

Western Cape Department of Environmental Affairs and Development Planning

NEMA SECTION 24G APPLICATION COMPLETENESS CHECKLIST

THE DEVELOPMENT OF A TENTED CAMP ON FOUNDERS ESTATE 5, FARM 1485/5, PAARL (FES)

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

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

CHAND
Environmental Consultants, Public & Specialist Engagement Specialists

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

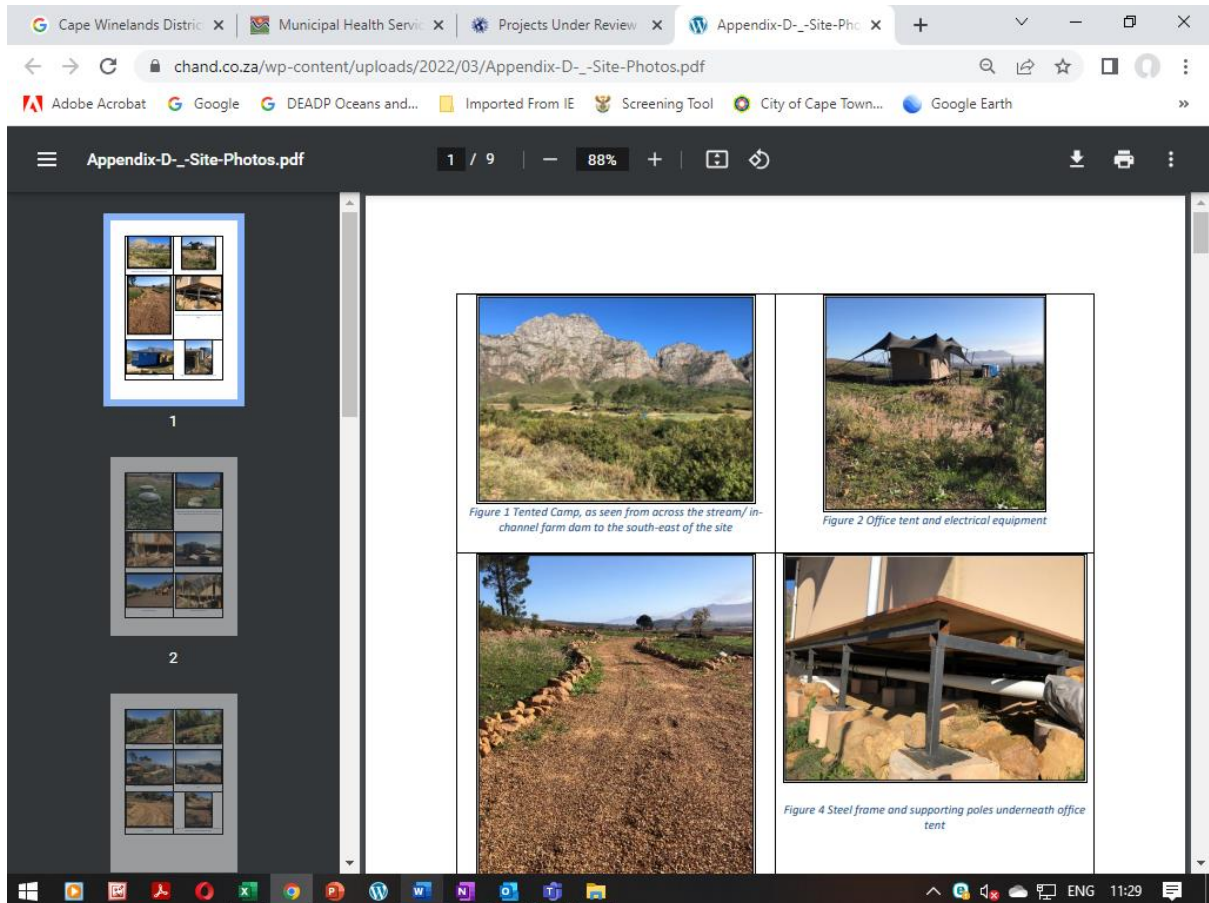
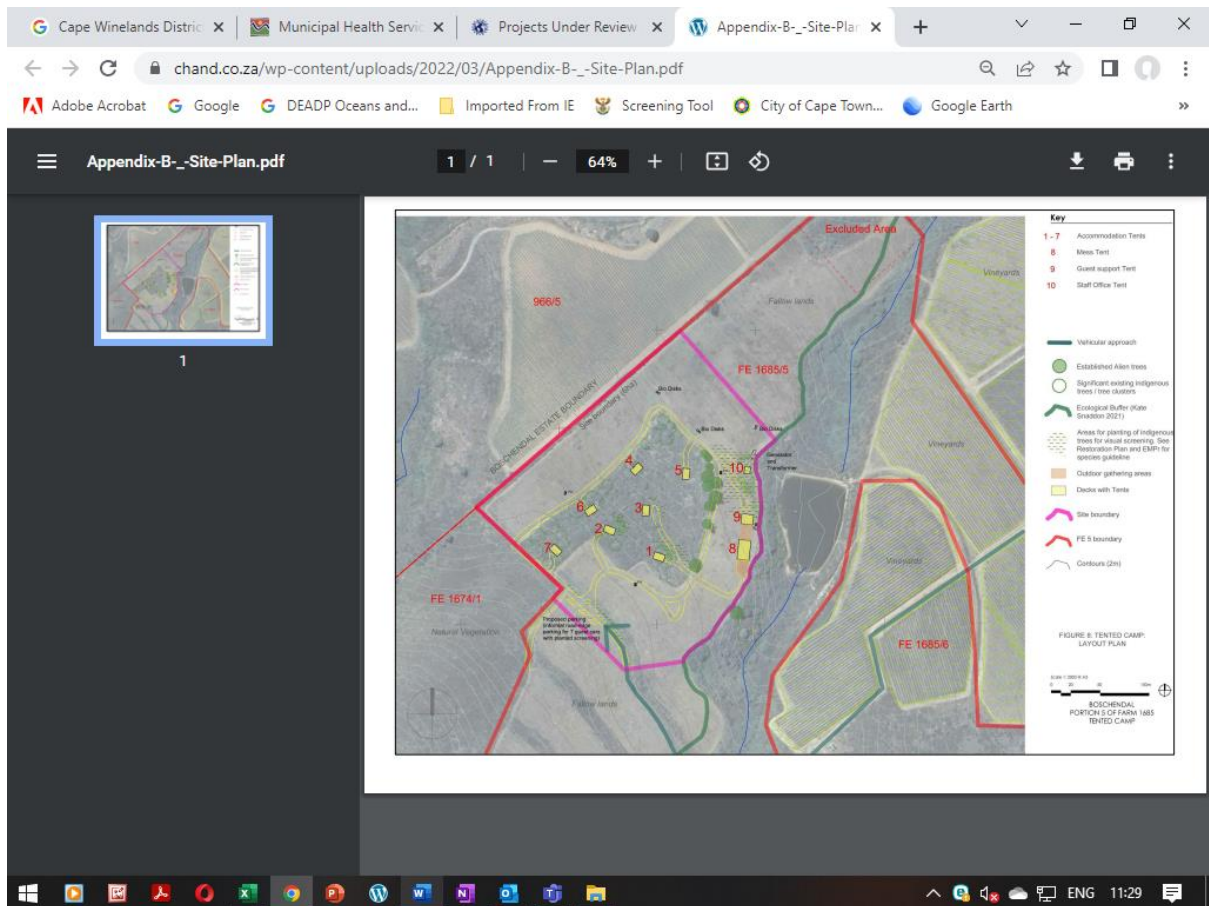
Please indicate by ticking the following below to serve as confirmation that the required information has been included in the application.

