind. The declared area extends approximately between Oaktree, Hekpoort, Broederstroom and Lanseria in Gauteng. The proposed development is located in the Kromdraai Valley which is the heart of the Cradle of Humankind World Heritage Site.</p>	<p>Forestry and Fisheries</p>		
<p>The site is proclaimed under the World Heritage Convention Act, 1999 (Act No. 49 of 1999) guided by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage operational guidelines. The act stipulates that once listed, the World Heritage Sites must be managed in accordance with the international best practice models as well as conform to national legislation. Paragraph 96 of the Operational Guidelines provides that the Protection and management of World Heritage properties should ensure that</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>Your summary of the conservation status and management guidelines of the Cradle of Humankind is noted.</p>

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<p>the OUV, including the conditions of integrity and/or authenticity at the time of inscription, are sustained or enhanced over time.</p>			
<p>The Operational Guidelines section 119 provides for World Heritage Sites to support a variety of ongoing and proposed uses which is ecologically and culturally sustainable, that may contribute to improvement of the lives of communities. The state party carries the responsibility to ensure that the OUV of the property is not adversely impacted by any development. The department is making the following comments:</p> <p>1. After the review of the Scoping Report, the department make comments that the Scoping Report should take into consideration and make specific reference to the locality of the proposed area for development and make reference to the Gauteng Provincial Environmental Management Framework (GPEMF) government gazette of 2015. The Scoping Report needs to clearly define and describe each of the planned activities and uses in order for the Directorate to be able to clearly see if the development will have socio-economic benefits for the WHS.</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>Noted</p> <p>A Socio-Economic Impact Assessment that clearly outlines the benefits of the proposed project for the WHS is included in the Draft BAR (Annexure F).</p>

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<p>2. The Cradle of Humankind World Heritage Site (CoHWHS) bedrock is mainly underlined by dolomite and limestone; this means that the area is mainly defined by karsts and caves which are a primary natural element of the OUV and ecosystem that sustains the attributes of the WHS. The areas within the WHS is susceptible to the formation of sink holes, especially if the soil is highly saturated by acid rain or salt water, this could result in some of the undiscovered archaeological or paleontological being moved from their in-situ site or lost forever.</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>A Heritage Impact Assessment including Palaeontology is included in the Draft BAR (Annexure F).</p>
<p>3. The Scoping report does not elaborate further on the building material to be used, the design of structures, height of buildings, roof top materials etc. The Scoping report should elaborate further on the construction machineries to used, this should take into consideration that the machineries should have less potential on impacting the surrounding environment and heritage resources identified in the area.</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>Refer to Section 2.3 of the Draft BAR for more information about the Proposed Activity design as well as the proposed sustainable methods of construction to be used.</p>

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<p>4. The Scoping report outlines the implementation of a Waste Water Treatment Package Plant in order to sufficiently treat total sewage demand of 60 Kl/day at the proposed development, after the drainage channel/watercourse will be discharged on the western side of the property which feeds into the Bloubankspruit. But, the Scoping Report fails to mention the quality of the discharge that will be let out in the Bloubankspruit and how will this be managed in order to avoid any impact on the water quality downstream. Especially taking into consideration the current state of conservation issues that the CoHWHS has with acid mine drainage.</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>Water quality of waste water to be discharged will comply with the limits set in the Water Use Licence (WUL) to be administered by the Department of Human Settlements, Water and Sanitation (DHSWS).</p>
<p>5. After studying the comments from the Scoping Report the Directorate: Protected Areas Multilateral Programmes recommends that the project owner must adhere to the recommendations provided above. And, also the project must follow the standard and norms outlined on the (ICOMOS): Guidance on Heritage Impacts Assessments for Cultural and Heritage Properties, January 2011, the National Environmental Management: Protected Areas Act 57 of 2003 and the National Heritage Resource Act (NHRA), No. 25 of</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>Noted</p>

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<p>1999, which is outlined in section 38. The comments above, emphasis the significance of protecting and conserving the heritage resources, in this case refer to the paleontological and archaeological sites found at CoHWHS.</p>			
<p>6. The Scoping report should include a Heritage Impact Assessment done by a qualified Heritage Assessment practitioner which will have to take into account the nature of the World Heritage site, the OUV, the authenticity and/or integrity of the WHS. The Scoping report should clearly outline the potential impact of the development on the above-mentioned issues, and should take into consideration the (ICOMOS): Guidance on Heritage Impact Assessments for Cultural World Heritage Properties, January 2011. Lastly the competent authority in terms of Heritage Impact Assessment is the South African Heritage Resources Agency (SAHRA) not the Provincial Heritage Resources Agency in Gauteng (PHRAG).</p>	<p>Mr Ishaam Abader Acting Director-General Department of Environment, Forestry and Fisheries</p>	<p>25/11/2020 Via E-mail</p>	<p>Noted</p>
<p>7. The project manager must develop a reporting schedule in order to update the Heritage Authorities, Management Authority and DEFF with any developments regarding the</p>	<p>Mr Ishaam Abader Acting Director-General</p>	<p>25/11/2020 Via E-mail</p>	<p>Noted, all recommendations have been included as part of the Draft BAR.</p>

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<p>proposed project. The development should not commence until the project manager gets all the necessary approvals.</p> <p>The Directorate: Protected Areas Multilateral Programmes is not supporting the proposed project awaiting you to provide requested documents on the final Scoping Report/EIA. Should you wish to correspond further on this matter kindly quote Reference No: 16/5/7/3/1/3. Enquiries may be directed to the contact information provided at the top of this correspondence.</p>	<p>Department of Environment, Forestry and Fisheries</p>		
<p>Notice of Application for Environmental Authorization and Availability of Draft Scoping Assessment Report for the Proposed Fifty-Eight Development on Portion 58 of the Farm Kromdraai 520 JQ, City of Johannesburg</p> <ol style="list-style-type: none"> 1. The above-mentioned application was reviewed by the PHRA-G Heritage Impact Assessment (HIA) Committee on Tuesday, 29 September 2020 2. The following recommendations were made: 	<p>Tebogo Molokomme PHRA-G</p>	<p>16/10/2020 Via E-mail</p>	<p>Thank you for your comments.</p> <p>The Draft BAR includes a detailed HIA (Annexure F).</p> <p>The Draft BAR has also been submitted to the Competent Authority – the South African Heritage Resources Agency (SAHRA) for Section 38 Approval.</p>

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<p>Submit a hard copy - detailed Heritage Impact Assessment (HIA) report, that should amongst other things:</p> <ul style="list-style-type: none"> ➤ clearly identify and map the heritage resources on the earmarked property/area ➤ give the historical background of the area ➤ show how the proposed work might have an impact on heritage resources ➤ outline recommendation and mitigation measures ➤ give a report on the public participation process followed during the assessment phase <p>3. Please note that only the HIA plus Public Participation report should be submitted to assist the Committee in making an informed decision.</p>			

Table 2: Comments received during the Draft Basic Assessment Phase (Monday, 12 April 2021 to Friday, 14 May 2021)

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<p><u>Preliminary comments on the COH Project 58 EA application</u></p> <p>Please register the Magaliesberg Biosphere NPC as an interested and affected party in this application.</p> <p>We are in receipt of the notification for EA, and note that this is the second round of consultation for this project. We were not identified as a stakeholder for the first round and were actually not aware that the pp process was happening at the time. Thank you for informing us and making the documents available to us now. Having had a brief look at the documents could you please provide the following:</p> <ul style="list-style-type: none"> • A clear and high resolution of the proposed layout/s. Clarity on the legislated buffer distance for 1) watercourses; 2) Riparian zones; 3) wetlands, that must be applied to this application. 	<p>Berlinda Cooper: Magaliesberg Biosphere NPC</p>	<p>13/04/2021 Via email</p>	<p>Thank you for your comments.</p> <p>You (on behalf of the Magaliesberg Biosphere NPC) have been registered as an I&AP and will received all future notifications and information about the proposed project via e-mail. ECI embarked on a Public Participation Process last year but soon realised (in consultation with the DFFE) that the correct process is not a Scoping and EIA, but in fact a Basic Assessment process. The Application was therefore never submitted until now (following the correct process). We've included all comments from previous consultations as we feel it adds value and background. Now that we have identified you as a Stakeholder you are part of the correct process from the onset.</p> <ul style="list-style-type: none"> • I attach a high-resolution copy of the Layout Plan as requested. • Buffers around freshwater resources are not legislated, however, the GDARD Requirements for

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<ul style="list-style-type: none"> Confirmation that the Gauteng dept: Integrated Environment and Conservation Management and the Cradle of Humankind World Heritage Site Management Authority have been identified as stakeholders and notified. Confirmation that the Cradle of Humankind World Heritage Site Association has been identified as a stakeholder and notified. 			<p>Biodiversity Assessments Version 3 (GDARD, 2014b); offers guidelines on buffers for the various freshwater resources.</p> <ul style="list-style-type: none"> I can confirm that we have notified the Cradle of Humankind World Heritage Site Management Authority (Hein Pienaar's office). I can also confirm that we have notified the Cradle of Humankind World Heritage Site Association. <p>Please let me know if you have more questions and looking forward to receiving your comments on the Draft BAR.</p>
Can you provide a copy of, or the section in the guidelines regarding freshwater buffers?	Berlinda Cooper: Magaliesberg Biosphere NPC	14/04/2021 Via email	A copy 2014 GDARD Requirements for Biodiversity Assessments was forwarded by the EAP to Belinda Cooper on 16 April 2021.
Kindly receive comments as requested and still abide by previous decision.	Mr RM Ramasodi Deputy Director	15/04/2021 Via email	Thank you for your participation and your comments in support of this project.

