



# FINAL BASIC ASSESSMENT REPORT

for

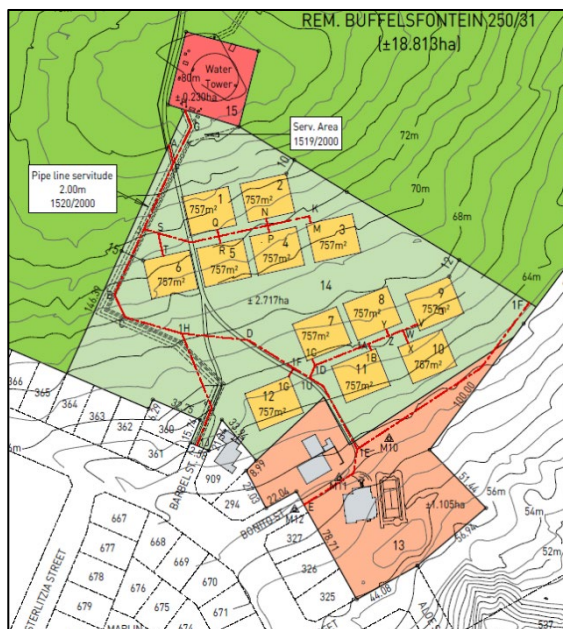
## ORBAAI VILLAGE

on

A Portion of Portion 31 of Farm Buffelsfontein 250,  
Mossel Bay Municipal District

In terms of the

National Environmental Management Act (Act No. 107  
of 1998, as amended) & 2014 Environmental Impact  
Regulations



**Prepared for Applicant:** Orbaai (Pty) Ltd

**Date:** 8 May 2023

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**Report Reference:** MOS735/09

**Department Reference:** 16/3/3/1/D6/3/0003/23

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**PURPOSE OF THIS REPORT:**

Final Basic Assessment Report

**APPLICANT:**

Orbaai (Pty) Ltd

**CAPE EAPRAC REFERENCE NO:**

GEO735/09

**SUBMISSION DATE**

08 May 2023

**PUBLIC PARTICIPATION**


A Draft Basic Assessment Report was available for public review and comment for a period of 30-days, extending from 20 February 2023 – 22 March 2023. All submissions received during this period have been considered and are reflected in this FBAR.

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## APPROVAL FOR RELEASE

| NAME                   | TITLE | SIGNATURE   |
|------------------------|-------|---|
| Ms Louise-Mari van Zyl | Ms    |  |

## DISTRIBUTION

| DESIGNATION   | NAME                            | EMAIL / FAX           |
|---------------|---------------------------------|-----------------------|
| DEADP, George | Shireen Pullen & Admin Registry | Electronic submission |

# FINAL BASIC ASSESSMENT REPORT

in terms of the  
National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended &  
Environmental Impact Regulations 2014

## ORBAAI VILLAGE

### **A Portion of Portion 31 of Farm Buffelsfontein 250, Mossel Bay District**

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- 
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- 
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## 1. CONTENT OF BASIC ASSESSMENT REPORTS

Appendix 1 of the 2014 EIA Regulations (as amended) contains the required contents of a Basic Assessment Report. The checklist below serves as a summary of how these requirements were incorporated into this Basic Assessment Report.

| <b>Requirement</b>  | <b>Details</b>  |
|---|---|
| <p>(a) <i>Details of -</i></p> <p>(i) <i>The EAP who prepared the report; and</i></p> <p>(ii) <i>The expertise of the EAP, including, curriculum vitae.</i></p> <p>(iii) <i>Applicant Details</i></p>   | <p>Ms Louise-Mari van Zyl<br/>MA Geography &amp; Environmental Science [US],<br/>with over twenty years' experience as an<br/>environmental practitioner. EAPSA, Registration<br/>Number 2019/1444</p> <p>Orbaai (Pty) Ltd<br/>PO Box 1889<br/>Mossel Bay, 6500<br/>Email: <a href="mailto:dianne@oatravel.co.za">dianne@oatravel.co.za</a></p> |
| <p>(b) <i>The location of the activity, including –</i></p> <p>(i) <i>The 21 digit Surveyor General code of each cadastral land parcel;</i></p> <p>(ii) <i>Where available, the physical address and farm name;</i></p> <p>(iii) <i>Where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties.</i></p>   | <p>C0510000000025000031</p> <p>Portion 31 of farm Buffelsfontein 250</p>  |
| <p>(c) <i>a plan which locates the proposed activity or activities applied for as well as the associated structures and infrastructure at an appropriate scale, or, if it is</i></p> <p>(i) <i>A linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or</i></p> <p>(ii) <i>On land where the property has not been defined, the coordinates within which the activity is to be undertaken.</i></p> | <p>Refer to Appendix A &amp; B for location &amp; site plan</p>   |
| <p>(d) <i>a description of the scope of the proposed activity, including -</i></p> <p>(i) <i>All listed and specified activities triggered and being applied for; and</i></p> <p>(ii) <i>A description of the activities to be undertaken including associated structures and infrastructure.</i></p>   | <p>Refer to main report</p>   |
| <p>(e) <i>A description of the policy and legislative context within which the development is proposed, including –</i></p> <p>(i) <i>An identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks, and instruments that are applicable to this activity</i></p>   | <p>Refer to main report</p>   |

| Requirement  | Details              |
|--|----------------------|
| <p><i>and have been considered in the preparation of the report; and</i></p> <p><i>(ii) How the proposed activity complies with and responds to the legislation and policy context, plans, guidelines, tools frameworks and instruments.</i></p>   |                      |
| <p><i>(f) A motivation for the need and desirability for the proposed development, including the need and desirability of the activity in the context of the preferred location.</i></p>   | Refer to main report |
| <p><i>(g) A motivation for the preferred site, activity and technology alternative.</i></p>  | Refer to main report |
| <p><i>(h) A full description of the process followed to reach the proposed preferred alternative within the site, including -</i></p> <ul style="list-style-type: none"> <li><i>(i) Details of all alternatives considered;</i></li> <li><i>(ii) Details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;</i></li> <li><i>(iii) A summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;</i></li> <li><i>(iv) The environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</i></li> <li><i>(v) 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: <ul style="list-style-type: none"> <li><i>(aa) can be reversed;</i></li> <li><i>(bb) may cause irreplaceable loss of resources; and</i></li> <li><i>(cc) can be avoided, managed or mitigated.</i></li> </ul> </i></li> <li><i>(vi) The methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives;</i></li> <li><i>(vii) Positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</i></li> <li><i>(viii) The possible mitigation measures that could be applied and level of residual risk;</i></li> <li><i>(ix) The outcome of the site selection matrix;</i></li> <li><i>(x) If no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and</i></li> </ul> | Refer to main report |

| <b>Requirement</b>  | <b>Details</b>                               |
|---|--|
| (xi) <i>A concluding statement indicating the preferred alternatives, including preferred location of the activity.</i>   |  |
| (i) <i>A full description of the process undertaken to identify, assess and rank the impacts the activity will impose on the preferred location through the life of the activity, including –</i><br>(ii) <i>A description of all environmental issues and risks that were identified during the environmental impact assessment process; and</i><br>(iii) <i>An assessment of the significance of each issue and risk and an indication of the extent to which the issue and risk could be avoided or addressed by the adoption of mitigation measures.</i>  | Refer to main report                         |
| (j) <i>An assessment of each identified potentially significant impact and risk, including -</i><br>(i) <i>Cumulative impacts;</i><br>(ii) <i>The nature, significance and consequences of the impact and risk;</i><br>(iii) <i>The extent and duration of the impact and risk;</i><br>(iv) <i>The probability of the impact and risk occurring;</i><br>(v) <i>The degree to which the impact and risk can be reversed;</i><br>(vi) <i>The degree to which the impact and risk may cause irreplaceable loss of resources; and</i><br>(vii) <i>The degree to which the impact and risk can be mitigated.</i> | Refer to main report                         |
| (k) <i>Where applicable, a summary of the findings and impact management measures identified in any specialist report complying with Appendix 6 to these Regulations and an indication as to how these findings and recommendations have been included in the final assessment report.</i>  | Refer to main report                         |
| (l) <i>An environmental impact statement which contains:</i><br>(i) <i>A summary of the key findings of the environmental impact assessment;</i><br>(ii) <i>A map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and</i><br>(iii) <i>A summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.</i>   | Refer to main report                         |
| (m) <i>Based on the assessment, and where applicable, impact management measures from specialist reports, the recording of proposed impact management objectives, and the impact management outcomes for the development for inclusion in the EMPr.</i>   | Refer to main report and Appendix H for EMPr |
| (n) <i>Any aspects which were conditional to the findings of the assessment either by the EAP or specialist</i>   | Refer to main report                         |

| <b>Requirement</b>  | <b>Details</b>                     |
|---|------------------------------------|
| <i>which are to be included as conditions of authorisation.</i>   |                                    |
| <i>(o) A description of assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed.</i>   | Refer to main report               |
| <i>(p) A reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation.</i>  | Refer to main report               |
| <i>(q) Where the proposed activity does not include operational aspects, the period for which the environmental authorisation is required, the date on which the activity will be concluded and the post construction monitoring requirements finalised.</i>  | Refer to main report               |
| <i>(r) An undertaking under oath or affirmation by the EAP in relation to:</i><br><i>(i) The correctness of the information provided in the reports;</i><br><i>(ii) The inclusion of comments and inputs from stakeholders and I&amp;APs;</i><br><i>(iii) The inclusion of inputs and recommendations from the specialist reports where relevant; and</i><br><i>(iv) Any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties.</i> | Refer to main report               |
| <i>(s) Where applicable, details of any financial provisions for the rehabilitation, closure and ongoing post decommissioning management of negative environmental impacts.</i>   | Not applicable to this application |
| <i>(t) Any specific information that may be required by the competent authority.</i>  |                                    |
| <i>(u) Any other matters required in terms of section 24(4)(a) and (b) of the Act.</i>  |                                    |



## BASIC ASSESSMENT REPORT

**THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND  
THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS.**

**NOVEMBER 2019**

| (For official use only)                           |  |
|---|--|
| Pre-application Reference Number (if applicable): |  |
| EIA Application Reference Number:                 |  |
| NEAS Reference Number:                            |  |
| Exemption Reference Number (if applicable):       |  |
| Date BAR received by Department:                  |  |
| Date BAR received by Directorate:                 |  |
| Date BAR received by Case Officer:                |  |

### GENERAL PROJECT DESCRIPTION

(This must include an overview of the project including the Farm name/Portion/Erf number)

Portion 31 Buffelsfontein 250 (Boggomsbaai, Mossel Bay Municipal District) is roughly +/-23ha in size of which the Applicant wishes to subdivide and rezone approximately 4.9ha that falls within the designated 'urban edge' of Boggomsbaai (as per the 2022 Spatial Development Framework), to allow for a low density residential development.

Prior to the public participation process, the preferred alternative allowed for:

- Residential development consisting of **13 single residential Zone I erven** (dwelling houses) on +/-0.9ha,
- internal **private open space** (approximately 2.6ha) and
- **utility services** (roads / services).

- allocate Business Zone III rights for a **neighbourhood shop**, with added **flatlets** on the first floor on 0.3ha where the **existing house** is on the property (Figure 2 – Yellow);
- General Residential Zone V for the existing **Sandpiper Leisure Centre** with four (4) added **guest rooms** sleeping eight (8) people, on 0.85ha (Figure 2 – Purple).
- Access was intended to be via Barbel and Bonito Streets (existing Municipal Streets).

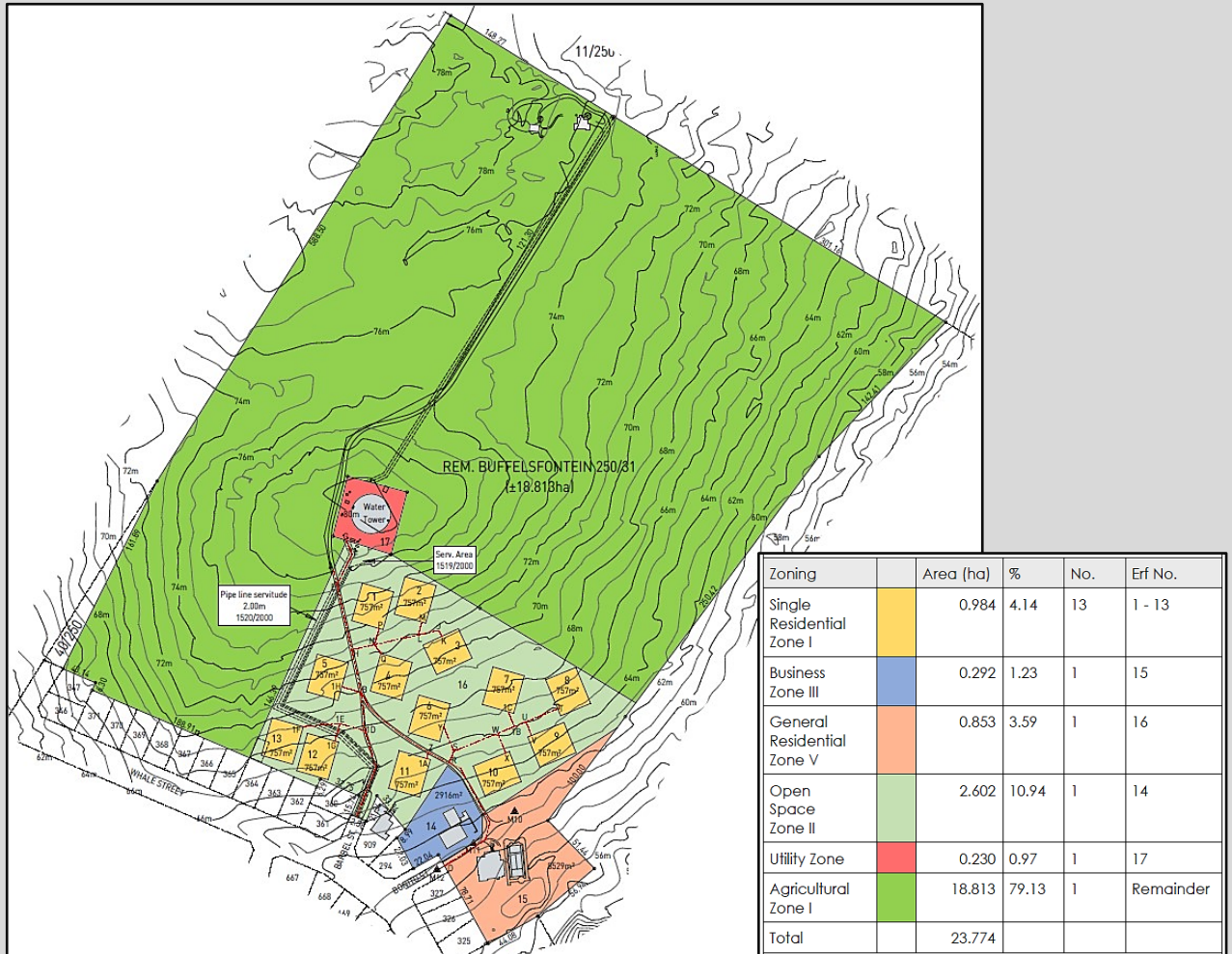


Figure 1: Preferred alternative proposal for Orbaai Village (Version 1) (Source: Marlize de Bruyn Planning).

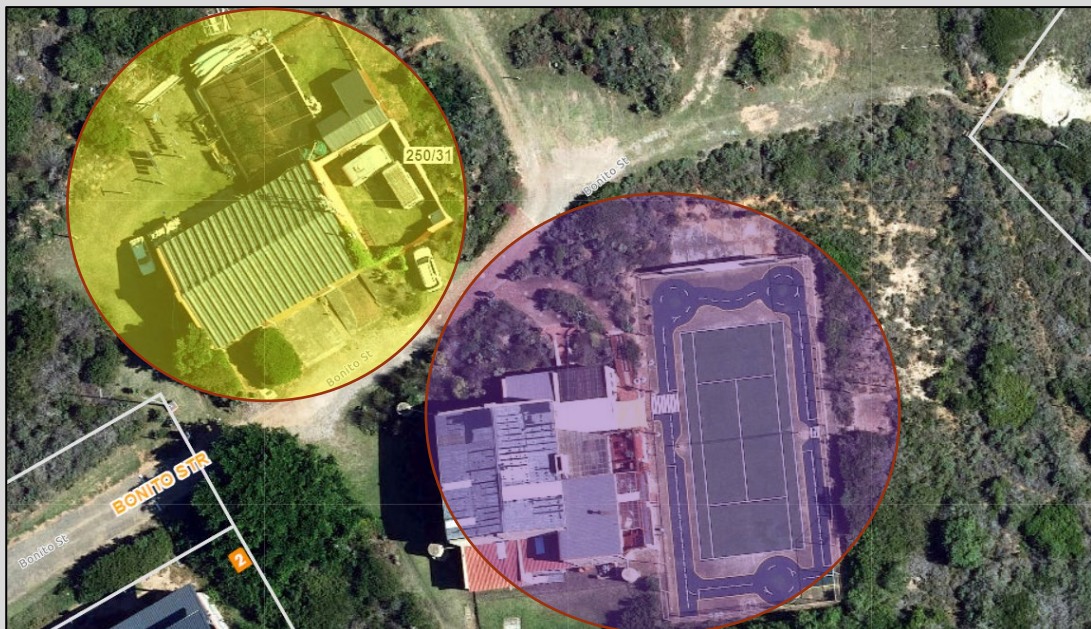
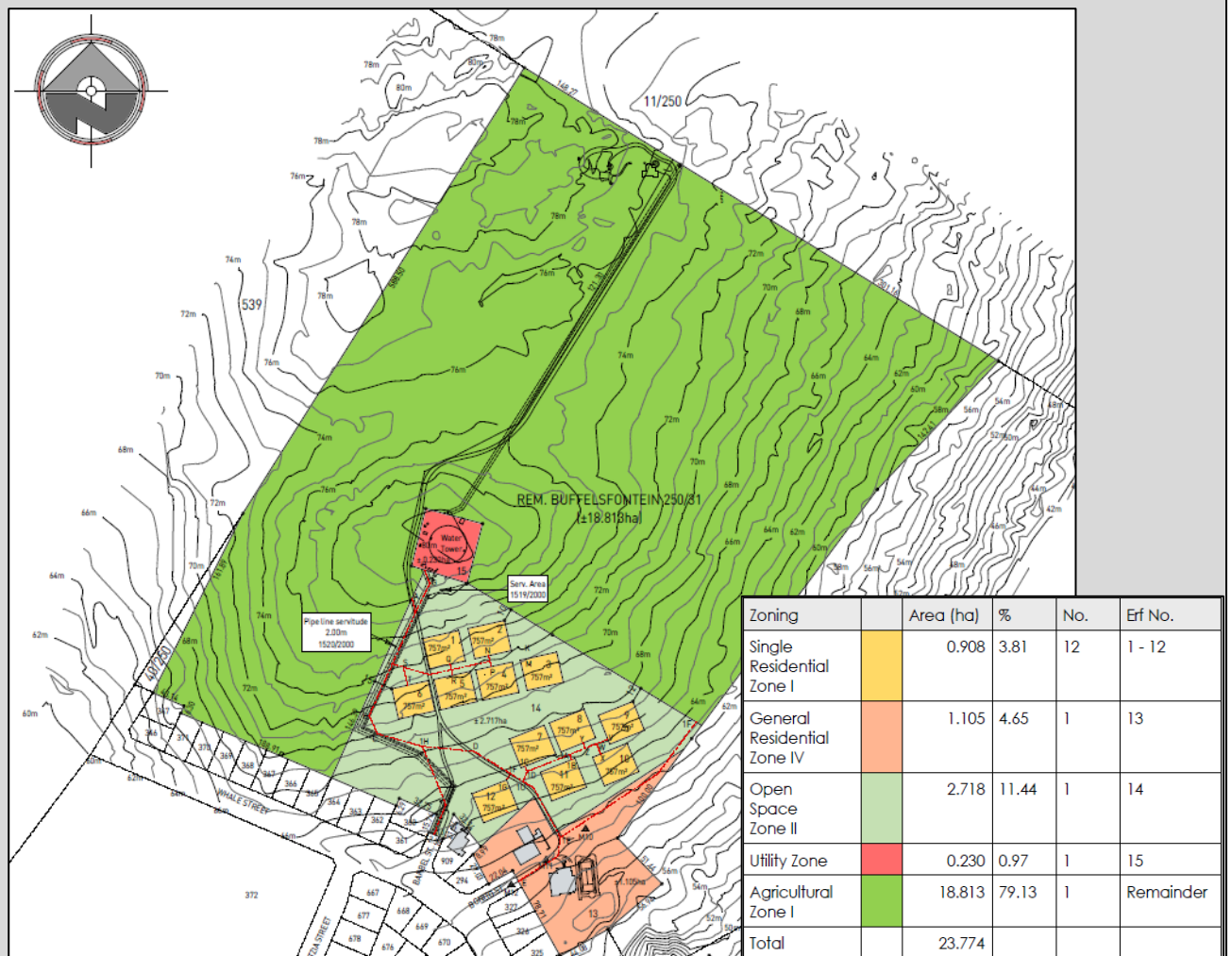


Figure 2: Existing structures on the property to be converted and incorporated as part of the development.