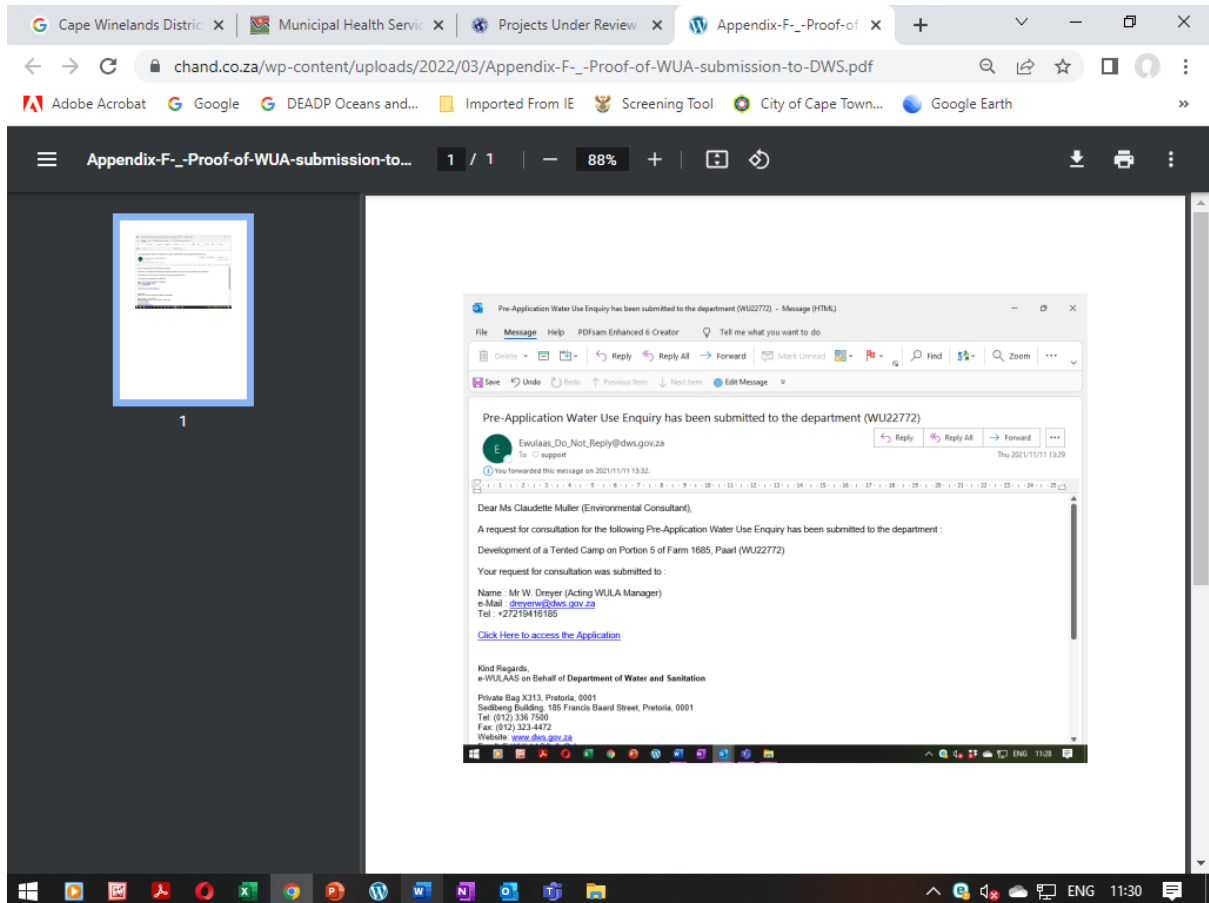
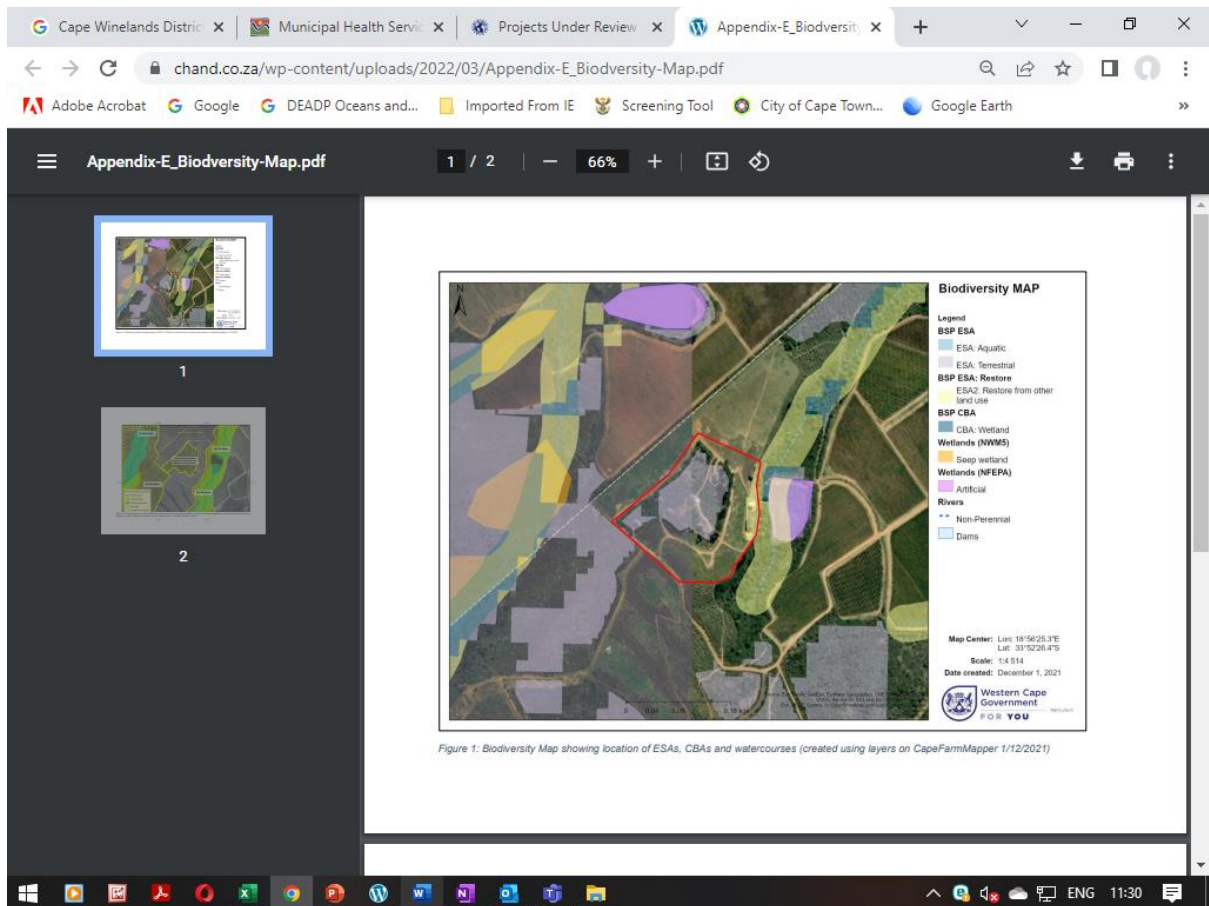
No.	Application Requirements	Please tick for confirmation
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&As), in accordance with Annexure A, Section D of the Section 24G fine Regulations. (Note: Failure to meet the Regulation 8 will result in rejection of the application) Refer to Appendix G.	<input checked="" type="checkbox"/>
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with:	<input checked="" type="checkbox"/>
	2.2. A list of all similarly listed activities in terms of the current SA regulations (if applicable):	N/A
	2.3. A description of the receiving environment before commences of the activity(ies):	<input checked="" type="checkbox"/>
	2.4. A description of the receiving environment after commences of the activity(ies):	<input checked="" type="checkbox"/>
	2.5. All appendices and annexures:	<input checked="" type="checkbox"/>