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<p>“With reference to the above-mentioned matter, the Department has no objection against the rezoning for tourism facility on 8,2 hectares of the property.</p> <p>This comment does not exempt any person from any provision of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land”</p>	<p>General: DALRRD</p>		
<p>Just to inform you that I'll be the person monitoring/interested in this project for the COHWHS Association.</p>	<p>Trevor Brough COHWHS Association</p>	<p>19/04/2021 Via email</p>	<p>Thank you for your email. You have been registered as I&AP and will receive all future notifications about the project.</p> <p>Please submit any comments / concerns. You can find all the relevant documents on our website.</p>
<p>This email is an acknowledgement of receipt for your enquiry.</p> <p>Please note that in line with requirements of Section 29 of the Spatial Planning and Land Use Management Act (Act No 16 of 2013) read with Section 3 of the Promotion of Administrative Justice Act (Act No 3 of 2000) SANRAL have 30 days to</p>	<p>Ria Barkhuizen SANRAL</p>	<p>20/04/21 Via email</p>	<p>The EAP takes note of your comments.</p> <p>It has been previously confirmed that SANRAL has no objection against this project and that no national routes or interchanges are affected (Refer to Table 1 of this CRR).</p>

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<p>acknowledge receipt of your application and 90 days to evaluate and provide response within 90 days.</p> <p>Should you not receive any response within 120 days, kindly follow up on the enquiry by responding to Yotham Mkansi who will be dealing with it and will convert back to you. She can be contacted on (012) 426- 6200.</p>			
<p>This letter serves to inform you that the following information must be included to the final BAR:</p> <p>(a) Listed Activities</p> <ul style="list-style-type: none"> • Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed. • For activity 14 of Listing Notice 3, you are required to indicate the applicable listed activity triggered by the proposed project. Sub listing a, b and c of activity 14 has been applied for. Are all these sub listing activities triggered by the proposed project, if not this section must 	<p>Sabelo Malaza Chief Director: Integrated Environmental Authorisations DFFE</p>	<p>28/04/2021 Via E-mail</p>	<p>(a) Listed Activities</p> <ul style="list-style-type: none"> • Noted • The Listed Activity description has been updated accordingly in the Amended DBAR to reflect relevant triggering sub listings only.

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<p>be amended on the application form as well as in the BAR to select the applicable sub listed activity.</p> <ul style="list-style-type: none"> If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link: https://www.environment.gov.za/documents/foms. It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. <p>(b) Public Participation Process</p> <p>i. The onsite notice and the newspaper advert done for the proposed project does not comply with the requirement of</p>			<ul style="list-style-type: none"> Noted Comments from all relevant authorities (including SAHRA, Mogale City Local Municipality, the Management Authority and GDARD) have been obtained and are captured and addressed in this CRR. <p>(b) Public Participation Process</p> <p>i. The Basic Assessment Process as advertised in accordance with Regulation 41 of the 2014 EIA</p>

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<p>the EIA Regulations 2014 as amended. Regulation 41 (3) (b) (i) requires that “A notice, notice board or advertisement referred to in sub regulation (2) must state whether basic assessment or S&EIR procedures are being applied to the application. The proof of newspaper advert and site notice has specified that the process to be followed for the proposed project is a S&EIR procedures whereas the application submitted to the Department is for the BAR process. You are requested to rectify this and redo a newspaper advert and onsite note that talks about the correct process followed for this application.</p> <p>ii. In addition to above, the Department has also noted that the DSR was circulated to I&APs for comments whereas the listed activities which are triggered was for BAR. You are therefore also requested to notify the I&APs of the correct process which is being followed for the proposed project and this will clarify the confusion caused to I&APs on the process followed for this project.</p> <p>iii. Proof of the notification, newspaper advert as well as onsite notice which indicate the correct triggered by the proposed project must be attached to the BAR.</p>			<p>Regulations as amended. (Please refer to Annexure E of the Amended Draft Basic Assessment Report for proof).</p> <p>ii. A notification letter was circulated amongst all I&AP’s in order to confirm that a Basic Assessment Process is be followed in order to rectify any confusion which may have been caused.</p> <p>iii. Please refer to Annexure E of the Amended Draft BAR for proof.</p>

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<p>iv. The following information must be submitted with the BAR:</p> <p>a) A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;</p> <p>b) Copies of all comments received during the draft BAR comment period; and</p> <p>c) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report. The comments and response report must indicate the section of report where comments were addressed.</p> <p>v. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section and World Heritage Section) in respect of the</p>			<p>iv. Please refer to Annexure E of the Amended Draft BAR for the following:</p> <p>a) The Registered I&AP database (E.7)</p> <p>b) Copies of all comments received during the draft BAR period (E.5)</p> <p>c) The Comment and Response Report (E.6)</p> <p>v. We are confident that we have obtained comments from all relevant organs of state and have captured and addressed these comments as part of this Comment and Response Report.</p>

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<p>proposed activity are adequately addressed in the final BAR.</p> <p>vi. Proof of correspondence with the various stakeholders must be included in the final BAR, should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p> <p>(c) EAP's Undertaking of an Oath</p> <p>i. The Department has noted that the submitted application form has an undertaking under oath or affirmation by the EAP. However, the aforementioned oath was not included in the draft BAR, but you made reference to the application for attached to the BAR. Please note that the final BAR must also have an undertaking under oath/affirmation by the EAP and the one you are making reference to is for the application form. It is the requirement that the BAR must also have the EAP's</p>			<p>vi. As addressed above we are confident that we have obtained and addressed from all relevant Stakeholders.</p> <p>(c) The EAP's Undertaking of an Oath is included in Annexure G of the Amended Draft Basic Assessment Report.</p>

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<p>undertaking. The template for this is available in the Department's website.</p> <p>ii. Based on the above, you are therefore required to include an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include:</p> <p>“an undertaking under oath or affirmation by the EAP in relation to:</p> <p>a) the correctness of the information provided in the reports;</p> <p>b) the inclusion of comments and inputs from stakeholders and I&APs;</p> <p>c) the inclusion of inputs and recommendations from the specialist reports where relevant,’ and</p> <p>d) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties”.</p>			

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<p>(d) Specialist Declaration of Interest Specialist Declaration of Interest forms must be attached to the final BAR. You are therefore requested to submit signed Specialist Declaration of Interest forms for each specialist study conducted. The forms are available on Department's website (please use the Department's template).</p> <p>(e) Coordinates Corner coordinate and centre coordinates of the proposed project site must be provided in the BAR. In addition, the coordinates of other associated infrastructures such as access road as applied for must also be provided.</p> <p>(f) Layout & Sensitivity Maps</p>			<p>(d) All specialists involved in the project (including Peer Reviewers) have completed a Declaration of Interest which is included in Annexure G of the Amended Draft Basic Assessment Report.</p> <p>(e) A detailed map with co-ordinates for all proposed infrastructure will be submitted as part of the Final BAR.</p> <p>(f) Layout and Sensitivity Maps</p>

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<p>The final BAR must include a layout map which is overlaid lo a sensitivity map. The layout map which indicates the following:</p> <ul style="list-style-type: none"> • The proposed project including all associated infrastructure foreach development; • All supporting onsite infrastructure e.g. roads (existing and proposed); • The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; • Buffer areas; and, all "no-go" areas. <p>(g) Section 50(5) approval in terms of the National Environmental Management: Protected Areas Act, 2003 (Act No 57 of 2003)</p> <p>i. The Department draws your attention to the requirement of Section 50 (1)(a)(i) of the National Environmental Management: Protected Areas Act, 2003 (Act No 57 of 2003), which reads as follows:</p>			<p>An environmental sensitivity composite map of Alternative 1: Proposed Activity will be submitted as part of the Final BAR.</p> <p>(g) Section 50(5) approval to be issued by the COHKWHS Management Authority is in process.</p>

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<p>Section 50: Commercial and community activities in a national park, nature reserve and world heritage site.</p> <p>1) The management authority of a national park, nature reserve and world heritage site may, despite any regulation or by-law referred to in section 49, but subject to the management plan of the park, reserve or site-</p> <p>(a) Carry out or allow-</p> <p>(i) A commercial activity in the park, reserve or site; or.....”</p> <p>A confirmation letter from the management authority indicating that the activity is in line with the approved management plan of the reserve or site must be included in the final BAR.</p> <p>ii. Further to the above, an approval letter from a management authority must be included in the final report in terms of Section 50 (5) of the National Environmental Management: Protected Areas Act, 2003 (Act No 57 of 2003), which reads as follows for Commercial and</p>			<p>ii. The approval letter in terms of Section 50 (5) of the National Environmental Management: Protected Areas Act, 2003 (Act No 57 of 2003), will be</p>

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<p>community activities in a national park, nature reserve and world heritage site:</p> <ul style="list-style-type: none"> • Section 50 (5): “No development, construction or farming may be permitted in a national park, nature reserve or world heritage site without the prior written approval of the management • Furthermore, the Protected Areas Act, 2003 (Act No. 57 of 2003), Section 86 (Regulations by the Minister), stipulates the following under Part 4, Regulation 19 (1) (a) and (b), and (2): “(1) No development contemplated in section 50(5) of the Act shall be implemented - <ul style="list-style-type: none"> (a) In any area other than an area specifically designated for such development in a management plan,' and (b) Before a management authority has indicated in writing the nature and extent/ of the strategic or environmental impact assessment inquired for the development. 			<p>attached to the Final BAR if granted by the COHKWHS Management Authority.</p>

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<p>2) No commercial activity or activity contemplated in section 50 of the Act, which requires an environmental impact assessment to be undertaken, either in terms of sub regulation (1)(b) or Under any other law, may be implemented before a management authority has approved, with or without conditions, the environmental impact assessment before it is submitted to the relevant authority for approval”.</p> <p>(h) Site inspection The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final BAR.</p>			<p>(h) The EAP contacted the relevant Case Officer, Ms Zama Langa to arrange a site inspection, but was advised that the Department Covid-19 Protocol state that not physical meetings may take place under Lockdown Level 4. The EAP will contact the case officer again to make arrangements for a site inspection once we move to a lower lockdown level.</p>

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<p>Specialist studies</p> <p>It is noted that the site is affected by several streams. In view of this, a wetland specialist report is recommended focusing on avoiding and placing structures as far as possible and outside of the 30m buffer. The proposed activity is also affected by a Class 2 Ridge; however, the proposed development will cover an extent of 5% or less of the property of the property size. No development will be supported on the ridge and the proposed layout must clearly indicate such.</p>	<p>Tebogo Leku GDARD</p>	<p>11/05/2021 Via email</p>	<p>The EAP thank you for your comments.</p> <p>No development will take place within the 32m riparian buffer. Mitigation measures will be put in place for proposed structures that fall within the 1:100 year floodline.</p> <ul style="list-style-type: none"> • The Gauteng Ridges Policy clearly states that low impact development activities, such as tourism facilities, which comprise of an ecological footprint of 5% or less of the property may be permitted (on a Class 2 Ridge). • The registered property size is 163,3ha. • The proposed development footprint is 8.16ha • Please take note that 5 ha of the proposed 8.16 ha development footprint consists of existing ploughed agricultural lands and does not fall on the Class 2 Ridge.

