

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

DEA&DP APPLICATION REFERENCE NUMBER: 14/2/4/2/1/E4/5/0003/22

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)				
No.	Name:	Comment:	Respondent:	Response:
1.	Rose and Michael Jordaan Noble Savage Investments (pty) Ltd owner of neighbouring farm Plaisir de Merle 29 March 2022	<p>The Tented Camp has been operational and receiving guests since 2021. It is currently receiving guests still. We are opposed to the camp being operational before retrospective approvals have been achieved and illegal development 'regularised'.</p> <p>If the 5-year Temporary Departure is granted, we insist that the months/years that the camp has been open to the public and/or operational be taken into account. This should reduce the 5-year period of temporary rights.</p> <p>Our comments on the NEMA section 24G Application: <i>Activities unlawfully commenced....</i> 31. <i>Chand has stated that the activity has not yet commenced.</i> Incorrect, the camp is operational and receiving guests and has been operational since 2021.</p> <p>42.(2) <i>Chand has stated that the tents are not considered to be buildings.</i> Incorrect, Stellenbosch Municipality Zoning Scheme By-Law 2019, 42. (2) states that tents are considered buildings.</p>	CHAND & NM Associates	<p>This is incorrect. The camp was not operational (receiving guests) in 2021. Operations started in January 2022. This has been further clarified in the final EIR. The camp furthermore did not accept new bookings from February to May 2022.</p> <p>The period of approvals granted by the Stellenbosch Municipality for any Temporary Departure application to utilise land on a temporary basis for a purpose not permitted in terms of the primary rights of an Agriculture and Rural Zone, is determined in terms of Section 18(2) of the Stellenbosch Municipality Land Use Planning By-law (2015), as amended. It does not fall within the provisions of NEMA which is the Act applicable to this application.</p> <p>The EIR states that Listed Activity 31 of Listing Notice 1 has not yet commenced. The Listed Activity relates to the decommissioning of the camp which will only commence after 5 years of operation.</p> <p>In terms of Section 42(2) of the Stellenbosch Municipality Zoning Scheme By-law (2019) tented structures are regarded as buildings, when used for habitation. This has been clarified in the final EIR. The initial statement in the draft EIR however does not impact on the findings of the environmental impact assessment which remains unchanged.</p> <p>The provisions of Section 213 of the Stellenbosch Municipality Zoning Scheme By-</p>

		<p>SECTION D: Need and Desirability 2.(a) and (c) Chand has stated that the Tented Camp promotes economic opportunities.... Stellenbosch Municipality Zoning Scheme By-Law 2019, 213. (8) New buildings may only be approved if the Municipality is satisfied that no other suitable unused existing buildings can be used for this purpose.... There are many clusters of unused buildings on Boschendal.</p> <p>SECTION E: Alternatives (f)will be dismantled after 5 years.... The Tented Camp has already been operational since 2021 (and is currently operational) and this needs to be taken into account if the 5-year Temporary Departure is granted.</p> <p>SECTION F: impact assessment, management, mitigation and monitoring measures Visual aspects CHAND states that ...'at a broader landscape scale the tent structures are visually recessive...' Although during the day they are visually recessive, there are hi voltage spotlights around the camp that have a very high visibility across the entire Drakenstein Valley.</p> <p>HERITAGE INDICATOR: PORTION 5 OF 1685 5. Signage and lighting to be low-key and not visually intrusive. CHAND has indicated this as 'Positive' The Tented Camp is operational and has large spotlights around the camp at night. This is visually intrusive, is not in keeping with low impact either environmentally or sensitivity towards Heritage as stated in the document.</p>		<p>law (2019) apply only to Consent uses in Agriculture and Rural Zone, not Temporary Departures. Section 213(8) does not apply. Furthermore, Farm 1685/5 is a separate farm from Boschendal Estate and presently has no existing unused built structures on it. Moreover, the comment does not fall within the provisions of NEMA.</p> <p>The Temporary Departure application. does not fall within the provisions of NEMA and this environmental application.</p> <p>There are no spotlights at the camp and have never been. There are however bright security lights at the nearby Cow Shed and Mountain view Cottage situated on Boschendal Wine Estate which the commentator might be referring to.</p>
2.	Alana Duffell-Canham: Conservation Intelligence Manager – Landscape Central Cape Nature 31 March 2022	<p>RE: Application in terms of Section 24G of NEMA for a tented camp on portion 5 of Farm 1685, Paarl – Draft Environmental Impact Report. DEA&DP Ref: 14/2/4/1/A5/55/0008/22</p> <p>CapeNature would like to thank you for the opportunity to comment on the Draft Environmental Impact Report for this application and wish to make the following comments:</p>	CHAND	