Appendix-A_-_Locality-Map.pdf

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The map shows a satellite view of a rural area. A red outline marks the 'Tented Camp' location. A black line indicates the 'Boschendal Farm Boundary'. Arrows point towards 'To Paarl', 'To Stellenbosch', and 'To Franschhoek'. A scale bar is visible in the bottom left corner, and a north arrow is in the top right corner. The Google Earth logo is in the bottom right corner.





Cape Winelands Distric x Municipal Health Servic x Projects Under Review x Appendix-Gi Preliminary-IAP-Database-website.pdf

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Appendix-Gi Preliminary-IAP-Database-w... 1 / 3 88%

NAME	SURNAME	ORGANISATION	Designation	ERF/FARM NUMBER
COMPETENT AUTHORITY				
Shafieq	Mallick	Department of Environmental Affairs and Development Planning: Compliance		
STATE DEPARTMENTS/ AUTHORITIES: DEADP				
More-Lies	Oosthuizen	Department of Environmental Affairs and Development Planning: Chief Directorate: Development Planning: Management (Region 2)	Head of Component: EIA (Cape Winelands and Overberg)	
Nabeela	Khan	Department of Environmental Affairs and Development Planning	Rectification	
Ziyaad	Allie	Department of Environmental Affairs and Development Planning	Rectification	
Pieter	Van Zyl	Department of Environmental Affairs and Development Planning: Development Planning	Head of Department	
Eddie	Haneekom	Department of Environmental Affairs & Development Planning: Waste Management	Head of Department	
Efenne	Roux	Department of Environmental Affairs and Development Planning: Waste Management	Specialised Environmental Officer: Waste Management Licensing	
Gottlieb	Arendse	Department of Environmental Affairs and Development Planning: Pollution Management		
Joy	Leamer	Department of Environmental Affairs and Development Planning: Air Quality	Provincial Air Quality Officer	
Lance	McBain-Charles	Department of Environmental Affairs & Development Planning: Waste Management	Senior	
Marlene	Laros	Department of Environmental Affairs and Development Planning: Biodiversity		
Moskale	Langa	Department of Environmental Affairs & Development Planning: Pollution Management		

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SUBCONTRACT N-001-014-20191 - VNW018
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE 1 SECTION 1 TO 2 FROM TO JOOSTENBERGLAAT KM 38.26 TO KM 54.16 TO WORCESTER (KM 4.42) AND FLORENCE (KM 4.42) AND NATIONAL ROUTE 1 SECTION 3 TO 4 FROM TO WORCESTER (KM 0.00 TO KM 74.47) TO CONSTABLE KM 0.00 TO KM 21.68)

WORK PACKAGE NO. VNW018 FOR GENERAL, VEGETATION AND MINOR MAINTENANCE FROM JOOSTENBERGLAAT TO CONSTABLE

TENDER NOTICE AND INVITATION TO TENDER (BIDD)

1.1.1 V&A Maintenance & Civils tender notice for experienced ENECSE contractors for Contract N-001-014-20191 ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE 1 SECTION 1 TO 2 BETWEEN BERO RIVER (KM 34.1) AND FLORENCE (KM 4.42) AND NATIONAL ROUTE 1 SECTION 3 TO 4 FROM TO WORCESTER (KM 0.00) TO CONSTABLE (KM 21.68) AT THE SOUTH AFRICAN NATIONAL ROADS AGENCY (SANRAL) (SANRAL).