Following the outcome of the Public Participation phase, the **Preferred Alternative was further mitigated** to address some, if not most of the issues/concerns identified by stakeholders (Figure 3):

- **Twelve (12) Single Residential Zone I erven** instead of thirteen (13).
- **One (1) General Residential IV erf** instead of Business Zone III & General Residential V erven. Proposed guest lodge (not hotel) with three additional guestrooms and consent use for the existing Sandpiper Centre.
- The **Internal Gravel Roads** to the water reservoir to follow the existing pipeline servitude around the proposed erven. Another small internal gravel road is proposed to access the north-eastern side of the proposed development site (better fire management).
- The **positions of the twelve (12) erven** are also slightly altered to accommodate for firebreaks, an internal minor corridor, a greater buffer between existing erven and proposed erven, as well as setback from the medium sensitivity area near the reservoir. The erven are now clustered into two nodes rather than being scattered.
- Main access will only be via Bonito Street (existing access to Sandpiper Centre) instead of having two accesses.



**Figure 3: Mitigated Preferred Alternative (Version 2) (Source: Marlize de Bruyn Planning).**

The remainder of the property (+/-18.8ha) will stay as Agriculture I (current zoning) falling outside of the 'urban edge' (Figure 3). De Bruyn (2022) confirmed that the property is within the old Guide Plan designation for urban areas thus Act 70 of 70 does not apply to this application (Figure 4). DEA&DP: DEVELOPMENT MANAGEMENT (REGION 3) also confirmed that the property was included in the Mossel Bay/Riversdal Regional Structure Plan, 1994. The property was designated as 'Urban



Development' and is therefore exempt from the provisions of the subdivision of Agricultural Land Act 70 of 1970 (Appendix J).



**Figure 4: Overlay of the original Guide Plans for the greater Mossel Bay area showing the site within the designated urban areas (Source: De Bruyn 2022 pers comm).**

Existing municipal water supply (from existing on-site municipal reservoir) and electrical supply are available for connection. The Mossel Bay Municipality has confirmed sufficient services capacity in their systems (Appendix E16).

Boggomsbaai township does not have a waterborne sewage system. Each proposed unit will therefore be serviced with a small bio-digester system to handle and treat household sewage, with provision for a small artificial wetland to polish the grey water that can be utilised for irrigation of home gardens with grey water.

The Municipality was consulted with this proposal and which they confirmed suitability of this system (Appendix E16). BGCMA also commented on the proposed development as not required prior authorisation in terms of the Water Act (Appendix E3).

The main existing access point is directly off Bonito Street which is a Municipal Street servicing SandPiper at present. The internal access roads are proposed to be narrow gravel roads with passing spaces.

## IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THIS BASIC ASSESSMENT REPORT

1. **The purpose** of this template is to provide a format for the Basic Assessment report as set out in Appendix 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) in order to ultimately obtain Environmental Authorisation.
2. The Environmental Impact Assessment ("EIA") Regulations is defined in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") hereinafter referred to as the "NEMA EIA Regulations".
3. The required information must be typed within the spaces provided in this Basic Assessment Report ("BAR"). The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided.
4. All applicable sections of this BAR must be completed.
5. Unless protected by law, all information contained in, and attached to this BAR, will become public information on receipt by the Competent Authority. If information is not submitted with this BAR due to such information being protected by law, the applicant and/or Environmental Assessment Practitioner ("EAP") must declare such non-disclosure and provide the reasons for believing that the information is protected.
6. This BAR is current as of **November 2019**. It is the responsibility of the Applicant/ EAP to ascertain whether subsequent versions of the BAR have been released by the Department. Visit this Department's website at <http://www.westerncape.gov.za/eadp> to check for the latest version of this BAR.
7. This BAR is the standard format, which must be used in all instances when preparing a BAR for Basic Assessment applications for an environmental authorisation in terms of the NEMA EIA Regulations when the Western Cape Government Department of Environmental Affairs and Development Planning ("DEA&DP") is the Competent Authority.
8. Unless otherwise indicated by the Department, one hard copy and one electronic copy of this BAR 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 Organs 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 BAR must be duly dated and originally signed by the Applicant, EAP (if applicable) and Specialist(s) and must be submitted to the Department at the details provided below.
10. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations, any subsequent Circulars, and guidelines must be taken into account when completing this BAR.
11. Should a water use licence application be required in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"), the "One Environmental System" is applicable, specifically in terms of the synchronisation of the consideration of the application in terms of the NEMA and the NWA. Refer to this Department's Circular EADP 0028/2014: One Environmental Management System.
12. Where Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA") is triggered, a copy of Heritage Western Cape's final comment must be attached to the BAR.
13. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Tool Report. The screening tool report must be attached to this BAR.
14. Where this Department is also identified as the Licencing Authority to decide on applications under the National Environmental Management: Air Quality Act (Act No. 29 of 2004) ("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: 021-483-2728/2705 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 or this Department's Air Quality Management Directorate (Tel: 021 483 2888 and Fax: 021 483 4368) at the same postal address as the Cape Town Office.

**DEPARTMENTAL DETAILS**

| <b>CAPE TOWN OFFICE: REGION 1 and REGION 2</b><br><b>(Region 1: City of Cape Town, West Coast District)</b><br><b>(Region 2: Cape Winelands District &amp; Overberg District)</b>   | <b>GEORGE OFFICE: REGION 3</b><br><b>(Central Karoo District &amp; Garden Route District)</b>  |
|---|--|
| <p>BAR must be sent to the following details:</p> <p>Western Cape Government<br/>Department of Environmental Affairs and Development Planning<br/>Attention: Directorate: Development Management<br/>(Region 1 or 2)<br/>Private Bag X 9086<br/>Cape Town,<br/>8000</p> <p>Registry Office<br/>1<sup>st</sup> Floor Utilitas Building<br/>1 Dorp Street,<br/>Cape Town</p> <p>Queries should be directed to the Directorate:<br/>Development Management (Region 1 and 2) at:<br/>Tel: (021) 483 5829<br/>Fax (021) 483 4372</p> | <p>BAR must be sent to the following details:</p> <p>Western Cape Government<br/>Department of Environmental Affairs and Development Planning<br/>Attention: Directorate: Development Management<br/>(Region 3)<br/>Private Bag X 6509<br/>George,<br/>6530</p> <p>Registry Office<br/>4<sup>th</sup> Floor, York Park Building<br/>93 York Street<br/>George</p> <p>Queries should be directed to the Directorate:<br/>Development Management (Region 3) at:<br/>Tel: (044) 805-8600<br/>Fax (044) 805 8650</p> |

**MAPS**

| <b>Provide a location map (see below) as Appendix A1 to this BAR that shows the location of the proposed development and associated structures and infrastructure on the property.</b> |   |
|--|---|
| <p>Locality Map:</p>   | <p>The scale of the locality map must be at least 1:50 000. For linear activities or 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:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend; and</li> <li>• a linear scale.</li> </ul> <p>For 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.</p> <p>Where comment from the Western Cape Government: Transport and Public Works is required, a map illustrating the properties (owned by the Western Cape Government: Transport and Public Works) that will be affected by the proposed development must be included in the Report.</p> |
| <b>Provide a detailed site development plan / site map (see below) as Appendix B1 to this BAR; and if applicable, all alternative properties and locations.</b>                        |   |
| <p>Site Plan:</p>  | <p>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:</p> <ul style="list-style-type: none"> <li>• The detailed site plan must preferably be at a scale of 1:500 or at an appropriate scale. The scale must be clearly indicated on the plan, preferably together with a linear scale.</li> <li>• The property boundaries and numbers of all the properties within 50m of the site must be indicated on the site plan.</li> <li>• On land where the property has not been defined, the co-ordinates of the area in which the proposed activity or development is proposed must be provided.</li> <li>• The current land use (not zoning) as well as the land use zoning of each of the adjoining properties must be clearly indicated on the site plan.</li> </ul>  |

|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>The position of each component of the proposed activity or development as well as any other structures on the site must be indicated on the site plan.</li> <li>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 proposed development <b>must</b> be clearly indicated on the site plan.</li> <li>Servitudes and an indication of the purpose of each servitude must be indicated on the site plan.</li> <li>Sensitive environmental elements within 100m of the site must be included on the site plan, including (but not limited to): <ul style="list-style-type: none"> <li>Watercourses / Rivers / Wetlands</li> <li>Flood lines (i.e., 1:100 year, 1:50 year and 1:10 year where applicable);</li> <li>Coastal Risk Zones as delineated for the Western Cape by the Department of Environmental Affairs and Development Planning ("DEA&amp;DP"): <ul style="list-style-type: none"> <li>Ridges;</li> <li>Cultural and historical features/landscapes;</li> <li>Areas with indigenous vegetation (even if degraded or infested with alien species).</li> </ul> </li> </ul> </li> <li>Whenever the slope of the site exceeds 1:10, a contour map of the site must be submitted.</li> <li>North arrow</li> </ul> <p>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.</p> |
| Site photographs   | Colour photographs of the site that shows the overall condition 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 to this BAR as <b>Appendix C</b> . 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.   |
| Biodiversity Overlay Map:                                | A map of the relevant biodiversity information and conditions must be provided as an overlay map on the property/site plan. The Map must be attached to this BAR as <b>Appendix D</b> .  |
| Linear activities or development and multiple properties | GPS co-ordinates must be provided in degrees, minutes and seconds using the Hartebeeshoek 94 WGS84 co-ordinate system.<br>Where numerous properties/sites are involved (linear activities) you must attach a list of the Farm Name(s)/Portion(s)/Erf number(s) to this BAR as an Appendix.<br>For linear activities that are longer than 500m, please provide a map with the co-ordinates taken every 100m along the route to this BAR as <b>Appendix A3</b> .   |

## ACRONYMS

|          |  |
|----------|--|
| DAFF:    | Department of Forestry and Fisheries                         |
| DEA:     | Department of Environmental Affairs                          |
| DEA& DP: | Department of Environmental Affairs and Development Planning |
| DHS:     | Department of Human Settlement                               |
| DoA:     | Department of Agriculture                                    |
| DoH:     | Department of Health   |
| DWS:     | Department of Water and Sanitation                           |
| EMPr:    | Environmental Management Programme                           |
| HWC:     | Heritage Western Cape  |
| NFEPA:   | National Freshwater Ecosystem Protection Assessment          |
| NSBA:    | National Spatial Biodiversity Assessment                     |
| TOR:     | Terms of Reference   |
| WCBSP:   | Western Cape Biodiversity Spatial Plan                       |
| WCG:     | Western Cape Government                                      |

### ATTACHMENTS

**Note:** The Appendices must be attached to the BAR as per the list below. Please use a ✓ (tick) or a x (cross) to indicate whether the Appendix is attached to the BAR.

The following checklist of attachments must be completed.

| APPENDIX    |  | ✓ (Tick) or<br>x (cross)  |   |
|-------------|--|---|---|
| Appendix A: | <b>Maps</b>  |   |   |
|             | Appendix A1:   | Locality Map  | ✓ |
|             | Appendix A2:   | Coastal Risk Zones as delineated in terms of ICMA for the Western Cape by the Department of Environmental Affairs and Development Planning  | ✓ |
|             | Appendix A3:   | Map with the GPS co-ordinates for linear activities   | x |
| Appendix B: | Appendix B1:   | Site development plan(s)  | ✓ |
|             | Appendix B2  | 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; | x |
| Appendix C: | Photographs  | ✓   |   |
| Appendix D: | Biodiversity overlay map   | ✓   |   |
| Appendix E: | Permit(s) / license(s) / exemption notice, agreements, comments from State Department/Organs of state and service letters from the municipality. |   |   |
|             | Appendix E1:   | Final comment/ROD from HWC  | ✓ |
|             | Appendix E2:   | Copy of comment from Cape Nature  | ✓ |
|             | Appendix E3:   | Final Comment from the DWS  | ✓ |
|             | Appendix E4:   | Comment from the DEA: Oceans and Coast  | ✓ |
|             | Appendix E5:   | Comment from the DAFF   | ✓ |
|             | Appendix E6:   | Comment from WCG: Transport and Public Works  | ✓ |
|             | Appendix E7:   | Comment from WCG: DoA   | ✓ |
|             | Appendix E8:   | Comment from WCG: DHS   | ✓ |

|             |   |   |           |
|-------------|---|---|-----------|
|             | Appendix E9:  | Comment from WCG: DoH   | ✓         |
|             | Appendix E10:   | Comment from DEA&DP: Pollution Management   | ✓         |
|             | Appendix E11:   | Comment from DEA&DP: Waste Management   | ✓         |
|             | Appendix E12:   | Comment from DEA&DP: Biodiversity   | ✓         |
|             | Appendix E13:   | Comment from DEA&DP: Air Quality  | ✓         |
|             | Appendix E14:   | Comment from DEA&DP: Coastal Management   | ✓         |
|             | Appendix E15:   | Comment from the local authority  | ✓         |
|             | Appendix E16:   | Confirmation of all services (water, electricity, sewage, solid waste management) | ✓         |
|             | Appendix E17:   | Comment from the District Municipality  | ✓         |
|             | Appendix E18:   | Copy of an exemption notice   | ✓         |
|             | Appendix E19  | Pre-approval for the reclamation of land  | ✓         |
|             | Appendix E20:   | Proof of agreement/TOR of the specialist studies conducted.                       | ✓         |
|             | Appendix E21:   | Proof of land use rights  | ✓         |
|             | Appendix E22:   | Proof of public participation agreement for linear activities                     | ✓         |
| Appendix F: | Public participation information: including a copy of the register of I&APs, the comments and responses Report, proof of notices, advertisements and any other public participation information as is required. |   | ✓         |
| Appendix G: | Specialist Report(s)  |   | ✓         |
| Appendix H: | EMPr  |   | ✓         |
| Appendix I: | Screening tool report   |   | ✓         |
| Appendix J: | The impact and risk assessment for each alternative   |   | In report |
| Appendix K: | Need and desirability for the proposed activity or development in terms of this Department's guideline on Need and Desirability (March 2013)/DEA Integrated Environmental Management Guideline                  |   | In report |
| Appendix J: | Subdivisional of Agricultural Land Act (Act 70 of 1970) Letter  |   | ✓         |

## SECTION A: ADMINISTRATIVE DETAILS

| Highlight the Departmental Region in which the intended application will fall   | CAPE TOWN OFFICE:  |  | GEORGE OFFICE:  |
|---|--|--|---|
|   | REGION 1<br><small>(City of Cape Town, West Coast District)</small>  | REGION 2<br><small>(Cape Winelands District &amp; Overberg District)</small> | REGION 3<br><small>(Central Karoo District &amp; Garden Route District)</small> |
| <p><b>Duplicate this section where there is more than one Proponent</b></p> <p>Name of Applicant/Proponent:</p> <p>Name of contact person for Applicant/Proponent (if other):</p> <p>Company/ Trading name/State Department/Organ of State:</p> <p>Company Registration Number:</p> <p>Postal address:</p> <p>Telephone:</p> <p>E-mail:</p> | Orbaai (Pty) Ltd   |  |   |
|   | Dianne Orban   |  |   |
|   | Orbaai (Pty) Ltd   |  |   |
|   | 2020/745273/07   |  |   |
|   | PO Box 1889  |  |   |
|   | Mossel Bay   |  | Postal code: 6600   |
|   |  |  | Cell: 076 944 2710  |
|   | dianne@oatravel.co.za  |  | Fax:  |
|   |  |  |   |
| <p>Company of EAP:</p> <p>EAP name:</p> <p>Postal address:</p> <p>Telephone:</p> <p>E-mail:</p> <p>Qualifications:</p> <p>EAPASA registration no:</p>   | Cape Environmental Assessment Practitioners ( <i>Cape EAPrac</i> )   |  |   |
|   | Ms Louise-Mari van Zyl   |  |   |
|   | PO Box 2070  |  |   |
|   | George   |  | Postal code: 6530   |
|   | 044 874 0365   |  | Cell: 071 603 4132  |
|   | Ms Louise-Mari van Zyl   |  | Fax: 044 874 0432   |
|   | MA Geography & Environmental Studies (Stellenbosch University)   |  |   |
|   | Director <b>Louise-Mari van Zyl</b> (MA Geography & Environmental Science [US]; Registered Environmental Assessment Practitioner with the Environmental Assessment Practitioners of South Africa, EAPSA, Registration Number <b>2019/1444</b> . Ms van Zyl has over twenty years' experience as an environmental practitioner. |  |   |
|   |  |  |   |
| <p><b>Duplicate this section where there is more than one landowner</b></p> <p>Name of landowner:</p> <p>Name of contact person for landowner (if other):</p> <p>Postal address:</p>  | Frederick Johan Orban  |  |   |
|   | Dianne Orban   |  |   |
|   | Same as Applicant  |  |   |

|   |                      |              |  |
|---|----------------------|--------------|--|
| Telephone:<br>E-mail:   |                      | Postal code: |  |
|   |                      | Cell:        |  |
|   |                      | Fax:         |  |
| Name of Person in control of the land:<br>Name of contact person for person in control of the land:<br>Postal address:<br><br>Telephone:<br><br>E-mail: | Frederik Johan Orban |              |  |
|   | Dianne Orban         |              |  |
|   | Same as Applicant    |              |  |
|   |                      | Postal code: |  |
|   | ( )                  | Cell:        |  |
|   |                      | Fax:         |  |

|   |                          |              |      |
|---|--------------------------|--------------|------|
| <b>Duplicate this section where there is more than one Municipal Jurisdiction</b><br>Municipality in whose area of jurisdiction the proposed activity will fall:<br><br>Contact person:<br><br>Postal address:<br><br>Telephone:<br><br>E-mail: | Mossel Bay Municipality  |              |      |
|   | Carel Venter             |              |      |
|   | PO Box 25                |              |      |
|   | Mossel Bay               | Postal code: | 6500 |
|   | (044) 606 5073           | Cell:        |      |
|   | cventer@mosselbay.gov.za | Fax:         |      |



## SECTION B: CONFIRMATION OF SPECIFIC PROJECT DETAILS AS INLCUDED IN THE APPLICATION FORM

|    |  |     |  |           |   |
|----|--|-----|--|-----------|---|
| 1. | Is the proposed development (please tick):                               | New |  | Expansion | ✓ |
| 2. | Is the proposed site(s) a brownfield of greenfield site? Please explain. |     |  |           |   |

The proposed site is a brownfield site with existing infrastructure – buildings, water reservoir, gravel roads, single residential house and SandPiper Leisure Centre (with tennis and squash courts), to be converted and incorporated as part of the proposed residential development with 12 new single residential erven and three (3) additional guestrooms (associated with the existing leisure centre) (Figure 5).