		<ol style="list-style-type: none"> 1. The tented camp and associated paths and other infrastructure are in an area which supports Boland Granite Fynbos (listed as Endangered according to the 2018 National Biodiversity Assessment). 2. According to the specialist studies, approximately 0.24 hectares of intact Boland Granite Fynbos has been lost because of the development. Had CapeNature commented on the proposal prior to the tent decks being built we would not have supported any structures or paths within the intact and semi-intact sections of the natural vegetation remnant. 3. We note that it is intended to remove the structures after 5 years. The EMPr should include a rehabilitation plan which includes determination of an appropriate fire regime and burning schedule to be implemented after the camp is decommissioned. 4. Immediate mitigation, however, should include rehabilitation in the disturbed areas immediately around the tents, paths, pipelines and other infrastructure. Erosion control measures should be put in place. Human-wildlife conflict should be prevented through inter alia the use of baboon proof bins and appropriate signage for guests. 5. Access to freshwater resources should be limited to the dam and paths should not be placed through wetland or riparian areas. 		<ol style="list-style-type: none"> 1. Correct 2. Noted. 3. Correct. The EMPr stipulates the need for a Rehabilitation Plan. The plan will require significant input from specialists and will be compiled and implemented only when the site is dismantled after 5 years of operation. The need to include a fire regime and burning schedule in the Plan has been included in the EMPr. The need for a Rehabilitation Plan and rehabilitation of the site has also been recommended as a condition of authorisation. The Plan must be incorporated into the EMPr once compiled. 4. Noted and agreed. A restoration plan for immediate implementation has been included in the EMPr (refer to Appendix I pg. 33-34) as per the recommendations of the botanical specialist. Erosion control measures are included in the EMPr including the need to check pathways for signs of erosion, and for these to be stabilised or re-routed should this occur as well as a number of stormwater control measures which will also aid in erosion control. Human-wildlife conflict prevention measures as recommended have been included. 5. Agreed and included in the EMPr.
--	--	---	--	---

		<p>6. No additional tent platforms or other hard surfaces should be permitted in the natural or near natural vegetation.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p> <p>Yours sincerely Alana Duffell-Canham</p>		<p>6. Agreed and included in the EMPr.</p> <p>Noted.</p>
3.	<p>Manavhela Tshilidzi Department of Water & Sanitation: Environmental Officer (water quality) 8 April 2022</p>	<p>NOTIFICATION OF A PUBLIC PARTICIPATION PROCESS, SUBMISSION OF AN ENVIRONMENTAL APPLICATION AND THE AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT AS PART OF A NEMA SECTION 24G PROCESS FOR THE DEVELOPMENT OF A TENTED CAMP ON FARM 1685/5, PAARL</p> <p>Your application for consent use dated 24 March 2022 has reference.</p> <p>The Department acknowledges receipt of your application document dated 24 March 2022, Application Doc: DEADP REF No: 14/2/4/1/A5/55/0008/22. The Department has the following comments:</p> <p>During the revaluation of your application, the Department has noted that you have already applied for a Water Use Authorization for water uses triggered in terms of Section 21 (c) & (i) of the National Water Act. This application will therefore be dealt with in line with the proceedings of a water use authorization application process.</p> <p>The proposed activity may not commence until a water use authorisation has been obtained.</p> <p>For more information please do not hesitate to contact Mr T Manavhela at (manavhelat@dws.gov.za or Tel 021 941 6056).</p>	CHAND	<p>Noted. The processing of the Water Use Authorisation is underway. Proof of the application is included in Appendix I of the EIR.</p>
4.	<p>Lyn Marais Drakeinstein Heritage Foundation 14 April 2022</p>	<p>Ref: Farm 1685 Portion 5, Paarl</p> <p>The DHF has no objection to the proposal for Farm 1685 Portion 5, Paarl.</p>	CHAND	<p>Noted.</p>