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<p>Services required All services requirements must be confirmed by the relevant local authority or availability confirmed by a Services Engineering Report.</p>			<ul style="list-style-type: none"> • A further 2.33 ha of the proposed development footprint is already transformed by the existing farmstead, outbuildings and infrastructure which will be upgraded and refurbished as part of the proposed development. • The actual area on the Class 2 Ridge that will be transformed as a result of the Proposed Activity is therefore 0.83 ha and consist of sensitively placed chalets overlooking riparian areas (located outside of the 32m riparian buffer zone). • The proposed development will rely on the existing gravel roads for access. Apart from two new 2-spoor tracks that will be use to get access to chalets/villas on the ridge no new roads will be established. <p>Services required With no bulk services in the area the Engineering Reports in Annexure D of the Amended DBAR makes provision form off the grid services solutions consisting of (groundwater, solar power and sewage package plants).</p>

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<p>Impacts Identification, Assessment and Mitigation</p> <p>The identification and assessment of impacts must lead to a conclusion that the associated mitigation measures identified will reduce impacts to an acceptable level and mitigation 'measures identified must be included in the Final BAR</p> <p>Assessment of alternatives</p> <p>No alternative location was considered due to the lack of the other suitable land in the area owned by applicant. However, the technology alternative has be attached to the report and No-Go alternative for the proposed activities need also to be assessed and included in the Final Bar.</p>			<p>Mogale City Local Municipality confirmed that they will render a refuse collection service.</p> <p>Impacts Identification, Assessment and Mitigation</p> <p>Section 10 of the Amended DBAR assesses all penitential impacts and the proposes mitigation measures that reduce these identified impacts to acceptable levels.</p> <p>Assessment of alternatives</p> <p>Since publication of the DBAR all infrastructure was moved out of the 32m riparian buffer zones and this layout became the preferred alternative (i.e. Alternative 1: Proposed Activity). The previous layout is now known as Alternative 2: Layout Alternative.</p> <p>The Socio-Economic Impact Assessment (SIA) (see Annexure F) is in favour of the proposed development as a result of the identified Socio-Economic benefits and</p>

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<p>Maps, layout plans, services route positioning A site layout plan overlain by composite sensitivity maps that meets the "GDARD minimum requirements" for Biodiversity Assessment must be included in the Final Basic Assessment Report. The composite sensitivity maps must also reflect proper legends.</p> <p>Public Participation Process It is noted by the Department that communication between interested and affected parties is being undertaken and will be included in the FBAR. It must address any issues raised by interested and affected parties adequately. Please note that the application may be prejudiced by not addressing issues raised by the Interested and affected Parties adequately.</p>			<p>therefore don't support the No-Go Alternative. This assessment has been included in the Amended DBAR.</p> <p>Maps, layout plans, services route positioning An updated Environmental Sensitivity Composite Map will be provided as part of the Final BAR.</p> <p>Public Participation Process All comments raised by I&AP's on the DBAR has been addressed in this CRR that accompanies the Amended DBAR.</p>

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<p>Environmental Management Programme (EMPr)</p> <p>A site-specific Environmental Management Programme (EMPr) is included in the DBAR and it is adequate to be able to make a decision. Should there be new information revealed pertaining to the proposed development this should be added into the EMPr and included in the FBAR.</p>			<p>Environmental Management Programme (EMPr)</p> <p>The EMPr (attached as Annexure H of the Amended DBAR) has been updated with all new available information and mitigation measures.</p>
<p>A) Environmental Planning, Co-ordination & Climate Change</p> <ul style="list-style-type: none"> All impacts associated with the proposed development have been identified in terms of scale, severity, certainty, direction and significance. The degree of the impacts with and without mitigation measures have also been addressed. In terms of the provisions of Regulation 13(2) of the Gauteng Noise Control Regulations issued in terms of the Environment Conservation Act (Act 73 of 1989), as well as the West Rand District Municipality's Air Quality 	TMM Matsego Mogale City	11/05/21 Via email	<ul style="list-style-type: none"> The noise measures provided by MCLM have been incorporated into Section 10 of the Amended DBAR as well as into the EMPr.

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<p>Management By-Laws (Notice 717 of 31 May 2012), the following must be adhered to:</p> <ul style="list-style-type: none"> ○ No noise nuisance or noise disturbance above threshold levels, as defined in terms of the said Act, will be allowed at any given time; ○ The permissible day time ambient noise level of 55 dB (A) - measured on the property boundary - may not be exceed at any given time; ○ The permissible night time ambient noise levels at any time may not exceed 45 dB (A) - measured on the property boundary - may not be exceed at any given time; ○ In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, disturbing or a nuisance; and ○ No loud music to be played after 22h00 at night. <ul style="list-style-type: none"> ● The municipality reserves the right to instruct the owner, or his representative, to appoint a qualified acoustic engineer at their own cost to take and record the emitted noise levels for any event. The municipality may also 			<ul style="list-style-type: none"> ● The EAP acknowledges the MCLM's right to instruct the owner to appoint an acoustic engineer to assess noise generated by the proposed project. Please however

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<p>request from the acoustic engineer to submit a report containing the findings to this office within two (2) working days after the completion of such assessments. The engineer's cost will be borne by the applicant.</p> <ul style="list-style-type: none"> • All requirements issued by the Management Authority of the Cradle of Humankind - World Heritage Site (CoHWHS) must be adhered to. • In terms of MCLM's Climate Change Framework (2015), the following guidelines should be incorporated in the development: <ul style="list-style-type: none"> ○ The proposed development should consider incorporating alternative energy sources (i.e. Efficient geysers (solar/heat pumps), lights (skylights, CLFs, LEDs), use of renewable energy (solar, rooftops PV panels etc) to contribute toward climate change mitigation. 			<p>note that the nature of the proposed development is based on a symbiotic relationship with nature and physical and spiritual healing – which is not a concept associated with loud music and noise.</p> <ul style="list-style-type: none"> • The CoHWHS Management Authority is actively engaging in this process and all their requirements will be adhered to. • The measures provided is part of the “regeneration and sustainability” core concept of the proposed project and will certainly be incorporated as outlined in the Amended DBAR.

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<ul style="list-style-type: none"> ○ The applicant should incorporate plans to insulate the buildings (floor and roof) and ventilation to maintain room temperature in order to reduce the need for heating and cooling. • Cognizance must be taken that all recommendations contained in the Environmental Management Plan are binding to the applicant including all contractors, labourers and personnel on site. • A copy of the Environmental Authorisation must be submitted to this office for compliance monitoring purposes. <p>.....</p> <p>B) Integrated Waste Management</p> <ul style="list-style-type: none"> • MCLM shall render a service for collection and removal of waste from the premises. It is the responsibility of the occupier of the premises to notify the municipality in advance (at least one month before occupation) of the date of occupation of the premises. The municipality shall 			<ul style="list-style-type: none"> • A sustainability section that incorporates measures as outlined by MCLM also been included in the EMPr. • A copy of the EA (if granted) will be forwarded to MCLM by the EAP. • The Applicant will make use of the municipal refuse collection service.

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<p>charge applicable tariffs for the collection and removal of the waste. Private waste transporters can be used only if approved by the MCLM, otherwise transportation of the waste without authorisation by the municipality is an offence.</p> <p>C) Biodiversity Management</p> <p>Attached herewith as Annexure A are additional comments for your consideration.</p> <p>In addition to the above, cognisance must be taken that no construction must take place prior to the competent authority granting an Environmental Authorisation. Non-compliance with the above will result in the relevant authority issuing a directive to address the non-compliance, including an order to stop the activity as well as instituting criminal and/or civil proceedings to enforce compliance. In addition, all the statutory requirements including those of National, Provincial Governments and MCLM's by-laws and policies must be adhered to.</p>			<ul style="list-style-type: none"> No construction of the proposed activity will commence prior to obtaining Environmental Authorisation from DFFE.

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<p>Annexure A</p> <p>Comments from Division: Biodiversity Management are presented hereunder:</p> <p>General Notes:</p> <ul style="list-style-type: none"> The site is partially affected by dolomites and this Office is satisfied that the necessary specialist studies had been undertaken that complies with all relevant statutory requirements (i.e. SANS 1936-1; SANS 1936-2; SANS 1936-3; SANS 1936-4; SANS 633). It is highly recommended that the findings of the Geotechnical Investigations, including the Dolomite Stability findings and the Gravity Survey findings, be made conditional to the Environmental Authorisation (EA); The site is also affected by three watercourses (drainage areas) towards the Bloubankspruit. Even though the Draft BAR presented 1:100 year flood 			<ul style="list-style-type: none"> All recommendations made by the Geotechnical Investigation (that included Dolomite Stability findings and the Gravity Survey findings) were incorporated into the SDP (Alternative 1) as attached to the Amended DBAR

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<p>lines, it should be noted that no development would be considered in the 1:100 year floodlines and/or the 32 m Buffer Zone (measured from the edge of the Temporal Wetland Zone or the Riparian Edge), whichever is the furthest away from the watercourse;</p> <ul style="list-style-type: none"> As stated by the various specialist studies, the site is partially underlain by dolomites and the Zwartkrans Dolomitic Groundwater Compartment. Ground water, especially from the Zwartkrans Dolomitic Compartment, sustains ecological processes and provides water for the greater Cradle of Humankind World Heritage Site (CoHWHS); The aforementioned aquifer is under enormous pressures from both a consumptive use (over abstraction) as well as from a qualitative point of view (i.e. impacts on water quality from various point & diffuse pollution sources) <i>[Source: Vulnerability mapping in Karst terrains, exemplified in the wider Cradle of Humankind World Heritage Site. (R.C. Leyland, 2008)</i> The activities that are applied for may pose risks 			<ul style="list-style-type: none"> No development will take place within the 32m riparian buffer. Mitigation measures will be put in place for proposed structures that fall within the 1:100 year floodline. The “Total Peak Demand” of 270.77 kl/day is inflated to approximately three times the amount of the actual demand calculated as 64.37kl/day. The “Total Peak Demand” is therefore a scenario where all taps are running continuously for an entire day (which is not anticipated). Given the fact that the 5 existing boreholes yield a total flow rate of 295.2Kl/day, the actual demand of 64.37kl/day is unlikely to impact groundwater availability of surrounding landowners.

