BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL HOUSING DEVELOPMENT ON ERF 195, ELANDS BAY, WESTERN CAPE PROVINCE

On behalf of

FAIR RESORT PROPERTIES

November 2017
NOTE: Ross Holland and Associates were originally appointed as the Environmental Assessment Practitioner for the Proposed Development Application. In October 2017, Fair Resort Properties appointed Arcus to complete the Basic Assessment Process and conduct public participation, on their behalf. This Report and the specialist’s studies was done with assistance from Ross Holland and Associates.
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BASIC ASSESSMENT REPORT


October 2017

PROJECT TITLE

PROPOSED ELANDS BAY RESIDENTIAL DEVELOPMENT ON ERF 195, ELANDS BAY, WESTERN CAPE PROVINCE

NOVEMBER 2017

<table>
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<td>2889_V2.0_AB</td>
<td>NOVEMBER 2017</td>
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<tr>
<td>Final Basic Assessment Report(^3) or, if applicable Revised Basic Assessment Report(^4) (strikethrough what is not applicable)</td>
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Notes:

1. In terms of Regulation 40(3) potential or registered interested and affected parties, including the Competent Authority, may be provided with an opportunity to comment on the Basic Assessment Report prior to submission of the application but must again be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority. The Basic Assessment Report released for comment prior to submission of the application is referred to as the "Pre-Application Basic Assessment Report". The Basic Assessment Report made available for comment after submission of the application is referred to as the "Draft Basic Assessment Report". The Basic Assessment Report together with all the comments received on the report which is submitted to the Competent Authority for decision-making is referred to as the "Final Basic Assessment Report".

2. In terms of Regulation 19(1)(b) if significant changes have been made or significant new information has been added to the Draft Basic Assessment Report, which changes or information was not contained in the Draft Basic Assessment Report consulted on during the initial public participation process, then a Final Basic Assessment Report will not be submitted, but rather a "Revised Basic Assessment Report", which must be subjected to another public participation process of at least 30 days, must be submitted to the Competent Authority together with all the comments received.
DEPARTMENTAL REFERENCE NUMBER(S)

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CONTENT AND GENERAL REQUIREMENTS

Note that:

1. The content of the Department’s Circular EADP 0028/2014 (dated 9 December 2014) on the “One Environmental Management System” and the Environmental Impact Assessment (“EIA”) Regulations, 2014 (as amended), any subsequent Circulars, and guidelines must be taken into account when completing this Basic Assessment Report Form.

2. This Basic Assessment Report is the standard report format which, in terms of Regulation 16(3) of the EIA Regulations, 2014 (as amended) must be used in all instances when preparing a Basic Assessment Report for Basic Assessment applications for an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”), and the EIA Regulations, 2014 (as amended) and/or a waste management licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (“NEM:WA”), and/or an atmospheric emission licence in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (“NEM:AQA”) when the Western Cape Government: Environmental Affairs and Development Planning (“DEA&DP”) is the Competent Authority/Licensing Authority.

3. This report form is current as of October 2017. It is the responsibility of the Applicant/ Environmental Assessment Practitioner (“EAP”) to ascertain whether subsequent versions of the report form have been released by the Department. Visit the Department’s website at http://www.westerncape.gov.za/eadp to check for the latest version of this checklist.

4. The required information must be typed within the spaces provided in the form. The size of the spaces provided is not necessarily indicative of the amount of information to be provided. The tables may be expanded where necessary.

5. The use of “not applicable” in the report must be done with circumspection. All applicable sections of this report form must be completed. Where “not applicable” is used, this may result in the refusal of the application.

6. While the different sections of the report form only provide space for provision of information related to one alternative, if more than one feasible and reasonable alternative is considered, the relevant section must be copied and completed for each alternative.

7. Unless protected by law, all information contained in, and attached to this report, will become public information on receipt by the competent authority. If information is not submitted with this report due to such information being protected by law, the applicant and/or EAP must declare such non-disclosure and provide the reasons for believing that the information is protected.

8. Unless otherwise indicated by the Department, one hard copy and one electronic copy of this report must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department. Reasonable access to copies of this report must be provided to the relevant Organ of State for consultation purposes, which may, if so indicated by the Department, include providing a printed copy to a specific Organ of State.

9. This Report must be submitted to the Department and the contact details for doing so are provided below.

10. Where this Department is also identified as the Licencing Authority to decide applications under NEM:WA or NEM:AQA, the submission of the Report must also be made as follows, for:
- Waste management licence applications, this report must also (i.e., another hard copy and electronic copy) be submitted for the attention of the Department’s Waste Management Directorate (tel: 021-483-2756 and fax: 021-483-4425) at the same postal address as the Cape Town Office.
- Atmospheric emissions licence applications, this report must also be (i.e., another hard copy and electronic copy) submitted for the attention of the Licensing Authority at this Department's Air Quality Management Directorate (tel: 021 483 2798 and fax: 021 483 3254) at the same postal address as the Cape Town Office.

DEPARTMENTAL DETAILS

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<th>CAPE TOWN OFFICE</th>
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<td>REGION 2 (Cape Winelands District &amp; Overberg District)</td>
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<td>REGION 3 (Central Karoo District &amp; Eden District)</td>
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</table>
Department of Environmental Affairs and Development Planning  
Attention: Directorate: Development Management (Region 1)  
Private Bag X 9086  
Cape Town, 8000  

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

Queries should be directed to the Directorate: Development Management (Region 1) at:  
Tel.: (021) 483-5829  
Fax: (021) 483-4372

Department of Environmental Affairs and Development Planning  
Attention: Directorate: Development Management (Region 2)  
Private Bag X 9086  
Cape Town, 8000  

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

Queries should be directed to the Directorate: Development Management (Region 2) at:  
Tel.: (021) 483-5842  
Fax: (021) 483-3633

Department of Environmental Affairs and Development Planning  
Attention: Directorate: Development Management (Region 3)  
Private Bag X 6509  
George, 6530  

Registry Office  
4th Floor, York Park Building  
93 York Street  
George  

Queries should be directed to the Directorate: Development Management (Region 3) at:  
Tel.: (044) 805-8600  
Fax: (044) 805 8650
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ACRONYMS USED IN THIS BASIC ASSESSMENT REPORT AND APPENDICES:

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<tr>
<td>BAR</td>
<td>Basic Assessment Report</td>
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<tr>
<td>CBA</td>
<td>Critical Biodiversity Area</td>
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<td>DEA</td>
<td>National Department of Environmental Affairs</td>
</tr>
<tr>
<td>DEA&amp;DP</td>
<td>Western Cape Government: Environmental Affairs and Development Planning</td>
</tr>
<tr>
<td>DWS</td>
<td>National Department of Water and Sanitation</td>
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<td>Public Participation Process</td>
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1 DETAILS OF THE APPLICANT

<table>
<thead>
<tr>
<th>Applicant / Organisation / Organ of State:</th>
<th>Fair Resort Properties</th>
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<tbody>
<tr>
<td>Contact person:</td>
<td>John Mountain</td>
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<tr>
<td>E-mail:</td>
<td><a href="mailto:john@strawberry.co.za">john@strawberry.co.za</a></td>
</tr>
</tbody>
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2 DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

| Name of the EAP organisation:           | Arcus Consultancy Services South Africa (Pty) Ltd |
| Person who compiled this Report:        | Ashlin Bodasing |
| EAP Reg. No.:                           | -            |
| Contact Person (if not author):         | -            |
| Postal address:                         | Office 220, Cube Work Space, 24 Hans Strijdom Avenue, Cape Town |
| Telephone:                              | (021) 412 1529 |
| Cellular:                               | 076 340 8914    |
| E-mail:                                 | ashlinb@arcusconsulting.co.za |
| EAP Qualifications:                     | Bachelor of Social Science: Geography and Environmental Management |

Please provide details of the lead EAP, including details on the expertise of the lead EAP responsible for the Basic Assessment process. Also attach his/her Curriculum Vitae to this BAR.

Ashlin Bodasing is the Technical Director at Arcus, located in Cape Town. Having obtained her Bachelor of Social Science Degree from the University of Kwa-Zulu Natal; she has over 10 years’ experience in the environmental consulting industry in southern Africa. She has gained extensive experience in the field of Integrated Environmental Management, environmental impact assessments and public participation. She has also been actively involved in a number of industrial and infrastructural projects, including electricity power lines and substations; road and water infrastructure upgrades and the installation of telecommunication equipment and as well green field coal mines, as well as renewable energy facilities, both wind and solar. Ashlin has major project experience in the development of Environmental Impact Assessments, Basic Assessments, Environmental Management Plans and the monitoring of construction activities. Her areas of expertise include project management, environmental scoping and impact assessments, environmental management plans, environmental compliance monitoring and environmental feasibility studies. Experience also includes International Finance Corporation Performance Standards and World Bank Environmental Guidelines environmental reviews. She has worked in Mozambique, Botswana, Lesotho and Zimbabwe.

PLEASE SEE APPENDIX I FOR EAP Curriculum Vitae
EXECUTIVE SUMMARY OF THE BASIC ASSESSMENT REPORT:

3.1 Project Background

During December 2014, Cederberg Municipality advertised pockets of land (owned by the municipality) for sale within various areas of the municipality for the purposes of Economic Housing opportunities, amongst others. The need to alienate the underutilised properties in this case was aimed at generating capital to sustain the municipality. Land parcels were sold on public tender, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties cc (hereafter referred to as “the Applicant”).

In 2015, the Applicant submitted an application to obtain land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 (“LUPO”) and the Municipal Ordinance, No. 20 of 1974. In this regard, the Applicant submitted an application for the following:

- The closure of the public place located on Erf 195 that was zoned as “Open Space Zone 1” in order to establish a residential development on the property.
- The rezoning of Erf No. 195 from “Open Space Zone 1” to ”Subdivisional Area” to accommodate the zonings of “Residential Zone 1” and “Transport Zone II” in Erf 195.
- The subdivision of Erf No. 195 into eleven (11) portions, with Portion 1 – 10 zoned as “Residential Zone 1” to develop properties, and a Portion 11 zoned as “Transport Zone II” for the development of a public road for access to the properties.

Approval for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195 was granted to the Applicant on 4th June 2015 by the municipality (refer to Municipal Approval attached as Appendix E1) after a thorough Public Participation Process was undertaken. In this regard, Erf 195 has been subdivided into eleven (11) portions; Portion 1 – 10 (Erf 713 – 722) zoned as Residential Zone 1 to develop properties that consists of erf sizes ranging from approximately 348 m² to 497 m² and a Portion 11 (Erf 723) that will be used as an access road as per the Proposed Subdivision Plan Ref: 60008 layout dated March 2015, drawn by Middleton Geomatics (refer to Appendix E1). For the purposes of this Application, the applicable property (i.e. Erf 195 now subdivided into 11 portions; Erf 713 – 723) will still be referred to collectively as Erf 195 or the proposed development site.

The Cederberg Municipality has granted permission for the transfer of ownership of the subdivided erf parcels from the Applicant, to new owners. It is the Applicant’s intention to transfer all of the subdivided erf parcels to new owners for the development of residential housing, however the Applicant is responsible for the installation of all services to the erf parcels before any residential housing construction will take place. In addition, individual owners will need to submit building plans for the individual residential homes to be built on each site. The residential housing developments are proposed to be in line with the surrounding residential housing in terms of design and layout (i.e. a number of houses in the vicinity of a cul-de-sac road).

3.2 The Proposed Development

The environmental authorisation is therefore for the development of 10 residential houses of individual footprints of approximately 150 m² and 8 m wide access road (to be named Mountain Close) within Elands Bay, including the associated services for power and water supply. The Applicant will only be responsible for the installation of the municipal services to each plot (water and electrical) and the construction of the 30 m long 8 m wide access road. Each land owner will be responsible for the construction of their individual houses.

Arcus Consultancy Services South Africa (Pty) Ltd have been appointed by Fair Resort Properties to assist in fulfilling the legally required environmental authorisation process for the proposed development before any construction can take place.

3.2.1 Proposed Site Location

The development site is located within the urban edge of Elands Bay and on the edge of an existing residential suburb, approximately 2.4 km south west of the town of Elands Bay. The property can
be accessed from the Elands Bay Main Road R366. The study area lies within the Cederberg Municipality of the Western Cape Province.

3.3 **Aims and Purpose of this Report**

The purpose of this Basic Assessment Report (BAR) is to present the environmental impact assessment undertaken on the preferred alternative for the proposed development. The preferred site layout and technical specifications, were assessed by the specialists and their findings and assessment are collated in this BAR. This BAR will provide sufficient information for the competent authority to make an informed decision on the proposed development. The report further addresses comments received during the public participation process.

The BAR has been compiled which:
- Describes the proposed project;
- Identifies appropriate alternatives;
- Identifies and assesses the possible positive and negative environmental (both social and biophysical) impacts associated with the proposed project; and
- Recommends reasonable and feasible mitigation measures which are measures that attempt to reduce potential negative impacts and increase positive impacts identified.

3.4 **Legal Requirements**

The National Environment Management Act, 1998 (Act No 107 of 1998) (NEMA) promotes the use of scoping and EIA in order to ensure the integrated environmental management of activities.

Section 24(1) of NEMA states:

"In order to give effect to the general objectives of integrated environmental management laid down in this Chapter, the potential impact on the environment of listed activities must be considered, investigated, assessed and reported to the competent authority charged by this Act with granting the relevant environmental authorisation."

EIA is ultimately a decision-making process with the specific aim of selecting an option that will provide the most benefit, and cause the least impact. The EIA process should identify activities which may have a detrimental effect on the environment, and which would therefore require environmental authorisation prior to commencement.

The EIA process commences with formally notifying the Department of Environmental Affairs and Development Planning (DEA&DP) of the proposed development by the submission of application forms. Following the notification, the EAP, along with the team of technical specialists, will commence the process with defining the appropriate "scope" of the EIA process. This involves establishing the existing environmental baseline of the site proposed for development, considering the type of development and its potential impacts on the existing environment, and therefore determining what potential impacts should be assessed and how, within the EIA process.

The EAP therefore compiles a Draft BA Report which is made available for public and stakeholder comment for a prescribed consultation period. All comments received in response to the Draft BAR will be considered and as appropriate incorporated into the Final BAR.

I&APs will then notified of the availability of the Final BAR and advised that should they like to comment on the report, they must submit their comments directly to the DEA&DP (contact details for DEA&DP will be included in the notification documents).

Once a FBAR has been submitted, the competent authority (the DEA&DP) will make a decision on whether to grant or refuse Environmental Authorisation.

**Table 1: Applicable Listed Activities in terms of the NEMA.**

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<thead>
<tr>
<th>LISTING NOTICE</th>
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<td>LN1 GN R983</td>
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3.5 **Public Participation**

The key phases of this environmental authorisation process are described below:

- **Initial Notification and Call to Register as I&APs through the following:** Advertisements, site notices, posters, letters to landowners and pre-identified I&APs. The aim of this step is to inform people of the proposed activity and to encourage initial comment and feedback.

- **Basic Assessment Process: Collation of initial comments and specialist investigations into a concise report (this document) which provides feedback on the following:**
  - Nature of the activity;
  - Description of the receiving environment;
  - Identification of potential feasible alternatives;
  - Identification of potential positive and negative impacts; and
  - Identification of knowledge gaps.

The process has involved an investigation and comparative assessment of the proposed development. The identified impacts have been assessed and relevant management and mitigation measures have been included in an Environmental Management Programme (EMPr). The findings are included in this Report.

- **Ongoing Public Consultation:** Throughout the process, registered I&APs were consulted. This involvement was initiated through the dissemination of information by means of advertisements and notification letters, and opportunities were provided for Interested and Affected Parties (I&APs) to review and comment on the proposed development.

Following the completion of the relevant processes described above and the submission of documentation to the competent authority (DEA&DP), the DEA&DP will review the application and issue a decision (called an Environmental Authorisation). I&APs will be informed of the decision and their rights to appeal.

In terms of Public Participation for the proposed development, the following tasks have been completed:

- Interested and Affected Parties (I&APs) have been identified throughout the process. Initial identification of I&APs was done by identifying all landowners adjacent to the site boundary. Ward councillors, Authorities and NGO's have also been informed;
- Advertisements were placed in a local newspaper (*Die Weslander*) on Thursday, 09 November 2017 to notify the public of the proposal;
- Notification letters, and project information was distributed on 7-9 November 2017;
- The Draft BAR is available for public review from the 14 November 2017 – 13 December 2017.
- Two site notices were placed on the boundaries of the development site on the 06 November 2017;
- The comment period on the Draft Basic Assessment Report closes on the 13 December 2017.

After the initiation of the public participation process, correspondence for the remainder of the process is directed to I&APs who are registered and placed on the project database. Correspondence with I&APs has been via telephone and email.

3.6 **Assumptions and Limitations**

The following assumptions and limitations are applicable to this study:

- It is assumed that the proposed development site investigated and assessed for the proposed residential housing development is technically suitable for such development.
It is assumed that all municipal infrastructure and capacity to support the proposed housing development is technically adequate, feasible and viable.

Site alternatives were not investigated due to the fact that this application is project specific for this specific land portion.

The assumption is made that the information on which this report is based (specialist studies and project information, as well as existing information) is accurate and correct at the time of writing this report.

It is assumed that the recommendations derived from this study would be included in all tender documentation and the EMP for implementation.

### 3.7 Alternatives Assessment

The following alternatives have been investigated:

#### Site Alternatives

No site alternatives have been proposed for this project as the purpose of this application is for the development of residential houses and an access road on Erf 195 (now subdivided into 11 portions).

#### Activity Alternatives

No activity alternatives have been investigated for this project as Land Use Planning Ordinance, No. 15 of 1985 ("LUPO") and the Municipal Ordinance, No. 20 of 1974 approvals for the Closure of Public Open Space, Rezoning and Subdivision of Erf 195 has been granted for the development of residential housing.

#### Design or Layout Alternatives

Three historical design / layout alternatives were considered for Erf 195. The authorised layout (by the Municipality) refers to a layout where the access road is located in the middle of the subdivided portions in a “T” shape connecting to the Main Road located south of the property. This was the preferred option since it is most similar to the layout of the surrounding residential houses. Alternative A referred to a similar layout with the access road located in the middle of the subdivided portions, however the portion of the access road connecting to the Main Road was located on the right boundary of the property. Alternative B was similar to Alternative A, however the portion of the access road connecting to the Main Road was located along the left boundary of the property (refer to the Section E ‘Alternatives’ for detailed information).

#### Technology Alternatives

Technology alternatives are not considered applicable to the general purpose of this Application as the purpose of this application is for the development of residential housing.

#### Operational Alternatives

Operational alternatives are not considered applicable to the general purpose of this Application as the purpose of this application is for the development of residential housing.

#### The No-Go Alternative

The “No Go” alternative is the “no-development alternative”. This option of retaining the status quo, and not proceeding with the proposed residential housing development is not reasonable considering the fact that the property has been sold by the Cederberg Municipality for the purpose of housing opportunities. In addition, the Municipality has already granted approval for the closure of the public open space, rezoning and subdivision of Erf 195, as well as permission for the transfer of ownership of the sub-divided erf parcels from the applicant to new owners.

### 3.8 Summary of Key Findings

Key findings of the impact assessment contained in the BAR are included below:

**Construction phase impacts identified by the Basic Assessment Process include:**
• Potential for Soil Erosion;
• Loss of or damage to Vegetation;
• Loss of Ecological Processes;
• Impact on Fauna;
• Impact of litter/waste pollution from the activities and construction workers on site on the surrounding environment;
• Job creation;
• Wind-blown dust;
• Impact of construction activities on surrounding roads and traffic flows;
• Impact of construction activities on visual aesthetics of the surrounding environment;
• Noise Impacts;
• Impact on cultural heritage aspects; and
• HIV and gender related concerns.