		Regards Lyn Marais DHF Secretary		
5.	Lance McBain-Charles Department: Environmental Affairs and Development Planning: Directorate: Waste Management 25 April 2022	<p>COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT REPORT AS PART OF A NEMA SECTION 24G PROCESS FOR THE DEVELOPMENT OF A TENTED CAMP ON FARM 1685/5, PAARL.</p> <ol style="list-style-type: none"> 1. The above-mentioned draft Environmental Impact Report (the 'Report'), dated 24 March 2022, as received by this Department's Sub-directorate: Waste Management Licensing on 21 April 2022, refers. 2. The comments are as follows: <ol style="list-style-type: none"> 2.1 The Report mentions that the construction of the Tented Camp would have resulted in construction related waste such as rubble, plaster and wood off cuts, cement bags, etc, and that the volume of construction waste is unknown as this was not recorded during construction but would have been minimal given the small-scale nature of the development and the type of structures built. All remnants of this legacy waste must be cleared for disposal at a waste disposal facility licenced to accept it. 2.2 Seeing that the operational phase generates waste, such waste must be dealt with in terms of a waste management plan, to be included in the final Report. 2.3 Vegetation removed during operation phase must be considered for recovery, reuse, recycling and/or treatment prior to its disposal at a suitably licenced waste disposal facility, but it may not be burned. 2.4 Given the small size of the development and the seasonal activities taking place there, the Department finds it sufficient for the owners to ensure all waste generated is promptly removed for recycling and/or disposal at a suitably licenced waste disposal facility. Since municipal services are 	CHAND	<ol style="list-style-type: none"> 2.1 There is no construction waste on site currently. 2.2 A waste management plan has been included in the operational EMPr (Refer to Appendix I of the EIR) 2.3 The only vegetation which will be removed during the operation phase will be alien vegetation which will be handled in terms of the alien invasive species plan included in the EMPr which includes measures for the proper disposal of such waste. 2.4 Noted. The recommended measures have been included in the EMPr.


		<p>not used, the owner of the property must keep all waste manifest documents for a reasonable time after disposal by the private contractor referred to in the Report.</p> <p>2.5 The Report mentions that, there will be discharge of treated waste from the BioDisc Treatment Units. Although these units seem to treat very small quantities of waste, they must be clearly described in the final Report to provide an easy understanding of the waste treatment taking place during the operational phase.</p> <p>2.6 The responsibilities and functions of the ECO must be comprehensively listed in the EMPr.</p> <p>3. The Department reserves the right to revise initial comments and request further information based on the information received.</p> <p>4. Please contact Muneeb Baderoon should you have any enquiries with regard to these comments.</p> <p>Yours faithfully, CONTROL ENVIRONMENTAL OFFICER (GRADE B) HEAD: WASTE MANAGEMENT LICENSING</p>		<p>2.5 The treatment process employed by the BioDisc units has been elaborated upon in the final EIR.</p> <p>2.6 The responsibilities of the ECO are listed in section 2.2.4 of the EMPr.</p>
6.	Nkululeko Ntanz SAHRA 25 April 2022	<p style="text-align: center;">Final Comment</p> <p>In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999).</p> <p>Heritage Impact Assessment for the Boschendal Tented Camp, Founders' Estates National Heritage Site, Boschendal Farmlands, Dwars River Valley, Stellenbosch, prepared as part of a Section 24G NEMA process.</p> <p>Thank you for submitting your application to SAHRA for comment on the Boschendal Founders Estate Tented Camps as a part of the 24G application process in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA). It is noted that the Boschendal Founders Estate is a Grade 1 cultural landscape and a declared National Heritage Site.</p> <p>The Following Supporting Documents were reviewed in assessment of this application: - NEMA 24G Draft EIR_Tented Camp_22Feb2022.pdf</p>	CHAND	