**Figure 5: Aerial view of Portion 31 Buffelsfontein 250 (red outlined area) showing the existing municipal water reservoir, roads and buildings.**

|      |  |       |       |    |     |            |              |  |  |  |  |  |  |                  |  |  |  |  |  |
|------|--|-------|-------|----|-----|------------|--------------|--|--|--|--|--|--|------------------|--|--|--|--|--|
| 3.   | <b>For Linear activities or developments</b>   |       |       |    |     |            |              |  |  |  |  |  |  |                  |  |  |  |  |  |
| 3.1. | Provide the Farm(s)/Farm Portion(s)/Erf number(s) for all routes:  |       |       |    |     |            |              |  |  |  |  |  |  |                  |  |  |  |  |  |
| 3.2. | Development footprint of the proposed development for all alternatives:  |       |       |    |     |            |              |  |  |  |  |  |  | — m <sup>2</sup> |  |  |  |  |  |
| 3.3. | Provide a description of the proposed development (e.g. for roads the length, width and width of the road reserve in the case of pipelines indicate the length and diameter) for all alternatives. |       |       |    |     |            |              |  |  |  |  |  |  |                  |  |  |  |  |  |
| 3.4. | Indicate how access to the proposed routes will be obtained for all alternatives.  |       |       |    |     |            |              |  |  |  |  |  |  |                  |  |  |  |  |  |
| 3.5. | SG   | Digit | codes | of | the | Farms/Farm | Portions/Erf |  |  |  |  |  |  |                  |  |  |  |  |  |

|   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|---|---|---|---|---|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|-----------|--|
|   | numbers — for all alternatives  |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
| 3.6.  | <b>Starting point co-ordinates for all alternatives</b>   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | Latitude (S)  | ° | ' | ″ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | Longitude (E)   | ° | ' | ″ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | <b>Middle-point co-ordinates for all alternatives</b>   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | Latitude (S)  | ° | ' | ″ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | Longitude (E)   | ° | ' | ″ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | <b>End point co-ordinates for all alternatives</b>  |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | Latitude (S)  | ° | ' | ″ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
|   | Longitude (E)   | ° | ' | ″ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
| <b>Note: For Linear activities or developments longer than 500m, a map indicating the co-ordinates for every 100m along the route must be attached to this BAR as Appendix A3.</b>  |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
| 4.  | <b>Other developments</b>   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
| 4.1.  | Property size(s) of all proposed site(s):   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 23ha      |  |
| 4.2.  | Developed footprint of the existing facility and associated infrastructure (if applicable):   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | +/- 2.2ha |  |
| 4.3.  | Development footprint of the proposed development and associated infrastructure size(s) for all alternatives:   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | +/- 3ha   |  |
| 4.4.  | Provide a detailed description of the proposed development and its associated infrastructure (This must include details of e.g. buildings, structures, infrastructure, storage facilities, sewage/effluent treatment and holding facilities). |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |
| <p>Portion 31 of Farm Buffelsfontein 250 is 23.774ha in size and is currently zoned as Agriculture Zone 1 (Figure 6). The property is located along the northern boundary of Boggomsbaai (a coastal town).</p> <p>The property is surrounded by two farms (north &amp; west), Kleinbos eco-estate (east) and residential homes (south). The Boggomsbaai Golf Course borders the property to the West.</p> <p>As seen in (Figure 3), the proposed development is limited to the southeast corner of the property only as this portion is designated as falling within the 'urban edge'. The remainder of the property, especially along the adjacent two farms (north &amp; west), will remain undeveloped and it will remain Agriculture Zone 1.</p> <p>Development is proposed to be like that of Kleinbos eco-estate to form a low-density urban edge, with narrow gravel roads (Figure 5 – RE/250).</p> <p>The proposed project entails the following subdivisions (Figure 7)(Figure 8):</p> <ul style="list-style-type: none"> <li>• <b>Single Residential Zone I:</b> Houses proposed will be normal single-storey residential dwellings that must comply with the Municipal By-Laws in terms of design, coverage and building lines. The 12 erven will be ±757m<sup>2</sup> each.</li> <li>• <b>Open Space Zone II:</b> The private open space will retain natural vegetation.</li> <li>• <b>General Residential Zone IV:</b> The existing Sandpiper Leisure Centre (tourist facility &amp; wellness centre) will be expanded by adding 3 guest rooms.</li> <li>• <b>Utility Zone:</b> Erf for existing municipal water reservoir that provides municipal water to Boggomsbaai and surrounds, internal services and roads.</li> </ul> |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |           |  |

- **Remainder Agriculture** as the undeveloped portion of the property.

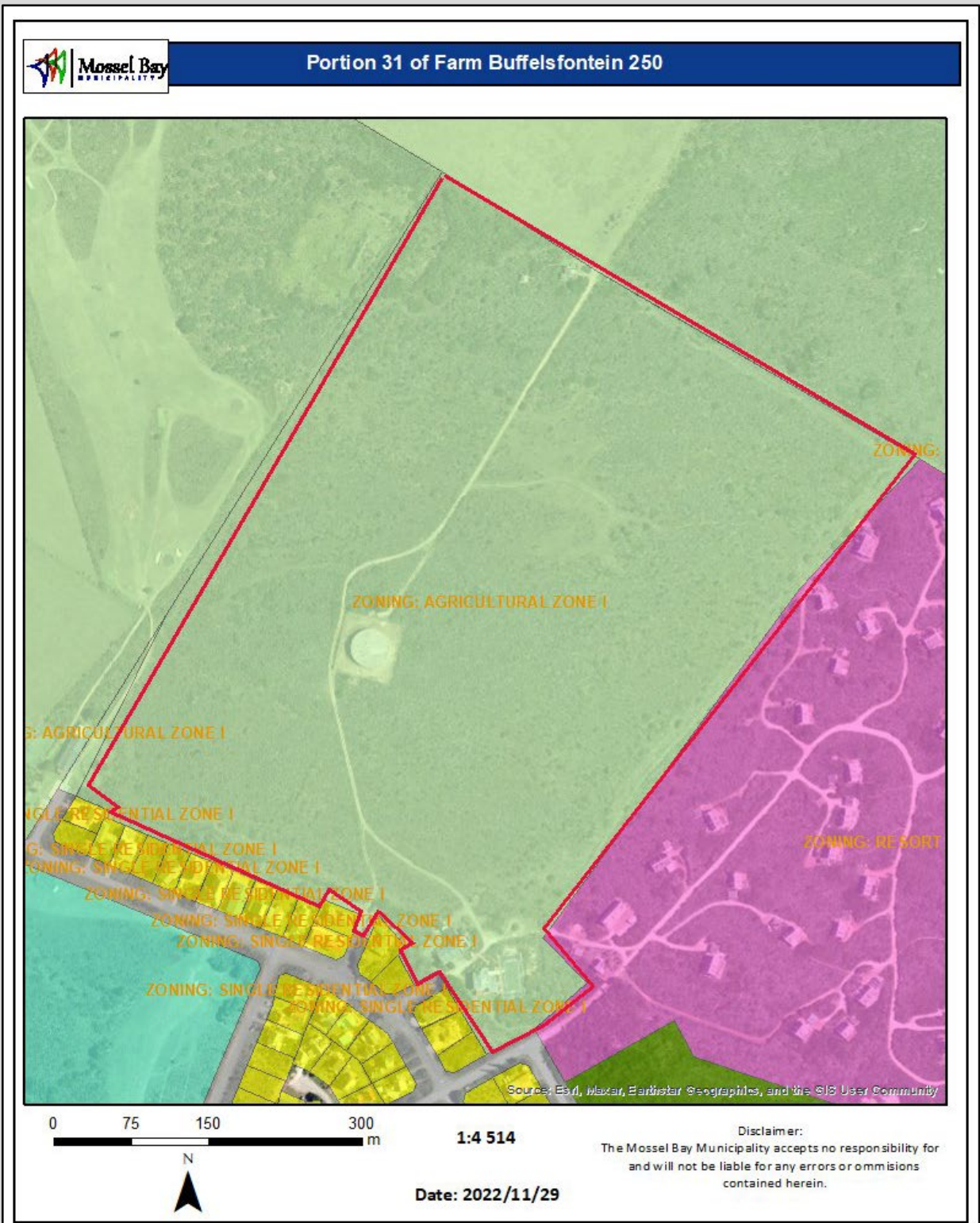


Figure 6: Zoning map of Portion 31 of Farm Buffelsfontein 250 (red outlined area)

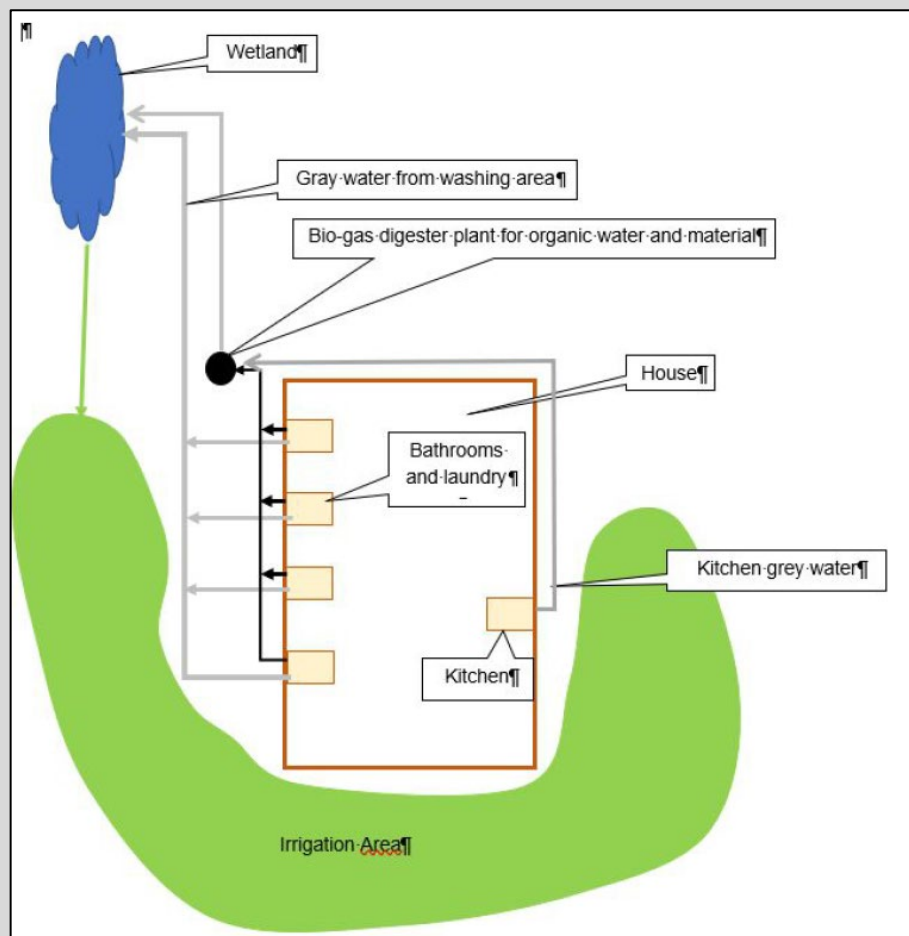


Figure 7: Proposed Site Development Plan (mitigated Preferred Alternative).

| Zoning                      | Area (ha)     | %     | No. | Erf No.   |
|-----------------------------|---------------|-------|-----|-----------|
| Single Residential Zone I   | 0.908         | 3.81  | 12  | 1 - 12    |
| General Residential Zone IV | 1.105         | 4.65  | 1   | 13        |
| Open Space Zone II          | 2.718         | 11.44 | 1   | 14        |
| Utility Zone                | 0.230         | 0.97  | 1   | 15        |
| Agricultural Zone I         | 18.813        | 79.13 | 1   | Remainder |
| <b>Total</b>                | <b>23.774</b> |       |     |           |

Figure 8: Legend for the Site Development plan.

- Road access is proposed via Bonito Street (current access to SandPiper Centre). Barbel Street serves as the municipal servitude access to the existing reservoir on the property. Access for the residential component is not via this services entrance access route.
- Municipal water supply is provided for in terms of the engineering design with additional provision for 25 000 litre rain water storage tanks per dwelling.
- Sewage will be a dedicated, small household digester for each home with black water and grey water being separated at source in an underground tank. Greywater will overflow into a small artificial wetland on each erf to be polished further and then re-used for irrigation/landscaping of each garden. Boggomsbaai does not have a municipal sewage system hence the need for all houses to have its own sewage handling system. Considering the low density setting it is deemed a more suitable, sustainable, and environmentally friendly system than conventional conservancy tanks since only the black water (volume) must be suctioned by the Municipality at a much lower frequency compared to conventional conservancy tank systems which a large portion of Boggomsbaai rely on.



**Figure 9: Schematic presentation of individual on-site sewer digester with artificial wetland and areas for landscaping/irrigation within the erf boundaries of each proposed site (Source: Cobus Louw Consulting Engineers 2022).**

4.5. Indicate how access to the proposed site(s) will be obtained for all alternatives.

Road access is proposed via Bonito Street. Babel Street serves as the municipal servitude access to the existing water reservoir on the property whilst Bonito Street is the existing access to Sandpiper Leisure Centre (Figure 10).

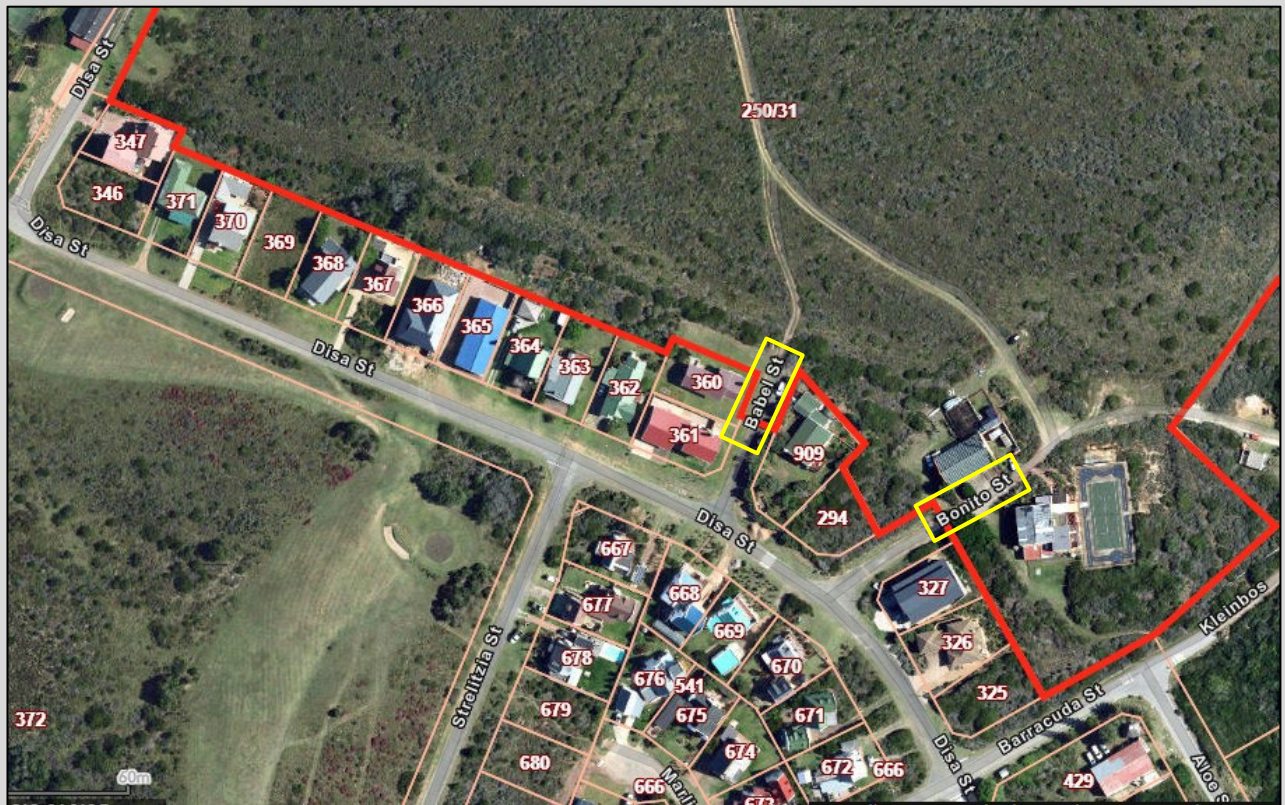
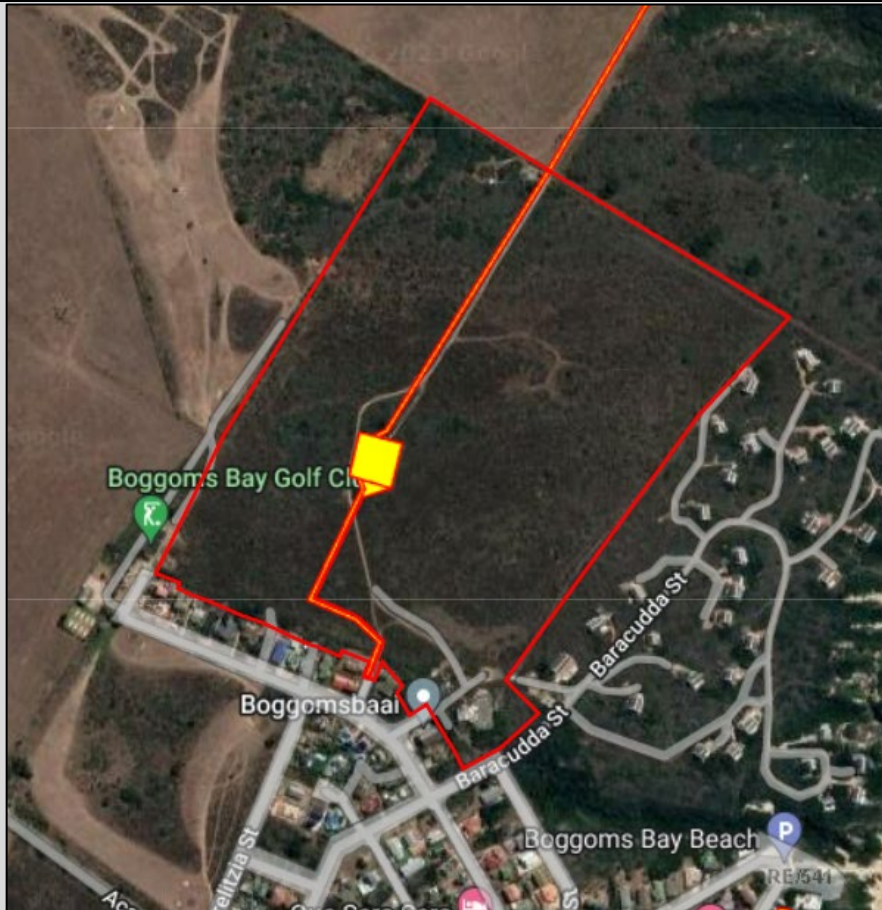


Figure 10: Map showing road access to the proposed site (red outlined area) (Mossel Bay municipality map viewer, 2022).

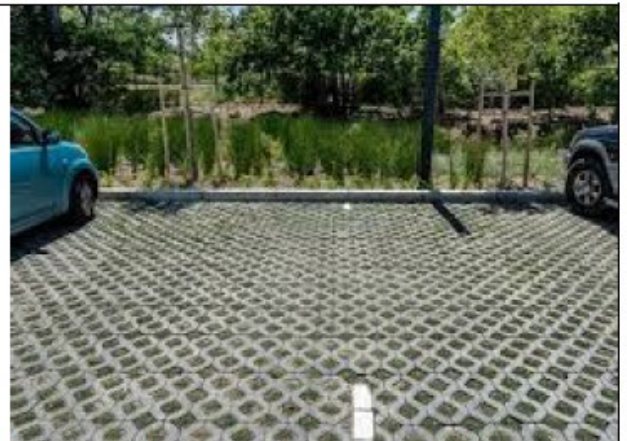


**Figure 11: Existing municipal servitude with reservoir (Source: CapeFarmMapper).**

Internal roads are proposed to be narrow so-called 'jeep tracks' resembling gravel roads that allow vegetation to grow through grass blocks and that improve rainwater infiltration (compliance with SUDS stormwater management principles).