Operational phase impacts identified by the Basic Assessment Process include:

• Impact of potential soil erosion;
• Impact of the proposed development on visual aesthetics of the surrounding environment;
• Job creation; and
• Impact of increased revenue to the local economy.

The proposed development will result in no unacceptable biophysical and socio-economic impacts, after mitigation. No (post mitigation) impacts of high negative significance will occur as a result of the implementation of the proposed activity during either the construction or operational phase.

Negative impacts on the socio-economic environment are mainly limited to the construction phase and will be of low to very low negative significance with mitigation measures. The proposed development has positive socio-economic impacts of low significance in the construction phase, in terms of job creation, and positive impacts of very low significance in terms of increased revenue into the local economy as well as to the national fiscus during the operational phase.

The implementation of the “No-Go” alternative would have a negative impact of very low significance in terms of the opportunity cost of lost increased revenue to local economy and national fiscus, as well as a low negative impact of job losses.

3.9 Way Forward

This Draft BAR is made available to the public for a 30 day comment period. As an I&AP, you are invited to review and comment on the BAR.

Should you have any comments, issues or concerns regarding the proposed project or the findings of the BAR or simply want to register as an I&AP, please provide your comments in writing to the details below on or before 13 December 2017:

Arcus Consultancy Services South Africa (Pty) Ltd
Office 220, Cube Workspace
Cnr Long Street and Hans Strijdom Avenue, Cape Town 8001
Telephone: +27 21 412 1529
Fax: +27 86 762 2885
Email: elandsbay@arcusconsulting.co.za
Arcus Reference: 2889 Elands Bay

Once the comment period closes, comment received will be incorporated into a Comments and Response Report (CRR) and submitted to DEA&DP, together with the BAR for decision making.
4 SECTION A: PROJECT INFORMATION

4.1 Activity Location

| Location of all proposed sites: | The proposed development site is located on Erf Parcel 195 (subsequently subdivided into 11 portions) is located within the urban edge of Elands Bay and on the edge of an existing residential suburb, approximately 2.4 km south west of the town of Elands Bay. The property can be accessed from the Elands Bay Main Road R366. The study area lies within the Cederberg Municipality of the Western Cape Province. |
| Farm / Erf name(s) and number(s) (including Portions thereof) for each proposed site: | Erf 195 Elands Bay, Subdivided into Erf 713, Erf 714, Erf 715, Erf 716, Erf 717, Erf 718, Erf 719, Erf 720, Erf 721, Erf 722 and Erf 723 |
| Property size(s) in m² for each proposed site: | The entire development site is Approx. 5035m². The total area to be developed will be less than 2000 m², including the housing and the access road. Each Sub-division is less than 500m² and between 348m² and 497m² |
| Development footprint size(s) in m²: | It is proposed that each individual residential house will be approx. 150m². |
| Surveyor General (SG) 21 digit code for each proposed site: | Erf 195 has been subdivided into 11 portions as indicated below: Erf 713: C05800040000071300000 Erf 714: C05800040000071400000 Erf 715: C05800040000071500000 Erf 716: C05800040000071600000 Erf 717: C05800040000071700000 Erf 718: C05800040000071800000 Erf 719: C05800040000071900000 Erf 720: C05800040000072000000 Erf 721: C05800040000072100000 Erf 722: C05800040000072200000 Erf 723: C05800040000072300000 |

4.2 Project Description

(a) Is the project a new development? If “NO”, explain:

This proposed project is a new residential housing development. The applicant will be responsible for the installation of municipal services to each plot, as well as for the construction of the access road. Each land owner will be responsible for the construction of the individual houses.

(b) Provide a detailed description of the scope of the proposed development (project).

During December 2014, Cederberg Municipality advertised pockets of land (owned by the municipality) for sale within various areas of the municipality for the purposes of Economic Housing opportunities, amongst others. The need to alienate the underutilised properties in this case was aimed at generating capital to sustain the municipality. Land parcels were sold on public tender, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties (hereafter referred to as “the Applicant”).

In 2015, the Applicant submitted an application to obtain land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 (“LUPO”) and the Municipal Ordinance, No. 20 of 1974. In this regard, the Applicant submitted an application for the following:
The closure of the public place located on Erf 195 that was zoned as "Open Space Zone 1" in order to establish a residential development on the property.

The rezoning of Erf No. 195 from "Open Space Zone 1" to "Sub divisional Area" to accommodate the zonings of "Residential Zone 1" and "Transport Zone II" in Erf 195.

The subdivision of Erf No. 195 into eleven (11) portions, with Portion 1 – 10 zoned as "Residential Zone 1" to develop properties, and a Portion 11 zoned as "Transport Zone II" for the development of a public road for access to the properties.

Approval for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195 was granted to the Applicant on 4th June 2015 by the municipality (refer to Municipal Approval attached as Appendix E (a)) after a thorough Public Participation Process was undertaken. In this regard, Erf 195 has been subdivided into eleven (11) portions; Portion 1 – 10 (Erfs 713 – 722) zoned as Residential Zone 1 to develop properties that consists of erf sizes ranging from approximately 348 m² to 497 m² and a Portion 11 (Erf 723) that will be used as an access road as per the Proposed Subdivision Plan Ref: 60008 layout dated March 2015, drawn by Middleton Geomatics (refer to Appendix E (a)). For the purposes of this Application, the applicable property (i.e. Erf 195 now subdivided into 11 portions; Erfs 713 – 723) will still be referred to collectively as Erf 195.

The Cederberg Municipality has granted permission for the transfer of ownership of the subdivided erf parcels from the Applicant, to new owners. It is the Applicant’s intention to transfer the subdivided erf parcels to new owners for the development of residential housing, however the Applicant is responsible for the installation of all services to the erf parcels before any residential housing construction can take place.

In addition, individual owners will need to submit building plans for the individual residential homes to be built on each site. The residential housing developments are proposed to be in line with the surrounding residential housing in terms of design and layout (i.e. a number of houses in the vicinity of a cul-de-sac road).

The proposed project is therefore for the development of 10 residential houses of individual footprints of approximately 150 m² and 8 m wide access road (to be named Mountain Close) within Elands Bay. The site is situated within the urban edge of Elands Bay and on the edge of an existing residential suburb. The majority of the site has already been transformed and degraded by the use of the site as a parking area and footpath to access the beach. Illegal dumping of waste has previously occurred on this site.

The applicant will not build the houses, but has sold the plots to individuals who are permitted to build to a height of two storeys. The applicant will provide the services to each of the sub-divided erfs with a common access road.

Two specialist studies have been commissioned for this proposed development:

- Heritage – as the site is greater than 5000m² this triggers Section 38 of the National Heritage Resources Act, 1999 (Act No 25 of 1999)
- Botanical – as the site is situated within 100m inland of the high water mark of the sea, a botanical specialists study was commissioned to confirm the current status of the site in terms of flora.

The proposed project will include the following road, power and water supply infrastructure:

Access Road (refer to Section 3.1 of the Engineer Services Report attached as Appendix G1)

An 8 m road reserve (5 m paved and 1,5 m unpaved on each side) is proposed for main access from the Main Road R366 to the sub-divided erf parcels. Main access will be off the Main Road R366 onto this proposed road (to be named Mountain Close). Refer to Drawing Numbers 15/1266/CO1 attached as part of the Engineer Service Report (Appendix G1). Internal roads for each individual house is proposed to be 5m wide paving or premix surfacing roads with precast edging on either side.

Power Infrastructure (refer to the Electrical Services Report for Erf 195 attached as Appendix G2)

The proposed project will include the development of new reticulation networks (applicable to the standards and specification of SANS) which includes:

- Miniature Substation without ring main unit (details pertaining to the electrical construction in Section 2, PS.1 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2).
- 11 kV underground cables (details pertaining to the electrical construction in Section 2, PS.2 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2).
- Low voltage underground cables (details pertaining to the electrical construction in Section 2, PS.3 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2).
- Consumer distribution units (details pertaining to the electrical construction in Section 2, PS.4 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2).
- Underground consumer connections (details pertaining to the electrical construction in Section 2, PS.5 and Drawing Number E15059/03 attached as part of the Electrical Services Report (Appendix G2).
- Street lighting (details pertaining to the electrical construction in Section 2, PS.6 and Drawing Number E15059/02 attached as part of the Electrical Services Report (Appendix G2).
Water Supply Infrastructure: (refer to Section 3.2 and 3.4 of the Engineer Services Report attached as Appendix G1)

Water Reticulation: There is an existing main waterline in Main Road R366 which currently supplies water to the abutting areas. A 75 mm connection to this existing main line and internal reticulation is proposed. Individual erven will be connected onto the 75 mm reticulation with a 20 mm diameter house connection.

Storm Water Reticulation: The annual rainfall figure for the Elands Bay is very low (average total precipitation of 39 mm over 10 days). The rainfall period is from April to September, with the highest figures during June and July. There is no stormwater reticulation at the project site, however the soil is very permeable here and the surface runoff is negligible. The majority of the site has already been transformed and degraded by the use of the site as a parking area and footpath to access the beach. Illegal dumping of waste has previously occurred on this site. Stormwater from the proposed new ten residential houses, as well as the internal roads will drain naturally onto abutting lower areas.

There is no existing sewer pipe reticulation in place at the project site. All new proposed residential subdivided erven will be serviced by means of septic conservancy sewer tank systems (refer to Section 3.3 of the Engineer Services Report attached as Appendix G1). All new conservancy tanks will be accessible for the Municipal Honey Sucker truck for servicing.

Solid waste generated by the new developments will be removed by the local authority on a weekly basis (refer to Section 3.5 of the Engineer Services Report attached as Appendix G1).

Please note: This description must relate to the listed and specified activities in paragraph (d) below.

(c) Please indicate the following periods that are recommended for inclusion in the environmental authorisation:

| I. | The period within which commencement must occur; | The proposed activity must occur within 2 years of environmental authorisation. |
| II. | The period for which the environmental authorisation should be granted and the date by which the activity must have been concluded, where the environmental authorisation does not include operational aspects; | The environmental authorisation is valid for a period of 20 years, by which time all housing developments should be constructed. |
| III. | The period that should be granted for the non-operational aspects of the environmental authorisation; and | The environmental authorisation is valid for a period of 20 years, by which time all housing developments should be constructed. |
| IV. | The period that should be granted for the operational aspects of the environmental authorisation. | There are no operational aspects that require environmental authorisation. |

Please note: The Department must specify the abovementioned periods, where applicable, in an environmental authorisation. In terms of the period within which commencement must occur, the period must not exceed 10 years and must not be extended beyond such 10 year period, unless the process to amend the environmental authorisation contemplated in regulation 32 is followed.

(d) List all the listed activities triggered and being applied for.

Please note: The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the EIA process. Please refer to paragraph (b) above.

Table 4.1: EIA Regulations Listing Notices 1 and 3 of 2014 (as amended):

<table>
<thead>
<tr>
<th>Listed Activity No(s):</th>
<th>Describe the relevant Basic Assessment Activity (ies) in writing as per Listing Notice 1 (GN No. R. 983)</th>
<th>Describe the portion of the development that relates to the applicable listed activity as per the project description.</th>
<th>Identify if the activity is development / development and operational / decommissioning / expansion / expansion and operational.</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Development- (iv) in front of a development setback; (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary.</td>
<td>The proposed project is for the development of ten individual residential houses of individual approximate footprint 150 m² and an internal road within 100 metres inland of the high-water mark of the sea.</td>
<td>This activity is a development activity of 10 individual residential developments.</td>
</tr>
</tbody>
</table>
Listed Activity No(s): | Describe the relevant Basic Assessment Activity (ies) in writing as per Listing Notice 3 (GN No. R. 985) | Describe the portion of the development that relates to the applicable listed activity as per the project description. | Identify if the activity is development / development and operational / decommissioning / expansion / expansion and operational.
---|---|---|---
12 | The clearance of an area of 300 square metres or more of indigenous vegetation in (i) the Western Cape (ii) the littoral active zone or 100 metres inland from the high water mark of the sea or an estuary, whichever distance is the greater. (iii) within the littoral active zone or 100 metres inland from the high water mark of the sea or an estuary, whichever distance is the greater. (iv) on land, where at the time of the coming into effect of this notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. | The proposed project will entail the clearance of approximately more than 300 square meter indigenous vegetation (Least Threatened) within 100 metres inland from the high water mark of the sea. A specialist botanical study was undertaken for the site, and confirmed that more than half the site is already transformed and degraded. The site is currently being used as a parking area. | Development

15 | The transformation of land bigger than 1000 square metres in size to residential, retail, commercial, industrial or institutional use, where such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010 in Western Cape (i) outside urban areas. | The proposed project is located on the periphery of Elands Bay and will result in the transformation of approximately 5035m² of land previously zoned as Open Space to residential use. Rezoning of the applicable property to Residential 1 has been granted by the Cederberg Municipality. | Development

4 | The development of a road wider than 4 m with a reserve less than 13.5 m (ii) (AA) areas containing indigenous vegetation | The proposed development will have an internal access road of approximately 8 m wide. | Development and operational

Waste management activities in terms of the NEM: WA (GN No. 921): **NOT APPLICABLE**
Some text from the document: "The proposed project is for the development of 10 residential houses of individual footprints of approximately 150 m² and 8 m wide access road (to be named Mountain Close) within Elands Bay. The Cederberg Municipality has granted permission for the transfer of ownership of the subdivided erf parcels from the Applicant, to new owners. It is the Applicant's intention to transfer the subdivided erf parcels to new owners for the development of residential housing, however the Applicant is responsible for the installation of all services to the erf parcels before any residential housing construction can take place.

Individual owners will need to submit building plans for the individual residential homes to be built on each site. The residential housing developments are proposed to be in line with the surrounding residential housing in terms of design (not more than 2 storeys high) and layout (i.e. number of houses in the vicinity of a cul-de-sac road).

The proposed project will include the following road, power and water supply infrastructure:

**Access Road (refer to Section 3.1 of the Engineer Services Report attached as Appendix G1)**

An 8 m road reserve (5 m paved and 1.5 m unpaved on each side) is proposed for main access from the Main Road R366 to the subdivided erf parcels. Main access will be off the Main Road R366 onto this proposed road (to be named Mountain Close). Refer to Drawing Numbers 15/1266/ CO1 attached as part of the Engineer Service Report (Appendix G1). Internal roads for each individual house is proposed to be 5 m wide paving or premix surfacing roads with precast edging on either side.

**Power Infrastructure (refer to the Electrical Services Report for Erf 195 attached as Appendix G2)**

The proposed project will include the development of new reticulation networks (applicable to the standards and specification of SANS) which includes:

- Miniature Substation without ring main unit (details pertaining to the electrical construction in Section 2, PS.1 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2)).
- 11 kV underground cables (details pertaining to the electrical construction in Section 2, PS.2 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2)).
- Low voltage underground cables (details pertaining to the electrical construction in Section 2, PS.3 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2)).
- Consumer distribution units (details pertaining to the electrical construction in Section 2, PS.4 and Drawing Number E15059/01 attached as part of the Electrical Services Report (Appendix G2)).
- Underground consumer connections (details pertaining to the electrical construction in Section 2, PS.5 and Drawing Number E15059/03 attached as part of the Electrical Services Report (Appendix G2)).
- Street lighting (details pertaining to the electrical construction in Section 2, PS.6 and Drawing Number E15059/02 attached as part of the Electrical Services Report (Appendix G2)).

**Water Supply Infrastructure (refer to Section 3.2 and 3.4 of the Engineer Services Report attached as Appendix G1)**
**Water Reticulation:** There is an existing main waterline in Main Road R366 which currently supplies water to the abutting areas. A 75 mm connection to this existing main line and internal reticulation is proposed. Individual erven will be connected onto the 75 mm reticulation with a 20 mm diameter house connection.

**Storm Water Reticulation:** The annual rainfall figure for the Elands Bay is very low (average total precipitation of 39 mm over 10 days). The rainfall period is from April to September, with the highest figures during June and July. There is no stormwater reticulation at the project site, however the soil is very permeable here and the surface runoff is negligible. The majority of the site has already been transformed and degraded by the use of the site as a parking area and footpath to access the beach. Illegal dumping of waste has previously occurred on this site. Stormwater from the proposed new ten residential houses, as well as the internal roads will drain naturally onto abutting lower areas.

**Processing activities (e.g., manufacturing, storage, distribution)**

*Provide brief description below:* NO

The proposed development will not have any processing activities.

**Storage facilities for raw materials and products (e.g., volume and substances to be stored)**

*Provide brief description below:* NO

The proposed development will not require any storage facilities for raw materials and products.

**Storage and treatment facilities for effluent, wastewater or sewage:**

*Provide brief description below:* YES

There is no existing sewer pipe reticulation in place at the project site. All new proposed residential subdivided erven will be serviced by means of septic conservancy sewer tank systems (refer to Section 3.3 of the Engineer Services Report attached as Appendix G1). All new conservancy tanks will be accessible for the Municipal Honey Sucker truck for servicing.

**Storage and treatment of solid waste**

*Provide brief description below:* NO

Solid waste generated by the new developments will be removed by the local authority on a weekly basis (refer to Section 3.5 of the Engineer Services Report attached as Appendix G1).

**Facilities associated with the release of emissions or pollution.**

*Provide brief description below:* NO

The proposed development is for residential houses.

**Other activities (e.g., water abstraction activities, crop planting activities)**

*Provide brief description below:* NO

There are no water abstraction or crop planting activities, as this proposal is for the development of residential houses.

### 4.3 Physical size of the Proposed Development

| (a) Property size(s): Indicate the size of all the properties (cadastral units) on which the development proposal is to be undertaken | The entire site is 5035 m²  
Each residential house unit will be Approximately 150 m²  
10 house development  
**Approximately 1500 m²** |
|---|---|
| (b) Size of the facility: Indicate the size of the facility where the development proposal is to be undertaken | The entire site is 5035 m²  
Each residential house unit will be Approximately 150 m²  
10 house development  
**Approximately 1500 m²** |
| (c) Development footprint: Indicate the area that will be physically altered as a result of undertaking any development proposal (i.e., the | Approximately 5035 m² |
4.4 Site Access

(a) Is there an existing access road?

The existing Elands Bay Main Road R366 provides access to the site, however an access road (proposed to be named Mountain Close) and other internal roads to the individual residential houses will be constructed within ‘Erf 195’ (refer to Appendix B site plans).

(b) If no, what is the distance in (m) over which a new access road will be built?

Approximately 86 m

(c) Describe the type of access road planned:

An 8 m road reserve (5 m paved and 1.5 m unpaved on each side) is proposed for main access from the Main Road R366 to the subdivided erf parcels. Main access will be off the Main Road R366 onto this proposed road (to be named Mountain Close). Internal roads for each individual house is proposed to be 5 m wide paving or premix surfacing roads with precast edging on either side.

Please note: The position of the proposed access road must be indicated on the site plan. Please see attached Appendix B for the site plan indicating access.

5 DESCRIPTION OF THE PROPERTY (IES) ON WHICH THE LISTED ACTIVITY (IES) ARE TO BE UNDERTAKEN AND THE LOCATION OF THE LISTED ACTIVITY (IES) ON THE PROPERTY

Provide a description of the property on which the listed activity(ies) is/are to be undertaken and the location of the listed activity(ies) on the property, as well as of all alternative properties and locations (duplicate section below as required).

Erf Parcel 195 (subsequently subdivided into 11 portions) is located within the urban edge of Elands Bay and on the edge of an existing residential suburb, approximately 2.4 km south west of the town of Elands Bay. The property can be accessed from the Elands Bay Main Road R366. The study area lies within the Cederberg Municipality of the Western Cape Province. There are no alternate properties associated with the proposed development.