		<ul style="list-style-type: none"> - Appendix A _ Locality Map.pdf - Appendix B _ Site Plan.pdf - Appendix D _ Site Photos.pdf - Appendix E_Biodiversity Map.pdf - Appendix P _ Site Sensitivity Verification Report.pdf - Appendix M _ Cordinate Maps.pdf - Appendix N _ DEADP confirmation of NEMA triggers.pdf - Appendix O _ STR Tented Camp Site.pdf - Appendix P _ Site Sensitivity Verification Report.pdf - NEMA 24G Drafft EIR_Tented Camp_22Feb2022.pdf - Appendix H iv _ Agricultural Compliance Statement.pdf - Appendix H vi _ Services report.pdf - Appendix I _ Boschendal_Tented Camps 24G Final EMPr w app.pdf - Appendix K _ ID of Applicant.pdf - Appendix F _ Proof of WUA submission to DWS.pdf - Appendix Gi_Preliminary I&AP Database website.pdf - Appendix Gii_Proof of advert.pdf - Appendix Giii_Proof of advert website.pdf - Appendix H i _ Freshwater Impact Assessment.pdf - Boschendal Tented Camps 24G HIA.pdf <p>It is noted that the 24G NEMA application process is considered as a punitive measure and reparative action, as the development of the Tented Camps were undergone without prior legislative approval.</p> <p>Winter, S; Scurr, M and Smuts, K. 2021. Heritage Impact Assessment Tented Camp, Founders' Estates National Heritage Site, Boschendal Farmlands, Dwars River Valley, Stellenbosch: prepared as part of a Section 24(G) NEMA process.</p> <p>The HIA found that no heritage features and resources located within the Declared Boschendal Founder Estate National Heritage Site were damaged or disturbed as part of the development. Recommendations provided in the report include the following:</p> <ol style="list-style-type: none"> 1. No action be taken in terms of Section 51(1) d of the NHRA given the tread-lightly, low visual impact and temporary nature of the tented camp and that heritage significance has not been irreversibly damaged. 		<p>Correct.</p> <p>Correct.</p> <p>Correct.</p> <p>1- 2 (d) Correct.</p>
--	--	---	--	--

		<p>2. The decision to not pursue legal action be subject to a number of conditions as outlined below:</p> <ol style="list-style-type: none"> a. The life-span of the tented camp be temporary as specified by the Temporary Departure application (5 years) in terms of section 15 (2) (c) of the SM IUPBI. b. No expansion of the tented camp may be undertaken without a permit from SAHRA in terms of Section 27 (18) of the NHRA. c. A homestead on the Excluded Area of FE 5 not be constructed until the Temporary Departure to regularise the tented camp from a land use and planning perspective has lapsed and the tented camp has been removed. d. A number of visual mitigation measures be implemented (various measures are provided on page 47 of the HIA). <p>Final Comment</p> <p>The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final 24G report and EMPr:</p> <ul style="list-style-type: none"> • 38(4)a – The SAHRA Built Environment Unit (BEU) and Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the rectification application. The provisions of the NHRA do not enable SAHRA to approve unauthorised work retrospectively. Although the development of the Tented Camps work has not irreversibly damaged heritage significance and the integrity of the heritage resources also located within the Boschendal Cultural Landscape. The reversibility and temporary nature thereof poses a very low impact; • 38(4)b – The recommendations of the specialists i.e. Section i: points 2 a-d as presented on page 46 of the HIA, are supported and must be adhered to. No further additional specific conditions are provided for the development; • 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich 		<ul style="list-style-type: none"> • Noted • Noted. The recommendations of the specialists have been included in the EMPr. • This requirement has been included in the EMPr. It is however noted that no further development activities are
--	--	---	--	--