This project is in the province of Western Cape and in the Cape Winelands District Municipality. Subcontractors are required for the following subcontracts:

N-001-014-20191-00001: General Maintenance & Vegetation Control and Minor Maintenance

The approximate duration is 12 months. CIDB Regulation 25 (18) will be applicable to this contract.

Only tenders who are at least 81% Black owned and who is an ENECSE start up or QSE are eligible to tender. Only tenders that meet all the eligibility criteria are eligible to tender. Only tenders who are at least 81% Black owned and who is an ENECSE start up or QSE are eligible to tender. Only tenders that meet all the eligibility criteria are eligible to tender.

It is estimated that tenders should submit a CIDB contractor grading designation as indicated in the table below:

Work Package	CIDB requirement
N-001-014-20191-00001	4-CSE

The tenders attention is drawn to clause 4.1.1 of the Tender Data for each work package when submitting their tender. Tenders from contractors registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation of 4-CSE will be accepted. Only tenders that meet all the eligibility criteria are eligible to tender. Only tenders who are at least 81% Black owned and who is an ENECSE start up or QSE are eligible to tender. Only tenders that meet all the eligibility criteria are eligible to tender.

Only locally produced or locally manufactured products and components for construction with a stipulated minimum threshold for local content and production as stated in the Tender Data will be considered.

Preference are offered to tenders who comply with the criteria stated in the Tender Data.

A tenderer's representative cannot represent more than one tenderer at the compulsory meeting.

SUBCONTRACT TENDER DOCUMENTS

Tender documents are available at no cost in electronic format on CIDB. Tenderers must have access to Microsoft Office 2010 and Acrobat Adobe 8.0.0 or similar compatible software.

The physical address for collection of tender documents is the V&A Road Maintenance & Civils, 89 Stockenstrasse Street, Worcester where tender documents may be collected from 21 October 2021 to 26 October 2021, Monday to Thursday, during the hours 09:00 to 16:00 and Friday, during the hours 09:00 to 13:00.

Strict COVID-19 regulations will be followed, when collecting and submitting documents, which is as follows:

- All prospective tenderers shall be required to wear a face mask and will not be allowed to enter the site office at a designated area, considering social distancing of 1.5m in Stockenstrasse Street, Worcester.
- At the entrance to the Contractor's office, the tenderers shall be required to sanitize their hands.
- The Contractor will monitor the temperature of the tenderers as they enter the building, tender office area regularly and complete COVID-19 required information.
- Only the designated area in the office area will be used and the tenderer will be required to leave at the back of the building to ensure flow-through of people.

Please be advised that the rules will not be waived and that it will be the responsibility of each tenderer to acquire themselves with the rules and the conditions.

COMPULSORY TENDERING MEETING

Compulsory tenderer distribution meeting will be held on 26 October 2021 at 11:00 under COVID-19 regulations at 89 Stockenstrasse Street, Worcester.

COMPLETION AND DELIVERY OF TENDERS

The closing time for receipt of tenders is 14:00 on Thursday, 11 November 2021.

Diagnostic, electronic, bids, email, fax, tender and submissions from tenderers who arrived late at the tender distribution meeting will not be accepted.

Tenders may only be submitted in the format as stated in the Tender Data.

Requirements for completing, sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

Queries relating to issues arising from these documents may be addressed to the following:

Enquiries	
Contact Person:	Linda Schreiner
Tel no:	022 302 3000
E-mail:	linda.schreiner@chand.co.za

CONTACT US/KONTAK ONS

Tel. 021 887-2840
PO Box 28 Stellenbosch 7601
44 Alexander Street

CHAND

NOTIFICATION OF A PUBLIC PARTICIPATION PROCESS FOR A TENTED CAMP ON FARM 1685/5, PAARL

Applicant: Founder's Estate 1 (Pty) Ltd
Activity: The Development of a Tented Camp and Associated Infrastructure
Date of Publication: 21 October 2021
Location: Paarl, South Africa 6805, Paarl

Notice is hereby given that application will be made for the notification of the unlawful commencement of Listed Activities in terms of Section 24G of the National Environmental Management Act (Act 107 of 1998) (NEMA).