Coordinates of all the proposed activities on the property or properties (sites):

<table>
<thead>
<tr>
<th>Centre Point of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latitude (S): (deg.; min.; sec)</td>
</tr>
<tr>
<td>32° 19' 6.49&quot;</td>
</tr>
</tbody>
</table>

Fair Resort Properties
November 2017

Arcus Consultancy Services South Africa (Pty) Ltd
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Coordinates of all the proposed activities on the property or properties (sites):

**Centre Point of Access Road:**

<table>
<thead>
<tr>
<th>Latitude (S): (deg.; min.; sec)</th>
<th>Longitude (E): (deg.; min.; sec.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 ° 19 ’ 6.49”</td>
<td>18 ° 19 ’ 27.51”</td>
</tr>
</tbody>
</table>

**Note:** For land where the property has not been defined, the coordinates of the area within which the development is proposed must be provided in an addendum to this report.

Provide a description of the area where the aquatic or ocean-based activity(ies) is/are to be undertaken and the location of the activity(ies) and alternative sites (if applicable). **NOT APPLICABLE**

There are no aquatic or ocean based activities as the proposal is for the development of residential houses.

Coordinates of the boundary/perimeter of all proposed aquatic or ocean-based activities (sites) (if applicable):

<table>
<thead>
<tr>
<th>Latitude (S): (deg.; min.; sec)</th>
<th>Longitude (E): (deg.; min.; sec)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For a linear development proposal, please provide a description and coordinates of the corridor in which the proposed development will be undertaken (if applicable). **NOT APPLICABLE**

The proposed project is for the development of residential houses.

For linear activities:

<table>
<thead>
<tr>
<th>Latitude (S): (deg.; min.; sec)</th>
<th>Longitude (E): (deg.; min.; sec)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** For linear development proposals longer than 1000m, please provide an addendum with co-ordinates taken every 250m along the route. All-important waypoints must be indicated and the GIS shape file provided digitally.

Provide a location map (see below) as Appendix A to this report that shows the location of the proposed development and associated structures and infrastructure on the property; as well as a detailed site development plan / site map (see below) as Appendix B to this report; and if applicable, all alternative properties and locations. The GIS shape files (.shp) for maps / site development plans must be included in the electronic copy of the report submitted to the competent authority.

The scale of the locality map must be at least 1:50 000.

For linear development proposals of more than 25 kilometres, a smaller scale e.g., 1:250 000 can be used. The scale must be indicated on the map.

The map must indicate the following:

- an accurate indication of the project site position as well as the positions of the alternative sites, if any;
- road names or numbers of all the major roads as well as the roads that provide access to the site(s)
- a north arrow;
- a legend;
- a linear scale;
- the prevailing wind direction (during November to April and during May to October); and
- GPS co-ordinates (to indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection).

For an ocean-based or aquatic activity, the coordinates must be provided within which the activity is to be undertaken and a map at an appropriate scale clearly indicating the area within which the activity is to be undertaken.

Coordinates must be provided in degrees, minutes and seconds using the Hartebeesthoek94; WGS84 co-ordinate system.

**PLEASE SEE APPENDIX A FOR LOCALITY MAP**
Detailed site development plan(s) must be prepared for each alternative site or alternative activity. The site plans must contain or conform to the following:

- The detailed site plan must preferably be at a scale of 1:500 or at an appropriate scale. The scale must be indicated on the plan, preferably together with a linear scale.
- The property boundaries and numbers of all the properties within 50m of the site must be indicated on the site plan.
- The current land use (not zoning) as well as the land use zoning of each of the adjoining properties must be indicated on the site plan.
- The position of each element of the application as well as any other structures on the site must be indicated on the site plan.
- Services, including electricity supply cables (indicate aboveground or underground), water supply pipelines, boreholes, sewage pipelines, storm water infrastructure and access roads that will form part of the development must be indicated on the site plan.
- Servitudes and an indication of the purpose of each servitude must be indicated on the site plan.
- Sensitive environmental elements within 100m of the site must be included on the site plan, including (but not limited to):
  - Watercourses / Rivers / Wetlands - including the 32 meter set back line from the edge of the bank of a river/stream/wetland;
  - Flood lines (i.e., 1:100 year, 1:50 year and 1:10 year where applicable);
  - Ridges;
  - Cultural and historical features;
  - Areas with indigenous vegetation (even if degraded or infested with alien species);
  - Whenever the slope of the site exceeds 1:10, a contour map of the site must be submitted.
  - North arrow

A map/site plan must also be provided at an appropriate scale, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred and alternative sites indicating any areas that should be avoided, including buffer areas.

The GIS shape file for the site development plan(s) must be submitted digitally.

**PLEASE SEE APPENDIX B FOR SITE DEVELOPMENT PLAN.**

## 6 SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken on the site and taken from outside the site) with a description of each photograph. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide a recent aerial photograph. Photographs must be attached as Appendix C to this report. The aerial photograph(s) should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Please note that the above requirements must be duplicated for all alternative sites.

**PLEASE SEE APPENDIX C FOR SITE PHOTOGRAPHS**
7 SECTION B: DESCRIPTION OF THE RECEIVING ENVIRONMENT

7.1 Site/Area Description

For linear development proposals (pipelines, etc.) as well as development proposals that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section B and indicate the area that is covered by each copy on the Site Plan.

7.1.1 Gradient of the Site

Indicate the general gradient of the sites (highlight the appropriate box)*.

- Flat
- Flatter than 1:10
- 1:10 – 1:4
- Steeper than 1:4

*Gradient is variable across the site

7.1.2 Location in Landscape

(a) Indicate the landform(s) that best describes the site (highlight the appropriate box(es)).

- Ridgeline
- Plateau
- Side slope of hill / mountain
- Closed valley
- Open valley
- Plain
- Undulating plain/low hills
- Dune
- Sea-front

(b) Provide a description of the location in the landscape.

The site is situated in Elands Bay on the West Coast. The site is bordered by the Atlantic Ocean to the north and the Main Road R366 to the south. There is vacant land on the western side and single residential development on the eastern side abutting Erf 195.

7.2 Groundwater, Soil and Geological Stability of the Site

(a) Is the site(s) located on or near any of the following (highlight the appropriate boxes)?

- Shallow water table (less than 1.5m deep)
- Seasonally wet soils (often close to water bodies)
- Unstable rocky slopes or steep slopes with loose soil
- Dispersive soils (soils that dissolve in water)
- Soils with high clay content
- Any other unstable soil or geological feature
- An area sensitive to erosion
- An area adjacent to or above an aquifer.
- An area within 100m of a source of surface water
- An area within 500m of a wetland
- An area within the 1:50 year flood zone
- A water source subject to tidal influence

- NO
- YES

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(b) If any of the answers to the above is “YES” or “UNSURE”, specialist input may be requested by the Department.

(Information in respect of the above will often be available at the planning sections of local authorities. The 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

(c) Indicate the type of geological formation underlying the site.

<table>
<thead>
<tr>
<th>Geological Formation</th>
<th>Option</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sandstone ✓</td>
</tr>
</tbody>
</table>

Provide a description.

The area is underlain by marine beach sediments which rest on sandstone bedrock of the Piekenierskloof Formation, Table Mountain Group, Cape Supergroup. The latter are exposed below sea level close to the beach and are therefore expected to exist at relatively shallow depth below the site.

Nearby to the east, geotechnical investigations for houses now built, revealed loose sands and minor gravel at and close to surface becoming more dense and ultimately dense, with depth.

7.3 Surface Water

(a) Indicate the surface water present on and or adjacent to the site and alternative sites (highlight the appropriate boxes)?

<table>
<thead>
<tr>
<th>Surface Water Type</th>
<th>Option</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perennial River</td>
<td>NO ✓</td>
</tr>
<tr>
<td>Non-Perennial River</td>
<td>NO ✓</td>
</tr>
<tr>
<td>Permanent Wetland</td>
<td>NO ✓</td>
</tr>
<tr>
<td>Seasonal Wetland</td>
<td>NO ✓</td>
</tr>
<tr>
<td>Artificial Wetland</td>
<td>NO ✓</td>
</tr>
<tr>
<td>Estuarine / Lagoon</td>
<td>NO ✓</td>
</tr>
</tbody>
</table>

(b) Provide a description.

There are no surface water features present on site.

7.4 The Seafront / Sea

(a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).

<table>
<thead>
<tr>
<th>Area</th>
<th>YES ✓</th>
<th>NO</th>
<th>UNSURE</th>
<th>IF “YES”: Distance to nearest area (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>An area within 100m of the high water mark of the sea</td>
<td></td>
<td></td>
<td></td>
<td>53 m</td>
</tr>
<tr>
<td>An area within 100m of the high water mark of an estuary/lagoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>An area within the littoral active zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>An area in the coastal public property</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major anthropogenic structures</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>An area within a Coastal Protection Zone</td>
<td></td>
<td></td>
<td></td>
<td>855 m within</td>
</tr>
<tr>
<td>An area seaward of the coastal management line</td>
<td>YES ✓</td>
<td></td>
<td></td>
<td>0 m</td>
</tr>
<tr>
<td>An area within the high risk zone (20 years)</td>
<td></td>
<td></td>
<td></td>
<td>32 m</td>
</tr>
<tr>
<td>An area within the medium risk zone (50 years)</td>
<td></td>
<td></td>
<td></td>
<td>31 m</td>
</tr>
</tbody>
</table>
An area within the low risk zone (100 years) | NO | 24 m
---|---|---
An area below the 5m contour | NO | 24 m
An area within 1km from the high water mark of the sea | YES | 53 m
A rocky beach | NO | 50 m
A sandy beach | NO | 50 m

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

7.5 Biodiversity

Note: The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the proposed development. To assist with the identification of the biodiversity occurring on site and the ecosystem status, consult [http://bgis.sanbi.org](http://bgis.sanbi.org) or [BGIShelp@sanbi.org](mailto:BGIShelp@sanbi.org). Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Tel.: (021) 799 8698. This information may be updated from time to time and it is the applicant/EAP’s responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) must be provided as an overlay map on the property/site plan as [Appendix D](#) to this report.

(a) Highlight the applicable biodiversity planning categories of all areas on preferred and alternative sites and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category. Also describe the prevailing level of protection of the Critical Biodiversity Area ("CBA") and Ecological Support Area ("ESA") (how many hectares / what percentages are formally protected).

<table>
<thead>
<tr>
<th>Systematic Biodiversity Planning Category</th>
<th>CBA</th>
<th>ESA</th>
<th>Other Natural Area (&quot;ONA&quot;)</th>
<th>No Natural Area Remaining (&quot;NNR&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td>If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan and the conservation management objectives</td>
<td>Only marginally selected as CBA1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Describe the site’s CBA/ESA quantitative values (hectares/percentage) in relation to the prevailing level of protection of CBA and ESA (how many hectares / what percentages are formally protected locally and in the province)</td>
<td>278 m²</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Habitat Condition</th>
<th>Percentage of habitat condition class (adding up to 100%) and area of each in square metre (m²)</th>
<th>Description and additional comments and observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural</td>
<td>70.25%</td>
<td>4 356 m²</td>
</tr>
</tbody>
</table>
(c) Complete the table to indicate:

(i) the type of vegetation present on the site, including its ecosystem status; and
(ii) whether an aquatic ecosystem is present on/or adjacent to the site.

<table>
<thead>
<tr>
<th>Terrestrial Ecosystems</th>
<th>Description of Ecosystem, Vegetation Type, Original Extent, Threshold (ha, %), Ecosystem Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ecosystem threat status as per the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)</td>
</tr>
<tr>
<td></td>
<td>Least Threatened</td>
</tr>
<tr>
<td></td>
<td>0.62 ha of Lamberts Bay Strandveld</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aquatic Ecosystems</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland (including rivers, depressions, channelled and unchannelled wetlands, flats, seeps pans, and artificial wetlands)</td>
<td>Estuary NO&lt;sup&gt;✓&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

(d) Provide a description of the vegetation type and/or aquatic ecosystem present on the site, including any important biodiversity features/information identified on the site (e.g. threatened species and special habitats). Clearly describe the biodiversity targets and management objectives in this regard.

Degraded (includes areas heavily invaded by alien plants) 29.75% 1 844 m²

Part of the site has been used as a parking area which is highly degraded (almost transformed!) and there are footpaths across the site to the beach.
Two vegetation types were identified at Erf 195 Eland’s Bay. The first is Lamberts Bay Strandveld and the second is Cape Seashore Vegetation, occurring as a narrow band at the high-water mark mostly off Erf 195. Lamberts Bay Strandveld is the dominant vegetation although not apparent on the map of Figure 6 due to scale of mapping. This vegetation is still intact over approximately 50 per cent of the erf but has been lost or heavily disturbed in the remaining 50 per cent due to invasion and subsequent clearing of woody alien invasive trees and due to the majority of the site being transformed and degraded by the use of the site as a parking area and footpath to access the beach.

The Lambert’s Bay Strandveld is at the southern extreme of its distribution at Erf 195 and although 54 plant species were recorded at the site (including those of Cape Seashore Vegetation and 5 invasive exotic species) the vegetation is not considered to be botanically sensitive at the site.

Not many geophytes were noted during the survey. However, the Ferraria sp. that was recorded was not identified but is most likely to be Ferraria foliosa, a species typically found on coastal sand dunes that is known from Elands Bay. This species is listed as Near Threatened in the Red List of South African Plants (Raimondo et al. 2009). The striking Babiana hirsuta with red flowers (see illustration in Table 1) was recorded at various places in the Lambert’s Bay Strandveld within the boundary of Erf 195. This species is also listed as Near Threatened.

Should the vegetation on Erf 195 Elands Bay be protected from human activity and if all the woody alien trees (Acacia cyclops and Myoporum tenuifolium) were removed, the condition of the vegetation and habitat would improve. However, it is unlikely that people would be prevented from using the central part of Erf 195 as a parking area and from using the footpaths for access to the beach. In the medium to long term, if the site was not developed, it would degrade further to a certain extent, but the coastal vegetation is resilient so it is unlikely to be completely lost in the ‘no development’ scenario even if there is disturbance.

Given that the intention is to develop the entire area of Erf 195 for residential purposes, all natural vegetation would be removed. In this case, search and rescue of geophytes in particular is advocated. The two geophytes mentioned above, B. hirsuta and F. foliosa should be targeted for relocation to other suitable receptor sites since both are species that require conservation intervention.

### 7.6 Land use of the site

**Note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the proposed development.

(a) Provide a description.

The property was zoned as Public Open Space, however has subsequently been zoned Residential Zone 1. The property is currently untransformed and used informally as access to the beach by surfers and as a parking area.

### 7.7 Land use character of the surrounding area

(a) Highlight the current land uses and/or prominent features that occur within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site.

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Draft Basic Assessment Report
Elands Bay Residential Development

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Note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the proposed development.

<table>
<thead>
<tr>
<th>Untransformed area</th>
<th>Low density residential</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) Provide a description, including the distance and direction to the nearest residential area, industrial area, agri-industrial area.

Erf Parcel 195 (subsequently subdivided into 11 portions) is located within the urban edge of Elands Bay and on the edge of an existing residential suburb, approximately 2.4 km south west of the town of Elands Bay. The property can be accessed from the Elands Bay Main Road R366. The study area lies within the Cederberg Municipality of the Western Cape Province.

7.8 Socio-Economic Aspects

a) Describe the existing social and economic characteristics of the community in the vicinity of the proposed site, in order to provide baseline information (for example, population characteristics/demographics, level of education, the level of employment and unemployment in the area, available work force, seasonal migration patterns, major economic activities in the local municipality, gender aspects that might be of relevance to this project, etc.).
Population

The Cederberg Municipality covers an area of 7338 km² and contains 12.7% of the total population of the West Coast District and 0.85% of the Western Cape population. From 2001 to 2011, the population increased at a relatively high rate of 25%, with the sociodemographic structure changing only slightly (Table 7.1). In a census taken in 2011, Elands Bay contained 21% of the Cederberg population, with 12.8% Black African, 74.4% Coloured, 0.5% Asian/Indian, 12.1% White and 0.2% Other.

Table 7.1: Cederberg population groups between 2001 and 2011

<table>
<thead>
<tr>
<th>Population Group</th>
<th>2001</th>
<th>% of Population Share</th>
<th>2011</th>
<th>% of Population Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black African</td>
<td>3 132</td>
<td>8.1</td>
<td>6 308</td>
<td>13</td>
</tr>
<tr>
<td>Coloured</td>
<td>30 764</td>
<td>78</td>
<td>37 651</td>
<td>76</td>
</tr>
<tr>
<td>Indian or Asian</td>
<td>27</td>
<td>0.1</td>
<td>171</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>5 403</td>
<td>13.8</td>
<td>5 462</td>
<td>11</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>175</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>39 326</td>
<td>100</td>
<td>49 768</td>
<td>100</td>
</tr>
</tbody>
</table>

Over the same period, the Cederberg area had a shift in the gender distribution proportion from a female dominant population in 2001 to a male dominant population in 2011.

The analysis of the age distribution highlights a relatively young population as the vast majority of citizen’s fall in the age category of younger than 35 years of age. In 2011, the population composition constituted 33.6% children & youth (0-19 years), 59.9% economically active population and 6.5% persons aged 65 and older. Since more than 1/3 of the population is younger than 19 years, there is a strong dependency ratio and high demand for educational facilities. Nearly 60% of the population is in an economically active age group, which places a heavy demand on sustainable jobs and job creation (Table 7.2).

Table 7.2: Cederberg age distribution and growth from 2001 to 2011

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2001</th>
<th>2011</th>
<th>% Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4</td>
<td>3952</td>
<td>4849</td>
<td>15.1</td>
</tr>
<tr>
<td>5 to 9</td>
<td>3826</td>
<td>4108</td>
<td>7.2</td>
</tr>
<tr>
<td>10 to 14</td>
<td>3 451</td>
<td>4 073</td>
<td>17.1</td>
</tr>
<tr>
<td>15 to 19</td>
<td>10 500</td>
<td>12 933</td>
<td>23.4</td>
</tr>
<tr>
<td>20 to 24</td>
<td>10 800</td>
<td>11 378</td>
<td>5.7</td>
</tr>
<tr>
<td>25 to 29</td>
<td>11 500</td>
<td>15 040</td>
<td>29.5</td>
</tr>
<tr>
<td>30 to 34</td>
<td>9 022</td>
<td>11 888</td>
<td>33.7</td>
</tr>
<tr>
<td>35 to 39</td>
<td>1 422</td>
<td>1 994</td>
<td>39.2</td>
</tr>
</tbody>
</table>

Employment

In 2010, the Cederberg Municipal area contributed 9.25% to the West Cost District’s gross domestic product (GDP) and its own economy grew by 2.2% per annum from 200 to 2010. The four main sectors contributing to its growth was construction; mining and quarrying; transport, storage; communication and finance, insurance and business services. In 2011, nearly 37.2% of the population were employed. The formal sector employed 30.9% of the population and informal sector 3.6%, with unemployment mainly concentrated amongst the youth (15 – 34 years). In Elands Bay, 29% of individuals had no monthly income in 2011, while 49.4% of individuals earned between R1 – R3200 per month.

Income levels

In 2011, the majority of household income levels (serving as an indicator for the standard of living) in the Cederberg Municipal area were low, with 9% of household having no annual income and 48.3% earning between R1 – R38 200 per annum. In Elands Bay, 54.6% of the households had an annual income of less than R38 200 per annum.

Education Levels

According to the Census in 2001 and 2011, the population that had a Grade 12 level increased by approximately 3% while any education higher than that slightly decreased. The population that recived no schooling at all reduced from approximately 12% to 7%. The Cederberg municipal area had the lowest number of learners enrolled during 2011, with a a worryingly high dropout rate of 41.6% (the highest in the West Coast District).
**7.9 Historical and Cultural Aspects**

(a) Please be advised that if section 38 of the NHRA is applicable to your proposed development, you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Heritage Western Cape must be given an opportunity, together with the rest of the I&APs, to comment on any Pre-application BAR, a Draft BAR, and Revised BAR.