		<p>eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;</p> <ul style="list-style-type: none"> • 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqabutho Madida 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; • 38(4)d – See section 51(1) of the NHRA regarding offences; • 38(4)e – The following conditions apply with regards to the appointment of specialists: • i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA; • The Final 24G report and EMPr must be submitted to the SAHRIS application for record purposes; • The decision regarding the Rectification application must be submitted to the SAHRIS application for record purposes. <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header. Yours faithfully</p>		<p>proposed on site apart from the designation of parking bays, berm construction and restoration works.</p> <ul style="list-style-type: none"> • This requirement has been included in the EMPr. • Noted • This requirement has been included in the EMPr. • Noted. • Noted
7.	Julian Krüger Cape Winelands District Municipality:	DIE ONTWIKKELING VAN 'N TENTKAMP OP PLAAS 1685/5, PAARL.	CHAND	

	<p>Environmental Management: Stellenbosch office 26 April 2022</p>	<p>Daar is geen beswaar vanuit 'n gesondheidsoogpunt ten opsigte van die aansoek nie, onderworpe aan die volgende voorwaardes:</p> <ol style="list-style-type: none"> 1. Alle riool – en afloop/waswater moet gekoppel word aan 'n riool stelsel en so beskik word dat dit nie 'n oorlas veroorsaak nie. Huidiglik loop die rioolwater bogronds uit wat ontoelaatbaar is. 2. Alle waswater vanaf die kombuis moet deur 'n vetvanger gaan voordat dit in die rioolsisteem vloei. 3. In die geriewe vir dames moet voorsiening gemaak word vir die wegdoen van sanitere doekies. 4. Die applicant moet aansluit by die Raad se vullisverwyderingsdiens. 5. Indien voedsel op die perseel voorberei word vir verkoop aan die publiek moet die applicant aansoek doen by Stellenbosch Munisipaliteit vir die nodige liseensie asook by die Kaapse Wynland Distriksmunisipaliteit vir 'n geskiktheidsertifikaat ingevolg R638 van 22 Junie 2018. 6. Alle voedselvoorbereiding/hanteringspersele moet voldoen aan die vereistes van R638 wat betrekking het op voedselpersele. 7. 'n Voldoende voorraad veilige skoon gepype drinkwater moet voorsien word. 		<p>Noted.</p> <ol style="list-style-type: none"> 1. Currently there is no sewer system on the farm to which the development can connect. The sewage discharges into Kingspan Bio-Disk sewerage disposal units and not to the ground. The system treats the raw effluent via its patented system to liquid discharge quality within the "General Limits" for wastewater discharge into watercourses as set by the National Water Act (Act no 36 of 1998) (NWA), noting that there is no direct discharge any watercourses. Refer also to the engineering services report included in Appendix H (vi). 2. Wash water from site is not disposed of into the municipality's sewer system but treated through the above-described Bio Disc system. 3. This requirement has been included in the EMPr. 4. This won't be required as the waste is handled by a private contractor and incorporated into Boschendal's existing waste management system–refer to Appendix H (vi) for proof of this service. 5. This requirement has been included in the EMPr. 6. This requirement has been included in the EMPr. 7. Potable water is provided by a reservoir which is supplied from the existing farm natural spring. An in-line aggregate filtration system and
--	--	--	--	---