**Tensor TriAx Plastix interlocking grass blocks**



**Pre-cast concrete grass blocks**

|      |  |     |   |   |   |     |   |   |   |        |   |   |   |   |   |   |   |   |   |   |   |   |  |
|------|--|-----|---|---|---|-----|---|---|---|--------|---|---|---|---|---|---|---|---|---|---|---|---|--|
| 4.6. | SG Digit code(s) of the proposed site(s) for all alternatives: | C   | 0 | 5 | 1 | 0   | 0 | 0 | 0 | 0      | 0 | 0 | 0 | 0 | 2 | 5 | 0 | 0 | 0 | 0 | 3 | 1 |  |
| 4.7. | Coordinates of the proposed site(s) for all alternatives:      |     |   |   |   |     |   |   |   |        |   |   |   |   |   |   |   |   |   |   |   |   |  |
|      | Latitude (S)   | 34° |   |   |   | 15' |   |   |   | 42.11" |   |   |   |   |   |   |   |   |   |   |   |   |  |
|      | Longitude (E)  | 21° |   |   |   | 54' |   |   |   | 34.31" |   |   |   |   |   |   |   |   |   |   |   |   |  |

## SECTION C: LEGISLATION/POLICIES AND/OR GUIDELINES/PROTOCOLS

### 1. EXEMPTION APPLIED FOR IN TERMS OF THE NEMA AND THE NEMA EIA REGULATIONS

|   |     |    |
|---|-----|----|
| Has exemption been applied for in terms of the NEMA and the NEMA EIA Regulations. If yes, include a copy of the exemption notice in Appendix E18. | YES | NO |
|---|-----|----|

### 2. IS THE FOLLOWING LEGISLATION APPLICABLE TO THE PROPOSED ACTIVITY OR DEVELOPMENT

|   |     |    |
|---|-----|----|
| The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA"). If yes, attach a copy of the comment from the relevant competent authority as Appendix E4 and the pre-approval for the reclamation of land as Appendix E19. | YES | NO |
| The National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA"). If yes, attach a copy of the comment from Heritage Western Cape as Appendix E1.  | YES | NO |
| The National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). If yes, attach a copy of the comment from the DWS as Appendix E3.  | YES | NO |
| The National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM:AQA"). If yes, attach a copy of the comment from the relevant authorities as Appendix E13.  | YES | NO |
| The National Environmental Management Waste Act (Act No. 59 of 2008) ("NEM:WA")   | YES | NO |
| The National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004 ("NEMBA").   | YES | NO |
| The National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) ("NEMPAA").   | YES | NO |
| The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983). If yes, attach comment from the relevant competent authority as Appendix E5.   | YES | NO |

### 3. OTHER LEGISLATION

|   |
|---|
| <p>List any other legislation that is applicable to the proposed activity or development.</p> <p><u>Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)</u></p> <p>Section 42 of SPLUMA prescribe certain aspects that must be taken into consideration when deciding on a land development application. These are:</p> <ol style="list-style-type: none"> <li>1. Development principles set out in Chapter 2 of SPLUMA</li> <li>2. Protect and promote the sustainable use of agricultural land</li> <li>3. National and provincial government policies the municipal development framework and take into account:             <ol style="list-style-type: none"> <li>i. The public interest,</li> <li>ii. The constitutional transformation imperatives and the related duties on the State,</li> <li>iii. The facts and circumstances relevant to the application,</li> <li>iv. The respective rights and obligations of all those affected,</li> <li>v. The state and impact of engineering services, social infrastructure and open space requirements, and</li> <li>vi. Any factors that may be prescribed, including timeframes for making decisions.</li> </ol> </li> </ol> |
|---|



## 4. POLICIES

Explain which policies were considered and how the proposed activity or development complies and responds to these policies.

### 4.1 Western Cape Provincial SDF (2014)

The Western Cape Provincial Spatial Development Framework (PSDF) was approved in 2014 by the Western Cape Parliament and serves as a strategic spatial planning tool that “communicates the provinces spatial planning agenda”. The PSDF puts in place a coherent framework for the province's urban and rural areas that:

- Gives spatial expression to national and provincial development agendas.
- Serves as basis for coordinated and integrated planning alignment on National and Provincial Department Programmes.
- Support municipalities to fulfil their mandates in line with national and provincial agendas.
- Communicates government's spatial development agenda.

The proposed development compliments the SDF's spatial goals that aim to take the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy,
- (ii) More inclusive development and strengthening the economy in rural areas;
- (iii) Strengthening resilience and sustainable development.

The proposed activity complies with:

1. **Policy R1** (Protect Biodiversity and Ecosystem Services).
2. **Policy E3** (Revitalise and strengthen urban space-economies as the engine of growth)
3. **Policy S5** (Promote sustainable, integrated and inclusive housing in formal and informal markets)

The proposed design avoids high biodiversity sensitive areas. The development will create additional employment opportunities especially during high season and will generate additional income for the Mossel Bay Municipality in addition to being within the designated urban edge.

### 4.2. Eden Spatial Development Framework (2017)

The Eden District Spatial Development Framework was approved in 2017 and aims to establish a strong strategic direction and vision, towards increasing levels of detail in the spatial recommendations that are directive rather than prescriptive and providing guidance to local municipalities in the district regarding future spatial planning, strategic decision-making, and regional integration.

This vision and strategic direction identify the four key drivers of spatial change within the district. These drivers are defined in terms of spatial legacies, current challenges, future risks and prospects.

**Policy 3.3.** (Optimise existing infrastructure capacity and economic opportunity by directing mixed-use, higher density development to area of opportunity) is applicable to the proposed development.

The proposed development of the site is regarded as being consistent with the Eden District SDF.

### 4.3. Mossel Bay Spatial Development Framework (2017)

The SDF is one of the sectoral plans of an Integrated Development Plan. The Municipality has identified towns which has high growth potential. According to the results of the growth potential study that was conducted by provincial authority, growth and development strategies must be

focused on towns that has relatively growth potential towards other towns, the Mossel Bay area being one of the areas with a high growth potential.

According to the MBSDF (2022), a portion of Portion 31 of Farm Buffelsfontein 250 is within the urban edge of Boggomsbaai and is designated as a mixed medium density residential area with a guest lodge (Figure 12).

The mitigated Preferred Alternative falls within the area indicated as #3.



**Figure 12: Urban edge of Boggomsbaai (red outlined area) (Source: Malize De Bruyn Planning).**

According to the Planning Statement compiled by Marelize de Bruyn Planning (2023), the following MBSDF policies are directly related to the proposed development:

| Policies   | Proposed development  |
|--|---|
| Policy 1A (Manage and preserve the mountains, natural vegetation, streams and rivers in a manner which protects the natural eco-system). | Natural vegetation will be preserved and maintained through the open spaces between dwellings.  |
| Policy 1D (Protect the visual integrity of the rural environment).   | The proposed development is on a gentle east to west slope. The location of the property does not have a potential impact on view corridors, ridgelines, cultural landscape assets and existing vistas from a town planning perspective (Marelize de Bruyn Planning, 2022). |
| Policy 2A (Monitor and manage the availability and use of water).  | Municipal water is available and 25 000l water tanks will be installed for water catchment on each unit to also provide sufficient storage capacity for fire demand.  |

|   |   |
|---|---|
| Policy 3A (Accommodate innovative proposals for alternative energy sources).                              | Energy saving technology alternatives must be implemented.  |
| Policy 4A (Future urban form design is to be based on future scenario planning in the SDF).               | The proposed development complies with the Spatial Planning & Land Use Management Act, 2013 (SPLUMA).   |
| Policy 4B (Prioritise efficient urban form).  | The proposed development is located within the urban edge of Boggomsbaai.   |
| Policy 4C (Creation of an Open Space/Conservation network).   | The proposed development allows for private open space to retain natural vegetation within the residential development.   |
| Policy 4D (Implementation of biodiversity offsets as a tool for an efficient and sustainable urban form). | The proposed development is not located within a CBA. It contains least threatened <i>Canca Limestone Fynbos</i> and is within an ESA. There are no wetlands and / or sensitive areas.                                |
| Policy 4M (Bulk Municipal service infrastructure).  | Municipality to confirm services availability and infrastructure capacity.  |
| Policy 5B (Identify high risk areas and formulate risk mitigation).                                       | The fire risk of natural vegetation is to be mitigated through having fire breaks, allowing for firefighting capacity in water storage at each house through 25 000l rainwater tanks, allowing fire wise landscaping. |

The mitigated proposed development is consistent with the MBSDF.

#### 4.4. Mossel Bay Integrated Development Plan (2017-2022)

The key pillars of sustainability for the Mossel Bay Municipality are social well-being, economic viability, and environmental integrity. According to the Municipal IDP, the key development priorities for Mossel Bay include:

- Commercial Development
- Industry Development
- Bulk Infrastructure Development
- Property Development
- Water security

The IDP highlights the following aspects for Mossel Bay in the IDP:

- There has been a change in the attitude of most residents towards a positivity regarding growth.
- Growth is inevitable and the focus should be on managing growth within urban areas, to protect what is important to residents.
- When a critical mass development is reached the element of crime will also manifest, therefore development should be strictly managed and guided towards a common goal of maintaining the "ambience" and "free" characteristics of the town.

The IDP recognises the need for property development in the Mossel Bay area, and also the need for growth and development on vacant land within the urban edge. It is the considered opinion that the proposed development of the study site is consistent with Mossel Bay IDP.

## 5. GUIDELINES

List the guidelines which have been considered relevant to the proposed activity or development and explain how they have influenced the development proposal.

1. Guideline on Need and Desirability, DEA (2017)  
Refer to section E(12) for a detailed Need & Desirability project description.
2. Guideline on Alternatives (March 2013)  
Three alternatives have been identified.
  - Alternative 1 is considered the "best practicable environmental option". This alternative will cause the least of damage to the environment (Preferred Alternative).
  - Alternative 2's is not deemed appropriate given that a portion of the development will be outside the urban edge.
  - The no-go alternative is being considered as a minimum basis against which impact must be measured. It will however result in lack of optimizing vacant land, no temporary employment opportunities, and no development within the urban edge.
3. Guideline for the Review of Specialist input in the EIA process (June 2005)  
The guideline was followed to:
  - Ensure that the specialists inputs meet the terms of reference.
  - Ensure that specialist inputs are provided in a form and quality that can be incorporated into the integrated report and can be understood by non-specialists.
4. Guideline for Environmental Management Plans (June 2005)  
The EMPr has been included with this Final Basic Assessment to provide practical and implementable actions to ensure that the development maintains sustainability and minimise impacts through all its phases. The document is finalised as per the Guidelines and requirements of NEMA.
5. Guideline on generic terms of Reference for EAPs and Project Schedules (March 2013)  
Followed guidance on:
  - Generic Requirements for EAPs (what an EAP must manage).
  - Generic Requirements for persons compiling a specialist report.
  - Scope of Work (project description, primary responsibility, anticipated inputs etc.).
6. Guideline for determining the scope of specialist involvement in the EIA process, June 2005  
This Guideline was used to determine the timing, scope and quality of specialist inputs in the EIA process.

## 6. PROTOCOLS

Explain how the proposed activity or development complies with the requirements of the protocols referred to in the NOI and/or application form

According to the DEADP series of guidelines for the involvement of specialists in the EIA process (2005), one of the underpinning generic principles is to **eliminate the unnecessary specialist involvement** through proactive project planning and design to avoid or sufficiently reduce negative impacts. Another is to **maximise the use of existing relevant information** prior to involving a specialist. This includes the input from the EAP and specialists, in the form of site photographs and site inspections. These principles apply to the specialist studies that have been identified in the

screening tool and motivated as not necessary in this report. According to the Screening Tool the following themes have been identified as sensitive:

#### Agriculture Theme

The property is zoned Agriculture Zone I. The proposed development is within the urban edge of Mossel Bay. Johann Lanz compiled a Compliance Statement and Site Sensitivity Verification.

The **Department of Agriculture** has **no objection** to the proposed development.

#### Animal Species Theme

Compliance Statement by Dr David Hoare. The sensitivity was deemed **Low**.

**CapeNature** recommended animal permeable fencing around the property, space for fire breaks and setback from areas of Medium sensitivity closest to the Municipal Reservoir.

#### Archaeological and Cultural Heritage Theme

According to the Background Information Document, compiled by Perception Planning, the proposal would not impact on any heritage resources and therefore no further heritage related studies would be required. A NID was submitted.

**HWC** confirmed that **no further action** under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

#### Civil Aviation

The structures proposed will not exceed any of the Civil Aviation Regulations in terms of height and does not pose a threat to air traffic in terms of any obstruction. The proposed development does not require prior approval from the SACAA.

**SACAA was approached for comment** as part of the public participation process. No comment was received from SACAA.

#### Defence

The development will pose no threat to military or defence forces of South Africa. The site is not situated near any military facilities and the Screening Tool has indicated that the sensitivity is low. There are no reasonable grounds to conduct any specialists' studies to affirm this and further consultation with Department of Defence is not necessary unless stipulated by the Competent Authority.

#### Palaeontology Theme

According to the Background Information Document, compiled by Perception Planning, the proposal would not impact on any heritage resources and therefore no further heritage related studies would be required. A NID was by submitted to / and received HWC.

**HWC** confirmed that **no further action** under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

#### Aquatic Biodiversity

The site location falls within a FEPA sub-quaternary catchment (SQC) which automatically flags it as being a 'very high' sensitivity theme. This is a precautionary approach and therefore requires site specific verification to determine whether any unidentified watercourses may be present on the property.

The following desktop information resources have been interrogated to ascertain whether any unidentified watercourses may be present on the property:

- The Department of Water and Sanitation (DWS) spatial layers

- The National Freshwater Ecosystem Priority Areas (NFEPA) spatial layers (Nel et al., 2011)
- The National Wetland Map 5 and Confidence Map (CSIR, 2018)
- The Western Cape Biodiversity and Spatial Plan (WCBSA) for Mossel Bay (CapeNature, 2017)

No aquatic features occur on the site or in close proximity to the development footprint. The outcome of the botanical and biodiversity studies by Dr David Hoare also confirm that there are no aquatic features/plants present on the site. Furthermore, aerial imagery and NFEPA database also indicates no on-site aquatic features anywhere on the property nor within the proposed development footprint.

The site falls outside river reaches/wetland for which FEPA status was determined. The screening tool identifies the area as being sensitive from an aquatic perspective (very high sensitivity) however site verification confirms that there are no aquatic features. As such there is no need for aquatic studies.

**BGCMA confirmed** that the proposed project **will not have an impact** on water resources. **BGCMA does not have an objection** to the proposed project.

#### Terrestrial Biodiversity

Impact Assessment by Dr David Hoare.

**CapeNature commented** on the importance of fire as a driver in fynbos vegetation. Natural fire regimes must be maintained and managed. CapeNature recommended the following:

- Firebreaks inside the development footprint as well as the inclusion of Firewise landscaping to reduce the risk of fire. The **Mitigated Preferred Alternative** include provision for firebreaks along the property boundary where it interfaces with the remaining cadastral (vacant) property.
- Preferred a more clustered development for better fire management. The **Mitigated Preferred Alternative** shows more clustered erven to retain a natural corridor between erven 1 – 6 and 7 – 12. A narrow gravel road is also proposed along the eastern boundary of the property for better fire management.
- Moved units 1 & 2 further **away from the medium sensitivity habitat** close to the municipal reservoir.

#### Plant Species Theme

Compliance Statement by Dr David Hoare. Sensitivity confirmed as **Low**.

**CapeNature** reminded the Applicant that the management of invasive alien species is a requirement of all landowners in terms of both the Conservation of Agricultural Resources Act (CARA) and the NEM:BA Alien and Invasive Species Regulations and applies to the entire property. The invasive alien control plan must be compliant with the National Environmental Management: Biodiversity Act (Act No.10 of 2004)<sup>9</sup> and including areas outside of the proposed development area.

## SECTION D: APPLICABLE LISTED ACTIVITIES

List the applicable activities in terms of the NEMA EIA Regulations

|   |  |  |
|---|--|--|
| Activity No(s):   | Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Listing Notice 1</b>   | Describe the portion of the proposed development to which the applicable listed activity relates.        |
| 27  | The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for –<br><br>(i) the undertaking of a linear activity; or<br><br>(ii) maintenance purposes undertaken in accordance with a maintenance management plan. | Clearance of 1 hectares or more, but less than 20 hectares of Canca Limestone Fynbos (Least Threatened). |
| Activity No(s):   | Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Listing Notice 3</b>   | Describe the portion of the proposed development to which the applicable listed activity relates.        |
| 4   | The development of a road wider than 4m with a reserve less than 13.5m (ii) for areas outside urban areas (aa) containing indigenous vegetation.   | The internal roads network will comprise of roads that may exceed 4m in width allowing for passing bays. |
| <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>The listed activities specified above must reconcile with activities applied for in the application form. The onus is on the Applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, a new application for Environmental Authorisation will have to be submitted.</li> <li>Where additional listed activities have been identified, that have not been included in the application form, and amended application form must be submitted to the competent authority.</li> </ul> |  |  |

List the applicable waste management listed activities in terms of the NEM:WA

|                 |  |   |
|-----------------|--|---|
| Activity No(s): | Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Category A</b> | Describe the portion of the proposed development to which the applicable listed activity relates. |
|                 |  |   |

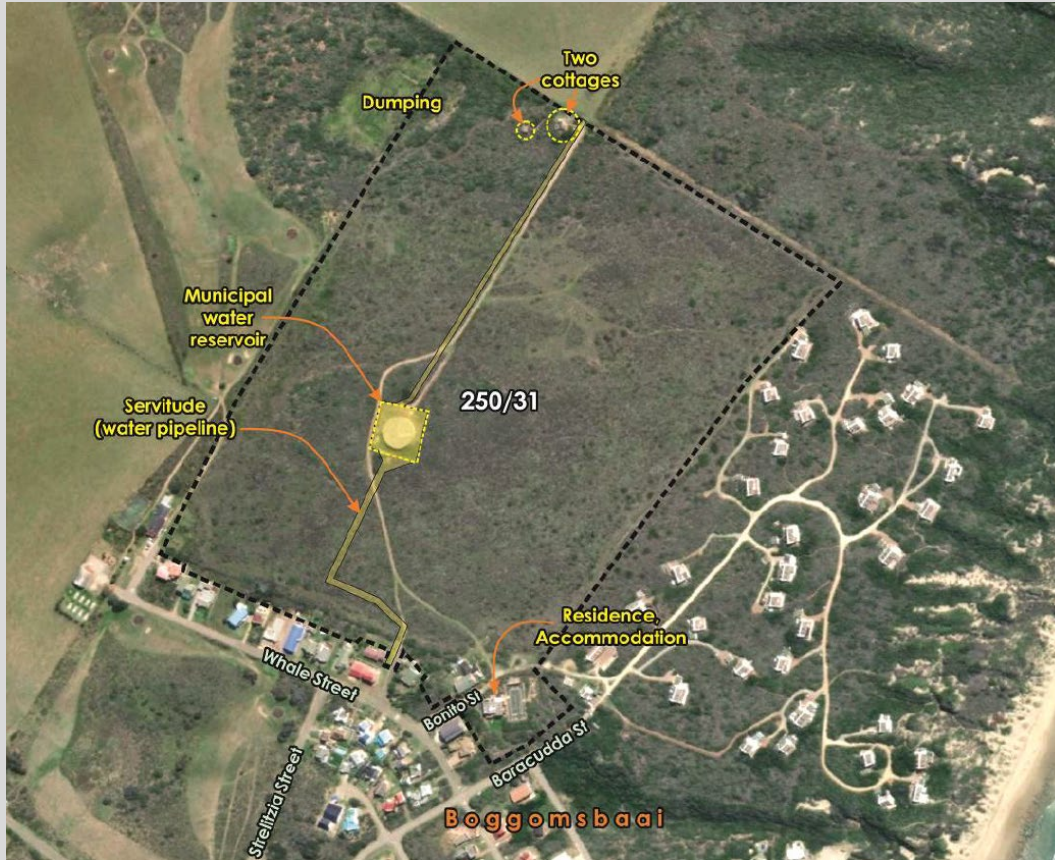
List the applicable listed activities in terms of the NEM:AQA

|                 |  |   |
|-----------------|--|---|
| Activity No(s): | Provide the relevant <b>Listed Activity(ies)</b> | Describe the portion of the proposed development to which the applicable listed activity relates. |
|                 |  |   |

## SECTION E: PLANNING CONTEXT AND NEED AND DESIRABILITY

1. Provide a description of the preferred alternative.

There are existing structures/infrastructure on the property that has informed the Mitigated preferred alternative:



**Figure 13: Reflection of existing structures and infrastructure on the greater property (Source: Perception Planning 2022).**

Following the outcome of the public participation process, the Mitigated Preferred Alternative reflects the following (Figure 3):

- 12 single residential properties ( $\pm 757\text{m}^2$  each) with a single storey dwelling house on each property.
- Private open space to retain natural vegetation with provision for fire breaks and internal minor corridor in a nodal layout.
- 3 x guestrooms to be added to the existing Sandpiper Leisure Centre (tourist facility) to compliment the existing guest room.
- Internal narrow gravel roads with passing spaces.
- Setback from the Medium sensitive area closest to the reservoir;
- Buffer created between the existing residential erven along Whale Street and the closest erven within the development.
- Exclusion of apartments/flats as well as the shop.