Section 38 of the NHRA states the following:

“38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

(a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;

(b) the construction of a bridge or similar structure exceeding 50m in length;

(c) any development or other activity which will change the character of a site—

(i) exceeding 5 000m² in extent; or

(ii) involving three or more existing erven or subdivisions thereof; or

(iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or

(iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;

(d) the re-zoning of a site exceeding 10 000m² in extent; or

(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority;

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development”.

(a) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the NHRA, must also be investigated, assessed and evaluated. Section 3(2) states the following:

“3(2) Without limiting the generality of subsection (1), the national estate may include—

(a) places, buildings, structures and equipment of cultural significance;

(b) places to which oral traditions are attached or which are associated with living heritage;

(c) historical settlements and townscapes;

(d) landscapes and natural features of cultural significance;

(e) geological sites of scientific or cultural importance;

(f) archaeological and palaeontological sites;

(g) graves and burial grounds, including—

(i) ancestral graves;

(ii) royal graves and graves of traditional leaders;

(iii) graves of victims of conflict;

(iv) graves of individuals designated by the Minister by notice in the Gazette;

(v) historical graves and cemeteries; and

(vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);

(h) sites of significance relating to the history of slavery in South Africa;

(i) movable objects, including—

(i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;

(ii) objects to which oral traditions are attached or which are associated with living heritage;

(iii) ethnographic art and objects;

(iv) military objects;

(v) objects of decorative or fine art;

(vi) objects of scientific or technological interest; and

(vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)”.

---

<table>
<thead>
<tr>
<th>Is Section 38 of the NHRA applicable to the proposed development?</th>
<th>YES✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>If YES or UNCERTAIN, explain:</td>
<td>The residential housing project exceeds the threshold specified in terms of S38 of the National Heritage Resources Act. A NID Application (see Appendices E1 (a)) was received by Heritage Western Cape on 12 August 2016 and the matter was discussed at the Heritage Officers meeting held on 19 August 2016. Heritage Western Cape indicated that since there is reason to believe that the proposed development will impact on heritage resources, HWC requires that a Heritage impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. This HIA must have specific reference to the following: (1) impacts to archaeological heritage resources and (2) visual impacts of the proposed development in reference to the Baboon Point Provincial Heritage Site buffer zone. The Specialist Report can be found in Appendix E1.</td>
</tr>
</tbody>
</table>

---

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**Will the development impact on any national estate referred to in Section 3(2) of the NHRA?**

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>UNCERTAIN</th>
</tr>
</thead>
</table>

*If YES or UNCERTAIN, explain:*

The proposed development will not impact on any national estate referred to in Section 3(2) of the NHRA.

**Will any building or structure older than 60 years be affected in any way?**

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>UNCERTAIN</th>
</tr>
</thead>
</table>

*If YES or UNCERTAIN, explain:*

No buildings or structure older than 60 years will be affected by the proposed development.

**Are there any signs of culturally or historically significant elements, as defined in section 2 of the NHRA, including Archaeological or paleontological sites, on or close (within 20m) to the site?**

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>UNCERTAIN</th>
</tr>
</thead>
</table>

*If YES or UNCERTAIN, explain:*

The residential housing project exceeds the threshold specified in terms of S38 of the National Heritage Resources Act. A NID Application (see Appendices E1 (a)) was received by Heritage Western Cape on 12 August 2016 and the matter was discussed at the Heritage Officers meeting held on 19 August 2016. Heritage Western Cape indicated that since there is reason to believe that the proposed development will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. This HIA must have specific reference to the following: (1) impacts to archaeological heritage resources and (2) visual impacts of the proposed development in reference to the Baboon Point Provincial Heritage Site buffer zone. The Specialist Report can be found in Appendix E1.

**Note:** If uncertain, the Department may request that specialist input be provided and Heritage Western Cape must provide comment on this aspect of the proposal. (Please note that a copy of the comments obtained from the Heritage Resources Authority must be appended to this report as Appendix E1).

A heritage impact assessment was completed and found that in heritage terms the development will not impact views from or to the Baboon Point Provincial Heritage Site and due to its small size and limited bulk will not be unreasonably noticeable from the Baboon Point PHS. The Baboon Point Conservation management plan has recommended that a buffer zone (which includes the project area within the recognised residential area designated as least sensitive) be formally promulgated along with architectural guidelines however neither has been taken forward to date. Being situated outside of a heritage or urban conservation area there are no local heritage indicators that suggest or mandate the use of a particular architectural style.

Erf 721 of the sub-divided erf 195 was considered to be potentially archaeologically sensitive in terms of buried heritage, however the surface indicators could not be deemed to be securely archaeological in origin as historic camping or gull drops may have played a role. A series of trail excavations revealed that the area of the find was sterile below surface and likely to not be archaeological in origin. Campers, bait collection and gull drops being the likely origin of the shell.

Appendix E1 has the full Heritage Impact Assessment Report. Comment from HWC was received, and included as part of Appendix E1 (a). HWC supports the proposed development with the only condition being “any occurrences of human remains or any archaeological material found during construction must be immediately reported to an archaeologist.”
(a) Identify all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks, and instruments that are applicable to the development proposal and associated listed activity(ies) being applied for and that have been considered in the preparation of the BAR.

<table>
<thead>
<tr>
<th>LEGISLATION, POLICIES, PLANS, GUIDELINES, SPATIAL TOOLS, MUNICIPAL DEVELOPMENT PLANNING FRAMEWORKS, AND INSTRUMENTS</th>
<th>ADMINISTERING AUTHORITY and how it is relevant to this application</th>
<th>TYPE</th>
<th>DATE (if already obtained):</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Environmental Management: Biodiversity Act (Act No. 10 of 2004) list of ecosystems that are threatened and in need of protection, (G 34809, GN 1002), 9 December 2011</td>
<td>DEA&amp;DP The ecosystem status of the affected vegetation type was gained using the List of Threatened Terrestrial Ecosystems (Government Gazette, 2011). The gazette listings are crucial to commenting on the level of sensitivity in relation to natural vegetation quantity and quality, and hence in the assessment of the significance of the potential impact of the proposed project on vegetation. A specialist botanical assessment has been undertaken (by Bergwind Botanical Surveys and Tours cc) to assess the potential impacts of the proposed project on vegetation.</td>
<td>Comment</td>
<td>Application in progress</td>
</tr>
<tr>
<td>The Conservation of Agricultural Resources</td>
<td>Department of Agriculture, Forestry and Fisheries</td>
<td>Comment</td>
<td>Comment will be obtained through the comment period of the BAR.</td>
</tr>
<tr>
<td>Act (CARA),1983 (Act No. 43 of 1983)</td>
<td>The CARA Regulations (GN No. R. 1048) state that “Except on authority of a written permission by the executive officer, no land user shall cultivate any virgin soil”. The Western Cape Department of Agriculture and DAFF have been included on the list of registered I&amp;APs for the project and will be invited to comment on the proposed project as part of the Basic Assessment process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Heritage Resources Act, 1999 (Act No. 25 of 1999)</td>
<td>Heritage Western Cape (HWC) In terms of Section 38(1) of the NHRA, any person who intends to undertake “any development ... which will change the character of a site exceeding 5 000 m² in extent”, must at the very earliest stages of initiating the development notify the responsible heritage resources authority, viz. the South African Heritage Resources Agency (“SAHRA”) or the relevant provincial heritage agency, viz Heritage Western Cape (“HWC”) Comment</td>
<td>A NID Application was received by Heritage Western Cape on 12 August 2016 and the matter was discussed at the Heritage Officers meeting held on 19 August 2016. Heritage Western Cape indicated that since there is reason to believe that the proposed development will impact on heritage resources, HWC requires that a Heritage impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. This HIA must have specific reference to the following: (1) impacts to archaeological heritage resources and (2) visual impacts of the proposed development in reference to the Baboon Point Provincial Heritage Site buffer zone. Comment was received from HWC on 01 November 2017, which stated that they support the application, subject to conditions. Please see Appendix E1(a) for copy of HWC comment.</td>
<td></td>
</tr>
<tr>
<td>Land Use Planning Ordinance (Ordinance 15 of 1985)</td>
<td>City of Cape Town The Application for the Closure of Public Open Space, Rezoning &amp; Subdivision of Erf No. 195 in Elands Bay. Authorisation The Application for the Closure of Public Open Space, Rezoning &amp; Subdivision of Erf No. 195 in Elands Bay was approved on 4 June 2015 in terms of the Municipal Ordinance 1974 (No. 20 of 1974) and in terms of the Land Use Planning Ordinance, 1985 (No. 15 of 1985), attached as Appendix E(a).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Integrated Coastal Management Act (Act 24 of 2008)</td>
<td>National Department of Environmental Affairs Comment Comment will be obtained through the comment period of the BAR.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
POLICY/ GUIDELINES | ADMINISTERING AUTHORITY
---|---
Guideline for the review of specialist input in the EIA Process (2005) | DEA&DP
Western Cape Provincial Spatial Development Framework (WC PSDF), March 2014. | DEA&DP
Cederberg Municipal Spatial Development Framework, December 2013. | Cederberg Municipality
West Coast District Integrated Development Plan 2012 - 2017 | West Coast District Municipality
West Coast District Spatial Development Framework, August 2014 | West Coast District Municipality
West Coast District Municipality Integrated Coastal Management Programme: Final Report, April 2013 | West Coast District Municipality
Guideline for Environmental Management Plans, June 2006 | DEA&DP
Western Cape Coastal Management Programme 2016 | DEA&DP
Coastal Management Hazard Line (GIS Web Viewer) | DEA&DP

(b) Describe how the proposed development complies with and responds to the legislation and policy context, plans, guidelines, spatial tools, municipal development planning frameworks and instruments.

LEGISLATION, POLICIES, PLANS, GUIDELINES, SPATIAL TOOLS, MUNICIPAL DEVELOPMENT PLANNING FRAMEWORKS, AND INSTRUMENTS

Describe how the proposed development complies with and responds:

| National Environmental Management Act, 1998 (Act No. 107 1998) EIA Regulations, 2014, as amended (GN No. R. 982, R. 983, R.984 and R.985). | The NEMA, as amended, and EIA Regulations (2014) were consulted to determine the applicable activities triggered in Listing Notices 1, 2, and/or 3 for the proposed project. It was thereafter determined that the proposed project will require an Environmental Authorisation from DEA&DP via the Basic Assessment process outlined in GN. 982.
| National Environmental Management: Biodiversity Act (Act No. 10 of 2004) list of ecosystems that are threatened and in need of protection, (G 34809, GN 1002), 9 December 2011 | The ecosystem status of the affected vegetation type was gained using the List of Threatened Terrestrial Ecosystems (Government Gazette, 2011). The gazette listings are crucial to commenting on the level of sensitivity in relation to natural vegetation quantity and quality, and hence in the assessment of the significance of the potential impact of the proposed project on vegetation. A specialist botanical assessment has been undertaken (by Bergwind Botanical Surveys and Tours cc) to assess the potential impacts of the proposed project on vegetation.
| National Heritage Resources Act, 1999 (Act No. 25 of 1999) | In terms of Section 38(1) of the NHRA, any person who intends to undertake “any development ... which will change the character of a site exceeding 5 000 m² in...
must at the very earliest stages of initiating the development notify the responsible heritage resources authority, viz. the South African Heritage Resources Agency ("SAHRA") or the relevant provincial heritage agency, viz Heritage Western Cape ("HWC"). ACO Associates cc was appointed to undertake and facilitate any requisite heritage authorisations required for the proposed project. A Notice of Intent to Develop (NID) was prepared by ACO Associates and submitted to Heritage Western Cape (HWC) and DEA&DP. HWC responded in a letter dated 01 November 2017, stating that they support the proposed development, subject to conditions contained in the letter.

### Conservation of Agricultural Resources Act (No 43 of 1983)

The CARA Regulations (GN No. R. 1048) state that “Except on authority of a written permission by the executive officer, no land user shall cultivate any virgin soil”. The Western Cape Department of Agriculture and DAFF have been included on the list of registered I&APs for the project and will be invited to comment on the proposed project as part of the Basic Assessment process.

### NEMA Environmental Impact Assessment Regulations Guidelines and Information Document Series

The applicable guidelines (outlined above) were reviewed in conjunction with the applicable sections of the EIA Regulation R.982 to ensure that all legal requirements were adequately met and that principles of best practice were applied, where applicable.

### Western Cape Provincial Spatial Development Framework (2014).

The PSDF was reviewed to determine whether the proposed project is in line with the principles and action plans of the PSDF. Refer to Section D: Need and Desirability for information on how the activity aligned with the municipal planning policies.

### Cederberg Municipal Spatial Development Framework, December 2013.

Refer to Section D: Need and Desirability for information on how the activity aligned with the municipal planning policies.


Refer to Section D: Need and Desirability for information on how the activity aligned with the municipal planning policies.

### West Coast District Integrated Development Plan 2012 - 2017

Refer to Section D: Need and Desirability for information on how the activity aligned with the municipal planning policies.

### West Coast District Spatial Development Framework, August 2014

Refer to Section D: Need and Desirability for information on how the activity aligned with the municipal planning policies.

### West Coast District Municipality Integrated Coastal Management Programme: Final Report, April 2013

Refer to Section D: Need and Desirability for information on how the activity aligned with the municipal planning policies.

### Guideline for Environmental Management Plans, June 2006

Refer to Appendix H: Environmental Management Plan

### Western Cape Coastal Management Programme 2016

Refer to Section D: Need and Desirability for information on how the activity aligned with the provincial planning policies.

### Coastal Management Hazard Line (GIS Web Viewer)

The proposed development was assessed in terms of its distance within/near/outside the Department of Environmental Affairs and Development Planning’s adopted updated Coastal Management Hazard lines.

**Note: Copies of any comments, permit(s) or licences received from any other Organ of State must be attached to this report as Appendix E.**
### SECTION C: PUBLIC PARTICIPATION

The PPP must fulfil the requirements outlined in the NEMA, the EIA Regulations, 2014 (as amended) and if applicable, the NEM: WA and/or the NEM: AQA. This Department’s Circular EADP 0028/2014 (dated 9 December 2014) on the “One Environmental Management System” and the EIA Regulations, any subsequent Circulars, and guidelines must also be taken into account.

1. Please highlight the appropriate box to indicate whether the specific requirement was undertaken or whether there was an exemption applied for.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Undertaken</th>
<th>Exemption</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -</td>
<td>YES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) the site where the activity to which the application relates, is or is to be undertaken; and</td>
<td>YES</td>
<td></td>
<td></td>
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<tr>
<td>(ii) any alternative site</td>
<td>N/A</td>
<td></td>
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</tr>
<tr>
<td>(b) giving written notice, in any manner provided for in Section 47D of the NEMA, to -</td>
<td>YES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;</td>
<td>YES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;</td>
<td>YES</td>
<td></td>
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</tr>
<tr>
<td>(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;</td>
<td>YES</td>
<td></td>
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<tr>
<td>(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;</td>
<td>YES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(v) any organ of state having jurisdiction in respect of any aspect of the activity; and</td>
<td>YES</td>
<td></td>
<td></td>
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<tr>
<td>(vi) any other party as required by the Department;</td>
<td>YES</td>
<td></td>
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<tr>
<td>(c) placing an advertisement in -</td>
<td>YES</td>
<td></td>
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<tr>
<td>(i) one local newspaper; or</td>
<td>YES</td>
<td></td>
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<tr>
<td>(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;</td>
<td>N/A</td>
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<tr>
<td>(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken</td>
<td>N/A</td>
<td></td>
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<tr>
<td>(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to -</td>
<td>N/A</td>
<td></td>
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<tr>
<td>(i) illiteracy;</td>
<td></td>
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<tr>
<td>(ii) disability; or</td>
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<tr>
<td>(iii) any other disadvantage.</td>
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</table>

*If you have indicated that “EXEMPTION” is applicable to any of the above, proof of the exemption decision must be appended to this report.*

NOT APPLICABLE, NO EXEMPTIONS FOR THIS APPLICATION
Please note that for the NEM: WA and NEM: AQA, a notice must be placed in at least two newspapers circulating in the area where the activity applied for is proposed. **NOT APPLICABLE**

### 1. Provide a list of all the State Departments and Organs of State that were consulted:

Heritage Western Cape was consulted through the Heritage NID application. Comment was received from them and included as part of Appendix E1A. HWC along with the following departments will be contacted as part of the Basic Assessment process. These state departments and organs of state will be provided with an opportunity to comment, along with all registered interested and affected parties on the proposed development. Their comments will be included as part of the final basic assessment report and included in the comments and response report.

<table>
<thead>
<tr>
<th>State Department / Organ of State</th>
<th>Date request was sent:</th>
<th>Date comment received:</th>
<th>Support / not in support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Cape Department of Agriculture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Agriculture, Forestry &amp; Fisheries</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Department of Environmental Affairs &amp; Development Planning</td>
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<tr>
<td>Department of Public Works</td>
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<tr>
<td>Department of Economic Development and Tourism, Western Cape Government</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other authorities consulted:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cape Nature</td>
<td></td>
<td></td>
<td>Support</td>
</tr>
<tr>
<td>Heritage Western Cape</td>
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<tr>
<td>Transnet</td>
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</tbody>
</table>

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

(The detailed outcomes of this process, including copies of the supporting documents and inputs must be included in a Comments and Response Report to be attached to the BAR (see note below) as Appendix F).

To date no comments have been received on the proposed development. A summary of issues raised during the comment period, as well as throughout the basic assessment process will be included in the final basic assessment report.

### 2. Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.

To date no conditional aspects have been identified or highlighted by any organ of state.

**Note:**

Even if pre-application public participation is undertaken as allowed for by Regulation 40(3), it must be undertaken in accordance with the requirements set out in Regulations 3(3), 3(4), 3(8), 7(2), 7(5), 19, 40, 41, 42, 43 and 44.

If the “exemption” option is selected above and no proof of the exemption decision is attached to this BAR, the application will be refused.
A list of all the potential I&APs, including the Organs of State, notified and a list of all the registered I&APs must be submitted with the BAR. The list of registered I&APs must be opened, maintained and made available to any person requesting access to the register in writing.

The BAR must be submitted to the Department when being made available to I&APs, including the relevant Organs of State and State Departments which have jurisdiction with regard to any aspect of the activity, for a commenting period of at least 30 days. Unless agreement to the contrary has been reached between the Competent Authority and the EAP, the EAP will be responsible for the consultation with the relevant State Departments in terms of Section 24O and Regulation 7(2) – which consultation must happen simultaneously with the consultation with the I&APs and other Organs of State.

All the comments received from I&APs on the BAR must be recorded, responded to and included in the Comments and Responses Report included as Appendix F of the BAR. If necessary, any amendments made in response to comments received must be effected in the BAR itself. The Comments and Responses Report must also include a description of the PPP followed.

The minutes of any meetings held by the EAP with I&APs and other role players wherein the views of the participants are recorded, must also be submitted as part of the public participation information to be attached to the final BAR as Appendix F.