During late 2019, the proponent, F&S (Pty) Ltd, developed some accommodation tents within an area containing indigenous vegetation and near an in-stream dam. The tents are located on a plot of approximately 78 to 83 m² and can accommodate a maximum of 10 people each. A gravel road that circulates around the site provides access to the site for the tents, as well as to the additional commercial / operations tents. The development constitutes Listed Activities in terms of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended, namely:

- Listed Activity 22 of Listing Notice 3 (GCN No. 985 in Gazette No. 38382 of 4 December 2014, as amended by GCN No. 327 in Gazette No. 42773 of 1 April 2015)
- Listed Activity 22 of Listing Notice 3 (GCN No. 985 in Gazette No. 38382 of 4 December 2014, as amended by GCN No. 324 in Gazette No. 42773 of 1 April 2015)
- Listed Activity 22 of Listing Notice 3 (GCN No. 985 in Gazette No. 38382 of 4 December 2014, as amended by GCN No. 324 in Gazette No. 42773 of 1 April 2015)

As such, a notification process in terms of Section 24G of the NEMA must be undertaken with a view to obtaining retrospective Environmental Authorisation. Chand Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to undertake this process on behalf of the applicant.

It should be noted that the Founder's Estate is a natural heritage site and the tented camp was constructed without a permit from the South African Heritage Resources Agency (SAHRA) as required in terms of Section 27 (3) of the National Heritage Resources Act (Act 25 of 1989). A Heritage Impact Assessment (HIA) will be undertaken as part of the Section 24G environmental process. An application in terms of Section 24G(2) of the South African National Environmental Management Act (Act 107 of 1998) for a Temporary Departure is also underway to allow the land for a purpose not permitted in the primary rights of the zoning application to the land.

This notice serves as notification of the upcoming environmental application to rectify the unlawful commencement of Listed Activities and your opportunity to register as an interested / affected party (I/A-P). The full scope and details of the project will be contained in a draft Environmental Impact Report (EIR) which will be made available to the public for comment at a later stage.

Should you or your organisation have any comments or queries regarding this project, or if you would like to participate in the process, and provide comment on the relevant documentation, please ensure that you register as an I/A-P in writing, by contacting **Chandetta Muller**.

CHAND

Postal address: PO Box 218, Plumstead, 7801
Tel: 021 792 3000
Email: info@chand.co.za

Please note that I/A-Ps must provide their name, contact details (postal address, telephone and email address) and an indication of any direct business, financial, personal, or other interest they may have in the approval or refusal of this pending application. As per statutory requirements, this is a public process and your name, contact information and original comments provided will be submitted to the CIDB as part of the final report submissions and will become part of the public record.

Cape Winelands District x Municipal Health Service x Projects Under Review x Appendix-H-ii-_Ecological-Impact-Assess...

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Appendix-H-ii-_Ecological-Impact-Assess... 1 / 97 88%

BOSCHENDAL TENTED CAMP S24G

ECOLOGICAL REPORT

Prepared for:

FE 5 (PTY) Ltd
Tented Camp S24G
Pniel Street
Groot, Franschhoek
7680

Prepared by:

Biodiversity Africa

30 Chudleigh Road
Plumstead, 7800

Cape Winelands District x Municipal Health Service x Projects Under Review x Proposal - Pycna sylvia

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Proposal - Pycna sylvia life cycle, host spe... 1 / 19 88%

FE5 (Pty) Ltd Tented Camp: Terrestrial invertebrate assessment

2021-10-11

Prepared for:

Claudette Muller

Chand Environmental Consultants
P O Box 238
Plumstead
7801
Tel: (021) 762 3050
Fax: 086 665 7430
www.chand.co.za
Email: Claudette@chand.co.za

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Johann Lanz
Soil Scientist (Pr.Sci.Nat.)
Reg. no. 400268/12

Cell: 082 927 9018
e-mail: johann@johannlanz.co.za


1A Wolfe Street
Wynberg
7800
Cape Town
South Africa

**Site sensitivity verification
and Agricultural Compliance Statement
for NEMA 24G application
for FE5 (Pty) Ltd Tented Camp**

1 Introduction

A retrospective Environmental Authorisation is being sought for the above development. In terms of the National Environmental Management Act (Act No 107 of 1998) (NEMA) and due to the potential agricultural sensitivity of the site, the application for environmental authorisation requires an agricultural assessment.

The location of the camp development on Boschendal Wine Estate is shown in figure 1.