Road access is proposed via Bonito Street (existing SandPiper access). Barbel Street serves as the municipal servitude access to the existing reservoir on the property only.



|    |   |
|----|---|
| 2. | Explain how the proposed development is in line with the existing land use rights of the property as you have indicated in the NOI and application form? Include the proof of the existing land use rights granted in Appendix E21. |
|----|---|

Rezoning to subdivisional area for the proposed Orbaai Village study area.  
 The remainder of the property will be subdivided as a Remainder and will stay as Agriculture I outside the urban edge.

|    |  |
|----|--|
| 3. | Explain how potential conflict with respect to existing approvals for the proposed site (as indicated in the NOI/and or application form) and the proposed development have been resolved. |
|----|--|

The property is currently zoned as Agricultural Zone 1 and was previously used as grazing ground.



**Figure 14: Historical aerial image (06.08.1989) indicating the historical land use of the farming area prior to development of Boggomsbaai township (Source: Hoare 2022).**

|    |  |
|----|--|
| 4. | Explain how the proposed development will be in line with the following? |
|----|--|

|     |   |
|-----|---|
| 4.1 | The Provincial Spatial Development Framework. |
|-----|---|

Development of urban settlement in proximity to existing township development, that can be readily connected to existing municipal services, allows for resource conservation measures through self-sufficient sewage handling and making use of existing municipal road infrastructure/access.

|     |  |
|-----|--|
| 4.2 | The Integrated Development Plan of the local municipality. |
|-----|--|

The IDP supports local economic development and investment in support of socio-economic upliftment and growth in tourism. The key pillars of sustainability for the Mossel Bay Municipality are Social Well-Being, Economic Viability and Environmental Integrity. According to the Municipal IDP, the key development priorities for Mossel Bay include:

- Commercial Development
- Industry Development
- Bulk Infrastructure Development
- Property development

|      |   |
|------|---|
|      | <ul style="list-style-type: none"> <li>• Water Scarcity</li> </ul> <p>The development will amount to several temporary employment opportunities during construction.</p>  |
| 4.3. | The Spatial Development Framework of the local municipality.  |
|      | <p>June 2022 SDF includes the study site in the 'urban edge'. The original development proposal included additional erven outside the designated 'urban edge', however before the Application could be launched the Municipality produced their 2022 SDF and the preferred alternative was subsequently reduced in size and footprint to comply.</p>  |
| 4.4. | The Environmental Management Framework applicable to the area.  |
|      | Not applicable.   |
| 5.   | Explain how comments from the relevant authorities and/or specialist(s) with respect to biodiversity have influenced the proposed development.  |
|      | <p><b>CapeNature commented</b> on the importance of fire as a driver in fynbos vegetation. Natural fire regimes must be maintained and managed. CapeNature recommended the following:</p> <ul style="list-style-type: none"> <li>• Firebreaks inside the development footprint as well as the inclusion of Firewise landscaping to reduce the risk of fire. The <b>Mitigated Preferred Alternative</b> includes provision for firebreaks along the edge of the development. The internal corridor can also be burned under controlled circumstances.</li> <li>• Preferred a more clustered development for better fire management. The <b>Mitigated Preferred Alternative</b> shows more clustered erven to retain a natural corridor between erven 1 – 6 and 7 – 12. A narrow gravel road is also proposed along the eastern boundary of the property for better fire management.</li> <li>• Move units 1 &amp; 2 further away from the medium sensitivity habitat. Units 1 &amp; 2 are further away from the medium sensitivity habitat (<b>Mitigated Preferred Alternative</b>).</li> </ul> <p><b>Mossel Bay Municipality commented</b> on the fact that Business Zone III &amp; General Residential V are not in line with the SDF/EMF 2022 Proposal. They recommended that the rights applied for be in line with the SDF/EMF 2022 and proposed to replace Business Zone III with a more appropriate zoning and scale down the General Residential Zone V to General Residential Zone IV.</p> <p>Business Zone III and General Residential V are replaced with General Residential Zone IV (guest lodge) (<b>Mitigated Preferred Alternative</b>). General Residential Zone IV (Guest lodge) includes the existing Sandpiper Leisure Centre (with one guestroom already) plus 3 additional guestrooms.</p> |
| 6.   | Explain how the Western Cape Biodiversity Spatial Plan (including the guidelines in the handbook) has influenced the proposed development.  |
|      | <p>According to the Western Cape Biodiversity Spatial Plan, the development site falls within ESA1: Terrestrial (Figure 16). ESAs are areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs (Protected Areas) &amp; CBAs (Critical Biodiversity Areas) and are often vital for delivering ecosystem goods and services flow and strengthening resilience to climate change.</p> <p>ESAs need to be maintained in at least a functional and often natural state, in order to support the purpose for which they were identified, but some habitat loss may be acceptable.</p>  |



Figure 15: November 2022 Protected Ecosystem Threat Status indicating the property and study area as falling outside the identified ecosystems deemed highly sensitive.

ESA1 is likely to be functional (i.e., in a natural, near natural or moderately degraded condition).



Figure 16: Western Cape Biodiversity Spatial Plan (Mitigated Preferred Alternative) (Source: Terrestrial Biodiversity Assessment Report – Dr David Hoare).

|   |  |                             |                 |            |                  |   |                   |  |                   |   |                   |
|---|--|-----------------------------|-----------------|------------|------------------|---|-------------------|--|-------------------|---|-------------------|
| 7.  | Explain how the proposed development is in line with the intention/purpose of the relevant zones as defined in the ICMA.   |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <p>The proposed development falls within the Coastal Protection Zone.</p> <p>The Coastal Protection Zones aims to:</p> <ul style="list-style-type: none"> <li>• protect the ecological integrity, natural character, and the economic, social and aesthetic value of the neighbouring coastal public property.</li> <li>• avoid increasing the effect or severity of natural hazards.</li> <li>• protect people, property and economic activities from the risks and threats which may arise from dynamic coastal processes such as wave and wind erosion, coastal storm surges, flooding and sea-level rise.</li> <li>• maintain the natural functioning of the littoral active zone.</li> <li>• maintain the productivity of the coastal zone.</li> <li>• allow authorities to perform rescue and clean-up operations.</li> </ul> <p>The proposed development will not affect the aims of the Coastal Protection Zone and is also located within the Urban edge of Boggomsbaai.</p> |  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| 8.  | Explain whether the screening report has changed from the one submitted together with the application form. The screening report must be attached as Appendix I.   |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <p>The screening tool has not changed. It is still the same screening tool submitted with the application form.</p>   |  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| 9.  | Explain how the proposed development will optimise vacant land available within an urban area.   |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <p>The property is largely vacant and, except for the water tower, servitude roads, primary dwelling and existing Sandpiper Leisure Centre. Contribution to the local economy is limited. The proposed development does optimise land directly adjacent to and within the urban edge of Boggomsbaai.</p> <p>The proposed development supports greater productivity and opportunities within the special economy, and it strengthens the economy by allowing permanent residents rather than seasonal influx/tourism.</p>  |  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| 10.   | Explain how the proposed development will optimise the use of existing resources and infrastructure.   |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <ul style="list-style-type: none"> <li>• Access to the proposed development will be from existing public streets/servitudes.</li> <li>• Electricity, water and sewer reticulation will be connected into existing municipal services.</li> </ul>  |  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| 11.   | Explain whether the necessary services are available and whether the local authority has confirmed sufficient, spare, unallocated service capacity. (Confirmation of all services must be included in Appendix E16). |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <p>Municipal water supply (from existing on-site municipal reservoir) and electrical supply are available for connection. The Mossel Bay Municipality has confirmed sufficient capacity in their systems. Below is a summary of the average water demand for the development as provided by Cobus Louw Consulting Engineers (2023):</p>   |  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <table border="1"> <tr> <td data-bbox="204 1630 1217 1697">Average water usage per day</td> <td data-bbox="1217 1630 1485 1697">5.59 litres/sec</td> </tr> <tr> <td data-bbox="204 1697 1217 1765">Peak daily</td> <td data-bbox="1217 1697 1485 1765">11.63 litres/sec</td> </tr> <tr> <td data-bbox="204 1765 1217 1832">Required storage capacity without fire demand</td> <td data-bbox="1217 1765 1485 1832">485m<sup>3</sup></td> </tr> <tr> <td data-bbox="204 1832 1217 1899">Required storage capacity with fire demand</td> <td data-bbox="1217 1832 1485 1899">800m<sup>3</sup></td> </tr> <tr> <td data-bbox="204 1899 1217 1975">Existing municipal reservoir storage capacity</td> <td data-bbox="1217 1899 1485 1975">500m<sup>3</sup></td> </tr> </table>   |  | Average water usage per day | 5.59 litres/sec | Peak daily | 11.63 litres/sec | Required storage capacity without fire demand | 485m <sup>3</sup> | Required storage capacity with fire demand | 800m <sup>3</sup> | Existing municipal reservoir storage capacity | 500m <sup>3</sup> |
| Average water usage per day   | 5.59 litres/sec  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| Peak daily  | 11.63 litres/sec   |                             |                 |            |                  |   |                   |  |                   |   |                   |
| Required storage capacity without fire demand   | 485m <sup>3</sup>  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| Required storage capacity with fire demand  | 800m <sup>3</sup>  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| Existing municipal reservoir storage capacity   | 500m <sup>3</sup>  |                             |                 |            |                  |   |                   |  |                   |   |                   |
| <p>It is noted that the existing municipal reservoir located on the property, has sufficient storage capacity to accommodate the 12 additional even in addition to the existing, registered 310</p>   |  |                             |                 |            |                  |   |                   |  |                   |   |                   |

residential erven of Boggomsbaai. Fire demand volumes will not be accommodated within the municipal reservoir, instead it will be provided for through 25 000l rainwater tanks that must be supplied at each single residential dwelling.

In the event the Municipality constructs a new reservoir in future that accommodates fire flow as well (it currently does not for the whole of Boggomsbaai), the need for the 25 000l rainwater tanks may be replaced with a requirement for a minimum 10 000 litres rainwater tank for each single residential dwelling as part of resource conservation measures for the Estate.

Boggomsbaai township does not have a waterborne sewage system. Each unit will have its own small sewage biodigester that will separate black and grey water. The filtered grey water will be further polished through on-site artificial wetlands per erf and can be re-utilised for limited landscaping for each home.

|     |  |
|-----|--|
| 12. | In addition to the above, explain the need and desirability of the proposed activity or development in terms of this Department's guideline on Need and Desirability (March 2013) or the DEA's Integrated Environmental Management Guideline on Need and Desirability. This may be attached to this BAR as Appendix K. |
|-----|--|

'Need', as defined by DEADP refers to the timing of the proposal and the 'Desirability' refers to the 'placing' of the proposed development.

#### Need

The proposed development is in line with all the provincial, district and local development policies. The timing is correct for this development as it will:

- create employment opportunities (mostly seasonal),
- create business opportunities (small shop, maintenance and catering for flatlets/accommodation units),
- contribute to the economic growth of the town (municipal rates & taxes,

#### Desirability

The proposal in its mitigated preferred format, is regarded as desirable because the proposed development:

- is unlikely to impact negatively on existing land use rights of neighbouring property owners,
- it will not prevent any surrounding owner to exercise their legal land use rights,
- optimise vacant land within urban edge,
- will create business & employment opportunities.

#### Questions to be engaged with when considering need & desirability:

1. How will this development impact on the ecological integrity of the area?

*This development will result in the loss of 1.4ha of ESA1 habitat. The site falls within a Least Threatened Ecological Threat Status (Canca Limestone Fynbos). No aquatic features will be affected. The area will be protected with open space between dwellings to be maintained. The development site is not located in a high-risk area such as areas affected by flood lines and steep slopes. The fire risk of natural vegetation is to be mitigated through fire breaks within the property boundary along the western and northern boundaries and fire landscaping.*

2. How will this development enhance ecosystems and/or result in the loss or protection of biological diversity? What measures were explored to avoid negative impacts and enhance positive impacts?

*Originally two layout alternatives were investigated that included a large portion of the farm that falls outside the urban edge. The preferred mitigated alternative has been modified to avoid the medium sensitive areas closest to the municipal reservoir and allows for an internal minor corridor as well as space to accommodate boundary fire breaks.*

3. How will this development pollute and/or degrade the biophysical environment? What measures were explored to avoid or minimise these impacts.

*Development will degrade the biophysical environment when structures and infrastructure will be installed along with landscaping efforts. Design provisions include narrow gravel roads, limited development footprints, open internal corridors and linkages with surrounding farm land. Please refer to the EMPr regarding measures to avoid pollution.*

4. What waste will be generated by this development? Measures to avoid waste.

*Construction & household waste (paper, plastic etc.) that must be collected and removed by the appointed contractors to a registered solid waste site (records must be kept and provided to the ECO for auditing purposes). Normal household waste will be collected by the Municipality for disposal at a registered landfill site. All grey water be diverted to a biodigester with an overflow to the constructed as a small artificial wetland system for each dwelling. The filtered grey water from the artificial wetland systems will be re-used for gardening purposes.*

5. How will this development use and/or impact on non-renewable resources?

*Municipal electrical distribution network available. Energy saving technologies such as load control, the use of energy efficient lighting, alternative means of water heating i.e. heat pumps and rooftop solar panels to be implemented. Dual flush toilets, low flow shower heads and the utilisation of rainwater (each house must be fitted with 25 000l rainwater tanks).*

6. How will this development use and/or impact on renewable resources?

*Roof top solar panels will be implemented per dwelling unit.*

7. How will the ecological impacts result from this development impact on people's environmental right in terms of the following:

- *Negative impacts (temporary noise during construction – refer to EMPr for mitigation measures).*
- *Positive impacts (optimise vacant land & temporary / permanent job opportunities).*
- *Socio-economic impacts (change in character and sense-of-place from a rural open property to a low-density residential area within the designated urban edge, rates and taxes to the municipality, temporary and permanent employment opportunities, land values).*
- *Positive & negative ecological impacts (Result in loss of vegetation. Open Space between units will be actively maintained).*

8. Describe how alternatives resulted in the selection of the "best practicable environmental option" in terms of ecological considerations?

*Initially the development consisted of two components, one which was determined to be outside of the demarcated urban edge and into areas indicated as CBA. The area outside the urban edge was subsequently excluded.*

*The preferred alternative has been modified further to accommodate the outcome of the public participation process listing the following changes are improvements in the mitigated preferred alternative:*

- *Reduced number of units (13 to 12) to accommodate a buffer between the existing houses and the closest erven;*
- *Nodal layout format rather than erven distributed over the entire site;*
- *Avoidance (setback) from the Medium sensitivity area closest to the Municipal Reservoir;*
- *Exclusion of the flats/apartments and shop component to be aligned with the Mossel Bay SDF.*

9. What is the socio-economic context of the area?

*Please refer to section G(8) in FBAR*

## SECTION F: PUBLIC PARTICIPATION

The Public Participation Process ("PPP") must fulfil the requirements as outlined in the NEMA EIA Regulations and must be attached as Appendix F. Please note that If the NEM: WA and/or the NEM: AQA is applicable to the proposed development, an advertisement must be placed in at least two newspapers.

1. Exclusively for linear activities: Indicate what PPP was agreed to by the competent authority. Include proof of this agreement in Appendix E22.

2. Confirm that the PPP as indicated in the application form has been complied with. All the PPP must be included in Appendix F.

Refer to Appendix F for copies of advert, site notices, notifications, stakeholder register and comment as well as the comments & response table.

- Neighbouring property owners were identified using CapeFarmMapper,
- Select neighbouring property owners were compiled into a list sent to the Mossel Bay Municipality for confirmation of contact details,
- Key Authorities were identified according to whether or not they have a mandated interest in the area/site;
- Local Councillor was verified with the Mossel Bay Municipality;
- Site Notices were placed on site calling for I&APs to register and review the DBAR;
- Written notifications were sent to all potential I&APs via email/post informing of the availability of the DBAR and the opportunity to register as an I&AP;
- Advert appeared in the *Mossel Bay Advertiser*.

Comments received in response to the DBAR or in request to be registered were considered and added to the Stakeholder Register. All submissions are incorporated and reflected in this Final Basic Assessment Report.







20 MOSSEL BAY ADVERTISER

**Cape EAPrac**  
**PUBLIC PARTICIPATION PROCESS**  
BASIC ASSESSMENT APPLICATION


PUBLIC PARTICIPATION PROCESS FOR ORBAAI VILLAGE ON  
A PORTION OF PORTION 31 OF FARM BUFFELSFONTEIN 250, BOGGOMSBAAI,  
MOSSEL BAY MUNICIPALITY

**Notice is hereby given of a Public Participation Process in terms of the National  
Environmental Management Act (NEMA, Act No 107 of 1998, as amended)**

An application for a **Basic Assessment** has been submitted to the Department of Environmental Affairs and Development Planning (DEA&DP) as the competent authority for decision-making.

**Proposal:** The Applicant wishes to subdivide and rezone ±4.9ha of ±23ha to allow for a residential development consisting of 13 Single Residential Zone I erven (dwellings) on ±0.9ha, internal private open space (±2.6ha), utility services (roads/services), Business Zone III erf (existing neighbourhood shop with flatlets on first floor) on ±0.3ha, General Residential Zone V erf (existing Sandpiper Leisure Centre with 4 added guest rooms) on ±0.85ha.

**DEADP Ref:** 16/3/31/D6/3/0003/23 (please include this reference in all correspondence).



**Location:** Prt 31 Buffelsfontein 250 borders Boggomsbaai to the North. The property is surrounded by two farms (north & west), Kleinbos eco-estate (east) and Boggomsbaai township (south).

**Applicant:** Orbaai (Pty) Ltd

**Environmental Practitioner:** Cape EAPrac

**Listed activities:** Listing 1 (Activity 27), Listing 3 (Activity 4).

**Deviations/Exemptions:** None applied for.

**Information Available:** Draft Basic Assessment Report available for a 30-day commenting period, extending from **Monday, 20 Feb 2023 - Wednesday, 22 March 2023** offloaded from [www.cape-eaprac.co.za](http://www.cape-eaprac.co.za). Alternative access to reports can be a request.

In order to be registered as an Interested and Affected Party (I&AP) for the process, individuals are requested to respond to this notice by submitting their complete contact details and/or comments to *Cape EAPrac* in writing (to address below) on or before **22 March 2023**. [Correspondence throughout the remainder of the environmental process will be distributed to registered I&APs].

**Cape EAPrac – Attention:** Louise-Mari van Zyl, Email: [louise@cape-eaprac.co.za](mailto:louise@cape-eaprac.co.za)  
PO Box 2070 George 6530; Telephone: 044 874 0365

**Take Note:** Ito the POPIA legislation when registering as an I&AP a person consents to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). By registering/submitted comment a person agrees that his/her/their contact details will, where required by a public body, be reflected in regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Date of Advertisement:  
17 February 2023 (Mossel Bay Advertiser)

3. Confirm which of the State Departments and Organs of State indicated in the Notice of Intent/application form were consulted with.

- Mossel Bay Municipality
- Garden Route District Municipality
- Cape Nature
- Department of Transport: Provincial
- Heritage Western Cape
- SACAA
- Department of Agriculture
- BGCMA (Breede-Gourits Management Catchment Agency – Water Affairs)

4. If any of the State Departments and Organs of State were not consulted, indicate which and why.

Department of Forestry – there are no natural forest or protected trees on the property.