Proof of all the notices given as indicated, as well as notice to I&APs of the availability of the Pre-Application BAR (if applicable), Draft BAR, and Revised BAR (if applicable) must be submitted as part of the public participation information to be attached to the BAR as Appendix F. In terms of the required “proof” the following must be submitted to the Department:

- a site map showing where the site notice was displayed, a dated photographs showing the notice displayed on site and a copy of the text displayed on the notice;
- in terms of the written notices given, a copy of the written notice sent, as well as:
  - if registered mail was sent, a list of the registered mail sent (showing the registered mail number, the name of the person the mail was sent to, the address of the person and the date the registered mail was sent);
  - if normal mail was sent, a list of the mail sent (showing the name of the person the mail was sent to, the address of the person, the date the mail was sent, and the signature of the post office worker or the post office stamp indicating that the letter was sent);
  - if an electronic mail was sent, a copy of the electronic mail sent; and
  - if a “mail drop” was done, a signed register of “mail drops” received (showing the name of the person the notice was handed to, the address of the person, the date, and the signature of the person); and
- a copy of the newspaper advertisement (“newspaper clipping”) that was placed, indicating the name of the newspaper and date of publication (of such quality that the wording in the advertisement is legible).
**SECTION D: NEED AND DESIRABILITY**


### 1. Is the development permitted in terms of the property’s existing land use rights?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>Please explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>The property site has been rezoned as Residential Zone 1 (refer to the Land Use Planning Ordinance (LUPO) &amp; Cederberg Municipal Ordinance Approval letter for the Closure of Public Open Space, Rezoning &amp; Subdivision of Erf No. 195 attached as Appendix E(a) and E(b).</td>
<td></td>
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</tr>
</tbody>
</table>

### 2. Will the development be in line with the following?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>Please explain</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(a) Provincial Spatial Development Framework (“PSDF”).</strong></td>
<td></td>
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</tr>
<tr>
<td>One of the guiding principles of the PSDF is sustainability and resilience. Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromise ecosystems. Resilience is about the capacity to withstand shocks and disturbances such as climate change or economic crises, and to use such events to catalyse renewal, novelty and innovation. The focus should be on creating complex, diverse and resilient spatial systems that are sustainable in all contexts. Policy R2 of the PSDF is the safeguarding of inland and coastal water resources. Development along the coast must not compromise ecological integrity, tourism potential and landscape character. Development should be contained within a limited footprint, preferably adjacent to existing settlements, and the required ecological buffers and setbacks must be adhered to, and should acknowledge the importance of coastlines in contributing to the sense of place.</td>
<td></td>
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</tr>
<tr>
<td><strong>(b) Urban edge / edge of built environment for the area.</strong></td>
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</tr>
<tr>
<td>The project is situated within the urban edge of an existing residential suburb of Elands Bay.</td>
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</tr>
<tr>
<td><strong>(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (<em>e.g.</em>, would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF?).</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One of the visions of the Cederberg Spatial Development Framework is to sustainably exploit the municipality’s wide variety of agricultural, tourist and cultural resources in the West Coast area. In 2011, 53% of the municipality’s population was urbanized, with 30% in the main towns of Clanwilliam and Citrusdal and 15% in the coast settlements such as Elands Bay. Over the period 2001 – 2011, the municipality experienced a 20% population increase, with only one settlement (Elands Bay) experiencing a population decline (decreasing by 10%). The main economic resources of the Elands Bay town include fishing agriculture and tourism (incl. family homes), however due to the decreasing Elands Bay population, the SDF states that major interventions are required at a local scale. The SDF promotes the intervention of the tourism sector, by providing more land for holiday housing and accommodation (hotels / B&amp;B’s). In this regard, the Framework states that urban development should take place along the Main Road to take advantage of the passing trade and present a positive image to passers-by, and should be governed by appropriate design guidelines.</td>
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</tbody>
</table>

Elands Bay is to a certain extent an isolated settlement, which can partly be ascribed to the fact that the access routes to the town are mainly gravel roads (IDP Review, 2016/2017). The town functions as a low order service centre and holiday town that supplies mainly basic goods and services and local inhabitants. The fishing industry forms the main economic base, but it is showing a declining trend as a consequence of the quota limitations. A study in 2010 compared the development potential and social needs of the 2004 and 2010 study per settlement and found that Elands Bay deteriorated in its rating from 2004 to 2010 for their social needs category. Elands Bay has thus been categorized as being in a very high level of social need.
The proposed development (through providing permanent / holiday housing) will therefore not compromise the integrity of the existing IDP and SDF, but should benefit the municipality via contributions into the tourism sector and local town economy (refer to the Cederberg Municipal Compliance letter attached as Appendix E (b)).

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) An Environmental Management Framework (“EMF”) adopted by this Department. <em>(e.g., Would the approval of this application compromise the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)</em></td>
<td>YES</td>
<td>Please explain</td>
</tr>
</tbody>
</table>

Not Applicable as there is no such framework as yet formally adopted by the Department of Environmental Affairs and Development Planning.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other Plans <em>(e.g., Integrated Waste Management Plan (for waste management activities), etc.))</em></td>
<td>NO</td>
<td>Please explain</td>
</tr>
</tbody>
</table>

No other plans are applicable.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Is the land use (associated with the project being applied for) considered within the timeframe intended by the existing approved SDF agreed to by the relevant environmental authority (in other words, is the proposed development in line with the projects and programmes identified as priorities within the credible IDP)?</td>
<td>YES</td>
<td>Please explain</td>
</tr>
</tbody>
</table>

The proposed project is in line with the SDF's identified need to promote the tourism sector and provide housing. The proposed mitigation measures contained within this BAR will assist in ensuring that the proposed development is in line with the Cederberg SDF and IDP (refer to the Cederberg Municipal Compliance letter attached as Appendix E (b)).

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) occur on the proposed site at this point in time?</td>
<td>YES</td>
<td>Please explain</td>
</tr>
</tbody>
</table>

The property site was sold on public tender by the Cederberg Municipality for the purposes of, amongst others, Economic Housing Opportunities, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties. The land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 ("LUPO") and the Municipal Ordinance, No. 20 of 1974. approval was granted for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195. In this regard, Erf 195 has been subdivided into eleven (11) portions; Portion 1 – 10 zoned as Residential Zone 1 to develop properties that consists of erf sizes ranging from approximately 348m2 to 497m2 and a Portion 11 that will be used as public road. The Cederberg Municipality has also granted permission for the transfer of ownership of certain of the subdivided erf parcels from the Applicant, to the new owners (refer to the Land Use Planning Ordinance (LUPO) & Cederberg Municipal Ordinance Approval letter for the Closure of Public Open Space, Rezoning & Subdivision of Erf No. 195 attached as Appendix E (a)).

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Does the community/area need the project and the associated land use concerned (is it a societal priority)? *(This refers to the strategic as well as local level <em>(e.g., development is a National Priority, but within a specific local context it could be inappropriate.)</em></td>
<td>YES</td>
<td>Please explain</td>
</tr>
</tbody>
</table>

The surrounding community would gain a marginal benefit from the development in terms of a number of temporary employment opportunities during the construction, as well as possible permanent positions (i.e. domestic workers and gardeners) once the houses are developed. The Cederberg municipality would benefit via the applicants contribution in rates and taxes, once the houses are complete.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Are the necessary services available together with adequate unallocated municipal capacity (at the time of application), or must additional capacity be created to cater for the project? <em>(Confirmation by the relevant municipality in this regard must be attached to the BAR as Appendix EC-H)</em></td>
<td>YES</td>
<td>Please explain</td>
</tr>
</tbody>
</table>

The Applicant is responsible for the installation of all services to the properties before any residential housing construction can take place. Formal letters from the Cederberg Municipality confirming that there is adequate capacity (in terms of sewerage, potable water, solid waste, electrical supply, access and road network, as well as storm water management) for necessary services to cater for the development is attached as Appendix E (c-h).
The property site was sold on public tender by the Cederberg Municipality for the purposes of, amongst others, Economic Housing Opportunities, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties. The land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 (“LUPO”) and the Municipal Ordinance, No. 20 of 1974. approval was granted for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195. In this regard, Erf 195 has been subdivided into eleven (11) portions; Portion 1 – 10 zoned as Residential Zone 1 to develop properties that consists of erf sizes ranging from approximately 348m² to 497m² and a Portion 11 that will be used as public road. Refer to Appendix E (c-h) for relevant confirmation of adequate capacity by the Cederberg Municipality in this regard.

The proposed project addresses a local need. “The need and desirability for the housing development is of high priority for the Municipality due to the lack of availability of developed residential even with reference to demand and Cederberg municipal community needs, taking into account budgetary constraints. The municipality is also in need of funding that is this created by the sale of land. Jobs will be created with the proposed development in the area of Eland’s Bay during the installation of services and building of house, thus unlocking the potential for economic growth and development” (Cederberg Municipality Compliance letter attached as Appendix E (c-h)).

The proposed project or the land use associated with the development proposal and associated listed activity(ies) applied for do not conflict with the relevant planning regulations and zoning scheme. In addition, the proposal would not cumulatively have a significant negative impact on health and wellbeing. The botanical report can be found in Appendix G3. A specialist’s botanical survey was also completed for the site and found no heritage or archaeological sensitives on the proposed development site.

Since the proposed development is of a relatively small scale and will be designed in accordance with the existing surrounding land use on the east side of site, no significant impact on the environment are anticipated. Some minor impacts are anticipated during the construction phase of the project, however these can readily be mitigated through the implementation of the Environmental Management Program (EMP) for the development (Refer to Appendix H). A heritage assessment was undertaken for this, and found that there are no heritage or archaeological sensitives on the proposed development site. This report can be found in Appendix E1. A specialist’s botanical survey was also completed for the site and found no areas of natural sensitivity. The botanical report can be found in Appendix G3.

The development is within the existing development rights of the property, and does not conflict with the relevant planning regulations and zoning scheme. In addition, the proposal would not cumulatively have a significant negative impact on either the bio-physical or socio-economic environment.
The proposed development site is zoned for residential housing and is in line with the surrounding residential developments. The proposed project addresses a local need. "The need and desirability for the housing development is of high priority for the Municipality due to the lack of availability of developed residential erven with reference to demand and Cederberg municipal community needs, taking into account budgetary constraints. The municipality is also in need of funding that is created by the sale of land. Jobs will be created with the proposed development in the area of Eland's Bay during the installation of services and building of house, thus unlocking the potential for economic growth and development" (Cederberg Municipality Compliance letter attached as Appendix E (c-h)). Cumulatively there is the potential for the proposed development to increase the demand on local service infrastructure, in terms of transport, water, electricity, etc. The municipality has confirmed that they have the infrastructure capacity to support the additional number of people that will be living in the municipality.

14. Is the development the best practicable environmental option for this land/site? **YES**

The site is zoned for residential housing development and is in line with the surrounding residential land use.

15. What will the benefits be to society in general and to the local communities? **Please explain**

The surrounding community would gain a marginal benefit from the development in terms of a number of temporary employment opportunities during the construction, as well as possible permanent positions (i.e. domestic workers and gardeners) once the houses are developed. The Cederberg municipality would benefit via the applicants contribution in rates and taxes, once the houses are complete.

"The need and desirability for the housing development is of high priority for the Municipality due to the lack of availability of developed residential erven with reference to demand and Cederberg municipal community needs, taking into account budgetary constraints. The municipality is also in need of funding that is created by the sale of land. Jobs will be created with the proposed development in the area of Eland's Bay during the installation of services and building of house, thus unlocking the potential for economic growth and development" (Cederberg Municipality Compliance letter attached as Appendix EC-H).

16. Any other need and desirability considerations related to the proposed development? **Please explain**

There are no other need and desirability considerations related to the proposed development.

17. Describe how the general objectives of Integrated Environmental Management as set out in Section 23 of the NEMA have been taken into account:

The general objective of Integrated Environmental Management (Section 23, NEMA 1998) as amended, is listed below with a description of how the proposed project and associated Basic Assessment process has taken these objectives into account:

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

The BAR, through its identification and assessment of positive and negative impacts on the environment and the incorporation of mitigation measures to manage these impacts, will facilitate responsible decision making by the relevant authorities.

*Identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management set out in section 2 of NEMA:*

In terms of the Basic Assessment process for the proposed activity, all potential impacts associated with the proposed development were identified and adequately assessed. Suitable mitigation measures were recommended to reduce the significance of the impacts.

*Ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them:*
Through inputs from the EAP and specialists during the Basic Assessment process, sufficient information has been made available to ensure that all effects to the surrounding environment have been adequately considered and incorporated into this report for decision making. Two specialist studies have been undertaken for the proposed development, Heritage and Botanical. Recommendations of these reports have been included in this BAR and in the EMP.

**Ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment:**

All public participation requirements in terms of the EIA Regulation Government Notice: R982 will be met during the course of the Basic Assessment process. A comment and response report will be compiled and included as part of the Final BAR. Section C of the report highlight the public participation undertaken during thus far in the basic assessment process.

**Ensure the consideration of environmental attributes in management and decision making which may have a significant effect on the environment:**

All environmental attributes have been adequately considered. Mitigation measures to manage impacts on sensitive environmental attributes have been included in the report to ensure that impacts on the environment are kept to a minimum.

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

An EMP has been compiled and attached as Appendix H. The mitigation measures suggested (for the construction and operational phases) ensure that potential impacts can be effectively mitigated. The suggested measures outlined in the EMPs are consistent with principles outlined in Section 2 of NEMA.

<table>
<thead>
<tr>
<th>18</th>
<th>Describe how the principles of environmental management as set out in Section 2 of the NEMA have been taken into account:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mitigation measures to manage impacts have been included in the report to ensure that impacts on the environment are kept to acceptable levels. An EMP has been compiled which incorporates the mitigation measures put forward in the BAR. The implementation of the EMP will ensure that environmental management continues throughout the life cycle of the project. The appropriateness of the development in the broader context has received attention. All of the above aspects contribute to the sustainability of the development.</td>
</tr>
</tbody>
</table>
11 SECTION E: DETAILS OF ALL THE ALTERNATIVES CONSIDERED

Note: Before completing this section, first consult this Department’s Circular EADP 0028/2014 (dated 9 December 2014) on the “One Environmental Management System” and the BA Regulations, 2014 (as amended), any subsequent Circulars, and guidelines available on the Department’s website http://www.westerncape.gov.za/eadp.

The BA Regulations, 2014 (as amended) defines “alternatives” as “in relation to a proposed activity, means different means of fulfilling the general purpose and requirements of the activity, which may include alternatives to the—
(a) property on which or location where the activity is proposed to be undertaken;
(b) type of activity to be undertaken;
(c) design or layout of the activity;
(d) technology to be used in the activity; or
(e) operational aspects of the activity;
(f) and includes the option of not implementing the activity;”

The NEMA [section 24(4)(a) and (b) of the NEMA, refers] prescribes that the procedures for the investigation, assessment and communication of the potential consequences or impacts of activities on the environment must, inter alia, with respect to every application for environmental authorisation—
• ensure that the general objectives of integrated environmental management laid down in the NEMA and the National Environmental Management Principles set out in the NEMA are taken into account; and
• include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

The general objective of integrated environmental management (section 23 of NEMA, refers) is, inter alia, to “identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management” set out in the NEMA.

The identification, evaluation, consideration and comparative assessment of alternatives directly relate to the management of impacts. Related to every identified impact, alternatives, modifications or changes to the activity must be identified, evaluated, considered and comparatively considered to:
• in terms of negative impacts, firstly avoid a negative impact altogether, or if avoidance is not possible alternatives to better mitigate, manage and remediate a negative impact and to compensate for/offset any impacts that remain after mitigation and remediation; and
• in terms of positive impacts, maximise impacts.

11.1 Details of the Identified and Considered Alternatives and Indicate those Alternatives that were Found to be Feasible and Reasonable

Note: A full description of the investigation of alternatives must be provided and motivation if no reasonable or feasible alternatives exists.

(a) Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:
No site alternatives have been proposed for this project as the purpose of this application is for the development of residential houses and an access road on Erf 195 (now subdivided into 11 portions). During December 2014, Cederberg Municipality advertised pockets of land (owned by the municipality) for sale within various areas of the municipality for the purposes of Economic Housing opportunities, amongst others. The need to alienate the underutilized properties in this case was aimed at generating capital to sustain the municipality. Land parcels were sold on public tender, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties (hereafter referred to as “the Applicant”).

In 2015, the Applicant submitted an application to obtain land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 (“LUPO”) and the Municipal Ordinance, No. 20 of 1974. In this regard, the Applicant submitted an application for the following:

The closure of the public place located on Erf 195 that was zoned as “Open Space Zone 1” in order to establish a residential development on the property.

The rezoning of Erf No. 195 from “Open Space Zone 1” to “Subdivisional Area” to accommodate the zonings of “Residential Zone 1” and “Transport Zone II” in Erf 195.

The subdivision of Erf No. 195 into eleven (11) portions, with Portion 1 – 10 zoned as “Residential Zone 1” to develop properties, and a Portion 11 zoned as “Transport Zone II” for the development of a public road for access to the properties.

Approval for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195 was granted to the Applicant on 4th June 2015 by the municipality (refer to Municipal Approval attached as Appendix E(a)).

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

No activity alternatives have been investigated for this project as Land Use Planning Ordinance, No. 15 of 1985 (“LUPO”) and the Municipal Ordinance, No. 20 of 1974 approvals for the Closure of Public Open Space, Rezoning and Subdivision of Erf 195 has been granted for the development of residential housing.

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

Three historical design / layout alternatives were considered for Erf 195. The authorised layout (by the Municipality) refers to a layout where the access road is located in the middle of the subdivided portions in a “T” shape connecting from the Main Road to the south of the property (refer to the Conceptual Site Development Plan attached as Appendix B1). This was the preferred option since it is the most similar to the layout of the surrounding residential houses.

Alternative A referred to a layout where the access road was also located in the middle of the subdivided portions, however the portion of the access road connecting to the Main Road was located along the right boundary of the property (refer to Appendix B2).

Alternative B was similar to the layout of Alternative B, however the layout differed in that the portion of the access road connecting to the Main Road was located along the left boundary of the property (refer to Appendix B3).

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

Technology alternatives are not considered applicable to the general purpose of this Application as the purpose of this application is for the development of residential housing.

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

Operational alternatives are not considered applicable to the general purpose of this Application as the purpose of this application is for the development of residential housing.

(f) The option of not implementing the activity (the ‘No-Go’ Option):
(g) Other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

| Not applicable. |

(h) Provide a summary of all alternatives investigated and the outcome of each investigation:

| Three historical design/layout alternatives were considered for Erf 195 relating to the subdivision of the 10 residential housing portions and location of portion 11 (the access road). The authorised layout (authorised by the Municipality) refers to a layout where the access road is located in the middle of the subdivided portions in a “T” shape, connecting to the Main Road to the south of the property. This layout was authorised by the Municipality as it was the most similar to the layout of the surrounding residential houses. |
| The “No Go” Alternative is considered unreasonable due to the fact that the property has already been sold by the Cederberg Municipality to the Applicant for the purpose of housing opportunities. In addition, the Municipality has already granted approval for the closure of the public open space, rezoning and subdivision of Erf 195 as well as permission for the transfer of ownership of certain of the subdivided erf parcels from the applicant to new owners. |

(i) Provide a detailed motivation for not further considering the alternatives that were found not feasible and reasonable, including a description and proof of the investigation of those alternatives:

| Three historical design/layout alternatives were considered for Erf 195 relating to the subdivision of the 10 residential housing portions and location of portion 11 (the access road). The authorised layout (authorised by the Municipality) refers to a layout where the access road is located in the middle of the subdivided portions in a “T” shape, connecting to the Main Road to the south of the property. This layout was authorised by the Municipality as it was the most similar to the layout of the surrounding residential houses. |
| The “No Go” Alternative is considered unreasonable due to the fact that the property has already been sold by the Cederberg Municipality to the Applicant for the purpose of housing opportunities. In addition, the Municipality has already granted approval for the closure of the public open space, rezoning and subdivision of Erf 195 as well as permission for the transfer of ownership of the subdivided erf parcels from the applicant to new owners. |

11.2 Preferred Alternative

[a] Provide a concluding statement indicating the preferred alternative(s), including preferred location, site, activity and technology for the development.
No site alternatives have been proposed for this project as the purpose of this application is for the development of residential houses and an access road on Erf 195 (now subdivided into 11 portions). During December 2014, Cederberg Municipality advertised pockets of land (owned by the municipality) for sale within various areas of the municipality for the purposes of Economic Housing opportunities, amongst others. The need to alienate the underutilized properties in this case was aimed at generating capital to sustain the municipality. Land parcels were sold on public tender, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties (hereafter referred to as “the Applicant”).