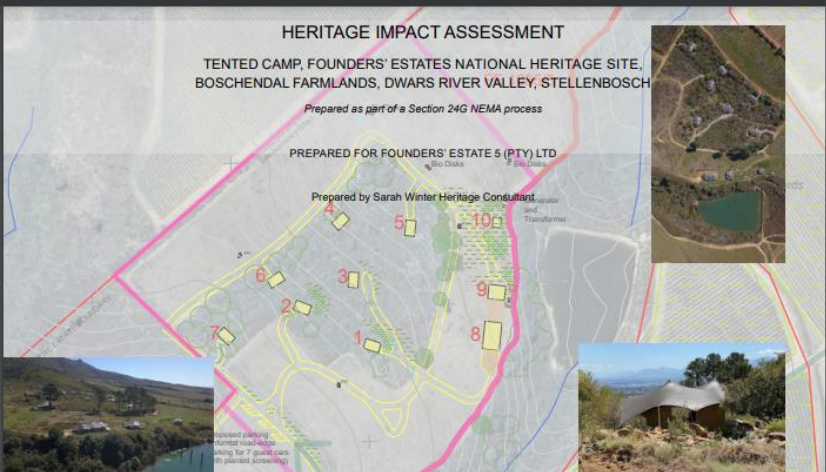
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Appendix-H-v_-Heritage-Statement-1.pdf 1 / 51 62%

HERITAGE IMPACT ASSESSMENT
TENTED CAMP, FOUNDERS' ESTATES NATIONAL HERITAGE SITE,
BOSCHENDAL FARMLANDS, DWARS RIVER VALLEY, STELLENBOSCH
Prepared as part of a Section 24G NEMA process
PREPARED FOR FOUNDERS' ESTATE 5 (PTY) LTD
Prepared by Sarah Winter Heritage Consultants



SARAH WINTER
HERITAGE CONSULTANT
21 Higher Stearns Road, Mowbray 7945
P.O. Box 281, Mowbray 7950
Tel: (021) 788-6523
Cell: 082 435 5156
E-mail: swinter@public.co.za