		<p>8. Indien enige aktiwiteit op die perseel geraas genereer berus die onus by die einaar om die nodige klanktoetse te laat neem en die uitslae aan hierdie Department voor te le. (Die SABS Gebruikskode 0103 van 1994 asook die Regulasies van die Wet op Omgewingsbewaring Nr. 73 van 1989 moet as riglyn Regulasies van die Wet op Omgewingsbewaring Nr. 73 van 1989 moet as riglyn dien.)</p> <p>Die uwe</p>  <p>nms. Munisipale Bestuurder</p>		<p>ultraviolet purification system has been installed to ensure that potable water standards in terms of SANS 241 are achieved.</p> <p>8. This requirement has been included in the EMPr.</p>
8.	<p>D'mitri Matthews Department of Environmental Affairs and Development Planning Directorate: Development Management, Region 1 12 May 2022</p>	<p>COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (“EIR”) IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 (“NEMA”) ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014, FOR THE DEVELOPMENT OF A TENTED CAMP ON FOUNDERS ESTATE 5, ON PORTION 5 FARM NO. 1685, PAARL</p> <p>1. The draft EIR dated 1 February 2022, refers.</p> <p>2. Upon review of the draft EIR, the following is noted:</p> <p>2.1 The Tented Camp comprises the following:</p> <p>2.1.1 Seven tents for accommodation of two people each serviced with their own bathrooms and limited self-catering facilities. The tents can accommodate a maximum of 14 people on the site in total. Tents are located on decks of approximately 78 to 83m² each.</p> <p>2.1.2 A large mess tent where guests staying on site can congregate as a group if necessary. The tent deck is approximately 246m² in extent.</p> <p>2.1.3 A guest support tent with a communal kitchen facility and toilets. The tent deck is approximately 125m² in extent.</p>		<p>1-2.6 Noted and correct.</p>

		<p>2.1.4 A staff office tent. This is necessary to ensure at least one staff member can be available onsite while guests are staying. It has space for an office and storage. The tent deck is approximately 43m² in extent.</p> <p>2.2 Each tent structure comprises a wooden deck/platform which rests on a steel frame supported by steel legs that are individually cemented into the ground for support. There are no buried foundations. They foundations are pre-cast concrete blocks filled with concrete placed on top of the ground, onto which the light-weight top structures are fixed. The top structures comprise of compressed wood walling covered by canvas with a stretch "gazebo-type" roof which pin to the ground around the platform (i.e., the roof tips extend beyond the platform footprint). The total area under deck is 988m².</p> <p>2.3 The seven accommodation tents are tucked into a patch of vegetation which comprises a combination of alien and indigenous species. The communal / operations related tents are located at a lower level, within the open fallow lands close to the in-channel dam.</p> <p>2.4 A gravel road that circulates around the site provides access to the respective units, and the communal / operations tents. The roads have been compacted, bordered by local rocks and covered with either chips or gravel, or left uncovered. Seven parking bays for the guests will be provided on the upslope side of the accommodation, with the intention of limiting vehicular movement around the site. Parking bays will be designated informally off an existing road in groups of 2 and 3 bays.</p> <p>2.5 A generator and a transformer are located downslope and north of the staff office tent. The sewage treatment infrastructure, six small bio septic tanks, is located downslope and along the northern edge of the camp. Fire hydrants are located around the periphery of the camp. A 116m³ reservoir above the site supplies water to the camp.</p>		
--	--	--	--	--

		<p>2.6 All development activities have been completed apart from the designation of the five road edge parking bays at the site entrance. There will be no new surface to demarcate the parking bays except for some gravel/bark chips. These bays will be in an already 'transformed' zone as identified and mapped by the botanical specialist and would thus be acceptable from a botanical impact perspective.</p> <p>3. The Department's Directorate: Development Management, Region 1 has the following comments on the draft EIR:</p> <p>3.1 Activity 31 of Listing Notice ("LN") 1 is not applicable to the development because the listed activities that have been commenced with does not include the clause "and related operation". This activity must therefore be excluded.</p> <p>3.2 The vegetation on site is Boland Granite Fynbos, an ecosystem listed as vulnerable in terms of Section 52 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA"). Activity 12 of LN 3 is therefore not applicable to the development and must be excluded.</p> <p>4. This Directorate herewith forwards this comment to the Directorate: Biodiversity and Coastal Management, as requested.</p>		<p>3.1. Noted. This activity has been excluded.</p> <p>3.2. Noted. This activity has been excluded.</p>
--	--	---	--	---