5. If any of the State Departments and Organs of State did not respond, indicate which.

- SACAA
- Department of Transport: Provincial
- Garden Route District Municipality

6. Provide a summary of the key issues raised by I&APs and an indication of the manner in which the issues were incorporated into the development proposal.

The following KEY ISSUES were raised during the public participation process:

- Access to the beach is already restricted
  - The development will provide a dedicated shuttle service over the peak holiday periods i.e. December and Eastern Holiday period to ensure that residents do not contribute to the existing (beach) parking congestion that extends from the public parking up along public streets closest to the beach;
- Services in Boggomsbaai is restricted and under pressure
  - The Applicant will implement resource conservation measures as part of the development in the form of rain water storage tanks and solar panels, use of gas stoves/ gas geysers or heat pumps and re-use of treated grey water for landscaping, to reduce pressure on existing Municipal services;
  - The Municipality did confirm that they accept these alternative measures but also that sufficient municipal services and capacity is available to accommodate the development proposal;
- Impact of the development on property value and sense of place
  - The development of 12 dwellings within an urban context under supervision and according to a sensitive site layout, with security and controlled access is highly unlikely to impact negatively on property values and/or the sense of place or character of the residential township of Boggomsbaai;
- Negative impact of the proposed shop/commercial node
  - The outcome of the public participation process has resulted in additional mitigation measures being implemented, including the exclusion of the shop/flats/apartments to avoid the concerns that residents had about additional traffic, security and noise associated with such components;
- Negative impact of the proposed flats/apartments
  - See above response. The mitigated preferred alternative does not have these components any longer.
- Impact of construction and operational traffic on existing road infrastructure
  - Construction will happen over time as demand for houses become evident. Construction vehicles (heavy machinery for bulk earth works and/or civil services) will remain on-site to reduce construction traffic. The additional operational traffic of 12 additional dwellings are unlikely to contribute significantly to daily traffic in an around Boggomsbaai.
- Requirements for fire management and ecological processes
  - The proposed development avoids CBA areas and is limited to the area designated for urban expansion. The mitigated preferred alternative has been setback from the Medium sensitive area around the Municipal Reservoir, it allows

for space along the property boundaries to accommodate fire breaks, it has re-positioned erven into two nodes instead of a scattered layout and it will only make provision for a farm fence along the remaining Agricultural zoned area to support animal movement.

Refer to the attached issues & response report for a full version of the stakeholders comments received (Appendix F).

**Note:**

A register of all the I&AP's notified, including the Organs of State, and all the registered I&APs must be included in Appendix F. The register must be maintained and made available to any person requesting access to the register in writing.

The EAP must notify I&AP's that all information submitted by I&AP's becomes public information.

Your attention is drawn to Regulation 40 (3) of the NEMA EIA Regulations which states that "*Potential or registered interested and affected parties, including the competent authority, may be provided with an opportunity to comment on reports and plans contemplated in subregulation (1) prior to submission of an application but **must** be provided with an opportunity to comment on such reports once an application has been submitted to the competent authority.*"

All the comments received from I&APs on the pre -application BAR (if applicable and the draft BAR must be recorded, responded to and included in the Comments and Responses Report and must be included in Appendix F.

All information obtained during the PPP (the minutes of any meetings held by the EAP with I&APs and other role players wherein the views of the participants are recorded) and must be included in Appendix F.

Please note that proof of the PPP conducted must be included in Appendix F. In terms of the required "proof" the following is required:

- a site map showing where the site notice was displayed, 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 a facsimile was sent, a copy of the facsimile Report;
  - 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 G: DESCRIPTION OF THE RECEIVING ENVIRONMENT

All specialist studies must be attached as Appendix G.

### 1. GROUNDWATER

|      |   |     |    |
|------|---|-----|----|
| 1.1. | Was a specialist study conducted?   | YES | NO |
| 1.2. | Provide the name and/or company who conducted the specialist study.   |     |    |
| 1.3. | Indicate above which aquifer your proposed development will be located and explain how this has influenced your proposed development.                 |     |    |
| 1.4. | Indicate the depth of groundwater and explain how the depth of groundwater and type of aquifer (if present) has influenced your proposed development. |     |    |

### 2. SURFACE WATER

|      |   |     |    |
|------|---|-----|----|
| 2.1. | Was a specialist study conducted?   | YES | NO |
| 2.2. | Provide the name and/or company who conducted the specialist study.   |     |    |
| 2.3. | Explain how the presence of watercourse(s) and/or wetlands on the property(ies) has influenced your proposed development. |     |    |

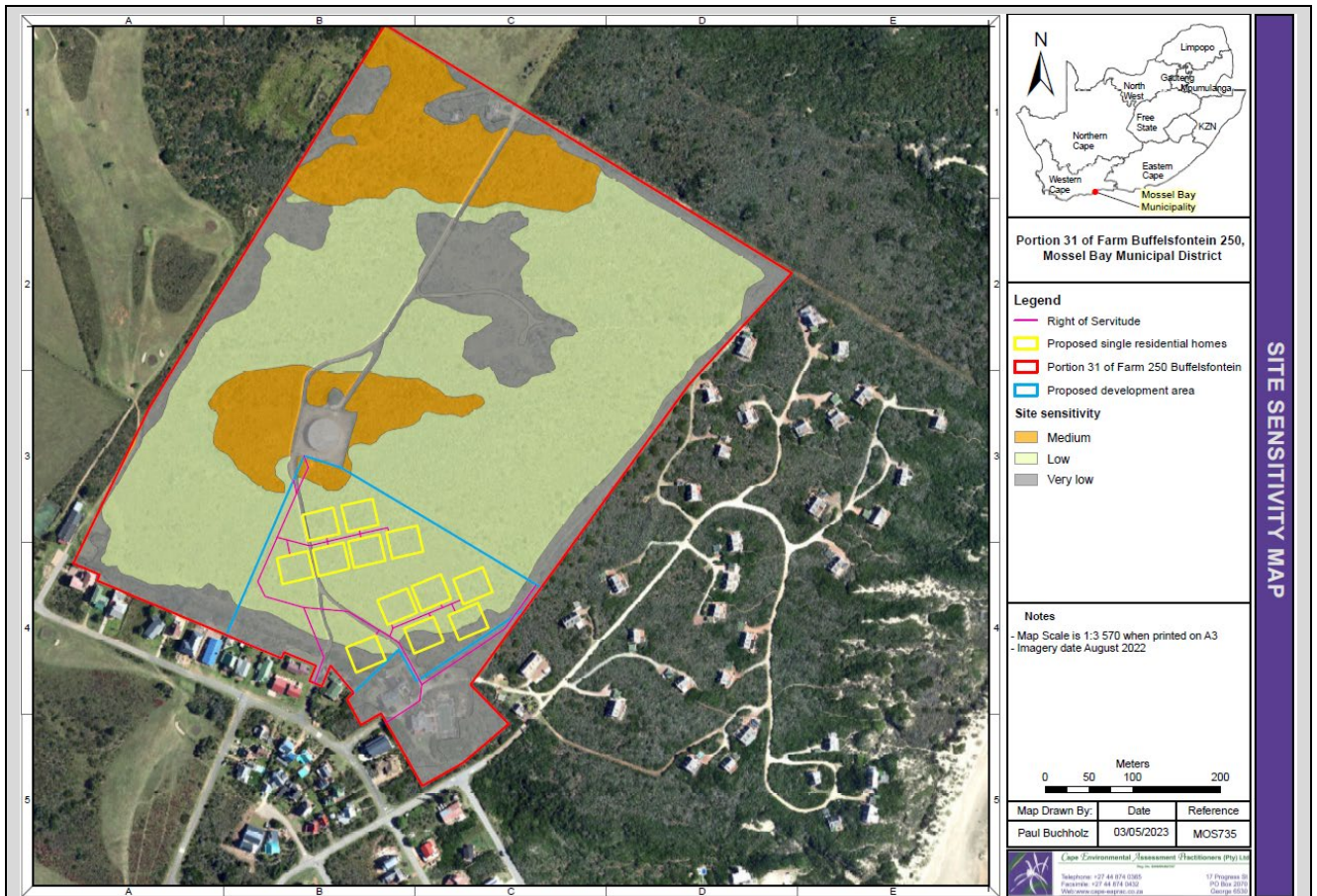
### 3. COASTAL ENVIRONMENT

|      |  |     |    |
|------|--|-----|----|
| 3.1. | Was a specialist study conducted?  | YES | NO |
| 3.2. | Provide the name and/or company who conducted the specialist study.  |     |    |
| 3.3. | Explain how the relevant considerations of Section 63 of the ICMA were taken into account and explain how this influenced your proposed development.                     |     |    |
| 3.4. | Explain how estuary management plans (if applicable) has influenced the proposed development.  |     |    |
| 3.5. | Explain how the modelled coastal risk zones, the coastal protection zone, littoral active zone and estuarine functional zones, have influenced the proposed development. |     |    |

### 4. BIODIVERSITY

|      |                                    |     |    |
|------|------------------------------------|-----|----|
| 4.1. | Were specialist studies conducted? | YES | NO |
|------|------------------------------------|-----|----|

|  |  |
|--|--|
| 4.2.   | Provide the name and/or company who conducted the specialist studies.  |
| Dr Hoare and Dr Vlok from David Hoare Consulting (Pty) Ltd for Botany, Fauna and Biodiversity themes.  |  |
| 4.3.   | Explain which systematic conservation planning and other biodiversity informants such as vegetation maps, NFEPA, NSBA etc. have been used and how has this influenced your proposed development.     |
| <p>NSBA</p> <p>NFEPA</p> <p>Cape Farm Mapper</p> <p>Protected Tree Species List</p> <p>Western Cape Biodiversity Programme</p> <p>Consideration of rare/endangered species</p> <p>Site- and species-specific surveys conducted by the specialist to determine applicability and correctness of the Screening Tool.</p>   |  |
| 4.4.   | Explain how the objectives and management guidelines of the Biodiversity Spatial Plan have been used and how has this influenced your proposed development.  |
| <p>According to the guidelines, avoidance and minimisation mitigation is required in habitats with High sensitivity, with offsets required for impacts that cannot be avoided. Mitigation measures were therefore put in place in order to reduce the negative impacts.</p>  |  |
| 4.5.   | Explain what impact the proposed development will have on the site specific features and/or function of the Biodiversity Spatial Plan category and how has this influenced the proposed development. |
| <p>According to the Biodiversity Impact Assessment (prepared by David Hoare Consulting (Pty) Ltd), the proposed development will result in the following impact:</p> <ol style="list-style-type: none"> <li>1. Direct, but limited loss of secondary habitat within ESA.</li> <li>2. Invasion by alien invasive plant species through incorrect landscaping over time.</li> <li>3. Fire management requirements for ecological processes may be compromised.</li> </ol> <p>These impacts can and will be mitigated from Medium to Low negative significance. Refer to <b>Section 1</b> for detailed mitigation measures.</p> <p>The mitigated preferred development (Alternative 1) is positioned within the areas deemed to have <b>Very Low</b> and <b>Low</b> ecological sensitivity with the remaining thicket areas that will not be affected by the development activities (Figure 17). Care must be taken during construction to avoid the top corner of medium sensitivity habitat closest to the Municipal reservoir that has been avoided with with the mitigated preferred alternative.</p> |  |



**Figure 17: Environmental sensitivity map with mitigated preferred development overlay (Source: Hoare 2023).**

|   |   |
|---|---|
| 4.6.  | If your proposed development is located in a protected area, explain how the proposed development is in line with the protected area management plan. |
| Not applicable.   |   |
| 4.7.  | Explain how the presence of fauna on and adjacent to the proposed development has influenced your proposed development.                               |
| <p>According to the Faunal Compliance Statement (prepared by Dr. Vlok), the proposed development is entirely within areas mapped as degraded / secondary that have a <b>low</b> biodiversity value and sensitivity. The site is not considered a good habitat for the flagged animal species.</p> <p>Dune thicket was noted in the northern and central parts of the greater farm property (valuable habitat for animals), but this habitat falls outside the development footprint. Areas of medium sensitivity closest to the municipal reservoir must be avoided during construction.</p> <p>These valuable habitats will not be affected by the proposed development activities and no access will be permitted to these areas.</p> |   |

**5. GEOGRAPHICAL ASPECTS**

|   |
|---|
| Explain whether any geographical aspects will be affected and how has this influenced the proposed activity or development. |
| No geographical aspects will be affected.   |

**6. HERITAGE RESOURCES**

|      |   |     |    |
|------|---|-----|----|
| 6.1. | Was a specialist study conducted?                                   | YES | NO |
| 6.2. | Provide the name and/or company who conducted the specialist study. |     |    |

Stefan de Kock (Perception planning)

6.3. Explain how areas that contain sensitive heritage resources have influenced the proposed development.

According to the Background Information Document to NID (Perception Planning) and supplementary letter from Perception Planning, the Mitigated Preferred Alternative would not impact on any heritage's resources of cultural significance.

No further studies are deemed necessary and Heritage Western Cape has accepted the NID with Archaeological Input.

## 7. HISTORICAL AND CULTURAL ASPECTS

Explain whether there are any culturally or historically significant elements as defined in Section 2 of the NHRA that will be affected and how has this influenced the proposed development.

None will be affected.

## 8. SOCIO/ECONOMIC ASPECTS

8.1. Describe the existing social and economic characteristics of the community in the vicinity of the proposed site.

Boggomsbaai is a small coastal suburb of Mossel Bay. It is characterised as a vacation spot with permanent residency. The southern half of Boggomsbaai is characterised by residential erven and permanent residency is increasing post-COVID.

The northern half is characterised by *Kleinbos* (low density eco-estate) and the *Sandpiper Leisure Centre* (combined tourist facility, sport, recreation centre).

The proposed development is aiming to be of a similar nature to that of Kleinbos, albeit slightly higher density to align with the Municipality's designation of 'medium' density, whilst incorporating the tourism factor still.

8.2. Explain the socio-economic value/contribution of the proposed development.

The development will create temporary employment opportunities during the construction phases to semi- and unskilled workers.

Full time workers will be required in skilled and semi-skilled positions for maintenance and management.

Primary and secondary spending will arise from buying building materials and operational spending will be associated with products and materials for maintenance (of houses/infrastructure).

Contractors must source materials and employ people from within the local municipal area with a focus on the rural area surrounding Boggomsbaai, as well as Mossel Bay as a priority. Records of employment for the construction phase must be kept and provided to the ECO for auditing purposes.

8.3. Explain what social initiatives will be implemented by applicant to address the needs of the community and to uplift the area.

Local.

8.4. Explain whether the proposed development will impact on people's health and well-being (e.g. in terms of noise, odours, visual character and sense of place etc) and how has this influenced the proposed development.

The development will result in temporary impacts during the construction phase such as noise and dust. These impacts must be managed in accordance with the Environmental Management Plan.

The Applicant must appoint an Environmental Control Officer (ECO) for the duration of the construction phase (bulk earth works and services). Individual property owners must appoint an ECO to oversee construction of individual homes and the owner/operator of the shop/leisure centre must appoint an ECO to oversee the modification and construction associated with these activities.

## SECTION H: ALTERNATIVES, METHODOLOGY AND ASSESSMENT OF ALTERNATIVES

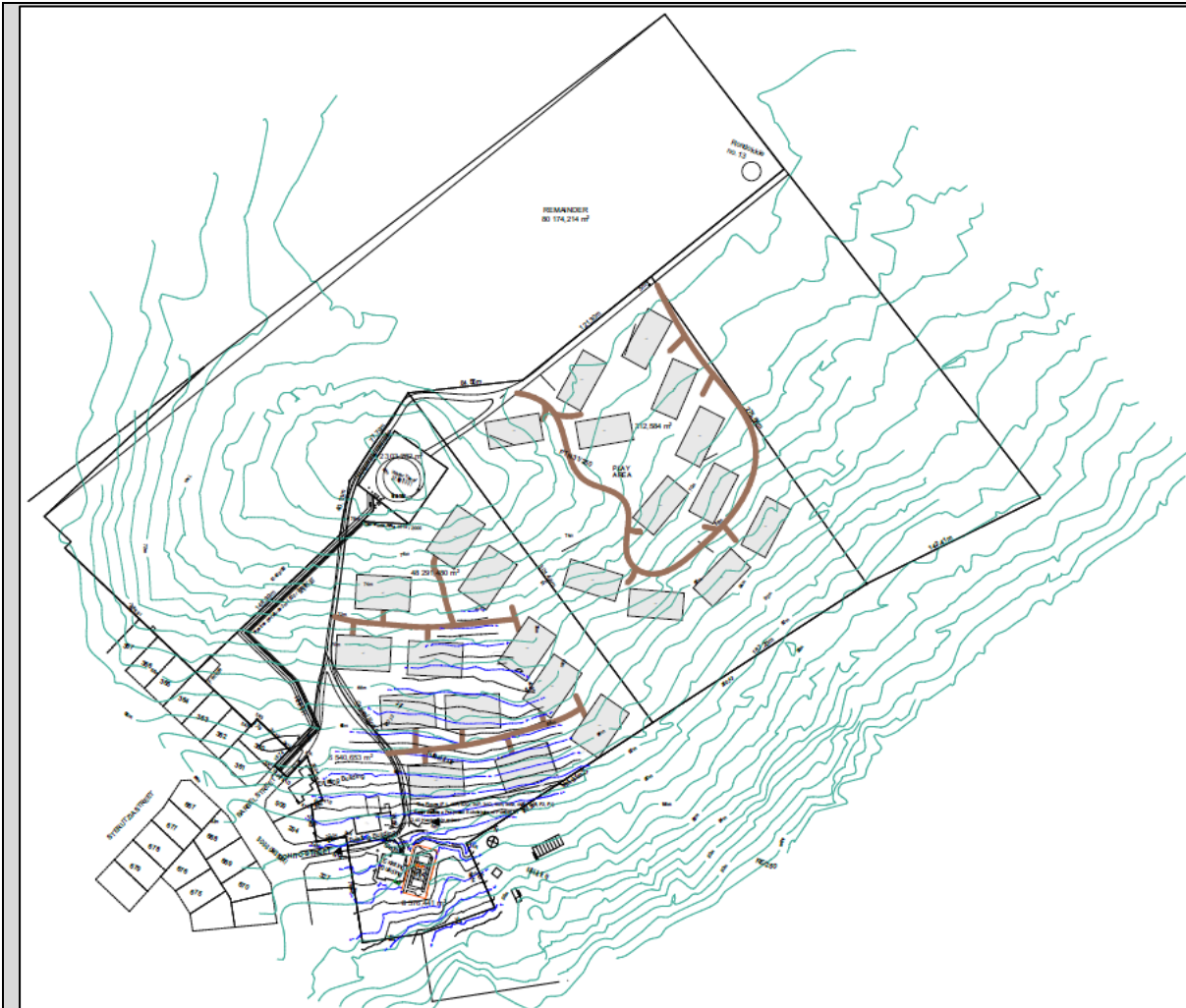
### 1. DETAILS OF THE ALTERNATIVES IDENTIFIED AND CONSIDERED