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<p>to ground water pollution if not managed properly.</p> <ul style="list-style-type: none"> • Improper storm water management practices and water use may also trigger sinkhole formations, which may result in an unquantified impact of infrastructure (e.g. buildings; facilities, roads) • There is currently no bulk services infrastructure (sewerage especially), and the report confirmed that groundwater would be used for consumption and use, and an onsite sewage treatment facility ("Package Plant") would be constructed. • In view of the above, the comments submitted hereunder are also of relevance. <p>Open Space Management: The following conditions will apply in terms of the Urban Greening & Biodiversity Bylaws (to be read with the Integrated Water Resources Management Strategy of MCLM)</p> <ul style="list-style-type: none"> • The submission of a Landscape Development Plan (LDP) to DIEM is required that complies with the requirements of the aforementioned By-Law; 			<ul style="list-style-type: none"> • Groundwater monitoring (yield and quality) of the five existing boreholes will be carried as part of the Operational EMPr and should the yield(s) reduce dramatically a hydro-senses study will be undertaken in order to secure a new sustainable water resource. • The SDP attached under Annexure C of the Amended DBAR was updated to include positions of the 5 proposed TreeWell package plants. • The Water and Sanitation Report under Annexure D of the Amended DBAR was also updated with more information about the functioning and discharge of effluent of the proposed TreeWells and also includes a Sewer Network Layout Plan.

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<ul style="list-style-type: none"> ○ As a minimum, an indigenous tree - endemic to the area - for every 4 parking bays need to be planted; ○ Trees will be no smaller than 2 meters in height from at least a 50l container. The onsite storm water retention and conservation measures can be incorporated in the open space plan; ○ Trees in lawn and paved areas will be provided with a concrete tree ring of no less than 1 meter in diameter and will be covered with a grid if such tree is closer than three meters from a pedestrian walkway. ● The Applicant to apply for a Water Use License for all Section 21 activities - as defined under the National Water Act - from the Department of Water & Sanitation (e.g. abstraction of ground water for commercial purposes; treatment and disposal of water containing pollutants, etc.); ● Copies of the Water Use Application and Water Use Licenses (WUL) need to be forwarded to this Office for Compliance Monitoring & Auditing purposes. 			<ul style="list-style-type: none"> ● The landscape development measures provided by MCLM have been incorporated into the EMPr. and will be adhered to. <p>The Applicant is in the process of applying for a WUL for the following Section 21 Water Uses:</p>

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<ul style="list-style-type: none"> • No Package Plant would be supported that does not fully comply with the Specific Phosphate Standard of 1mg/liter PO4 for the final effluent. Should the Applicant opted for a Package Plant, a WUL needs to be issued first before any construction thereof is allowed. • The Applicant must submit water quality analysis (chemistry and bacteriological) of all boreholes to this office annually [<i>Note: The monitoring programme must be conducted twice per year, in the summer and in the winter, and must comply with MCLM's approved Integrated Water Resource Management Strategy</i>]; • In line with the approved Climate Change Action Plan of MCLM (2015), the following mitigation measures should be incorporated: <ul style="list-style-type: none"> ○ Water Conservation: The applicant must comply with the provisions contained under the National Environmental Management: Biodiversity Act (Alien and Invasive Species Regulations, 2014) regarding alien invasive species on the subject site. In this regard, it will be required from the Applicant to submit an Alien Invasive Clearance 			<ul style="list-style-type: none"> • S21(a) Taking water from a water resource (Boreholes), and • S21(b) Storing water (Dams), and • S21(c) Impeding or diverting the flow of water in a watercourse (all activities within 500m of watercourse), and • (e) Engaging in a controlled activity defined as such in Section 37(1), (irrigation with treated water), • S21(f) – discharging waste or water containing waste into a water resource through a pipe, canal or other conduit, and • S21(g) – disposing of waste in a manner which may detrimentally impact on a water resource, and • S21(i) Altering the bed, banks, course or characteristics of a watercourse. • Water quality will be monitored on a continuous basis as part of implementation of the Operational EMPr. Results will be forwarded to MCLM as requested.

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<p>Program to this Office for perusal and comments, which need to form part of the BAR/EIA;</p> <ul style="list-style-type: none"> ○ Improve flood/storm surge control: The site is affected by dolomites and hence very susceptible for sinkhole formation & ground water pollution. Since there are no existing stormwater infrastructure located in the vicinity of the site, the Applicant must make provision for Green Infrastructure and Sustainable Urban Drainage Systems (SUDS) for all storm water runoff areas, which must incorporate the following mitigation measures: <ul style="list-style-type: none"> • The Applicant must attenuate runoff for all new developments and the difference between the 1:25 year post and 1:10 year pre-development is to be stored on site; • All surfacing for driveways and parking areas must be permeable; • All sheet flow must be directed into onsite infiltration trenches, filter drains, filter strips and/or artificial wetlands rather than gulleys 			<ul style="list-style-type: none"> • All alien and invasive species will be removed on an ongoing basis as part of the Operational EMPr. • A high-level stormwater management plan (based on SUDS principles) is included in the Roads and Stormwater Report (Annexure D of the Amended DBAR). A detailed SMP (to be approved by Mogale City Local Municipality) outlining specification of all stormwater infrastructure will only be available during the detail design phase and should therefore be made a condition of the EA should it be granted by DFFE. • The detailed Stormwater Management Plan to be submitted to MCLM for approval will include all measures as outlined by MCLM.

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<p>and pipes;</p> <ul style="list-style-type: none"> • Ensure that all outlet structures are adequately designed to prevent erosion; ○ Increase shading/ natural cooling: As stated already, the Applicant must comply with and submit a LDP for the proposed development to this Office in line with all relevant provisions contained under MCLM's Urban Greening & Biodiversity Preservation By- law. <p>Matters related to dolomites:</p> <ul style="list-style-type: none"> • Over and above compliance to relevant SANS Codes for development & construction on dolomites the following conditions (as outlined in The Guidelines for Consultants: APPROPRIATE DEVELOPMENT OF INFRASTRUCTURE ON DOLOMITE, from Department of Public Works, August 2004) shall be applicable to all land underlain by dolomite: <ul style="list-style-type: none"> ○ Section 3.1.2.6 states that when designing infrastructure on dolomitic land the following must be avoided: <ul style="list-style-type: none"> • gardens within 5m of buildings. 			<ul style="list-style-type: none"> • All Landscape Development measures provided by MCLM were incorporated in the Operational EMPr and will be adhered to. • All measures provided by MCLM for construction on dolomites have been incorporated into the EMPr and will be adhered to.

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<ul style="list-style-type: none"> • construction of buildings or services over natural watercourses. • construction of buildings over wet services. • creating unlined rerouting of natural drainage paths. • concentration or disposal of storm water onto high risk land. • using rigid, short length piping (promote long, unjointed, flexible piping). • subsurface water storage tanks. • disturbance of surface soil whenever feasible (ensure disturbed areas are properly compacted and reinstated). • boreholes for water abstraction. <ul style="list-style-type: none"> • Reference is made to Provincial Gazette, dated 30 April 2015 (Gazette Number 152), in which the following WRDM By-laws of relevance to dolomites need to be adhered to: <ul style="list-style-type: none"> ○ Local Government Municipal Systems Act (32/2000): West Rand District Municipality: Civil 			

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<p>Contingencies By-law</p> <ul style="list-style-type: none"> ○ Local Government Municipal Systems Act (32/2000): Disaster management development risk management By-law • The relevant statutory requirements applicable for developments & Site Development Plans on land affected by dolomites in term of the Disaster Management Development Risk Management By-law (Part 4 - Prohibitions) states that: <ul style="list-style-type: none"> ○ "6. Non-compliance (1) <i>No municipality may consider or approve any Site Development Plan or building plan without confirming that a dolomite safety clearance certificate has been issued by the head of disaster management or his/her delegated manager.</i> (2) <i>No developer may attempt to submit or to obtain approval, including provisional approval of a Site Development Plan or building plan, without having obtained the required dolomite safety clearance certificate.</i> (3) <i>No municipal policy or by-law relating to development</i> 			

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<p><i>may supersede or purport to supersede the requirements of this by-law."</i></p>			
<p>COMMENTS REGARDING THE DRAFT BASIC ASSESSMENT REPORT (DBAR) WHICH WAS MADE AVAILABLE ON 12 APRIL 2021</p> <p>GENERAL IMPRESSION OF THE DBAR AND THE EIA PROCESS THAT WAS FOLLOWED</p> <p>Our general impression of the DBAR report is that it was completed without due consideration of all potential environmental impacts associated with the proposed development.</p> <ul style="list-style-type: none"> The EAP “downplays” the actual scale/magnitude of the development by creating the impression that the development is actually a low impact tourism facility, 	<p>De Wit Family Trust</p>	<p>14/05/2021 Via email</p>	<p>The DBAR and Amended DBAR includes all required information outlined in Appendix 1 of Government Notice Regulation 326 of 7 April 2017 – refer to Table 1 of the Amended Draft Basic Assessment for references to relevant sections of the Amended DBAR.</p> <p>The EAP describes the Proposed Activity in great detail in the Section 2 of the report and a Site Development Plan as well as detailed Engineering Reports are attached as</p>

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<p>which is in line with development planning for the area. The EAP states that the proposed activity falls within the Primary Management Zone of the Cradle of Humankind World Heritage Site (CHKWHS) Special Control Zone and it is mentioned that desirable development activities in such zone includes boutique hotels, lodges and tourism incentive accommodation.</p> <p>The EAP also states that a large part of the development takes place on a Class 2 Ridge as defined in the Gauteng Ridges Policy and that the proposed development footprint for the ridge area is only 5%, which is the permissible development footprint for a Class 2 Ridge. The EAP confirms on Page 49 of the DBAR that the study area is 163,3ha in extent and that the proposed development will have a maximum footprint of 8,16ha (less than 5% of the size of the study area).</p> <p>The motivations of the EAP for development across the ridge is misleading and totally incorrect for the following reasons:</p>			<p>annexures. There can therefore be no misconception about what is being proposed as part of this Application. The COHKWHS Management Authority agrees with this statement by the EAP as they state in their comments on the DBAR that:</p> <p><i>“The Basic Assessment report clearly describes the activities that the developer proposes”.</i></p> <ul style="list-style-type: none"> • The Gauteng Ridges Policy clearly states that low impact development activities, such as tourism facilities, which comprise of an ecological footprint of 5% or less of the property may be permitted (on a Class 2 Ridge). • The registered property size is 163,3ha. • The proposed development footprint is 8.16ha • Please take note that 5 ha of the proposed 8.16 ha development footprint consists of existing ploughed agricultural lands and does not fall on the Class 2 Ridge. • A further 2.33 ha of the proposed development footprint is already transformed by the existing farmstead,