In 2015, the Applicant submitted an application to obtain land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 (“LUPO”) and the Municipal Ordinance, No. 20 of 1974. In this regard, the Applicant submitted an application for the following:

The closure of the public place located on Erf 195 that was zoned as “Open Space Zone 1” in order to establish a residential development on the property.

The rezoning of Erf No. 195 from “Open Space Zone 1” to “Sub divisional Area” to accommodate thezonings of “Residential Zone 1” and “Transport Zone II” in Erf 195.

The subdivision of Erf No. 195 into eleven (11) portions, with Portion 1 – 10 zoned as “Residential Zone 1” to develop properties, and a Portion 11 zoned as “Transport Zone II” for the development of a public road for access to the properties.

Approval for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195 was granted to the Applicant on 4th June 2015 by the municipality (refer to Municipal Approval attached as Appendix E(a)).

The Cederberg Municipality has granted permission for the transfer of ownership of the subdivided erf parcels from the Applicant to new owners. It is the Applicant’s intention to transfer the subdivided erf parcels to new owners for the development of residential housing.
12 SECTION F: ENVIRONMENTAL ASPECTS ASSOCIATED WITH THE ALTERNATIVES

Note: The information in this section must be DUPLICATED for all the feasible and reasonable ALTERNATIVES.

As discussed above, no site alternatives have been proposed for this project as the purpose of this application is for the development of residential houses and an access road on Erf 195 (now subdivided into 11 portions). During December 2014, Cederberg Municipality advertised pockets of land (owned by the municipality) for sale within various areas of the municipality for the purposes of Economic Housing opportunities, amongst others. The need to alienate the underutilised properties in this case was aimed at generating capital to sustain the municipality. Land parcels were sold on public tender, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties (hereafter referred to as “the Applicant”).

12.1 Describe the Environmental Aspects Associated with the Proposed Development And Its Alternatives, focusing on the following:

(a) Geographical, geological and physical aspects:

The proposed development site is located along the west coast of the Western Cape Province, approximately 200 km from Cape Town. The development site is located with the urban edge of Elands Bay and on the edge of existing residential suburb, approximately 2.4 km south west of the town of Elands Bay. The property can be accessed from the Elands Bay Main Road R366. The study area lies within the Cederberg Municipality of the Western Cape Province. There are informal tracks leading onto the property and use by the general public to access the beach, which is north of the site. This general access through the site, has transformed the majority of the 5000m$^2$ site.

The area is underlain by marine beach sediments which rest on sandstone bedrock of the Piekenierskloof Formation, Table Mountain Group, Cape Supergroup. The latter are exposed below sea level close to the beach and are therefore expected to exist at relatively shallow depth below the site.

(b) Ecological aspects:

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Will the proposed development and its alternatives have an impact on CBAs or ESAs?</td>
<td>YES</td>
</tr>
<tr>
<td>If yes, please explain:</td>
<td></td>
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<tr>
<td>Also include a description of how the proposed development will influence the quantitative values (hectares/percentage) of the categories on the CBA/ESA map.</td>
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<tr>
<td>There will be very marginal impact on CBA1 on the seaward side of the erf in the west corner and on the north-west boundary. The impact on CBA1 would be approximately 300m$^2$.</td>
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<tr>
<td>Will the proposed development and its alternatives have an impact on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?</td>
<td>YES</td>
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<tr>
<td>If yes, please explain:</td>
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<tr>
<td>All the terrestrial vegetation would be removed from the site due to subdivision and construction of residences.</td>
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<tr>
<td>Will the proposed development and its alternatives have an impact on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?</td>
<td>NO</td>
</tr>
<tr>
<td>If yes, please explain:</td>
<td></td>
</tr>
<tr>
<td>Not Applicable</td>
<td></td>
</tr>
<tr>
<td>Describe the manner in which any other biological aspects will be impacted:</td>
<td></td>
</tr>
<tr>
<td>Not Applicable</td>
<td></td>
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<tr>
<td>Will the proposed development also trigger section 63 of the NEM: ICMA?</td>
<td>YES</td>
</tr>
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<td></td>
<td>NO</td>
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</table>
If yes, describe the following:

(i) the extent to which the applicant has in the past complied with similar authorisations;

Not Applicable, the applicant has not had to deal with similar applications.

(ii) whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development proposal or listed activity is consistent with the purpose for establishing and protecting those areas;

The proposed development lies within the coastal protection zone. Coastal public property and coastal access land will not be affected. The extent of the proposed development is very small and consistent with municipal planning objectives. It is zoned Residential Zone 1.

(iii) the estuarine management plans, coastal management programmes, coastal management lines and coastal management objectives applicable in the area;

According to the Western Cape Coastal Management Programme (2016) the following are priority areas for coastal management:

PRIORITY AREAS FOR COASTAL MANAGEMENT
Priority Area 1: Social and economic development and planning;
Priority Area 2: Cooperative governance and local government support;
Priority Area 3: Facilitation of coastal access;
Priority Area 4: Climate change, dynamic coastal processes and building resilient communities;
Priority Area 5: Land- and marine-based sources of pollution and waste;
Priority Area 6: Natural and cultural resource management;
Priority Area 7: Estuarine management;
Priority Area 8: Capacity building, advocacy and education;
Priority Area 9: Monitoring, compliance and enforcement.

(iv) the likely socio-economic impact if the listed activity is authorised or is not authorised;

If authorised the proposed development will have a negative socio-economic impact of low to very low significance in the construction phase, and a positive socio-economic of low significance in the construction phase in terms of job creation. The only negative socio-economic impacts anticipated in the operation phase is a visual impact of low significance. The development will have a positive impact of very low significance in the operational phase, in terms of increased revenue to the local economy and national fiscus.

The implementation of the "No-Go" alternative would have a negative impact of very low significance in terms of the opportunity cost of lost increased revenue to local economy and national fiscus, as well as a low negative impact of job losses. There will also be financial implications on the municipality, with regards to the sale of the land specifically for the development of residential houses.

(v) the likely impact of coastal environmental processes on the proposed development;

Coastal environmental processes are not expected to impact the proposed development, as it lies outside of the 100 year flood line.

(vi) whether the development proposal or listed activity—

(a) is situated within coastal public property and is inconsistent with the objective of conserving and enhancing coastal public property for the benefit of current and future generations;

The development is currently zoned Residential Zone 1.

(b) is situated within the coastal protection zone and is inconsistent with the purpose for which a coastal protection zone is established as set out in section 17 of NEM: ICMA;

The development lies within the coastal protection zone, as it is a land unit situated partially within 100 m of the high water mark. The land was previously zoned as public open space and extensively used as a parking lot, with foreign material having been deposited on it for stabilisation. The vegetation found on the site is largely Least Threatened Lamberts Bay Strandveld, with only a very narrow strip of Cape Seashore Vegetation (Least Threatened) outside the erf boundary along the beach immediately above the high water mark. Therefore, the proposed development will not impact the ecological integrity, natural character and the economic, social and aesthetic value of coastal public property further.

As the development site lies outside of the high, medium, and low risk zones, the development will avoid increasing the effect and severity of natural hazards and will not increase the risk of dynamic coastal processes including the risk of sea level rise. The natural functioning of the littoral active zone will not be affected, and the productive capacity of the coastal zone will be maintained. It will not affect the availability of land near the seashore for rescue operations or the temporary deposit of washed up materials, as land is available immediately to the west, as well as on the seaside of the proposed development. In summary, the proposed development is not inconsistent with the purpose of coastal protection zones.

(c) is situated within coastal access land and is inconsistent with the purpose for which coastal access land is designated as set out in section 18 of NEM: ICMA;
The proposed development is not situated within, or will negatively affect coastal access land.

(d) is likely to cause irreversible or long-lasting adverse effects to any aspect of the coastal environment that cannot satisfactorily be mitigated;

As the site is currently used as a parking lot and footpath access to the beach, and has been degraded previously, the proposed development will not cause irreversible effects that cannot be mitigated.

(e) is likely to be significantly damaged or prejudiced by dynamic coastal processes;

No dynamic coastal processes are anticipated to affect the proposed development, as it does not lie within 100 year flood line and is located more than 53 m from the high water mark.

(f) would substantially prejudice the achievement of any coastal management objective; or

Due to the degraded nature and small size (0.5 ha) of the development site no coastal management objectives are expected to be substantially affected.

(g) would be contrary to the interests of the whole community;

The development will result in no long term negative socio-economic impacts that outweigh the benefits in terms of increased job opportunities for the local community and revenue for the local municipality.

(vii) whether the very nature of the proposed activity or development requires it to be located within coastal public property, the coastal protection zone or coastal access land;

Housing developments are not required to be in the coastal protection zone, however the value of such houses and thus the generated revenue for the municipality is generally higher within it.

(viii) whether the proposed development will provide important services to the public when using coastal public property, the coastal protection zone, coastal access land or a coastal protected area; and

The proposed development will provide private housing.

(ix) the objects of NEM: ICMA, where applicable.

### (c) Social and Economic aspects:

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>What is the expected capital value of the project on completion?</td>
<td>Approx. R 15600 000</td>
</tr>
<tr>
<td>What is the expected yearly income or contribution to the economy that will be generated by or as a result of the project?</td>
<td>Approx. R 120 000</td>
</tr>
<tr>
<td>Will the project contribute to service infrastructure?</td>
<td>YES ✓</td>
</tr>
<tr>
<td>Is the project a public amenity?</td>
<td>NO ✓</td>
</tr>
<tr>
<td>How many new employment opportunities will be created during the development phase?</td>
<td>Approximately 10 - 20</td>
</tr>
<tr>
<td>What is the expected value of the employment opportunities during the development phase?</td>
<td>Approx. R 500 000 per year</td>
</tr>
<tr>
<td>What percentage of this will accrue to previously disadvantaged individuals?</td>
<td>Approximately 95%</td>
</tr>
<tr>
<td>How will this be ensured and monitored (please explain):</td>
<td>By the correct choice of the contractors and their agreement prior to the contract being awarded. In addition, non-compliance will be monitored with the issuing of penalties if applicable.</td>
</tr>
<tr>
<td>How many permanent new employment opportunities will be created during the operational phase of the project?</td>
<td>Approximately 3 – 5</td>
</tr>
<tr>
<td>What is the expected current value of the employment opportunities during the first 10 years?</td>
<td>This will be at the discretion of each landowner (i.e. 10 landowners).</td>
</tr>
<tr>
<td>What percentage of this will accrue to previously disadvantaged individuals?</td>
<td>Approximately 95%</td>
</tr>
</tbody>
</table>
How will this be ensured and monitored (please explain):

Through discussions during the sale of the applicable erven on to new landowners.

Any other information related to the manner in which the socio-economic aspects will be impacted:

The surrounding community would gain a marginal benefit from the development in terms of a number of temporary employment opportunities during the construction, as well as possible permanent positions (i.e. domestic workers and gardeners) once the houses are developed. The Cederberg municipality would benefit via the applicants contribution in rates and taxes, once the houses are complete.

"The need and desirability for the housing development is of high priority for the Municipality due to the lack of availability of developed residential erven with reference to demand and Cederberg municipal community needs, taking into account budgetary constraints. The municipality is also in need of funding that is created by the sale of land. Jobs will be created with the proposed development in the area of Eland’s Bay during the installation of services and building of house, thus unlocking the potential for economic growth and development" (Cederberg Municipality Compliance letter attached as Appendix EB).

(d) Heritage and Cultural aspects:

There are no heritage or cultural aspects on the proposed development site. See Appendix E1 for a Heritage Impact Assessment specialist report that was completed for the proposed site.

12.2 Waste and Emissions

(a) Waste (including effluent) management

<table>
<thead>
<tr>
<th>Will the development proposal produce waste (including rubble) during the development phase?</th>
<th>YES ✔</th>
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</thead>
</table>
| If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type? | Site clearance: ± 500 m³  
Construction Rubble: ± 120 m³  
Operational Phase: 225m³ p/m |
| During site clearance, the expected volume from clear and grub items is estimated at 500 m³.  
During the construction phase of the development, rubble estimated at 120 m³ would arise as a result of general breakages, off-cuts, batching of materials such as concrete and cement and the accumulation of refuse. The Construction phase EMP (Appendix H) provides a detailed description of the manner in which rubble, refuse and material handling would be managed during the construction process. As noted in the Construction phase EMP, a site camp would be located at the property frontage. A skip would be installed in the site camp to allow for the effective management of rubble and debris from the site. The site camp and skip would be hoarded off, screened and maintained in good order.  
All rubble and refuse arising from the site would be offloaded into the skip which would be emptied at a municipal-approved landfill site. The adequate implementation by the contractor of waste management on site, as determined by the Construction phase EMP, would be monitored by an independent Environmental Control Officer (ECO), appointed by the owner prior to works commencing.  
Volumes of waste generated from residential buildings after development (i.e. during the operational phase) is estimated at a total of 225m³ per month. |

<table>
<thead>
<tr>
<th>Will the development proposal produce waste during its operational phase?</th>
<th>YES ✔</th>
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<tbody>
<tr>
<td>If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?</td>
<td>225 m³ per month</td>
</tr>
<tr>
<td>Domestic refuse typical of a residential buildings will be produced once the houses are habitable (Appendix E(f))</td>
<td></td>
</tr>
</tbody>
</table>
### Will the development proposal require waste to be treated / disposed of on site?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO ▼</th>
</tr>
</thead>
</table>

#### If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type per phase of the proposed development to be treated/disposed of?

| Site clearance: ± 500 m³ |
| Construction Rubble: ± 120 m³ |
| Operational Phase: 22 5m³ p/m |

The proposed development will not require waste to be treated or disposed of on site.

#### If no, where and how will the waste be treated / disposed of? Please explain.

| Domestic refuse typical of a residential buildings will be produced once the houses are habitable. This would be disposed of into a municipal 'wheelie bin' and made available to municipal refuse collectors on the appropriate collection day. (Appendix E(f)) |

Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste to be generated by the development proposal?

| YES ▼ | NO |

If yes, provide written confirmation from the municipality or relevant authority.

Please see Appendix E(f) for municipal confirmation of capacity.

#### Will the development proposal produce waste that will be treated and/or disposed of at another facility other than into a municipal waste stream?

| YES | NO ▼ |

If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste to be generated by the development proposal?

Provide written confirmation from the facility.

#### Does the facility have an operating license? (If yes, please attach a copy of the licence.)

| YES | NO ▼ |

Facility name:  
Contact person:  
Cell:  
Postal address:  
Telephone:  
Postal code:  
Fax:  
E-mail:  

Describe the measures that will be taken to reduce, reuse or recycle waste:

- Toolbox talks to construction staff regarding the reduction, reuse and recycling of waste.
- Contractors to use / source recycled material if possible.
- Select energy efficient appliances (washing machine, refrigerator, and dishwasher).
- Plan for waste separation and sorting on site during construction.
- Separate waste for recycling wherever possible. Provide recycling skips.
- Use offcuts where possible.
- Carry useful sized offcuts to the next job.

### (b) Emissions into the atmosphere
<table>
<thead>
<tr>
<th><strong>Will the development proposal produce emissions that will be released into the atmosphere?</strong> – The proposal is residential development.</th>
<th>NO ✓</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>If yes, does this require approval in terms of relevant legislation?</strong></td>
<td>NO</td>
</tr>
<tr>
<td><strong>If yes, what is the approximate volume(s) of emissions released into the atmosphere?</strong></td>
<td>m³</td>
</tr>
</tbody>
</table>

Describe the emissions in terms of type and concentration and how these will be avoided/managed/treated/mitigated:

Atmospheric emissions associated with the construction of the proposed development would be negligible and limited to the construction phase of the activity. They would predominantly be associated with the equipment required to undertake the construction and to transport materials to the site. Lastly, the proposed activity would result in the generation of some minor construction related dust. All construction related activities and associated equipment will be compliant with relevant emission legislation and managed in terms of the EMP attached as Appendix H.

### 12.3 WATER USE

(a) Indicate the source(s) of water for the development proposal by highlighting the appropriate box(es).

| Municipal ✓ | |

**Note:** Provide proof of assurance of water supply (e.g. Letter of confirmation from the municipality / water user associations, yield of borehole).

Please see Appendix E(e) for confirmation from the municipality regarding assurance of water supply.

(b) If water is to be extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that will be extracted per month:

Not applicable

(c) Does the development proposal require a water use permit / license from DWS? NO ✓

If yes, please submit the necessary application to the DWS and attach proof thereof to this application as an Appendix.

**(c) Describe the measures that will be taken to reduce water demand, and measures to reuse or recycle water:**

All home owners will be encouraged to construct their houses with the following in mind:

- Water-efficient plumbing fixtures (ultra-low flow toilets and urinals, waterless urinals, low-flow and sensored sinks, low-flow showerheads, and water-efficient dishwashers and washing machines)
- Irrigation and landscaping measures (water-efficient irrigation systems, irrigation control systems, low-flow sprinkler heads, water-efficient scheduling practices)
- Water recycling or reuse measures (Gray water and process recycling systems).

All contractors to educate workers on water usage, and ensure that there is no water wastage. No leaking taps on site.

### 12.4 POWER SUPPLY

(a) Describe the source of power *e.g.* municipality / Eskom / renewable energy source.

Municipality
(b) If power supply is not available, where will power be sourced?

The municipality has confirmed sufficient capacity to accommodate the housing development. Please see Appendix E(g) for letter of confirmation from the municipality.

12.5 ENERGY EFFICIENCY

(a) Describe the design measures, if any, that have been taken to ensure that the development proposal will be energy efficient:

Not applicable. Individual landowners to ensure their housing development and construction is energy efficient.

(b) Describe how alternative energy sources have been taken into account or been built into the design of the project, if any:

Not applicable.

12.6 TRANSPORT, TRAFFIC AND ACCESS

Describe the impacts in terms of transport, traffic and access.

Potential increase in terms of traffic during the construction of the housing developments, as well as during the operational phase. Even though there will be a slight increase in traffic when the landowners take up residency, the Cederberg Municipality has confirmed that the existing road infrastructure has sufficient capacity for this minimal increase (Appendices E(c)). This increase traffic will also increase the noise in the surrounding area during construction of the housing development.

Main access to the site will be off the Main Road R366 onto the proposed access road for the housing development (to be named Mountain Close). Refer to Drawing Numbers 15/1266/CO1 attached as part of the Engineer Service Report (Appendix E1). Internal roads for each individual house is proposed to be 5 m wide paving or premix surfacing roads with precast edging on either side.

12.7 NUISANCE FACTOR (NOISE, ODOUR, etc.)

Describe the potential nuisance factor or impacts in terms of noise and odours.

Potential noise impact during the construction of the proposed developments.
Potential noise impact during the construction due to increase traffic and transporting of material to site.
Potential increase in noise from workers and machinery during the construction of the proposed developments.
Potential odour emissions from general food waste during the construction of the proposed development.

Note: Include impacts that the surrounding environment will have on the proposed development.

12.8 OTHER
13 SECTION G: IMPACT ASSESSMENT, IMPACT AVOIDANCE, MANAGEMENT, MITIGATION AND MONITORING MEASURES

13.1 METHODOLOGY USED IN DETERMINING AND RANKING ENVIRONMENTAL IMPACTS AND RISKS ASSOCIATED WITH THE ALTERNATIVES

(a) Describe the methodology used in determining and ranking the nature, significance consequences, extent, duration and probability of potential environmental impacts and risks associated with the proposed development and alternatives.


The assessment methodology that will be used will be in accordance with the recent revised 2014 EIA Regulations (as amended). The significance of environmental impacts is a function of the environmental aspects that are present and to be impacted on, the probability of an impact occurring and the consequence of such an impact occurring before and after implementation of proposed mitigation measures.