|  |  |
|--|--|
| 1.1.   | Property and site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts. |
| Provide a description of the preferred property and site alternative.  |  |
| A Portion of Portion 31 of Farm Buffelsfontein 250, Boggomsbaai, Mossel Bay Municipal District.  |  |
| Provide a description of any other property and site alternatives investigated.  |  |
| No alternative sites were considered although development footprint within the greater property have been considered as Alternatives 2 & 3.  |  |
| Provide a motivation for the preferred property and site alternative including the outcome of the site selection matrix.   |  |
| <ul style="list-style-type: none"> <li>The site is earmarked for mixed medium density residential area.</li> <li>The site is in proximity to existing amenities and is also in character of surrounding land use (Kleinbos to the west and residential homes to the south).</li> <li>The site is located within the designated urban edge of Boggomsbaai.</li> <li>Development on the property will contribute to the economy albeit in a limited way due to the low density character.</li> <li>Municipal services are readily available for connection.</li> </ul>   |  |
| Provide a full description of the process followed to reach the preferred alternative within the site.   |  |
| The site is owned by the Applicant.  |  |
| Provide a detailed motivation if no property and site alternatives were considered.  |  |
| <p>Initially a much larger portion of the property was considered for development. It came to light however that a portion of the development area was outside the urban edge and encroached into CBA. This development alternative was subsequently excluded and eliminated prior to the undertaking of the formal environmental impact assessment process</p> <p>No alternative site was considered because:</p> <ul style="list-style-type: none"> <li>The site is owned by the Applicant.</li> <li>The site is earmarked for mixed medium density residential area.</li> <li>The site is in proximity to existing amenities and is also in character of surrounding land use.</li> <li>The site is located within the urban edge of Boggomsbaai.</li> <li>Municipal services are readily available for connection.</li> <li>The largely vacant property does not contribute to the economy.</li> </ul> |  |
| List the positive and negative impacts that the property and site alternatives will have on the environment.   |  |
| Positive   | Negative   |
| Optimize largely vacant land in an urban context.  | Temporary noise, dust and safety impacts associated with the movement of heavy vehicles.                                       |
| Temporary employment opportunities during construction (to semi-skilled and unskilled workers mostly).   | Loss of secondary/degraded vegetation.   |



|   |   |
|---|---|
| Permanent and temporary employment opportunities during the operational phase (to skilled and semi-skilled workers mostly).   | Temporary risk of increase crime during construction.   |
| Support for local economic development  | Temporary increase in construction vehicular traffic.   |
| Optimising development opportunity within the urban edge  | Additional pressure on non-renewable services.  |
| Areas of highest biodiversity value on the preferred site will be retained.   | Continued maintenance cost (alien clearing, access control, clearing of dumped materials).                            |
| 1.2.  | Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts. |
| Provide a description of the preferred activity alternative.  |   |
| Residential development instead of its current land use (largely vacant).   |   |
| Provide a description of any other activity alternatives investigated.  |   |
| The No-Go Alternative (status quo) was also considered as an alternative albeit not deemed compatible with the Mossel Bay SDF that designates the preferred Alternative area for urban expansion.   |   |
| Provide a motivation for the preferred activity alternative.  |   |
| <p>The proposed activity:</p> <ul style="list-style-type: none"> <li>• The mitigated preferred activity will not encroach beyond the designated urban edge.</li> <li>• Residential development is the mitigated preferred activity in terms of the SDF.</li> <li>• Proposing a low-medium density development in this position is in line with the designated land use and density as per the Municipal SDF.</li> <li>• The mitigated preferred activity avoids the higher sensitive areas inclusive of thicket and more pristine fynbos habitat that forms part of the greater critical biodiversity area (CBA) and Medium sensitive areas allocated to the area.</li> <li>• The mitigated preferred activity will result in the containment of urban sprawl within the acknowledged urban edge of Boggomsbaai.</li> <li>• It will ensure compact urban settlements (densification) where vacant land within urban edge is optimised.</li> <li>• The site is earmarked for mixed medium density residential development to form an edge boundary.</li> <li>• The mitigated preferred activity is not separated from Boggomsbaai (i.e leap frogging), it is close to existing amenities, transport/access.</li> <li>• The mitigated preferred activity does allow for rehabilitation &amp; active maintenance of degraded areas within Open Space (indigenous vegetation only).</li> <li>• The mitigated preferred activity (township development) will include alien &amp; fire regime management.</li> <li>• The mitigated preferred activity alternative will avoid the highly sensitive areas to limit access.</li> </ul> |   |
| Provide a detailed motivation if no activity alternatives exist.  |   |
| The preferred activity is for normally township development which aligns with the Mossel Bay SDF. Existing tourist facilities will be optimised. These activities are compatible with the spatial planning for Boggombaai. Another type of activity i.e., commercial farming on agricultural zoned land is not compatible with the Mossel Bay SDF, as such no 'activity' alternative was considered feasible.   |   |

|   |  |
|---|--|
| List the positive and negative impacts that the activity alternatives will have on the environment.   |  |
| No alternative activity options.  |  |
| 1.3.  | Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts |
| Provide a description of the preferred design or layout alternative.  |  |
| <p><u>Alternative 1 (Mitigated Preferred Design Alternative)</u></p> <p>The proposed development entails the following:</p> <ul style="list-style-type: none"> <li>• 12 single residential properties (<math>\pm 757\text{m}^2</math> each) with a single storey dwelling house on each property.</li> <li>• Private open space to retain natural vegetation.</li> <li>• 3 x guestrooms will be added to the existing Sandpiper Leisure Centre (tourist facility with one guestroom).</li> <li>• Internal narrow gravel roads with passing spaces.</li> <li>• Utility Zone.</li> </ul> <p>Road access is proposed via Bonito Street. Barbel Street also serves as the municipal servitude access to the existing reservoir on the property but will not be used as an access for residents of the proposed development.</p> |  |
| Provide a description of any other design or layout alternatives investigated.  |  |
| <p><u>Unmitigated Preferred Alternative - not preferred following the outcome of the public participation).</u></p> <p>This alternative design layout entails the following (Figure 18):</p> <ul style="list-style-type: none"> <li>• 13 Single Residential Zone I erven of <math>\pm 800\text{m}^2</math> each (approx. 0.96ha).</li> <li>• General Residential Zone V (hotel) (4-bedroom boutique hotel with the existing Sandpiper Leisure Centre) on approx. 0.8376ha.</li> <li>• Business Zone III (neighbourhood shop) with flats above ground floor and consent use for restaurant (approx. 0.6540ha).</li> <li>• Open Space Zone II – nature conservation zone on approx. 4.8291ha.</li> <li>• Agriculture Zone I – Status quo remains on approx. 10.3319ha.</li> </ul>   |  |



**Figure 18: Eliminated alternative – not preferred as it is not compatible with spatial planning policies and was excluded before the formal environmental application process commenced.**

Provide a motivation for the preferred design or layout alternative.

- small disturbance footprint
- inside the urban edge of Boggomsbaai thereby complying with spatial planning guidelines.
- will not encroach on Critical Biodiversity Areas and/or areas of Medium sensitivity
- accommodates the majority of issues/constraints that were raised during the public participation process

Provide a detailed motivation if no design or layout alternatives exist.

List the positive and negative impacts that the design alternatives will have on the environment.

**Alternative 1: Mitigated preferred design layout**

Positive:

- Small disturbance footprint.
- Inside the urban edge (optimize largely vacant land)
- Development will not encroach sensitive biodiversity areas (CBA: Terrestrial).
- Rehabilitation of degraded areas within Open Spaces
- Fenced-out highly sensitive areas (Thicket) to limit access.
- Improved invasive alien control and management through conditions of approval.
- Creation of additional employment opportunities during the construction and operational phases.

- Improvement of existing tourism opportunities through upgrading of the existing tourism facilities and additional holiday accommodation.

Negative:

- Loss of secondary/degraded vegetation (ESA).
- Change in character and sense-of-place from rural to township.
- Loss of habitat.
- Additional pressure on non-renewable resources most notably potable water and electricity.
- Additional traffic along existing municipal roads/accesses.

**Alternative 3 (Status Quo):**

Positive:

- Property remains undisturbed and untransformed with no intentional loss of habitat
- Current character and sense of place remains that of a rural landscape
- Ecological patterns and processes continue to exist unaffected
- No additional pressure on non-renewable resources
- No additional traffic associated with residential development

Negative:

- No additional income generation to Municipality in the form of increased rates & taxed
- No additional social/economic benefits by means of construction and operational employment opportunities
- No additional income generation through sourcing of materials for construction and operational phases
- Reduced level of long-term formal alien clearing and management of invasive plant species on the property (although the level of infestation is noted to be very low)

1.4. 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.

Provide a description of the preferred technology alternative:

- Rooftop solar and/or heat pumps and/or gas geysers (or similar) for heating of water
- 25 000l rainwater tanks at each residential house
- LED lights only
- Dual flush toilets
- Low flow shower heads
- Low flow faucets
- Gas stoves, recommended for individual homes by Developer.
- Re-use of filtered grey water for irrigation and landscaping around private homes.

Provide a description of any other technology alternatives investigated.

Provide a motivation for the preferred technology alternative.

The use of rooftop solar/heat pumps/gas geysers reduces the demand on municipal electricity.

The use of rainwater tanks provides households with water for gardening/re-use in toilets/washing and other outdoor usage that reduces the demand on municipal water supply.

The use of LED lights reduces the demand for municipal electricity.

Use of low flow shower heads and dual flush toilets reduces the pressure on municipal potable water supply.

|  |  |
|--|--|
| Re-use of filtered grey water for toilet flushing/washing/gardening reducing the pressure on non-renewable resources such as municipal potable water supply.   |  |
| Provide a detailed motivation if no alternatives exist.  |  |
|  |  |
| List the positive and negative impacts that the technology alternatives will have on the environment.  |  |
| <p><u>Positive</u></p> <ul style="list-style-type: none"> <li>• Reduce water demand on municipal supply with rainwater tanks, dual flush toilets and low flow shower heads.</li> <li>• Reduced electricity demand on municipal supply with use of alternatives such as solar or heat pumps/gas geysers.</li> </ul> <p><u>Negative</u></p> <ul style="list-style-type: none"> <li>• Reduced income generation potential for Municipality when renewable energy devices are implemented.</li> <li>• Reduced income generation potential for Municipality when rainwater harvesting replaces municipal water supply.</li> </ul> |  |
| 1.5.   | Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts. |
| Provide a description of the preferred operational alternative.  |  |
| <p>At-source (at home) recycling is recommended during operational phase.</p> <p>Ensure that Estate Managing Agent implement the collection of recyclable materials for transport to local recycling companies (or alternatively for the collection of recyclable materials by contractors).</p> <p>Indigenous landscaping only with limited gardening.</p> <p>Active invasive alien control.</p>  |  |
| Provide a description of any other operational alternatives investigated.  |  |
|  |  |
| Provide a motivation for the preferred operational alternative.  |  |
| <p>Recycle at source to reduce pressure on landfill sites.</p> <p>Improve invasive alien vegetation clearing must be supported with locally, indigenous, and endemic landscaping and gardening to be limited.</p>  |  |
| Provide a detailed motivation if no alternatives exist.  |  |
|  |  |
| List the positive and negative impacts that the operational alternatives will have on the environment.   |  |
| <p>Positive: Recycling will reduce pressure on landfill sites. Indigenous landscaping will enhance the biodiversity of the site.</p> <p>Negative: Not applicable.</p> <p>Positive: Use of locally indigenous flora for landscaping/gardening helps to maintain a reduced footprint impact.</p> <p>Negative: None</p>   |  |
| 1.6.   | The option of not implementing the activity (the 'No-Go' Option).  |
| Provide an explanation as to why the 'No-Go' Option is not preferred.  |  |

The No-Go / Status Quo option will allow the rural landscape character and remaining natural habitat to continue which is considered positive.

However, areas included within 'urban edges' of towns are purposefully designated for urban expansion and infill in strategic locations so as not to trigger 'leap frogging' or 'linear coastal developments', both planning principles that are not supported.

The incorporation of a designated area to be within an 'urban edge' is done by the Municipality with the understanding that (A) the site is deemed suitable for township development, (B) there are sufficient municipal services available to support such development, (C) existing structures and infrastructure will be optimised i.e. existing access / tourism facilities and (D) there is a demand for further expansion in a specific location i.e. coastal holiday town.

Under such circumstances and considering that the development proposal is unlikely to result in unacceptable direct/indirect impacts that cannot be mitigated/managed, the No-Go/Status Quo alternative is unlikely to be sustainable.

|      |   |
|------|---|
| 1.7. | Provide an explanation as to whether any other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist. |
|------|---|

|      |   |
|------|---|
| 1.8. | Provide a concluding statement indicating the preferred alternatives, including the preferred location of the activity. |
|------|---|

The site is ideally located for the proposed activity:

- The positioning of the preferred site borders the existing township;
- The positioning of the preferred site will not result in leap frogging;
- The positioning of the preferred site is on the least sensitive areas;
- The positioning of the preferred site takes into account existing structures/features that can be developed / upgraded in parallel to the single residential erven;

The following key aspects have been considered:

- Site location suitability since it is close to existing amenities/services (roads / water supply)
- Accessibility (to existing road networks)
- Services capacity has been confirmed by the Municipality
- Optimisation of vacant land within the designated urban edge
- Compatibility with the surrounding land use character as it is similar to Kleinbos Eco-Estate forming a suitable low-medium density buffer between the higher density urban area and the remaining rural agricultural, undeveloped areas outside the designated urban edge
- Highly sensitive biodiversity areas will be avoided

## 2. "NO-GO" AREAS

Explain what "no-go" area(s) have been identified during identification of the alternatives and provide the co-ordinates of the "no-go" area(s).

Remnant thicket areas adjacent to the development footprint is identified as a "no-go" area i.e. areas outside the new property boundary to be established for the Orbaai Estate.

## 3. METHODOLOGY TO DETERMINE THE SIGNIFICANCE RATINGS OF THE POTENTIAL ENVIRONMENTAL IMPACTS AND RISKS ASSOCIATED WITH THE ALTERNATIVES.

Describe the methodology to be used in determining and ranking the nature, significance, consequences, extent, duration of the potential environmental impacts and risks associated with the proposed activity or development and alternatives, the degree to which the impact or risk can be reversed and the degree to which the impact and risk may cause irreplaceable loss of resources.

### **Criteria for Assessment**

These criteria are drawn from the EIA Regulations, published by the Department of Environmental Affairs and Tourism (April 1998) in terms of the Environmental Conservation Act No. 73 of 1989.

These criteria include:

- **Nature of the impact**

This is the appraisal of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and how.

- **Extent of the impact**

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region, or will have an impact on a national scale or across international borders.

- **Duration of the impact**

The specialist / EAP should indicate whether the lifespan of the impact would be short term (0-5 years), medium term (5-15 years), long term (16-30 years) or permanent.

- **Intensity**

The specialist / EAP should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The study must attempt to quantify the magnitude of the impacts and outline the rationale used.

- **Probability of occurrence**

The specialist / EAP should describe the probability of the impact actually occurring and should be described as improbable (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

The impacts should also be assessed in terms of the following aspects:

- **Legal requirements**

The specialist / EAP should identify and list the relevant South African legislation and permit requirements pertaining to the development proposals. He / she should provide reference to the procedures required to obtain permits and describe whether the development proposals contravene the applicable legislation.

- **Status of the impact**

The specialist / EAP should determine whether the impacts are negative, positive or neutral ("cost – benefit" analysis). The impacts are to be assessed in terms of their effect on the project and the environment. For example, an impact that is positive for the proposed development may be negative for the environment. It is important that this distinction is made in the analysis.

- **Accumulative impact**

Consideration must be given to the extent of any accumulative impact that may occur due to the proposed development. Such impacts must be evaluated with an assessment of similar developments already in the environment. Such impacts will be either positive or negative, and will be graded as being of negligible, low, medium or high impact.

- **Degree of confidence in predictions**

The specialist / EAP should state what degree of confidence (low, medium or high) is there in the predictions based on the available information and level of knowledge and expertise.

Based on a synthesis of the information contained in the above-described procedure, you are required to assess the potential impacts in terms of the following significance criteria:

**No significance:** the impacts do not influence the proposed development and/or environment in any way.

**Low significance:** the impacts will have a minor influence on the proposed development and/or environment. These impacts require some attention to modification of the project design where possible, or alternative mitigation.

**Moderate significance:** the impacts will have a moderate influence on the proposed development and/or environment. The impact can be ameliorated by a modification in the project design or implementation of effective mitigation measures.

**High significance:** the impacts will have a major influence on the proposed development and/or environment and will result in the "no-go" option on the development or portions of the development regardless of any mitigation measures that could be implemented. This level of significance must be well motivated.

Following the outcome of the basic assessment process, the only detailed comparative impact assessment deemed necessary, is the biodiversity impact assessment. The botanical and faunal themes required Compliance Statements only and the heritage theme a Notice of Intent only.



#### 4. ASSESSMENT OF EACH IMPACT AND RISK IDENTIFIED FOR EACH ALTERNATIVE

**Note:** The following table serves as a guide for summarising each alternative. The table should be repeated for each alternative to ensure a comparative assessment. The EAP may decide to include this section as Appendix J to this BAR.

| ◀ State Impact e.g Odour, Noise, clearanc <b>BIODIVERSITY</b> State Impact e.g Odour, Noise, clearanc ▶  |   |   |
|--|---|---|
| Alternative:   | Alternative 1   | No Go Option  |
| <b>CONSTRUCTION &amp; OPERATION PHASES</b>   |   |   |
| <b>Potential impact and risk:</b>  | <b>Loss of natural habitat within ESA</b>                                     | <b>Degradation of natural habitat within ESA</b>                              |
| Nature of impact:  | Direct Negative Impact (Construction & Operational)                           | Indirect Negative Impact (Operational)  |
| Extent and duration of impact:   | Site, Permanent (with & without mitigation)                                   | Site, Long-term (with & without mitigation)                                   |
| Consequence of impact or risk:   | Loss of natural habitat within ESA  | Degradation of natural habitat within ESA                                     |
| Probability of occurrence:   | Probable (without mitigation); Possible (with mitigation)                     | Possible (with & without mitigation)  |
| Degree to which the impact may cause irreplaceable loss of resources:                                    | Marginal loss of resources (without mitigation)<br>Marginal (with mitigation) | Marginal loss of resources (without mitigation)<br>Marginal (with mitigation) |
| Degree to which the impact can be reversed:  | Partly reversible (with & without mitigation)                                 | Partly reversable (with & without mitigation)                                 |
| Indirect impacts:  |   |   |
| Cumulative impact prior to mitigation:   | Medium intensity  | Low intensity   |
| Significance rating of impact prior to mitigation<br>(e.g. Low, Medium, Medium-High, High, or Very-High) | Medium  | Low   |
| Degree to which the impact can be avoided:   |   |   |

|   |   |   |
|---|---|---|
| Degree to which the impact can be managed:  |   |   |
| Degree to which the impact can be mitigated:  |   |   |
| Proposed mitigation:  | <ol style="list-style-type: none"> <li>1. Protect areas of dune thicket and, through ecological management, attempt to enhance the condition of thicket on site.</li> <li>2. Compile and implement an alien management plan, which highlights control priorities and areas and provide a programme for long-term control.</li> <li>3. Use indigenous and site-appropriate plant species in any rehabilitation and landscaping.</li> <li>4. No additional clearing of vegetation should take place without a proper assessment of the environmental impacts, unless for maintenance purposes, in which case all reasonable steps should be taken to limit damage to natural areas.</li> <li>5. Limit access to thicket to appropriate low-impact activities, for example, walking trails.</li> <li>6. Obtain permits for any protected trees that may need to be pruned or removed.</li> </ol> | No mitigation is envisaged therefor the "post-mitigation" score is identical. |
| Residual impacts:   |   |   |
| Cumulative impact post mitigation:  | Low intensity   | Low intensity   |
| Significance rating of impact after mitigation<br>(e.g. Low, Medium, Medium-High, High, or Very-High) | Low   | Low   |
| <b>Potential impact and risk:</b>   | <b>Invasion by alien invasive plant species</b>   | <b>Invasion by alien invasive plant species</b>                               |
| Nature of impact:   | Indirect Negative (Construction & Operational)  | Indirect Negative (Construction & Operational)                                |
| Extent and duration of impact:  | Site, Permanent (without mitigation)  | Site, Long-term (with & without mitigation)                                   |

|  |  |  |
|--|--|--|
|  | Site, Medium-term (with mitigation)  |  |
| Consequence of impact or risk:   | Invasion by alien invasive plant species, leading to degradation of indigenous habitat   | Invasion by alien invasive plant species, leading to degradation of indigenous habitat   |
| Probability of occurrence:   | Probable (without mitigation); Possible (with mitigation)  | Probable (with & without mitigation)   |
| Degree to which the impact may cause irreplaceable loss of resources:                                    | Marginal (without mitigation); None (with mitigation)  | Marginal (with & without mitigation)   |
| Degree to which the impact can be reversed:  | Not reversible (without mitigation)<br>partly reversible (with mitigation)   | Partly reversible (with & without mitigation)  |
| Indirect impacts:  | Invasion by alien invasive plant species   | Invasion by alien invasive plant species   |
| Cumulative impact prior to mitigation:   | High intensity   | High intensity   |
| Significance rating of impact prior to mitigation<br>(e.g. Low, Medium, Medium-High, High, or Very-High) | Medium   | Medium   |
| Degree to which the impact can be avoided:   |  |  |
| Degree to which the impact can be managed:   |  |  |
| Degree to which the impact can be mitigated:   |  |  |
| Proposed mitigation:   | <ol style="list-style-type: none"> <li>1. Compile and implement an alien management plan, which highlights control priorities and areas and provides a programme for long-term control.</li> <li>2. Use indigenous and site-appropriate plant species in any rehabilitation and landscaping.</li> <li>3. Protect natural areas outside of the development footprint from disturbance.</li> <li>4. Maintain thicket vegetation canopy structure.</li> </ol> | Under the "No-go" option, it is assumed that no specific mitigation will be applied. The "post mitigation" score is therefore identical. |

|   |  |  |
|---|--|--|
|   | 5. Minimise vegetation fragmentation due to any factor, for example, pathways, fire-breaks, regimes that favour invasive species colonisation. |  |
| Residual impacts:   |  |  |
| Cumulative impact post mitigation:  | Low intensity  |  |
| Significance rating of impact after mitigation<br>(e.g. Low, Medium, Medium-High, High, or Very-High) | Low  |  |

## SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES

|    |   |
|----|---|
| 1. | Provide a summary of the findings and impact management measures identified by all Specialist and an indication of how these findings and recommendations have influenced the proposed development. |
|----|---|

Archaeological Findings

- There are no records of any dense scatters of stone artefacts.
- Stone artefacts found around the reservoir were introduced to the site.
- These stone artefacts are of **Low significance**.
- No impacts are expected.