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<ul style="list-style-type: none"> The calculations as supplied by the EAP are incorrect, because the ridge that affects almost the entire study area, stretches beyond the boundaries of the study area and if one considers the percentage development that already took place on the larger ridge, the 5% development capacity is already taken- up by other developments across the ridge. We are of the opinion that no more development can take place on the specific ridge. The EAP thus ignored the fact that the section of the ridge that encroaches onto the study area forms part of a larger ridge. The EAP only considered the section of the ridge that occurs on the study area in isolation and stated that there is no development on that section of the ridge and argued that the study area is 163,3ha in extent and that 8,1 ha is less than 5% of the permissible development footprint for a Class 2 Ridge. Another error that was made in the calculation of the 5% coverage of the development was the fact that the EAP based the 5% development footprint of approximately 8,1 			<p>outbuildings and infrastructure which will be upgraded and refurbished as part of the proposed development.</p> <ul style="list-style-type: none"> The actual area on the Class 2 Ridge that will be transformed as a result of the Proposed Activity is therefore 0.83 ha and consist of sensitively placed chalets overlooking riparian areas (located outside of the 32m riparian buffer zone). This impact is therefore considered Low. The proposed development will rely on the existing gravel roads for access. No widening of existing roads is being proposed. Apart from two new 2-spoor tracks that will be use to get access to chalets on the ridge no new roads will be established. See response above

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<p>ha on the size of the entire study area of 163,3ha, which also include areas that fall outside of the ridge area as delineated by GDARD in its Ridges Policy. Approximately 90% of the study area is affected by the ridge and this means that the EAP should have regarded the ridge area as 145ha and a 5% development footprint on a ridge area of 145ha amounts to a permissible development footprint of only 7,25ha. (This is if the section of the larger ridge that encroaches onto the study area is considered in isolation); and The EAP states that the development footprint for the development is only 8,1ha in size. This statement is also incorrect and appears to be “intentionally misleading”. On Page 49 of the DBAR the EAP quotes that the ridges policy specifically states that “Low impact development activities, such as tourism facilities, which comprise of an ecological footprint of 5% or less of the property may be permitted. (The ecological footprint includes all areas directly impacted on by a development activity, including all paved surfaces, landscaping, property access and service provision)”, but despite of this requirement as quoted by the EAP, the</p>			

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<p>paved areas, swimming pool areas, areas covered by services (i.e. water pipe lines, the sewage treatment plant, storm water infrastructure, underground electrical lines, waste storage areas etc.), large parking areas, landscaped areas, property access and internal roads are excluded from the development footprint as calculated by all the specialists involved.</p> <ul style="list-style-type: none"> • The development footprint is thus much larger than the “approximately 8,1ha” and “approximately 8,5ha” as indicated by the EAP in the DBAR. • The EAP also failed to comply with the requirements of the GDARD Ridges Policy, as amended/ updated in 2019. If the Ridges Policy is applied, no more development can be allowed on the affected sensitive ridge. • The Ridges policy specifically required that a Ridges Study be conducted and that a visual impacts assessment be undertaken. It also requires that specific fauna and flora studies be conducted. The EAP ignored all the requirements as set out in the GDARD Ridges policy. 			<ul style="list-style-type: none"> • The Proposed Activity footprint applied for in this application is 8.16 ha in total (as outlined in Section 2 of the DBAR and Amended DBAR). • The Proposed Activity is in line with all requirements of the Gauteng Ridges Policy as outlined in the response above. • A viewshed analysis and visual impact statement is included in Section 7.2.8 of the Amended Draft BAR.

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<ul style="list-style-type: none"> • Apart from the fact that the EAP ignored the GDARD Ridges Policy, the GDARD Requirements for Biodiversity Assessment, which describes the accepted format for biodiversity assessments, sensitivity mapping and applicable buffer zones was also completely ignored in the impact assessment conducted as part of the DBAR. • The EAP concedes that the study area is in a pristine state, but recommends that the high impacts development takes place across a ridge, below the flood line and within wetland and watercourse buffers. In sensitive and rural areas GDARD usually require that a 50m/100m wetland/ watercourse buffer be applied, but the EAP ignores this requirement. • Large sections of the development layout encroaches into 1:100 year flood line areas across the site and the EAP and the appointed flood line engineer require that the flood line on this pristine and very sensitive site be 			<ul style="list-style-type: none"> • The Ecological Assessment and Riparian Assessment attached to the Amended Draft BAR (Annexure F) were Peer Reviewed by SACNASP Registered Specialists and updated to comply with the GDARD Requirements for Biodiversity Assessments. • No development will take place within the 32m riparian buffer. Mitigation measures will be put in place for proposed structures that fall within the 1:100 year floodline. • GDARD commented on the DBAR but no requirement of a 50m/100m buffer was made (see GDARD's comments on the DBAR above). • The natural drainage channel in the centre of the site is currently artificially infilled. It is proposed to open this channel up again in order to improve containment of flood events. This, together with the proposed rainwater harvesting from all building roofs and three proposed

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<p>manipulated to accommodate the development. The motivation for the alteration of the flood line makes no sense at all.</p> <ul style="list-style-type: none"> The EAP states that the proposed development, which will require the widening of existing dirt roads and the construction of new roads and structures on a sensitive undeveloped ridge and within very attractive watercourse areas, will not have a significant visual impact without conducting a proper visual impact assessment. The proposed development will include prominent structures, infrastructure and facilities and will most definitely have a detrimental impact on the visual qualities and unique "Sense of Place" of the study area and its surroundings. The study area is associated with an important World Heritage Site and visual impacts in this area, especially 			<p>attenuation ponds will result in an insignificant increase in post-development run-off rates - when compared to pre-development run-off rates. Refer to Table 8-3 (page 23) of the Water and Sanitation Report (Annexure D of the Amended DBAR). The current flow regime of water draining to the Bloubankspruit will therefore remain unaltered.</p> <ul style="list-style-type: none"> The proposed development will rely on the existing gravel roads for access. No widening of existing roads is being proposed. Apart from two new 2-spoor tracks that will be use to get access to chalets on the ridge no new roads will be established. A viewshed analysis and visual impact statement is included in Section 7.2.8 of the Amended Draft BAR

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<p>on a sensitive ridge, needs to be assessed by means of a proper visual impact assessment.</p> <ul style="list-style-type: none"> The EAP and the appointed water services specialists confirms that there is enough water in the existing boreholes on the study area to sustain the development, but these conclusions are based on assumptions. No detailed investigations took regarding the availability of ground water took place even though the development will require approximately 270kl/water per day (approximately 100 000kl/m³water per annum). The geo-hydrological input completely ignored the impacts of the proposed ground water abstraction on the surrounding properties, which are completely dependent on ground water for their basic needs. No hydro-senses studies, water balance exercises or reserve determinations were conducted even though the surrounding land-owners queried the development's impacts on the ground water resources in the area from the outset. 			<ul style="list-style-type: none"> The "Total Peak Demand" of 270.77 kl/day is inflated to approximately three times the amount of the actual demand calculated as 64.37kl/day. The "Total Peak Demand" is therefore a scenario where all taps are running continuously for an entire day (which is not anticipated). Given the fact that the 5 existing boreholes yield a total flow rate of 295.2Kl/day, the actual demand of 64.37kl/day is unlikely to impact groundwater availability of surrounding landowners. Groundwater monitoring (yield and quality) of the five existing boreholes will be carried as part of the Operational EMPr and should the yield(s) reduce

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<ul style="list-style-type: none"> The EAP and the engineers state that multiple on-site sewage package plants will be installed on the study area, but failed to supply details regarding the locality of the plants and the discharge of treated effluent. All reasonable alternatives for the activity have not been thoroughly evaluated and considered based on sensitivity maps compiled by the specialists. The type of development and layout alternatives have not been assessed as the majority of the infrastructure will be situated on undisturbed and/or sensitive areas. This will be discussed further below. 			<p>dramatically a hydro-senses study will be undertaken in order to secure a new sustainable water resource.</p> <ul style="list-style-type: none"> The SDP attached under Annexure C of the Amended DBAR was updated to include positions of the 5 proposed TreeWell package plants. The Water and Sanitation Report under Annexure D of the Amended DBAR was also updated with more information about the functioning and discharge of effluent of the proposed TreeWells and also includes a Sewer Network Layout Plan. The that was attached as part of the DBAR is now a less preferred alternative to the updated SDP attached as Alternative 1 of the Amended DBAR. If the project does not proceed, the impact will be negative on tourism, local economic development and job creation. Possible jobs that could have been created during the construction phase include: construction,

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<ul style="list-style-type: none"> No-go alternative was not assessed for all potential impacts (positive and negative) as only job creation was mentioned in the evaluation of the alternative. Furthermore, there is significant confusion created by the activities proposed, as the layouts and infrastructure information is not consistent throughout the DBAR and specialist studies. This makes it difficult to properly determine the effects of the development on the receiving environment. Overall, the DBAR fails to provide consistent and concise information and seems to have been compiled carelessly. <p>MORE DETAILED COMMENTS REGARDING THE DBAR</p> <p>Specialist Studies</p> <p>The Screening Report that was compiled indicates the need for the following specialist studies to be conducted for the proposed development:</p>			<p>transport of materials and security. Possible jobs that could have been created during the operational phase include: permanent staff.</p> <ul style="list-style-type: none"> The Socio-Economic Impact Assessment (SIA) (see Annexure F) is in favour of the proposed development as a result of the identified Socio-Economic benefits and therefore don't support the No-Go Alternative. The Amended DBAR has been updated to clearly outline the Proposed Activity (Section 2 of the Amended DBAR) At the pre-application meeting with DFFE it was agreed to include the following information and specialist

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<ul style="list-style-type: none"> • Visual Impact Assessment • Archeology and Cultural Heritage Impact Assessment • Paleontology Impact Assessment • Terrestrial Biodiversity • Aquatic Biodiversity • Hydrology Assessment • Socio-economic Assessment • Plant and Animal Species Assessment <p>Public Participation</p> <p>The Public Participation process conducted does not provide sufficient information regarding where notices were placed, who of the surrounding landowners was informed of the development and how.</p>			<p>studies for the proposed project (as attached as Annexure E and Annexure F of the Amended DBAR):</p> <ul style="list-style-type: none"> • Ecological Assessment Report • Wetland Assessment Report • Floodline Assessment • Geotechnical Investigation • Geohydrological Investigation / confirmation of availability of groundwater • Traffic Impact Assessment Report • Phase 1 Heritage Impact Assessment Report • Palaeontological Report • Engineering Services Report <p>• Refer to Annexure E of the Amended Draft BAR for proof of notification.</p>