### Extent (spatial scale)

<table>
<thead>
<tr>
<th></th>
<th>L</th>
<th>M</th>
<th>H</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact is localized within site boundary</td>
<td>Widespread impact beyond site boundary; Local</td>
<td>Impact widespread far beyond site boundary; Regional/national</td>
<td></td>
</tr>
</tbody>
</table>

### Duration

<table>
<thead>
<tr>
<th></th>
<th>L</th>
<th>M</th>
<th>H</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quickly reversible, less than project life, short term</td>
<td>Reversible over time; medium term to life of project</td>
<td>Long term; beyond closure; permanent; irreplaceable or irretrievable commitment of resources</td>
<td></td>
</tr>
</tbody>
</table>

### Severity (Intensity)

<table>
<thead>
<tr>
<th>Type of Criteria</th>
<th>Negative</th>
<th>Positive</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>H-</td>
<td>M-</td>
</tr>
<tr>
<td>Qualitative</td>
<td>Substantial deterioration death, illness or injury, loss of habitat /diversity or resource, severe alteration or disturbance of important processes.</td>
<td>Moderate deterioration, discomfort, Partial loss of habitat /biodiversity /resource or slight alteration</td>
</tr>
<tr>
<td>Quantitative</td>
<td>Measurable deterioration Recommended level will often be violated (e.g. pollution)</td>
<td>Measurable deterioration Recommended level will occasionally be violated</td>
</tr>
</tbody>
</table>

### Probability of Occurrence

<table>
<thead>
<tr>
<th></th>
<th>L</th>
<th>M</th>
<th>H</th>
</tr>
</thead>
</table>
Status of the Impact

Describe whether the impact is positive, negative or neutral for each parameter. The ranking criteria are described in negative terms. Where positive impacts are identified, use the opposite, positive descriptions for criteria.

Degree of Confidence in Predictions:

The degree of confidence in the predictions, based on the availability of information and specialist knowledge, is to be stated.

Consequence: (Duration X Extent X Intensity)

Having ranked the severity, duration and spatial extent, the overall consequence of impacts is determined using the following qualitative guidelines:

<table>
<thead>
<tr>
<th>Intensity = L</th>
<th>H</th>
<th>M</th>
<th>L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
<td></td>
<td>Medium</td>
<td>Low</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Intensity = M</th>
<th>H</th>
<th>M</th>
<th>L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
<td></td>
<td>Medium</td>
<td>Low</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Intensity = H</th>
<th>H</th>
<th>M</th>
<th>L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
<td></td>
<td>Medium</td>
<td>Low</td>
</tr>
</tbody>
</table>

Positive impacts are ranked in the same way as negative impacts, but result in high, medium or low positive consequence.

Overall Significance of Impacts

Combining the consequence of the impact and the probability of occurrence provides the overall significance (risk) of impacts.
(a) Please describe any gaps in knowledge.

(b) Please describe the underlying assumptions.

The following assumptions and limitations are applicable to this study:

- It is assumed that the proposed development site investigated and assessed for the proposed residential housing development is technically suitable for such development.
- It is assumed that all municipal infrastructure and capacity to support the proposed housing development is technically adequate, feasible and viable.
- Site alternatives were not investigated due to the fact that this application is project specific for this specific land portion.
- The assumption is made that the information on which this report is based (specialist studies and project information, as well as existing information) is accurate and correct at the time of writing this report.
- It is assumed that the recommendations derived from this study would be included in all tender documentation and the EMP for implementation.

(c) Please describe the uncertainties.

The following assumptions and limitations are applicable to this study:

- It is assumed that the proposed development site investigated and assessed for the proposed residential housing development is technically suitable for such development.
- It is assumed that all municipal infrastructure and capacity to support the proposed housing development is technically adequate, feasible and viable.
- Site alternatives were not investigated due to the fact that this application is project specific for this specific land portion.
- The assumption is made that the information on which this report is based (specialist studies and project information, as well as existing information) is accurate and correct at the time of writing this report.
- It is assumed that the recommendations derived from this study would be included in all tender documentation and the EMP for implementation.

[a] Describe adequacy of the assessment methods used.


The assessment methodology that will be used will be in accordance with the recent revised 2014 EIA Regulations (as amended). The significance of environmental impacts is a function of the environmental aspects that are present and to be impacted on, the probability of an impact occurring and the consequence of such an impact occurring before and after implementation of proposed mitigation measures.

13.2 Identification, assessment and ranking of impacts to reach the proposed alternatives including the preferred alternative within the site

Note: In this section the focus is on the identified issues, impacts and risks that influenced the identification of the alternatives. This includes how aspects of the receiving environment have influenced the selection.
List the identified impacts and risks for each alternative.

Three historical design / layout alternatives were considered for Erf 195 relating to the subdivision of the 10 residential housing portions and location of portion 11 (the access road). The authorised layout (authorised by the Municipality) refers to a layout where the access road is located in the middle of the subdivided portions in a “T” shape, connecting to the Main Road to the south of the property. This layout was authorised by the Municipality as it was the most similar to the layout of the surrounding residential houses. There are no further alternatives, other than the proposed development and the no – go alternative. The impact assessment below will be on the preferred alternative, which is the proposed development.

During the **Design and Planning Phase** of the proposed development the following potential impacts must be mitigated for:

- Visual – ensure that the housing style is in line with the surrounding residential properties.
- Search, rescue and translocate specific geophytes on site.

During the **construction** of the proposed development the following potential impacts are likely to occur:

- Archaeological and or heritage material could be found during the construction
- Visual impacts from construction vehicles and machinery
- Noise from construction vehicles and construction work force
- Dust from clearing of vegetation and general construction activities
- Increased traffic during the construction phase due to construction vehicles and transportation of materials and staff to site.
- Potential positive impact on the temporary employment for local community members during construction
- Waste and litter from construction activities, which if not dealt with could cause odor and visual impacts
- Stormwater impacts
- Erosion and loss of indigenous vegetation
- Contamination of the environment, through chemical / oil spills from construction activities and vehicles.

During the **operational phase** of the proposed development the following potential impacts are likely to occur:

- Visual impact of the 10 constructed housing developments
- Increased traffic due to occupancy of land owners
- Job creation for local community
- Rates and taxes to be paid to the local municipality and increased revenue.

### No-go Alternative:

The "No Go" Alternative is considered unreasonable due to the fact that the property has already been sold by the Cederberg Municipality to the Applicant for the purpose of housing opportunities. In addition, the Municipality has already granted approval for the closure of the public open space, rezoning and subdivision of Erf 195 as well as permission for the transfer of ownership of certain of the subdivided erf parcels from the applicant, to new owners.

With the "no go" alternative none of the impacts listed above would occur. There would however still be the potential for the loss of indigenous vegetation, if the site is used as an access point for surfers and visitors to the beach.

If the proposed project does not proceed, increased income and economic spin-off activities will not be realised.

(a) Describe the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts can be reversed; may cause irreplaceable loss of resources; and can be avoided, managed or mitigated.
Planning, Design and Development Phase Impact Assessment

<table>
<thead>
<tr>
<th>Impact Phase: Planning, Design and Development</th>
<th>Potential impact description: potential loss of indigenous vegetation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extent</td>
</tr>
<tr>
<td>Without Mitigation</td>
<td>Low</td>
</tr>
<tr>
<td>With Mitigation</td>
<td>Low</td>
</tr>
<tr>
<td>Can the impact be reversed?</td>
<td>Yes - with the implementation of the mitigation measures.</td>
</tr>
<tr>
<td>Will impact cause irreplaceable loss or resources?</td>
<td>No – with the implementation of the mitigation measures, the indigenous vegetation will not be lost.</td>
</tr>
<tr>
<td>Can impact be avoided, managed or mitigated?</td>
<td>Yes – mitigation measures can reduce impacts.</td>
</tr>
<tr>
<td>Mitigation measures:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• plants of Babiana hirsuta (in particular – since they are easily recognized) and Ferraria cf. foliosa (if possible) should be removed prior to any development activities occurring on the site and relocated to a suitable site ('safe site') with the same habitat conditions outside the erf safe site</td>
</tr>
<tr>
<td>Cumulative Impact</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lamberts Bay Strandveld is not a threatened vegetation type so after careful consideration it is contended that the loss of a small area of this type at Erf 195 Eland’s Bay which is not in a CBA (and is therefore not earmarked for contribution to conservation targets) would be inconsequential in the conservation in the ‘bigger picture’ of the vegetation type as a whole.</td>
</tr>
</tbody>
</table>

Construction Phase Impact Assessment

<table>
<thead>
<tr>
<th>Impact Phase: Construction</th>
<th>Potential impact description: increase in dust and erosion from clearing vegetation, earth moving activities and increase vehicle traffic.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extent</td>
</tr>
<tr>
<td>Without Mitigation</td>
<td>Low</td>
</tr>
<tr>
<td>With Mitigation</td>
<td>Low</td>
</tr>
<tr>
<td>Can the impact be reversed?</td>
<td>Yes – with the implementation of mitigation measures</td>
</tr>
<tr>
<td>Will impact cause irreplaceable loss or resources?</td>
<td>No</td>
</tr>
<tr>
<td>Can impact be avoided, managed or mitigated?</td>
<td>Yes – with the implementation of mitigation measures</td>
</tr>
<tr>
<td>Mitigation measures:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• All reinstated cable trenches should be re-vegetated with the same vegetation that existed prior to the cable being laid.</td>
</tr>
<tr>
<td></td>
<td>• Carefully plan to reduce the construction period.</td>
</tr>
<tr>
<td></td>
<td>• Minimise vegetation clearing and rehabilitate cleared areas as soon as possible.</td>
</tr>
<tr>
<td></td>
<td>• Maintain a neat construction site by removing rubble and waste materials regularly.</td>
</tr>
<tr>
<td></td>
<td>• Make use of existing access roads where possible.</td>
</tr>
</tbody>
</table>
• Ensure that dust suppression techniques are implemented on all access roads

**Cumulative Impact**

<table>
<thead>
<tr>
<th>Without Mitigation</th>
<th>With Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extent</td>
<td>Medium</td>
</tr>
<tr>
<td>Duration</td>
<td>Low</td>
</tr>
<tr>
<td>Severity</td>
<td>Medium</td>
</tr>
<tr>
<td>Status</td>
<td>Negative</td>
</tr>
<tr>
<td>Significance</td>
<td>Negative</td>
</tr>
<tr>
<td>Probability</td>
<td>Medium</td>
</tr>
<tr>
<td>Confidence</td>
<td>High</td>
</tr>
</tbody>
</table>

Can the impact be reversed? Yes – the impact will stop once construction activities stop

Will impact cause irreplaceable loss or resources? No. The increase in noise levels can increase annoyance levels with the project but will not result in the loss of any resource or an irreplaceable loss.

Can impact be avoided, managed or mitigated? Yes – with the implementation of mitigation measures

**Mitigation measures:**

- Route construction traffic as far as practically possible from potentially sensitive receptors;
- Communication channels should be established to ensure prior notice to the sensitive receptor if work is to take place close to them. Information that should be provided to the potential sensitive receptor(s) include:
  - Proposed working times;
  - How long the activity is anticipated to take place;
  - What is being done, or why the activity is taking place;
  - Contact details of a responsible person where any complaints can be lodged should there be any issue of concern.
- When working near to potentially sensitive receptors, coordinate the working time with periods when the receptors are not at home where possible.
- Technical solutions to reduce the noise impact during the construction phase include:
  - Using the smallest/quie test equipment for the particular purpose. The use of smaller equipment therefore would have a significantly lower noise impact;
  - Ensuring that equipment is well-maintained and fitted with the correct and appropriate noise abatement measures.
  - No night time construction or construction related activities to take place.
  - Construction personnel must wear proper hearing protection.
- Ensure construction personnel are provided with adequate Personal Protective Equipment (PPE), where appropriate.

**Cumulative Impact**

<table>
<thead>
<tr>
<th>Without Mitigation</th>
<th>With Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extent</td>
<td>Low</td>
</tr>
<tr>
<td>Duration</td>
<td>Medium</td>
</tr>
<tr>
<td>Severity</td>
<td>Medium</td>
</tr>
<tr>
<td>Status</td>
<td>Negative</td>
</tr>
<tr>
<td>Significance</td>
<td>Medium</td>
</tr>
<tr>
<td>Probability</td>
<td>Medium</td>
</tr>
<tr>
<td>Confidence</td>
<td>High</td>
</tr>
</tbody>
</table>

Can the impact be reversed? Yes
**Will impact cause irreplaceable loss or resources?**
No.

**Can impact be avoided, managed or mitigated?**
Yes

**Mitigation measures:**
- Ensure all vehicles and machinery are in good working order. Drip trays should be placed under all stationary construction vehicles.
- Spills on soils must be cleaned up immediately and contained using oil absorbents. This should be placed in hazardous waste containers.
- No disposal of spilled products into sewers or drains.
- PPE must be worn during clean-up of hazardous spills.
- A chemical toilet must be provided for every 15 workers on site. This toilet must be secured to the ground on a level surface that is sheltered from the elements in order to prevent it from toppling over. A maintenance schedule for the removal and cleaning of these toilets must be established in order to ensure that sufficient ablution facilities for the construction staff are maintained at all times.

**Cumulative Impact**
No cumulative impacts are anticipated.

### Impact Phase: Construction

**Potential impact description:**
Large construction vehicles and equipment will alter the character of the area, exposing visual receptors to visual impacts associated with construction. The construction activities may be perceived as an unwelcome visual intrusion.

<table>
<thead>
<tr>
<th>Extent</th>
<th>Duration</th>
<th>Severity</th>
<th>Status</th>
<th>Significance</th>
<th>Probability</th>
<th>Confidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without Mitigation</td>
<td>Medium</td>
<td>Low</td>
<td>Medium</td>
<td>Negative</td>
<td>Medium</td>
<td>Medium</td>
</tr>
<tr>
<td>With Mitigation</td>
<td>Medium</td>
<td>Low</td>
<td>Medium</td>
<td>Negative</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

**Can the impact be reversed?**
Yes – after construction activities stop

**Will impact cause irreplaceable loss or resources?**
No

**Can impact be avoided, managed or mitigated?**
Yes Partially

**Mitigation measures: no specific mitigation measure, other than good site housekeeping.**
- Avoid litter and minimise waste. Adequate waste bins to be provided on site.
- Ensure all waste bins have lids on them and are emptied at a registered landfill at least once a week.
- Demarcate and limit construction area.
- Workforce training to reuse, recycle and minimise waste.

**Cumulative Impact**
No cumulative impacts are anticipated.

### Impact Phase: Construction

**Potential impact description: Socio-economic**
temporary employment opportunities may be created and afforded to local people.

<table>
<thead>
<tr>
<th>Extent</th>
<th>Duration</th>
<th>Severity</th>
<th>Status</th>
<th>Significance</th>
<th>Probability</th>
<th>Confidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without Mitigation</td>
<td>High</td>
<td>Low</td>
<td>Low</td>
<td>Positive</td>
<td>Medium</td>
<td>Medium</td>
</tr>
<tr>
<td>With Mitigation</td>
<td>High</td>
<td>Low</td>
<td>Medium</td>
<td>Positive</td>
<td>Medium</td>
<td>High</td>
</tr>
</tbody>
</table>

**Can the impact be reversed?**
Yes – after construction activities stop
**Will impact cause irreplaceable loss or resources?**

<table>
<thead>
<tr>
<th></th>
<th>No</th>
</tr>
</thead>
</table>

**Can impact be avoided, managed or mitigated?**

<table>
<thead>
<tr>
<th></th>
<th>Yes Partially</th>
</tr>
</thead>
</table>

**Mitigation measures:**

- Preference must be given to local people / contractors.
- Maximise job creation opportunities during the construction phase.
- Where the required skills do not occur locally, and where appropriate and applicable, ensure that relevant local individuals are trained.
- Ensure that an equitable percentage allocation is provided for local labour employment as well as specify the use of small-to-medium enterprises and training specifications in the Contractors contract.

- Ensure that goods and services are sourced from the local and regional economy as far as possible.

**Cumulative Impact**

No cumulative impacts are anticipated.

---

**Impact Phase: Construction**

**Potential impact description: Impacts to Heritage**

<table>
<thead>
<tr>
<th>Extent</th>
<th>Duration</th>
<th>Severity</th>
<th>Status</th>
<th>Significance</th>
<th>Probability</th>
<th>Confidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without Mitigation</td>
<td>Low</td>
<td>High</td>
<td>Medium</td>
<td>Negative</td>
<td>Medium</td>
<td>Medium</td>
</tr>
<tr>
<td>With Mitigation</td>
<td>Low</td>
<td>Low</td>
<td>Low</td>
<td>Negative</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

**Can the impact be reversed?**

No. Impact to archaeological material are irreversible. However trial holes show that likelihood of archaeological material existing is low.

**Will impact cause irreplaceable loss or resources?**

Yes. Potential resources is on all likelihood in other areas of the region. Impacts to settings too small to have significant effect.

**Can impact be avoided, managed or mitigated?**

Yes

**Mitigation measures:**

- Should any archaeological materials or heritage resources be found during construction, all work is to be stopped immediately, area is to be cordoned off and an archaeologist contacted immediately to assess the area.

**Cumulative Impact**

Slight increase in the size of the urban area which will have a moderate impact on natural qualities.

---

**Impact Phase: Construction**

**Potential impact description: Increased Traffic and congestion**

<table>
<thead>
<tr>
<th>Extent</th>
<th>Duration</th>
<th>Severity</th>
<th>Status</th>
<th>Significance</th>
<th>Probability</th>
<th>Confidence</th>
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<tbody>
<tr>
<td>Without Mitigation</td>
<td>Low</td>
<td>High</td>
<td>Medium</td>
<td>Neutral</td>
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<tr>
<td>With Mitigation</td>
<td>Low</td>
<td>High</td>
<td>Low</td>
<td>Neutral</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

**Can the impact be reversed?**

Yes – when construction ends

**Will impact cause irreplaceable loss or resources?**

No

**Can impact be avoided, managed or mitigated?**

Yes - with the implementation of mitigation measures.

**Mitigation measures:**
- During the construction phase, suitable parking areas should be created and designated for construction trucks and vehicles.
- A construction supervisor should be appointed to co-ordinate construction traffic during the construction phase (by drawing up a traffic plan prior to construction).
- Road barricading should be undertaken where required and road safety signs should be adequately installed at strategic points within the construction site.

**Cumulative Impact**

<table>
<thead>
<tr>
<th></th>
<th>Slight increase in traffic and congestion during the construction phase. During the operational phase, traffic will increase slightly as landowners take up occupancy of the houses.</th>
</tr>
</thead>
</table>

**Operational Phase Impact Assessment**

**Impact Phase: Operational**

**Potential impact description:** Visual impact of the constructed housing developments

<table>
<thead>
<tr>
<th>Without Mitigation</th>
<th>With Mitigation</th>
<th>Can the impact be reversed?</th>
<th>Will impact cause irreplaceable loss or resources?</th>
<th>Can impact be avoided, managed or mitigated?</th>
<th>Mitigation measures:</th>
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<tbody>
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<td>Extent</td>
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<td>Medium</td>
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<tr>
<td>Can the impact be reversed?</td>
<td>Yes</td>
<td>No</td>
<td>Partially.</td>
<td>- Heritage Western Cape to follow through on recommendations of the Baboon Point CMP with a view towards promulgating the recommended buffer zone and developing guidelines for appropriate development.</td>
<td></td>
</tr>
<tr>
<td>Will impact cause irreplaceable loss or resources?</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Can impact be avoided, managed or mitigated?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Mitigation measures:</td>
<td>- Heritage Western Cape to follow through on recommendations of the Baboon Point CMP with a view towards promulgating the recommended buffer zone and developing guidelines for appropriate development.</td>
<td>- The residential development should not contrast with the existing architecture and style.</td>
<td>- If possible, houses should be single storey.</td>
<td>- Heritage Western Cape to follow through on recommendations of the Baboon Point CMP with a view towards promulgating the recommended buffer zone and developing guidelines for appropriate development.</td>
<td></td>
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</tbody>
</table>

**Impact Phase: Operational**

**Potential impact description:** Socio Economic

In the form of job creation and increased business for the local economy and the municipality in the form of rates and taxes.