Recommendations: None.

Palaeontological Findings

- No findings; no recommendations .

Heritage Findings

- Two modern structures (holiday cottages) on the property are not of any local cultural significance.
- The preferred alternative would not impact on heritage resources.

Recommendations: No further heritage related studies would be warranted.

Botanical Findings

- Majority of the site consists of secondary / degraded areas within previously cultivated areas.
- Patches of thicket were found on the property (remnants of the original natural vegetation). These areas contain a diversity of woody plant species & a protected tree species (*Sideroxylon inerme* – protected under the National Forest Act). These areas fall outside the preferred development footprint (Alternative 1).
- Two plant species of concern were found on the property. Both were found far outside the proposed development footprint (Alternative 1) and will not be affected by the proposed development. Other flagged SCC is considered unlikely to occur there (based on the available habitat on site).
- The development will only be within areas mapped as degraded/secondary (low biodiversity value & sensitivity).

Recommendations: A Permit needs to be obtained if any milkwood species (recorded within the thicket patch in the centre of the property) to be affected by the proposed development. Sensitive habitats on the property but outside the development footprint must be protected from any development activities (No access must be permitted to these areas).

Faunal Findings

- The site is not considered to be good habitat for any of the animal species flagged for the site.
- Dune thicket is the only valuable habitat on site but is outside the development footprint.

Biodiversity Findings

- Most of the development is within an ESA. However, the habitat on site was found to be secondary (low sensitivity).
- Most of the development site consists of secondary and/or degraded areas invaded by alien invasive shrubs.

- The proposed development footprint is entirely within areas mapped as degraded / secondary, on condition areas of high sensitivity in adjacent areas are protected.

Recommendations: Thicket areas adjacent to the development footprint should be treated as sensitive and must be avoided (especially during construction). Protect boundary areas to maintain understorey microhabitats.

Firebreaks can be placed around the development edge but should not intersect thicket patches rather go around them.

Ongoing alien invasive management is mandatory.

2. List the impact management measures that were identified by all Specialist that will be included in the EMPr

- Protect thicket patches adjacent to the development site.
- Protect boundary areas to maintain understorey microhabitats.
- Ensure ongoing alien invasive management within the development.
- A permit to be obtained if any milkwood trees are affected by proposed development although the development footprint avoids the sensitive thicket patches completely.
- No access must be permitted to sensitive habitats on the property during construction.

3. List the specialist investigations and the impact management measures that will **not** be implemented and provide an explanation as to why these measures will not be implemented.

Civil Aviation Theme

The site does not exceed the minimum height threshold as stipulated in the CAA Obstacle Guideline and therefore it is not necessary to conduct any studies in this regard. **SACAA has been approached for comment as part of the public participation process.**

Defence Theme

This theme is not relevant nor applicable to township expansion of a town. **No study is required.**

Aquatic Theme

The site does not contain any aquatic features. **BGCA was approached for comment as part of the public participation process. BGCMA confirmed** that the proposed project **will not have an impact** on water resources. BGCMA **does not have an objection** to the proposed project.

4. Explain how the proposed development will impact the surrounding communities.

The proposed development is expected to have an overall positive impact on the surrounding community regarding employment and tourism opportunities.

Loss of habitat is expected; however, the development footprint is limited to areas of low biodiversity sensitivity.

Character and sense-of-place will change from a rural landscape to that of a peri-urban nature. This is deemed an acceptable impact considering the low-density areas falls within the designated 'urban edge' as per the local SDF (2022).

Additional traffic will make use of the two main accesses. Traffic volumes is anticipated to be low during most of the year but will increase during peak hours. The volume of traffic associated with this low number of houses is not deemed significant and because there are two access points, traffic will be spread out instead of utilising only one access point.

Other impacts are mostly temporary impacts associated with the construction phase, namely noise and potentially dust pollution. The following key mitigation measures are submitted as part of the DBAR (refer to the EMPr for more details):

- Construction activities must be limited to Mondays – Fridays (07h00 – 18h00) and Saturdays (08h00 – 13h00);

|    |  |
|----|--|
|    | <ul style="list-style-type: none"> <li>• Work may not take place on Sunday's or public holidays;</li> <li>• Vegetation clearing must be done in phases to avoid large pieces of land being exposed to wind (which could result in unnecessary dust pollution);</li> <li>• Make use of wetting agents should dust be a problem;</li> <li>• Rehabilitation of work areas to take place as soon as possible to minimise dust pollution;</li> <li>• An ECO must be appointed to oversee construction and must keep record of any complaints regarding noise/dust pollution</li> <li>• Construction material must be stored on-site and construction vehicles must not obstruct traffic flows.</li> </ul>   |
| 5. | Explain how the risk of climate change may influence the proposed activity or development and how has the potential impacts of climate change been considered and addressed.   |
|    | <ul style="list-style-type: none"> <li>• Water will become a very scarce resource as periods of drought will be longer. The use of mandatory 25 000l rainwater tanks for each house is important.</li> <li>• Rainfall intervals will become less, but downpours may be more severe. Stormwater management on the site is important to prevent unnecessary erosion and/or flooding.</li> <li>• Re-use of filtered grey water for landscaping/irrigation and re-use in toilets/washing contributes to resource management to conserve potable water resources.</li> <li>• The use of locally indigenous and endemic vegetation for landscaping and gardening will reduce the need for increased irrigation in future when dryer climate spells affect the area.</li> <li>• The use of rainwater tanks will assist with reducing flooding as it will help to retain water.</li> </ul> |
| 6. | Explain whether there are any conflicting recommendations between the specialists. If so, explain how these have been addressed and resolved.  |
|    | There are no conflicting recommendations between specialists.  |
| 7. | Explain how the findings and recommendations of the different specialist studies have been integrated to inform the most appropriate mitigation measures that should be implemented to manage the potential impacts of the proposed activity or development.   |
|    | All findings and recommendations by the specialists have been incorporated into the proposal.  |
| 8. | Explain how the mitigation hierarchy has been applied to arrive at the best practicable environmental option.  |
|    | <p>1. AVOID IMPACTS</p> <p>Avoid protected tree species and thicket areas deemed sensitive during construction (avoidance mitigation has been applied to preferred design alternative).</p> <p>Landscape with indigenous plants and incorporate endemic plants from the area into the landscaping to recreate natural areas within the open space areas of the development.</p>  |
|    | <p>2. MINIMISE IMPACTS</p> <p>Limit construction activities to specified days and times.</p> <p>Clear the site in a phased manner to minimise dust pollution i.e. clear house footprints instead of entire erven and only when a house will be constructed.</p> <p>Only indigenous vegetation permitted in lieu of the loss of remaining on-site natural habitat/vegetation.</p> <p>Appointing an ECO to oversee construction to further minimise the potential for unnecessarily direct or indirect impacts.</p> <p>Implement resource conservation measures as part of the design, construction and operational phase.</p>   |

|  |
|--|
| <p>Ensure that all external lighting is low level lighting to reduce the visual and night time impact on fauna and insects.<br/>Implement the Environmental Management Plan under ECO supervision.</p> |
| <p>3. RECTIFY</p> <p>None necessary</p>  |
| <p>4. REDUCE</p> <p>None necessary</p>   |
| <p>5. OFF-SITE</p> <p>None necessary</p>   |

## SECTION J: GENERAL

### 1. ENVIRONMENTAL IMPACT STATEMENT

|  |   |
|--|---|
| 1.1.   | Provide a summary of the key findings of the EIA. |
| <p><u>Planning &amp; Services key findings</u></p> <ul style="list-style-type: none"> <li>• The site is located within the urban edge of Boggomsbaai.</li> <li>• The site is largely vacant with no particular land use.</li> <li>• The proposed development is consistent with Western Cape SDF, Eden SDF, Mossel Bay SDF &amp; Mossel Bay IDP.</li> <li>• The proposed development is in character with its surrounds given the neighbouring Kleinbos Eco-Estate, Golf Course and Residential land uses adjacent to the property.</li> <li>• Municipal water services are readily available for connection.</li> <li>• Sewage will be a designated small household digester for each home with re-use of filtered grey water.</li> </ul> <p><u>Environmental key findings</u></p> <ul style="list-style-type: none"> <li>• Development will only be within secondary / degraded areas with <b>low</b> biodiversity value &amp; sensitivity.</li> <li>• Development will result in the loss of approximately 1.4ha ESA (Terrestrial) (secondary/degraded vegetation)</li> <li>• Development will <b>not</b> be within a Critical Biodiversity Area.</li> <li>• There are <b>no</b> watercourses within the proposed development footprint.</li> <li>• The development site is <b>not</b> considered to be a good habitat for flagged animal species.</li> <li>• Thicket patches were found on the property. However, the proposed development site falls outside the thicket.</li> <li>• The development would <b>not impact</b> on any heritage resource of cultural significance.</li> <li>• The agricultural production capability of the site is <b>low</b> as it is limited by slope, shallow soils or very sandy soils with low water holding capacity, and the constraints of bordering on a residential area.</li> </ul> <p>The Faunal, Biodiversity, Botany &amp; Agricultural specialists recommend that the development be approved.</p> |   |



|   |   |  |
|---|---|--|
| 1.2.  | Provide a map that that superimposes the preferred activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers. (Attach map to this BAR as Appendix B2) |  |
| All on-site sensitive features are not within the development footprint of the proposed development.                        |   |  |
| 1.3.  | Provide a summary of the positive and negative impacts and risks that the proposed activity or development and alternatives will have on the environment and community.   |  |
| Positive  |   | Negative   |
| Optimising of vacant land in an urban context.  |   | Temporary noise, dust and safety impacts associated with the movement of heavy vehicles.   |
| Temporary employment opportunities during construction (to semi-skilled and unskilled workers mostly).                      |   | Loss of secondary fynbos.  |
| Permanent and temporary employment opportunities during the operational phase (to skilled and semi-skilled workers mostly). |   | Temporary risk of increase crime during construction.                                      |
| Support for local economic development and tourism.   |   | Temporary and long-term increase in construction/operational vehicular traffic.            |
| Creation of business opportunities through the shop and tourist facilities.   |   | Additional pressure on non-renewable services.   |
| Areas of highest biodiversity value on the preferred site will be retained.   |   | Continued maintenance cost (alien clearing, access control, clearing of dumped materials). |
| Development is proposed within an area designated for urban expansion.  |   | Change in landscape character and sense-of-place from a rural to peri-urban.               |

**2. RECOMMENDATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)**

|  |  |
|--|--|
| 2.1.   | Provide Impact management outcomes (based on the assessment and where applicable, specialist assessments) for the proposed activity or development for inclusion in the EMPr |
| <ul style="list-style-type: none"> <li>• Planting of any protected trees as part of landscaping in open space areas, must be in areas where they will not have to be trimmed/removed in the future and where they will have the best chance of survival.</li> <li>• Appoint an Environmental Control Officer (ECO) to oversee the construction phase for bulk earthworks and services.</li> <li>• Individual home owners must appoint ECO for construction of individual homes.</li> <li>• Managing Agent must appoint ECO for construction/upgrades on the existing dwelling and leisure centre.</li> <li>• Implement and adhere to an approved Environmental Management Plan.</li> <li>• Apply for Forestry Permits if any trimming/roots may be required during construction.</li> <li>• Each housing unit must be fitted with a 25 000l rainwater tank.</li> <li>• Each housing unit must be fitted with solar or heat pumps/solar panels (optional) to reduce demand on electrical supply.</li> </ul> |  |

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>All landscaping must be indigenous vegetation in lieu of the loss of natural vegetation/habitat (which is secondary/degraded under the current and historical land use).</li> <li>Restrict working times and hours to minimise noise/dust pollution.</li> <li>Resource conservation measures must be implemented.</li> </ul> |
| 2.2.  | Provide a description of any aspects that were conditional to the findings of the assessment either by the EAP or specialist that must be included as conditions of the authorisation.  |
| Please refer to 2.1, 2.3, as well as sections 3,4 & 5 below.  |   |
| 2.3.  | Provide a reasoned opinion as to whether the proposed activity or development should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be included in the authorisation.  |
| <p>The proposed activity can be considered for environmental authorisation for the following reasons:</p> <ul style="list-style-type: none"> <li>Temporary and permanent employment opportunities.</li> <li>Optimise land potential within area designated for urban expansion.</li> <li>Support for local business / employment opportunities.</li> <li>Increase rates/taxes base for the local Municipality.</li> <li>Compatible with local spatial planning policies and guidelines.</li> <li>Loss of secondary/degraded areas will be re-established within Open Spaces with indigenous vegetation. It will be actively maintained along with alien invasive species management.</li> <li>Development proposal is focussed within areas considered to have low biodiversity sensitivity.</li> <li>Services are available to accommodate the proposed development (to be verified and confirmed by the local Municipality).</li> <li>Existing accesses are available (to be verified as suitable for the proposed development traffic by the roads authority).</li> </ul> <p>The following conditions must be considered:</p> <ul style="list-style-type: none"> <li>Development may not proceed until such time as all approvals are obtained.</li> <li>Local employment must be a priority to ensure maximum social benefit to the wider community.</li> <li>An ECO must be appointed prior to construction to oversee site preparation, vegetation removal and construction.</li> <li>DAFF permits must be obtained prior to removal/trimming/cutting of any protected trees on the property.</li> <li>EMP must be implemented.</li> <li>Resource conservation measures must be implemented.</li> </ul> |   |
| 2.4.  | Provide a description of any assumptions, uncertainties and gaps in knowledge that relate to the assessment and mitigation measures proposed.   |
| The EAP assumes that the necessary approvals such as planning approvals / forestry permits / building plan approvals and contracts i.e., service level agreements, will be finalised within the initial five (5) year commencement period.  |   |
| 2.5.  | The period for which the EA is required, the date the activity will be concluded and when the post construction monitoring requirements should be finalised.  |
| <p>Standard five-year validity period for the EA from date of authorisation.</p> <p>Note that the activity (EA) will be considered implemented when the bulk earthworks/services for the development is fully installed. The development of individual homes over a longer period of time will fall within the EA as being in furtherance of the earthworks/services implementation.</p>  |   |

### 3. WATER

Since the Western Cape is a water scarce area explain what measures will be implemented to avoid the use of potable water during the development and operational phase and what measures will be implemented to reduce your water demand, save water and measures to reuse or recycle water.

- Each housing unit must be fitted with a 25 000l rainwater tanks for operational phase to supplement municipal potable water for external use and/or household use (apartments excluded).
- Potable water may not be used during construction.

### 4. WASTE

Explain what measures have been taken to reduce, reuse or recycle waste.

- The contractor must provide recycle bins on the property during construction and must ensure that staff is aware of what products can be recycled/reused.
- At-source separation of waste must be implemented.
- The Managing Agent of the Estate must arrange for private collection or own transport of recyclable materials from the Estate during operational phase.

### 5. ENERGY EFFICIENCY

8.1. Explain what design measures have been taken to ensure that the development proposal will be energy efficient.

- Only LED lights must be used within the development.
- Heat and/or solar pumps and/or gas geysers (or similar) must be used throughout the development.
- Use of gas stoves is optional.
- Use of solar panels on roofs.

## SECTION K: DECLARATIONS

### 1. DECLARATION OF THE APPLICANT

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

I .....Dianne Urban....., ID number .....680315015083..... in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, and any relevant Specific Environmental Management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA;
- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I appointed the Environmental Assessment Practitioner ("EAP") (if not exempted from this requirement) which:
  - meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
  - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the NEMA EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the NEMA EIA Regulations;
- I will provide the EAP and any specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;
- I will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
  - costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
  - Legitimate costs in respect of specialist(s) reviews; and
  - the provision of security to ensure compliance with applicable management and mitigation measures;
- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority, hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which I or the EAP is responsible in terms of the NEMA EIA Regulations and any Specific Environmental Management Act.

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



2023/05/04

Signature of the Applicant:

Date:

Orbaai (Pty) Ltd

Name of company (if applicable):

**2. DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)**

I **Ms Louise-Mari van Zyl**, EAPASA Registration number **.....2019/1444.....** as the appointed EAP hereby declare/affirm the correctness of the:

- Information provided in this BAR and any other documents/reports submitted in support of this BAR;
- The inclusion of comments and inputs from stakeholders and I&APs;
- The inclusion of inputs and recommendations from the specialist reports where relevant; and
- Any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties, and that:
- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review EAP must be submitted);
- In terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- I have disclosed, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all material information that have or may have the potential to influence the decision of the Competent Authority or the objectivity of any report, plan or document prepared or to be prepared as part of this application;
- I have ensured that information containing all relevant facts in respect of the application was distributed or was made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- I have ensured that the comments of all interested and affected parties were considered, recorded, responded to and submitted to the Competent Authority in respect of this application;
- I have ensured the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;
- I have kept a register of all interested and affected parties that participated in the public participation process; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations;

*LvanZyl*

2023/05/05

Signature of the EAP:

Date:

Cape Environmental Assessment Practitioners (Cape EAPrac)

Name of company (if applicable):


[Empty grey box for company name]

**4. DECLARATION OF THE SPECIALIST**

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

I Dr David Hoare, as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), 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 or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.

|  |            |
|--|------------|
|  | 2023/05/02 |
| Signature of the EAP:  | Date:      |

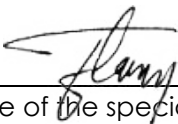
David Hoare Consulting (Pty) Ltd  
 Name of company (if applicable):

**1. DECLARATION OF THE SPECIALIST**

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

I ..... **Johann Lanz** ....., as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), 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 or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.



2023/05/02

Signature of the specialist:

Date:

Johann Lanz – soil scientist

Name of company (if applicable):

**4. DECLARATION OF THE SPECIALIST**

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

I Lita Ethel Webley, as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), 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 or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.

*L. E. Webley*

2023/05/02

Signature of the EAP:

Date:

**Not applicable**

Name of company (if applicable):




**4. DECLARATION OF THE SPECIALIST**

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

I, **Stefan Ethan de Kock**, as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), 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 or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.

|  |            |
|--|------------|
|  | 2023/05/02 |
| Signature of the EAP:  | Date:      |

**Perception Planning**

Name of company (if applicable):

**4. DECLARATION OF THE SPECIALIST**

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

I ...Dr. Wynand Vlok....., as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), 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 or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.



\_\_\_\_\_ 2023/05/02

Signature of the EAP:

Date:

**BioAssets cc**

Name of company (if applicable):