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<p>The photos included do not provide any information on where the notices were erected, and therefore it is impossible to determine if the notices were placed in areas of high visibility and within the vicinity of the development site.</p> <p>Biodiversity</p> <p>Ecology</p> <p>The site is considered as highly ecologically sensitive as it is predominantly undisturbed, situated on a ridge and is affected by watercourses. Specialist studies were not conducted for the site according to the GDARD Minimum Requirements for Biodiversity Studies for vegetation, plants, mammals or aquatic studies. The specialist omitted much of the detail required in the reports as per the regulations, and therefore the studies are incomplete.</p> <p>Vegetation species identified on the site are listed but the report does not state the ecological value or conservation status thereof. Orange listed species and medicinal plants that were confirmed to occur on the site were not considered. For example, <i>Boophone disticha</i> was confirmed to occur on the site, however, no mitigation measures have been provided for the</p>			<ul style="list-style-type: none"> • A map indicating the location of the site notice is included in Annexure E of the Amended Draft BAR. • The Ecological and Wetland Assessments have been updated to comply with the GDARD Requirements for Biodiversity Assessments. • No development is proposed in areas where <i>Boophone disticha</i> occurs. All setting out will be overseen by the

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<p>protection of the species. A list of potential red listed species that could occur on the site has not been provided and the specialist did not survey the 200m radius around the site as required by GDARD.</p> <p>As for faunal/mammal species, virtually no information is provided in the specialist report. Considering the relatively undisturbed nature of the majority of the site, it is expected for the specialist to provide detailed analysis of the ecological value of the different habitats and species present, including faunal species.</p> <p>No ecological sensitivity map is provided by the specialist to indicate the different habitats and/vegetation units present and the correlating sensitivity. The specialist merely mentions that the development structures must be situated outside of the ridge area. The study is superficial and provides insufficient information to make an informed conclusion regarding the biodiversity of the site.</p>			<p>appointed ECO to ensure that no red listed species are disturbed. The EMPr was updated accordingly.</p> <ul style="list-style-type: none"> • A list of potential red listed species that may occur in the area will be included in the Final BAR. • A list of faunal species that may occur in the area will be included in the Final BAR. • An ecological sensitivity map ranging from (Very High to Low) is included in the Ecological Assessment Report.

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<p>Wetlands</p> <p>The Wetland/Riparian study is similarly lacking in detail. The specialist does not seem to understand the difference between a non-perennial line and wetland, as the study refers to the two terms interchangeably. The specialist states that the drainage line on the site become non-perennial watercourse, but still refers to them as wetlands. The specialist did not evaluate the condition of the riparian zone (VEGRAI) and refers to an unchanneled valley bottom wetland, which is not mapped or discussed anywhere else in the report. The report is confusing and inconsistent with regards to the types and extent of watercourses/wetland present on the site.</p> <p>However, the specialist does state that the watercourses are in good condition and that no development should take place within the watercourses and that a 30m buffer must be applied. This recommendation has been ignored by the EAP and applicant, as many of the structures are situated within these sensitive habitats. The EAP merely states on page 44 of the DBAR <i>“The wetland specialist recommended that the non-perennial streams on the study site should be avoided as far as possible and that a 30m</i></p>			<ul style="list-style-type: none"> • There are no wetlands on site and the Wetland Assessment included in the Amended DBAR was updated as such.

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<p><i>buffer be implemented around these aquatic habitats with no development to take place within the 30m buffer zone.”</i> However, the layout of the development does not take the mentioned buffers into consideration as the overlaid map on page 43 shows multiple structures within the sensitive areas. It must be noted that the scientific buffer using the DWS Buffer Tool must also be calculated and compared to the generic buffer, whereby the specialist must recommend the best option based on the site characteristic and proposed development. The generic buffer provided is also incorrect.</p> <p>The DWS regulated areas are not indicated on maps or discussed, which is required in order to determine the potential impacts of the development on the watercourses as well as the water uses to be applied for.</p> <p>It is noted that the specialist is not SACNASP registered, nor were the studies reviewed by a SACNASP registered professional scientist. The experience and qualification of the specialist who conducted the studies is questioned, as the CV is not included in the report either.</p>			<ul style="list-style-type: none"> • The Wetland Assessment Report has been updated accordingly. No development is proposed within the 32m riparian buffer zone. • The DWS regulated areas are indicated on the updated Wetland Delineation Map.

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<p>Geotechnical Conditions</p> <p>The site is underlain by dolomite which can cause stability issues for buildings. The specialist states that there is a risk of sinkholes on parts of the site. It is also noted that the geotechnical pits were only dug in the northern section of the site where the main facilities are located, and has excluded any of the outlying structures. The layout plan provided to the geotechnical engineers is included on page 11 of the report and it is clear that the layout is different to the final layout for the project that is submitted as part of the DBAR. According to available data, the southern section of the site is characterized by completely different underlying geology and therefore the recommendations for the structures may differ.</p>			<ul style="list-style-type: none"> • The Ecological Assessment and Wetland Assessment attached to the Amended Draft BAR (Annexure F) were Peer Reviewed by SACNASP Registered Specialists and updated to comply with the GDARD Requirements for Biodiversity Assessments. • CV's and Declarations of Interest by all specialists are included in Annexure G of the Amended Draft Basic Assessment Report. • Please note that the Proposed Layout change as a result of the Geotechnical Assessment. Staff housing that were proposed in "Zone A" has been moved out of this area due to the unstable dolomitic conditions associated with this particular zone. No buildings are therefore proposed in the undatable Zone A (Refer to the SDP in Annexure C of the Amended DBAR). The Geotechnical Assessment concluded that the rest of the property is suitable for structural development.

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<p>It is stated on page 28 of the report that the layout should be revised due to dolomite stability issues. This was not done. The geotechnical study is therefore incomplete as it did not consider the entire development with all the structures in the southern part of the site.</p> <p>The entire site is situated on a Class 2 Ridge which only permits low impact tourism development with a footprint of 5% or less. Low impact development is permitted if it is feasible to build outside of the ridge, according to the Ridges Guidelines. However, many of the structures for the development will be situated on the ridge, even though there is sufficient space in disturbed areas outside of the ridge area for development.</p> <p>Due to the high sensitivity associated with ridges in Gauteng, the cumulative impact of the proposed activity in conjunction with existing developments on the ridge is very high. Although it is stated that the development will cover less than 5% of the ridge on the site, the cumulative impact has not been considered.</p> <p>Conclusion</p>			<ul style="list-style-type: none"> • As explained above, the proposed layout changed as a result of the recommendation of the Geotechnical Assessment. • Only a portion of the property falls on a class 2 ridge. • As explained above the proposed development will only transform 0.83ha of the ridge (this is considered as a Low impact). • As responded to above.

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<p>The lack of consideration of the biophysical characteristics of the site when considering the layout of the proposed development and location of facilities, is a gross oversight by the EAP. It is clear that none of the environmental sensitivities and specialist recommendations were considered when planning the development. The EAP also disregards the sensitive areas when providing recommendations for the development. Refer to Figure 2 below, where it is evident that the majority of the development infrastructures and buildings are within areas of very high sensitivity.</p> <p>Water Availability</p> <p>It is mentioned in the DBAR that the site currently makes use of 5 boreholes for water as no municipal services are available in the area. The developer proposes rainfall harvesting for potable use and irrigation purposes.</p> <p>The additional water requirements may impact surrounding water users due to drawdown within the boreholes decreasing the groundwater table. The impact on surrounding landowners must</p>			<ul style="list-style-type: none"> • As responded to above. • Given the fact that the 5 existing boreholes yield a total flow rate of 295.2Kl/day, the actual demand of 64.37kl/day is unlikely to impact groundwater availability of surrounding landowners. • Groundwater monitoring (yield and quality) of the five existing boreholes will be carried as part of the

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<p>be thoroughly investigated as water supply in the area is limited, and the development will require significant quantities of water.</p> <p>The storage of stormwater in attenuation ponds could impact downstream environments (water quality, quantity and flow). Furthermore, the proposed use of effluent for irrigation and finally discharge into the natural system is a risk for pollution of soil and surface/ground water resources. The quality of the water to be discharged must be determined and discussed in the DBAR. The locations and sizes of the attenuation ponds have not been included in the layouts of specialist studies of the application. Erosion is not the only impact of concern regarding stormwater attenuation and release, but is the only impact discussed in the DBAR.</p> <p>A ram pump line is indicated on the services report layout, but is not discussed further in any other reports. Where does the line originate/terminate? It is stated that the current water use is purely from boreholes, but the pump is not mentioned or indicated. There is also mention of a reservoir for storage of collected water. Where will the reservoir be located and what is the size?</p>			<p>Operational EMPr and should the yield(s) reduce dramatically a hydro-senses study will be undertaken in order to secure a new sustainable water resource.</p> <ul style="list-style-type: none"> • The location of the stormwater attenuation pond is indicated on the SDP (Alternative 1) as included in the Amended DBAR. • There will be an insignificant increase in post-development run-off rates - when compared to pre-development run-off rates. Refer to Table 8-3 (page 23) of the Water and Sanitation Report. The current flow regime of water draining to the Bloubankspruit will therefore remain unaltered.