<table>
<thead>
<tr>
<th>Without Mitigation</th>
<th>With Mitigation</th>
<th>Can the impact be reversed?</th>
<th>Will impact cause irreplaceable loss or resources?</th>
<th>Can impact be avoided, managed or mitigated?</th>
<th>Mitigation measures:</th>
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<tbody>
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<tr>
<td>Can the impact be reversed?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Will impact cause irreplaceable loss or resources?</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Can impact be avoided, managed or mitigated?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Mitigation measures:</td>
<td>- Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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</tbody>
</table>
Use and support of local businesses / suppliers / contractors

| Cumulative Impact | Positive cumulative effect on the local economy |

Note: The EAP may decide to include this section as Appendix J to the BAR.

(a) Provide a summary of the site selection matrix.

No site selection matrix was undertaken. No site alternatives have been proposed for this project as the purpose of this application is for the development of residential houses and an access road on Erf 195 (now subdivided into 11 portions). No activity alternatives have been investigated for this project as Land Use Planning Ordinance, No. 15 of 1985 ("LUPO") and the Municipal Ordinance, No. 20 of 1974 approvals for the Closure of Public Open Space, Rezoning and Subdivision of Erf 195 has been granted for the development of residential housing.

(b) Outcome of the site selection matrix.

Not Applicable

13.3 Specialist inputs/studies, Findings and Recommendations

Note: Specialist inputs/studies must be attached to this report as Appendix G and must comply with the content requirements set out in Appendix 6 of the EIA Regulations, 2014 (as amended). Also take into account the Department’s Circular EADP 0028/2014 (dated 9 December 2014) on the “One Environmental Management System” and the EIA Regulations, 2014, any subsequent Circulars, and guidelines available on the Department’s website (http://www.westerncape.gov.za/eadp).

Provide a summary of the findings and impact management measures identified in any specialist report and an indication of how these findings and recommendations have been included in the BAR.

Heritage Impact Assessment

A heritage impact assessment was completed and found that in heritage terms the development will not impact views from or to the Baboon Point Provincial Heritage Site and due to its small size and limited bulk will not be unreasonably noticeable from the Baboon Point PHS. The Baboon Point Conservation management plan has recommended that a buffer zone (which includes the project area within the recognised residential area designated as least sensitive) be formally promulgated along with architectural guidelines however neither has been taken forward to date. Being situated outside of a heritage or urban conservation area there are no local heritage indicators that suggest or mandate the use of a particular architectural style.

Erf 721 of the sub-divided 195 was considered to be potentially archaeologically sensitive in terms of buried heritage, however the surface indicators could not be deemed to be securely archaeological in origin as historic camping or gull drops may have played a role. A series of trail excavations revealed that the area of the find was sterile below surface and likely to not be archaeological in origin. Campers, bait collection and gull drops being the likely origin of the shell. Appendix E1 has the full Heritage Impact Assessment Report. Comment from HWC was received, and included as part of Appendix E1(a). HWC support the proposed development with the only condition being "any occurrences of human remains or any archaeological material found during construction must be immediately reported to an archaeologist",

Botanical Impact Assessment

Two vegetation types were identified at Erf 195 Eland’s Bay. The first is Lamberts Bay Strandveld and the second is Cape Seashore Vegetation, occurring as a narrow band at the high-water mark mostly off Erf 195. Lamberts Bay Strandveld is the dominant vegetation. This vegetation is still intact over approximately 50 per cent of the erf but has been lost or heavily disturbed in the remaining 50 per cent due to invasion and subsequent clearing of woody alien invasive trees and due to human pressure (parking area, track and footpaths).
The Lambert’s Bay Strandveld is at the southern extreme of its distribution at Erf 195 and although 54 plant species were recorded at the site (including those of Cape Seashore Vegetation and 5 invasive exotic species) the vegetation is not considered to be botanically sensitive at the site.

Not many geophytes were noted during the survey. However, the Ferraria sp. that was recorded was not identified but is most likely to be Ferraria foliosa, a species typically found on coastal sand dunes that is known from Eland’s Bay. This species is listed as Near Threatened in the Red List of South African Plants (Raimondo et al. 2009). The striking Babiana hirsuta with red flowers (pictured below) was recorded at various places in the Lambert’s Bay Strandveld within the boundary of Erf 195. This species is also listed as Near Threatened.

Babiana hirsuta – a coastal species that is listed as Near Threatened

Should the vegetation on Erf 195 Eland’s Bay be protected from human activity and if all the woody alien trees (Acacia cyclops and Myoporum tenuifolium) were removed, the condition of the vegetation and habitat would improve. However, it is unlikely that people would be prevented from using the central part of Erf 195 as a parking area and from using the footpaths for access to the beach. In the medium to long term, if the site was not developed, it would degrade further to a certain extent, but the coastal vegetation is resilient so it is unlikely to be completely lost in the ‘no development’ scenario even if there is disturbance.

Given that the intention is to develop the entire area of Erf 195 for residential purposes, all natural vegetation would be removed. In this case, search and rescue of geophytes in particular is advocated. The two geophytes mentioned above, B. hirsuta and F. foliosa should be targeted for relocation to other suitable receptor sites since both are species that require conservation intervention.

Botanical Conclusion

The proposal to develop Erf 195 Elands Bay is supported from a botanical perspective. The anticipated direct impact at a local scale is Medium Negative but the loss of vegetation and flora can be mitigated by focused ‘Search and Rescue’ which, in this case, would lower the impact to Low Negative. It is recommended that as a condition of authorisation, the Environmental Authorisation for the proposed development should specify that plants of Babiana hirsuta (in particular – since they are easily recognized) and Ferraria cf. foliosa (if possible) should be removed prior to any development activities occurring on the site and relocated to a suitable site (‘safe site’) with the same habitat conditions outside the erf safe site. This should be carried out by a qualified horticulturalist or ecological restoration specialist.

13.4 ENVIROMENTAL IMPACT STATEMENT

Provide an environmental impact statement of the following:

i. A summary of the key findings of the EIA.

The environmental authorisation is therefore for the development of 10 residential houses of individual footprints of approximately 150 m² and 8 m wide access road (to be named Mountain Close) within Elands Bay, including the associated services for power and water supply.
During December 2014, Cederberg Municipality advertised pockets of land (owned by the municipality) for sale within various areas of the municipality for the purposes of Economic Housing opportunities, amongst others. The need to alienate the underutilized properties in this case was aimed at generating capital to sustain the municipality. Land parcels were sold on public tender, and the bid for a Proposal Call on Erf 195 in Elands Bay, was successfully awarded to Fair Resort Properties (hereafter referred to as "the Applicant").

In 2015, the Applicant submitted an application to obtain land use rights in terms of the Land Use Planning Ordinance, No. 15 of 1985 ("LUPO") and the Municipal Ordinance, No. 20 of 1974. In this regard, the Applicant submitted an application for the following:

- The closure of the public place located on Erf 195 that was zoned as "Open Space Zone 1" in order to establish a residential development on the property.
- The rezoning of Erf No. 195 from "Open Space Zone 1" to "Subdivisional Area" to accommodate the zonings of "Residential Zone 1" and "Transport Zone II" in Erf 195.
- The subdivision of Erf No. 195 into eleven (11) portions, with Portion 1 – 10 zoned as "Residential Zone 1" to develop properties, and a Portion 11 zoned as "Transport Zone II" for the development of a public road for access to the properties.

Approval for the Closure of the Public Open Space, Rezoning and Subdivision of Erf 195 was granted to the Applicant on 4th June 2015 by the municipality (refer to Municipal Approval attached as Appendix E1) after a thorough Public Participation Process was undertaken. In this regard, Erf 195 has been subdivided into eleven (11) portions; Portion 1 – 10 (Erfs 713 – 722) zoned as Residential Zone 1 to develop properties that consists of erf sizes ranging from approximately 348m² to 497m² and a Portion 11 (Erf 723) that will be used as an access road as per the Proposed Subdivision Plan Ref: 60008 layout dated March 2015, drawn by Middleton Geomatics (refer to Appendix E1). For the purposes of this Application, the applicable property (i.e. Erf 195 now subdivided into 11 portions; Erfs 713 – 723) will still be referred to collectively as Erf 195 or the proposed development site.

The Cederberg Municipality has granted permission for the transfer of ownership of the subdivided erf parcels from the Applicant, to new owners. It is the Applicant’s intention to transfer all of the subdivided erf parcels to new owners for the development of residential housing, however the Applicant is responsible for the installation of all services to the erf parcels before any residential housing construction will take place. In addition, individual owners will need to submit building plans for the individual residential homes to be built on each site. The residential housing developments are proposed to be in line with the surrounding residential housing in terms of design and layout (i.e. a number of houses in the vicinity of a cul-de-sac road).

Key findings of the impact assessment contained in the BAR are included below:

**Construction phase impacts identified by the Basic Assessment Process include:**

- Potential for Soil Erosion;
- Loss of or damage to Vegetation;
- Impact of litter/waste pollution from the activities and construction workers on site on the surrounding environment;
- Job creation;
- Wind-blown dust;
- Impact of construction activities on surrounding roads and traffic flows;
- Impact of construction activities on visual aesthetics of the surrounding environment;
- Noise Impacts; and
- Impact on cultural heritage aspects.

**Operational phase impacts identified by the Basic Assessment Process include:**

- Impact of potential soil erosion;
- Impact of the proposed development on visual aesthetics of the surrounding environment;
- Job creation; and
- Impact of increased revenue to the local economy.

The proposed development will result in no unacceptable biophysical and socio-economic impacts, after mitigation. No (post mitigation) impacts of high negative significance will occur as a result of the implementation of the proposed activity during either the construction or operational phase.

Negative impacts on the socio-economic environment are mainly limited to the construction phase and will be of low to very low negative significance with mitigation measures. The proposed development has positive socio-economic impacts of low significance in the construction phase, in terms of job creation, and positive impacts of very low significance in terms of increased revenue into the local economy as well as to the national fiscus during the operational phase.

The implementation of the "No-Go" alternative would have a negative impact of very low significance in terms of the opportunity cost of lost increased revenue to local economy and national fiscus, as well as a low negative impact of job losses.
ii. Has a map of appropriate scale been provided, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers? [YES]

iii. A summary of the positive and negative impacts that the proposed development and alternatives will cause in the environment and community.

Construction phase impacts identified by the Basic Assessment Process include:
- Potential for Soil Erosion;
- Loss of or damage to Vegetation;
- Impact of litter/waste pollution from the activities and construction workers on site on the surrounding environment;
- Job creation;
- Wind-blown dust;
- Impact of construction activities on surrounding roads and traffic flows;
- Impact of construction activities on visual aesthetics of the surrounding environment;
- Noise Impacts; and
- Impact on cultural heritage aspects.

Operational phase impacts identified by the Basic Assessment Process include:
- Impact of potential soil erosion;
- Impact of the proposed development on visual aesthetics of the surrounding environment;
- Job creation; and
- Impact of increased revenue to the local economy.

13.5 IMPACT MANAGEMENT, MITIGATION AND MONITORING MEASURES

(a) Based on the assessment, describe the impact management, mitigation and monitoring measures as well as the impact management objectives and impact management outcomes included in the EMP. The EMP must be attached to this report as Appendix H.

The EMP addresses the environmental impacts identified in this report, associated with the proposed development. The objectives of the EMP is to provide detailed information that will advise the planning of the proposed development in order to avoid and reduce potential impacts during construction. The following management objectives are recommended:
- Search, rescue and relocate indigenous vegetation. A specialist must be appoint to undertake this, prior to the start of any construction.
- Design of the houses should take into consideration the surrounding existing community and infrastructure, and should be in line with what is currently there.
- Monitor and prevent contamination of the natural environment
- Promote health and safety of workers
- Limit noise and visual impacts during construction.
- Limit dust and ensure use of dust suppression.

(b) Describe any provisions for the adherence to requirements that are prescribed in a Specific Environmental Management Act relevant to the listed activity or specified activity in question.

Not Applicable

(c) Describe the ability of the applicant to implement the management, mitigation and monitoring measures.
The applicant has current and prior experience in EIA sensitive areas in past developments and has practical knowledge and a background in management, the mitigation and monitoring of measures during the civil services and building phases.

Further precautionary measures will be included and implemented in all service providers’ service contracts, with constant on site monitoring through both professionals and in house.

(d) Provide the details of any financial provisions for the management of negative environmental impacts, rehabilitation and closure of the proposed development.

Due to the size of the proposed development, there are no financial provisions, other than those included in the tender documents, for contractors to comply with the EMPR. The applicant will ensure that the appointed contractors are aware of the requirement of the EMPR and the Environmental Authorisation, and these will be included in all tender documentation. Contractors must ensure and demonstrate they have the financial provision to ensure compliance with the EMPR and EA.

(e) Describe any assumptions, uncertainties, and gaps in knowledge which relate to the impact management, mitigation and monitoring measures proposed.

Uncertainties form part of any proposed development with regards to the actual degree of impact that the development will have. Any actual and/or site specific results will only be determined once construction of the development has commenced and the effectiveness of the measures and realised.
### SECTION H: RECOMMENDATIONS OF THE EAP AND SPECIALISTS

#### (a) In my view as the appointed EAP, the information contained in this BAR and the documentation attached hereto is sufficient to make a decision in respect of the listed activity(ies) applied for.

**YES ✓**

#### (b) If the documentation attached hereto is sufficient to make a decision, please indicate below whether, in your opinion, the listed activity(ies) should or should not be authorised:

<table>
<thead>
<tr>
<th>Listed activity(ies) should be authorised:</th>
<th>YES ✓</th>
</tr>
</thead>
</table>

**Provide reasons for your opinion**

The proposed development will result in no unacceptable biophysical and socio-economic impacts, after mitigation. The proposed development (through providing permanent/holiday housing) will not compromise the integrity of the existing IDP and SDF, but should benefit the municipality via contributions into the tourism sector and local town economy. The proposed project addresses a local need. “The need and desirability for the housing development is of high priority for the Municipality due to the lack of availability of developed residential erven with reference to demand and Cederberg municipal community needs, taking into account budgetary constraints. The municipality is also in need of funding that is created by the sale of land. Jobs will be created with the proposed development in the area of Eland’s Bay during the installation of services and building of house, thus unlocking the potential for economic growth and development”.

#### (c) Provide a description of any aspects that were conditional to the findings of the assessment by the EAP and Specialists which are to be included as conditions of authorisation.

**No Conditional aspects to be included.**

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

*Babiana hirsuta* and *Ferraria cf. foliosa* (if possible) should be removed prior to any development activities occurring on the site and relocated to a suitable site (“safe site”) with the same habitat conditions outside the erf safe site. This should be carried out by a qualified horticulturalist or ecological restoration specialist.

All mitigation measures and management actions as contained in the EMPr must be implemented during the construction of the proposed development.

#### (e) Please indicate the recommended periods in terms of the following periods that should be specified in the environmental authorisation:

<table>
<thead>
<tr>
<th>Period</th>
<th>Duration</th>
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<tbody>
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<td>i.</td>
<td>Two years</td>
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<tr>
<td>ii.</td>
<td>20 years</td>
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<tr>
<td>iii.</td>
<td>20 years</td>
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<tr>
<td>iv.</td>
<td>Lifetime, for housing development.</td>
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</table>
## SECTION I: APPENDICES

The following appendices must be attached to this report:

<table>
<thead>
<tr>
<th>APPENDIX</th>
<th>Description</th>
<th>Confirm that Appendix is attached</th>
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</thead>
<tbody>
<tr>
<td>Appendix A:</td>
<td>Locality map</td>
<td>✓</td>
</tr>
<tr>
<td>Appendix B:</td>
<td>Site development plan(s)</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>A map of appropriate scale, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffer areas;</td>
<td>✓</td>
</tr>
<tr>
<td>Appendix C:</td>
<td>Photographs</td>
<td>✓</td>
</tr>
<tr>
<td>Appendix D:</td>
<td>Biodiversity overlay map</td>
<td>✓</td>
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<tr>
<td>Appendix E:</td>
<td>Permit(s) / license(s) from any other Organ of State, including service letters from the municipality.</td>
<td>✓</td>
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<tr>
<td></td>
<td>Appendix E1: Copy of comment from HWC.</td>
<td>✓</td>
</tr>
<tr>
<td>Appendix F:</td>
<td>Public participation information: including a copy of the register of I&amp;APs, the comments and responses report, proof of notices, advertisements and any other public participation information as is required in Section C above.</td>
<td>✓</td>
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<tr>
<td>Appendix G:</td>
<td>Specialist Report(s)</td>
<td>✓</td>
</tr>
<tr>
<td>Appendix H:</td>
<td>EMPr</td>
<td>✓</td>
</tr>
<tr>
<td>Appendix I:</td>
<td>Additional information related to listed waste management activities (if applicable)</td>
<td></td>
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<tr>
<td>Appendix J:</td>
<td>If applicable, description of the impact assessment process followed to reach the proposed preferred alternative within the site.</td>
<td></td>
</tr>
<tr>
<td>Appendix K:</td>
<td>Any Other (if applicable).</td>
<td></td>
</tr>
</tbody>
</table>
16 SECTION J: DECLARATIONS

THE APPLICANT

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

I ....John Mountain............... in my personal capacity or duly authorised thereto, hereby declare/affirm all the information submitted as part of this Report is true and correct, and that I -

- am aware of and understand the content of this report;
- am fully aware of my responsibilities in terms of the NEMA, the EIA Regulations in terms of the NEMA (Government Notice No. R. 982, refers) (as amended) and any relevant specific environmental management Act and that failure to fulfil these requirements may constitute an offence in terms of relevant environmental legislation;
- have provided the EAP and Specialist, Review EAP (if applicable), and Review Specialist (if applicable), and the Competent Authority with access to all information at my disposal that is relevant to the application;
- will be responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority;
- will be responsible for the costs incurred in complying with the conditions that may be attached to any decision(s) issued by the Competent Authority;

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

Signature of the Applicant: 

Name of Organisation: Fair Resort Properties

Date: 10 November 2017
I …..Ashlin Bodasing……………………., as the appointed EAP hereby declare/affirm:

- the correctness of the information provided as part of this Report;
- that all the comments and inputs from stakeholders and I&APs have been included in this Report;
- that all the inputs and recommendations from the specialist reports, if specialist reports were produced, have been included in this Report;
- any information provided by me to I&APs and any responses by me to the comments or inputs made by I&APs;
- that I have maintained my independence throughout this EIA process, or if not independent, that the review EAP has reviewed my work (Note: a declaration by the review EAP must be submitted);
- that I have throughout this EIA process met all of the general requirements of EAPs as set out in Regulation 13;
- I have throughout this EIA process disclosed to the applicant, the specialist (if any), the Department and I&APs, all material information that has or may have the potential to influence the decision of the Department or the objectivity of any report, plan or document prepared as part of the application;
- have ensured that information containing all relevant facts in respect of the application was distributed or was made available to I&APs and that participation by I&APs was facilitated in such a manner that all I&APs were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all I&APs were considered, recorded and submitted to the Department in respect of the application;
- have ensured the inclusion of inputs and recommendations from the specialist reports in respect of the application, if specialist inputs and recommendations were produced;
- have kept a register of all I&APs that participated during the PPP; and
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014 (as amended).

Signature of the EAP:  

[Signature]

Name of Company: Arcus Consultancy Services Pty Ltd  

Date: 10 November 2017