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<p>Socio-Economic</p> <p>Data on the existing socio-economic conditions in the area and the potential job creation provided by the proposed development are to be included in a Market/ Feasibility Study. Due to the high sensitivity and biodiversity of the site, the environmental impacts have to be carefully weighed against the potential job opportunities presented by the proposed development.</p> <p>The Social Impact Study makes mention on page 3 of a Project Concept Note on which the study is based but which has not been included in the reports. The socio- economic needs in the area include schooling, basic services provision, medical and housing. It is mentioned that the villas will be available for buying and renting which will not have any positive impact on the surrounding communities. These comments are contradictory, as it is most likely that the villas will not be affordable for purchase by the community.</p>			<ul style="list-style-type: none"> The proposed project will rely on ground water and a ram pump and extraction of surface water is not being proposed as part of this Application. <p>A detailed document outlining exactly what employment and upliftment opportunities will arise as a result of the proposed activity is included in Annexure F of the Amended DBAR.</p> <p>Although the community may not be able to afford to stay at the proposed tourism facility the projects still provide them with a multitude of benefits such as employment, capacity building and skills transfer.</p> <p>Residents of the local community have already benefitted from skills development programmes implemented by the Applicant such as welding and brick making. The Applicant has also provided residents with computer literacy courses. Residents feel that the Applicant is providing them with</p>

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<p>On Pg. 20 of the study, it is stated <i>“The client, together with local government, should develop an approach to respond or assist with developing these areas of need, especially where the client will be impacting on these services (e.g., water supply).”</i> Other than job creation, which is not described in any detail, the proposed development does not fulfil any other needs for the area. As the Project Concept Note is not available for scrutiny, it is not possible for Bokamoso to properly determine what additional advantages the proposed development will have on the community other than some potential employment.</p> <p>Heritage Impact Assessment</p> <p>The site is situated within the Cradle of Humankind World Heritage Site and is therefore extremely sensitive to development. The heritage specialist report states that graves are situated on the site earmarked for development, however, there is no map indicating the location of the graves and this has also not been included in the sensitivity maps, impact assessment or mitigation measures provided for the project.</p>			<p>skills which they will be able to transfer to their own business in the future.</p> <p>Adding to the above socio-economic benefits that the Applicant has already implemented for the local community the proposed project will enable the Applicant to expand on these benefits in order to incorporate health, safety, security and environmental aspects as well as support of SMMEs in the local community.</p> <ul style="list-style-type: none"> • The location of the cemetery is included in the SDP (Alternative 1) that accompanies the Amended DBAR. • The EAP agrees that this statement was ambiguous and the Heritage Impact Assessment Report was updated to correctly state that: <p><i>“Graves are situated on the relevant property but not within the area earmarked for development”</i></p>

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<p>According to the Council for Geoscience Paleontological Sensitivity Map, the site is situated within an area of very high sensitivity and a Paleontology field assessment is required by a suitably qualified specialist. This has not been done. Refer to Figure 1 below. The specialist also states as a mitigation measures, that an “accidental fossil find protocol” is needed, however, this is not included in the impact assessment or conclusion and recommendations of the DBAR. It is essential to mitigate for any potential fossil finds on the site and specific measures must be determined for all phases of the proposed development. The EAP has not considered all mitigation measures for the development considering the international importance of the area.</p> <p>Services</p> <p>Sewage</p> <p>No indication is provided of where the sewage treatment plants (Tree Wells) will be situated or the location of the required pipelines from the buildings to the treatment plants. This is a concern as pollution of groundwater and surface water is a risk considering that buildings are planned along some of the</p>			<ul style="list-style-type: none"> • The EMPr also includes mitigation measures (i.e. fenced off and restriction of access) in order to ensure that the cemetery on the property is not disturbed in any way. • A field-based Planetological Assessment (including an accidental fossil find protocol) is included in Annexure F of the Amended Draft BAR. • All mitigation measures recommended by the Heritage Specialist and Palaeontologist have been included in the Amended DBAR as well as the EMPr. <ul style="list-style-type: none"> • The SDP attached under Annexure C of the Amended DBAR was updated to include positions of the 5 proposed TreeWell package plants. • The Water and Sanitation Report under Annexure D of the Amended DBAR was also updated with more information about the functioning and discharge of

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<p>watercourses within the site. A single package plant is mentioned in the services report, but the DBAR states that a few tree wells will be needed to cater for different buildings.</p> <p>Stormwater</p> <p>The Stormwater Management Plan states that grass or concrete open channels will be constructed along the roads for stormwater. Since all the roads within the site are gravel, how will erosion of the roads be managed? There is also a high probability of the eroded soils causing blockages of underground stormwater pipes and causing sedimentation of watercourses. More details regarding the underground pipes (size, location etc.) is not provided.</p>			<p>effluent of the proposed TreeWells and also includes a Sewer Network Layout Plan.</p> <ul style="list-style-type: none"> • The SDP (Alternative 1) has been updated to include positions of the proposed attenuation ponds. A high-level stormwater management plan is included in the Roads and Stormwater Report (Annexure D of the Amended DBAR). A detailed SMP (to be approved by Mogale City Local Municipality) outlining specification of all stormwater infrastructure will only be available during the detail design phase and should therefore be made a condition of the EA should it be granted by DFFE. • The natural drainage channel in the centre of the site is currently artificially infilled. It is proposed to open this channel up again in order to improve containment of flood events. This, together with the proposed rainwater harvesting from all building roofs and three proposed attenuation ponds will result in an insignificant increase

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<p>The floodline analysis shows that the development in the western section of the property will be affected by a 1:50 and the 1:100-year flood. Despite the risks to persons and property from potential floods, the EAP ignores the floodline analysis and does not suggest any mitigation measures or changes in the layout for the development. Furthermore, the floodline report suggests a channel be created to direct flood water to the Bloubankspruit. Refer to extract below:</p> <div data-bbox="217 742 963 901" style="border: 1px solid black; padding: 5px;"> <p>The floodline analysis (Figure 4-3) shows that the development in the western arm of the property will be affected by a 1:50 and the 1:100 year flood. This primarily because the central drainage path does not have a clearly defined channel at the section outlined in red in Figure 4-2, which means that water spills out of the drainage path and floods the development. It is suggested that a channel be recreated in this section with the required capacity to direct the floodwater to the Bloubankspruit.</p> </div> <p>A channel will permanently alter the natural water flow over the landscape, habitats and vegetation characteristics, which has not been considered in the DBAR or impact assessment. Considering alternative options for the development layout will have significantly decreased impact on the watercourses than the creation of an artificial channel.</p>			<p>in post-development run-off rates - when compared to pre-development run-off rates. Refer to Table 8-3 (page 23) of the Water and Sanitation Report (Annexure D of the Amended DBAR). The current flow regime of water draining to the Bloubankspruit will therefore remain unaltered.</p> <ul style="list-style-type: none"> • No artificial drainage channel is being proposed as part of this application. • The SDP (Alternative 1) has been updated to include positions of the proposed attenuation ponds and sizes are outlined in Table 8-3 (page 23) of the Water and Sanitation Report (Annexure D of the Amended DBAR).

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<p>Sizes and locations of the attenuation ponds are not provided or included in the layout and impact assessments. Water supply is a concern for the area as the catchment is already under strain and the additional impact of the development on the water supply for the area has not been assessed, as stated in the specialist report.</p> <div data-bbox="219 639 958 743" style="border: 1px solid black; padding: 5px;"> <p>Regardless of the water savings achieved, the water supply must be supplemented by borehole water. It is therefore recommended that the existing boreholes be properly tested to establish exact yield capacities and over what period of time and to establish recovery periods after extraction.</p> </div> <p>Waste Waste management alternatives and options (other than sewage) are not described in the DBAR.</p> <p>Traffic The Traffic Impacts Study states on page 6 that SDP does not indicate the number of parking bays required for the development, but the parking is indicated on the DBAR layout. Therefore, the</p>			<ul style="list-style-type: none"> • Waste management measures are included in the EMPr for the Construction as well as the Operational Phases of the project and MCLM confirmed in writing that they shall render a service for collection and removal of waste from the premises. • The TIA attached under Annexure D of the Amended DBAR has been updated accordingly and now addresses parking.

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<p>SDP provided to the traffic engineers is not the same as the one in the application. How many traffic counts are in addition to the current situation? This is not described as only the total peak traffic counts are provided in the report, so it is not possible to determine the extent of increase in traffic flow for the area.</p> <p>Qualitative Environment</p> <p>The surrounding areas are generally characterised by smallholdings and large open spaces with scenic views. The proposed development site is situated on a Class 2 ridge, providing scenic views and high visibility of the surrounding landscape. The visual impact to the views of surrounding properties is a concern as the site is generally natural and undisturbed with long distance scenic views. Development will remove the natural scenery and vegetation, causing a permanent change in the aesthetic value of the area.</p> <p>There is indication of a function venue for the proposed development. Surrounding landowners are concerned about the potential noise pollution from events, as it is not clear what type</p>			<ul style="list-style-type: none"> • A viewshed analysis and visual impact statement is included in Section 7.2.8 of the Amended Draft BAR. • The nature of the proposed development is based on a symbiotic relationship with nature and physical and spiritual healing – which is not a concept associated with loud music and noise.

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<ul style="list-style-type: none"> • Construction times provided in the DBAR and EMP are not in accordance with the building regulations (daily from 7:00 -17:00) • Impacts are not considered for sensitive areas during construction (rivers, riparian, ridge, listed plant species). • Planning/Pre-construction mitigation and impacts are not discussed. • Impacts on loss of habitat and vegetation are high, even with mitigation. • Impacts are high for groundwater and surface water quality following mitigation. More efficient mitigation measures must be developed, as these impacts are not acceptable. • Mitigation measures provided to prevent soil erosion are not sufficient. • The impacts on the environment from the guests must be determined, including the impacts on fauna and flora, and how it will be prevented. 			<ul style="list-style-type: none"> • These impacts are assessed in Section 10 of the Amended DBAR. • Pre-construction Phase measures are included in Section 6.1 of the EMPr. • The loss of 0.83 ha of indigenous vegetation cannot be mitigated hence the high score. The overall benefits of the project however outweigh this negative impact. • Groundwater monitoring (yield and quality) of the five existing boreholes will be carried as part of the Operational EMPr and should the yield(s) reduce dramatically a hydro-senses study will be undertaken in order to secure a new sustainable water resource. • Please elaborate in what way the proposed soil erosion prevention measures are not deemed sufficient. • These impacts are assessed in Section 10 of the Amended DBAR. • Post construction rehabilitation measures are included in Section 6.2.11 of the EMPr. • Section 50(5) approval to be issued by the COHKWHS Management Authority is in process.

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<ul style="list-style-type: none"> Rehabilitation activities following construction of the development is not discussed. <p>Listed activities needed:</p> <p>Legislation – NEMPAA</p> <p>In order to give effect to Section 50 of NEM: PAA the Applicant have to obtain approval from the CHKWHS Management Authority for the proposed project.</p> <p>Was this done?</p> <p>Section 50 (5) No development, construction or farming may be permitted in a nature reserve or world heritage site without the prior written approval of the management authority”</p> <p>Stated that project is in line with the ridges policy, however, the development is on the ridge and not on the base.</p>			<ul style="list-style-type: none"> The Proposed Activity is in line with the Gauteng Ridges Policy as responded to in detail above. <p>The EAP describes the Proposed Activity in great detail in the Section 2 of the report and a Site Development Plan as well as detailed Engineering Reports are attached as annexures. There can therefore be no misconception about what is being proposed as part of this Application. The COHKWHS Management Authority agrees with this statement by the EAP as they state in their comments on the DBAR that:</p> <p><i>“The Basic Assessment report clearly describes the activities that the developer proposes”.</i></p>

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CONCLUSIONS AND RECOMMENDATIONS			
<p>The information as provided in the DBAR is misleading and is regarded as a misrepresentation of the actual development to be implemented on the study area. The EAP failed to apply the applicable national and provincial sensitivity guidelines and policies, even though the study area is regarded as pristine and even though the study area is associated with an important World Heritage Site.</p> <p>In general, the DBAR fails to consider the environmental sensitivities of the site in a holistic way, considering all attributes of the receiving environment and how the development will impact on the area.</p> <p>The EAP states that <i>“The proposed activity will therefore be constructed on sustainable principles and also promote sustainability. A number of mitigation measures will be implemented during the construction as well as the operational phases to ensure that the impact on the environment is as low as possible.”</i> This statement is not true as all the environmental</p>			<ul style="list-style-type: none"> • It is the holistic view of the EAP that the negative environmental impacts that may arise as a result of the Proposed Activity can be mitigated to acceptable levels and that the positive benefits that will be gained by the local community and wider tourism sector outweighs any remaining negative environmental impact. • The Ecological and Wetland Assessments have been updated to comply with the GDARD Requirements for Biodiversity Assessments. • The proposed and preferred layout (Alternative 1) was amended and updated as a result of the engineering recommendations on the layouts assessed at the time.

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<p>attributes and potential impacts relating to the development have not been assessed adequately.</p> <p>It is clear that the inclusion of specialist studies is purely done as a requirement of the application process, but the EAP has not taken any of the specialist recommendations into consideration when considering the impacts. Despite the wetland, floodline and geotechnical studies recommending the layout to be revised, the EAP failed to acknowledge this in the report.</p> <p>It is concerning that the layout is not consistent throughout the reports as there are significant differences between the layouts evaluated within the specialist studies and the layout included in the DBAR. The location and presence of infrastructure is needed for the specialists to evaluate the site in its entirety and provide the correct mitigation measures. It is also stated in some of the services reports that the restaurant already exists, however, it is included in the DBAR and application as a new structure. This is contradictory and provides false information in the application regarding the total development areas and infrastructure applied for.</p>			<ul style="list-style-type: none"> • The proposed and preferred layout (Alternative 1) is therefore identical to all previous layouts assessed by engineers and specialists with exception of the following 2 recommendations: <ul style="list-style-type: none"> ○ All structures were moved out of the unstable dolomitic “Zone A” area. ○ All structures and infrastructure were moved out of the 32m riparian zone.

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<p>The EAP fails to consider all alternatives for the development, specifically layout alternatives, as the majority of the proposed development will be situated within areas with very high sensitivity (watercourses, flood lines, Class 2 Ridge etc.). Despite this, the EAP states on page 54 of the DBAR that <i>“The Proposed Activity Layout (Figure 3) and the associated operational offerings and activities went through an organic process of collaboration of artists, architects, permaculturalists, spiritualists, investors, business operators, yogis, doctors, psychologists and community members. Although various other concept layouts were explored throughout the non-linear design process they were scoped out and the Applicant believes that he proposed Layout offers the most holistic understanding of the site with the lowest environmental impact.”</i> It is not understood how the provided list of collaborators will provide meaningful input regarding the environmental impact of the development. Many of the listed collaborators have more to do with the business side of the development than the environmental side.</p> <p>Many of the proposed structures are within the floodline, which poses an environmental risk as well as safety risks to people and</p>			<ul style="list-style-type: none"> • The natural drainage channel in the centre of the site is currently artificially infilled. It is proposed to open this channel up again in order to improve containment of flood events. This, together with the proposed rainwater harvesting from all building roofs and three proposed attenuation ponds will result in an insignificant increase in post-development run-off rates - when compared to pre-development run-off rates. Refer to Table 8-3 (page 23) of the Water and Sanitation Report (Annexure D of the Amended DBAR). The current flow regime of water draining to the Bloubankspruit will therefore remain unaltered. • The Ecological and Wetland Assessments have been updated to comply with the GDARD Requirements for Biodiversity Assessments.

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<p>structures. Therefore, the layout of the development must be revised and re-evaluated accordingly.</p> <p>Based on the evaluation of the DBAR, Bokamoso believes that the development does not provide sufficient positive impacts to mitigate the negative impacts on the environment. The ecological studies conducted are incomplete and not in line with the GDARD requirements for specialist studies and must be redone.</p> <p>Additional specialist studies are needed in order to thoroughly evaluate the environmental impacts of the development, in accordance with the results of the Screening Tool, site sensitivity analysis and specialist recommendations already included. Once completed, an amended report must be provided to Bokamoso and all I&AP's for review.</p>			<ul style="list-style-type: none"> The Amended DBAR was made available to Bokamoso for comment.
<p>The department has made the following follow up comments in regard to the report:</p> <ol style="list-style-type: none"> The Basic Assessment report clearly describes the activities that the developer proposes. The proposed development includes a scheduled activity under the 	<p>Ms Nomfundo Tshabalala Director- General Department of Environment,</p>	<p>15/04/2021 Via E-mail</p>	<p>Thank you for your comments.</p>

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>2014 EIA Regulations in terms of the National Environmental Management Act, 1998 (Act 107 of 1998).</p> <p>2. The Cradle of Humankind World Heritage Site (CoHWHS) bedrock is mainly underlined by dolomite and limestone, this means that the area is mainly defined by karsts and caves which are a primary natural element of the OUV and ecosystem that sustains the attributes of the WHS. The report for the proposed site has included the geological information in the document.</p> <p>3. According to the Geotechnical Investigation of the site (WSP, 2020) (Annexure D) the proposed site is situated on the south-eastern contact between the Chunniespoort Dolomite and the older, underlying Ventersdorp Supergroup lithologies.</p> <p>4. The Scoping report does not elaborate further on the building material to be used, the design of structures, height of buildings, roof top materials etc. The Scoping Report does not include the construction machinery services. It should be included under engineering services.</p>	<p>Forestry and Fisheries</p> <p>COHKWHS Management Authority</p>		<ul style="list-style-type: none"> • More information about the building material and construction methods to be used has been included in Section 2 of the Amended DBAR.

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>5. The Scoping report outlines the implementation of a Wastewater Treatment Package Plant in order to sufficiently treat total sewage demand of 60 Kl/day at the proposed development, after the drainage channel/watercourse will be discharged on the western side of the property which feeds into the Bloubankspruit. The Scoping Report has included the wastewater treatment package plant in detail and there is also description of the treatment process.</p> <p>6. As the proposed project needs to be self-sufficient (due to a lack of bulk municipal infrastructure) the implementation of a Wastewater Treatment Package Plant (WWTPP) is required in order to sufficiently treat total sewage demand of 60 Kl/day. The proposed system to be utilised by the project was developed by AsaDuru and is called the Tree Well.</p> <p>7. A Heritage specialist Leonie Marais was appointed to undertake a Phase 1 Heritage and Paleontological Assessment of the proposed project (Refer to Annexure F – Specialist Studies on the Scoping Report). The competent authority in terms of Heritage Impact</p>			<ul style="list-style-type: none"> • The SDP attached under Annexure C of the Amended DBAR was updated to include positions of the 5 proposed TreeWell package plants. • The Water and Sanitation Report under Annexure D of the Amended DBAR was also updated with more information about the functioning and discharge of effluent of the proposed TreeWells and also includes a Sewer Network Layout Plan. • In addition to the Phase 1 HIA that was submitted with the DBAR a Field based Palaeontological Assessment has been carried out and is attached under Annexure F of the Amended DBAR.

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>Assessment is the South African Heritage Resources Agency (SAHRA), and should be shared with SAHRA for approval.</p> <p>8. The project manager has not developed a reporting schedule in order to update the Heritage Authorities, Management Authority and DFFE with any developments regarding the proposed project.</p>			<ul style="list-style-type: none"> • SHARA is active engaging in this Draft Basic Assessment Process and also commented on the DBAR (see comments and responses below). • Please elaborate on the type of reporting structure that the COHKWHS Management Authority is referring to as the EAP is under the impression that the Public Participation Process conducted as part of the Basic Assessment Process provides such a platform.
<p>In order for SAHRA to provide a Final Comment in terms of section 38 (4) of the NHRA the HIA submitted must be supplemented with the following information:</p> <p>Due to the heritage sensitivity and its location within the core of the WHS it is likely that archaeological and palaeontological material will be found during excavations and trenching. The chance fossil find procedure must include a detailed monitoring plan. Monitoring must be undertaken by an experienced archaeologist/palaeontologist familiar with the fossil and archaeological heritage of the area;</p>	<p>Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit South African Heritage Resources Agency</p>	<p>28/05/2021 Via email</p>	

COMMENT, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	NAME AND ORGANISATION OF THE I&AP	SOURCE & DATE	RESPONSE BY ECI
<p>The development is situated in an area of high to moderate palaeontological sensitivity. A field-based palaeontological assessment will be required and submitted to SAHRA for comment (https://sahris.sahra.org.za/map/palaeo)</p> <p>The Visual Impact Assessment (VIA) and Viewshed Analysis mentioned in the BAR must be submitted to SAHRA for comments. It is not possible for SAHRA to know at this stage if the VIA considered Kromdraai (Portion 5) and Sterkfontein (Portion 65 of Swartskrans 172 IQ) NHS as visual receptors. It is noted that the draft BAR indicated a low visual impact on adjacent properties and the R540 and R374;</p> <p>Further clarity must be provided on the age of the cemetery and the graves.</p> <p>SAHRA will provide a Final Comment on the case as on receipt of the requested information.</p>			<ul style="list-style-type: none"> • A field-based Planetological Assessment (including a Protocol for Chance Finds and Management plan) is included in Annexure F of the Amended Draft BAR. • A viewshed analysis and visual impact statement is included in Section 7.2.8 of the Amended Draft BAR. • The majority of the graves situated in the cemetery as well as the individual grave are older than 60 years and the HIA Report was updated accordingly. No development is earmarked for the area where the graves are located and this area will be fenced off and maintained as recommended by the Heritage Specialist.