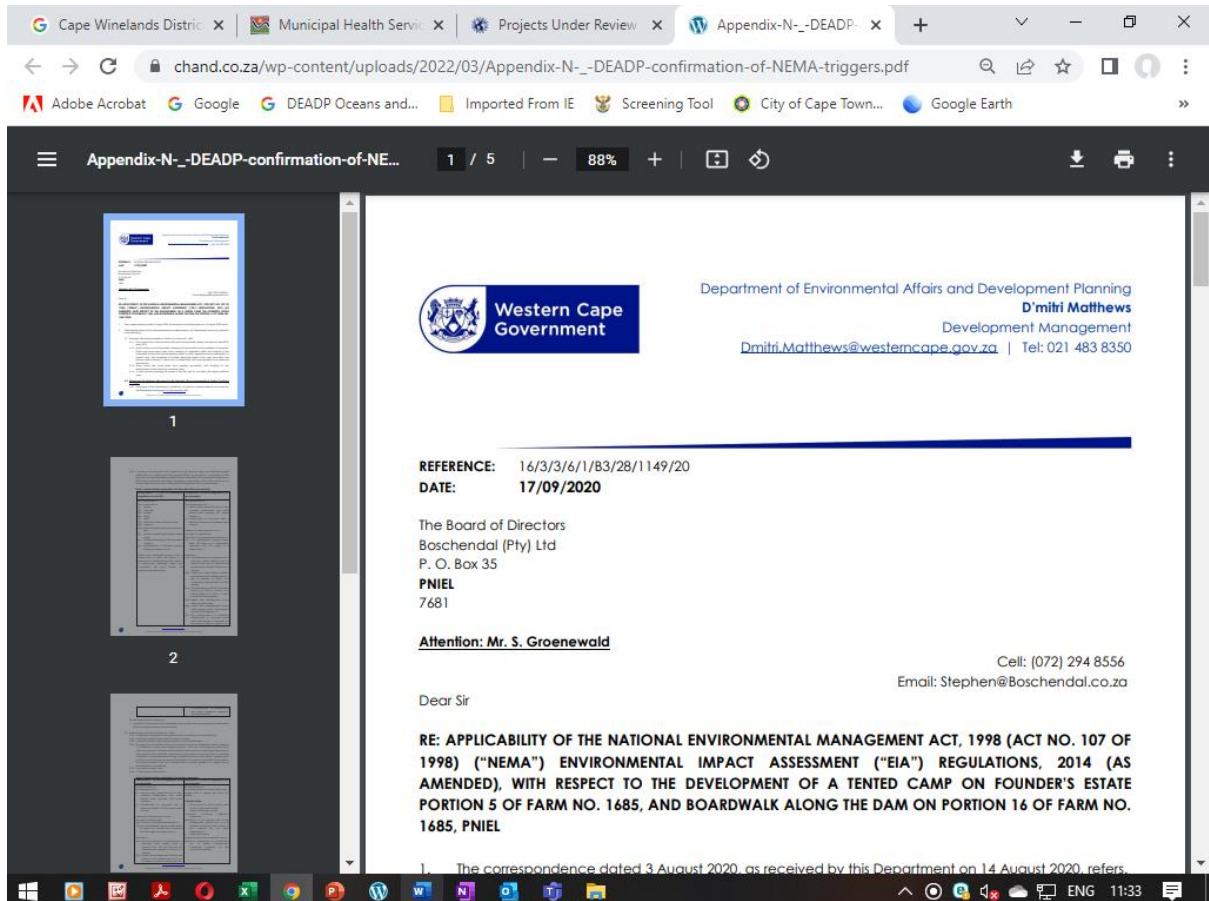
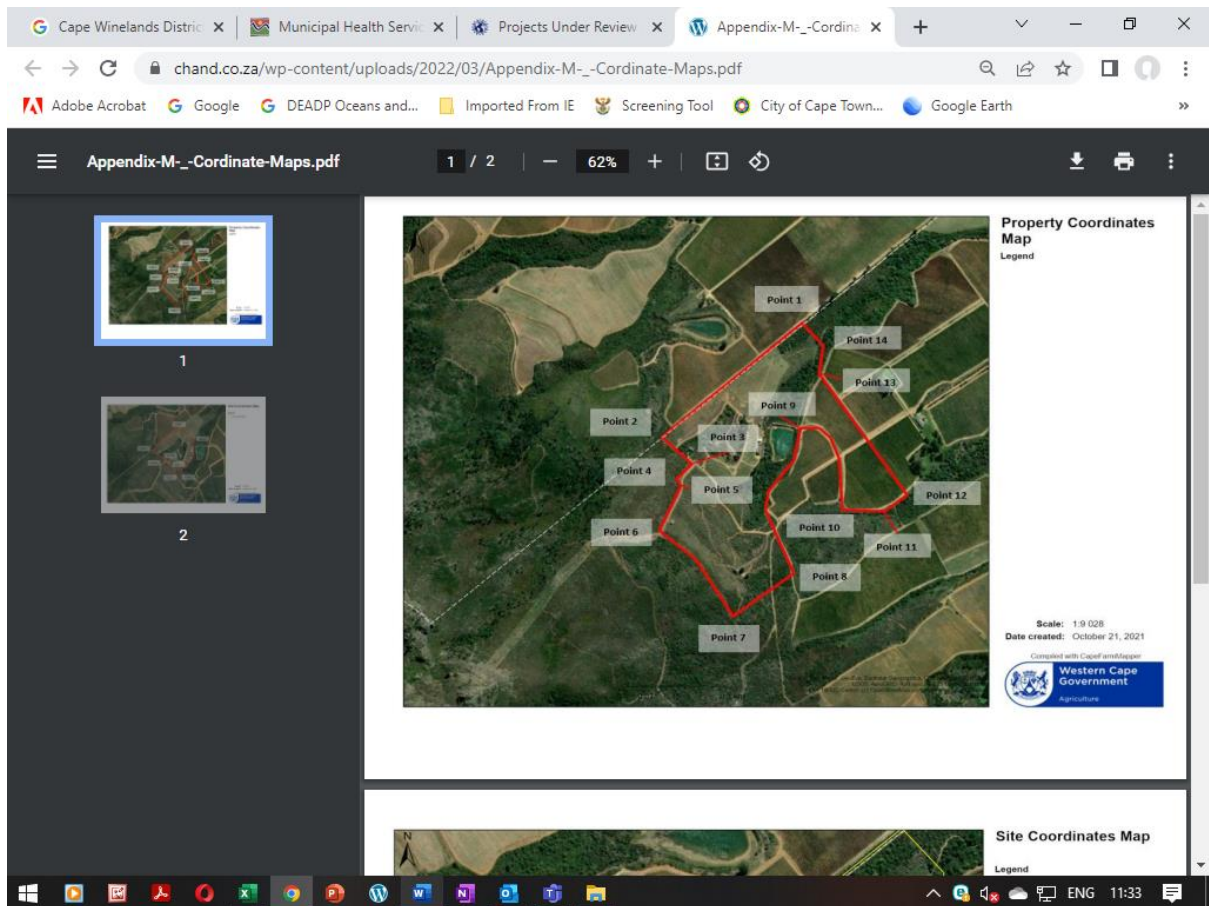
In collaboration with Mike Scurr (Rennie Scurr Adendorff Architects) and
Bernard Oberholzer (BOLA) for Founders' Estate
26 October 2021

RENNIESCURRIADENDORFF
082 435 5156

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Cape Winelands District x Municipal Health Service x Projects Under Review x Methodology for determining significance x

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Methodology for determining significance 1 / 3 88%

EVALUATION METHODS FOR ENVIRONMENTAL IMPACTS

The evaluation method for determining significance of impacts is shown below.¹

Note that an adjustment was made, which involved changing the consequence column to the significance column, due to the fact that probability should not necessarily determine significance, as, for example, catastrophic events would be highly significant, even though the probability of such an event occurring is low.

Definitions of or criteria for environmental impact parameters

The significance of environmental impacts is a function of the environmental aspects that are present and to be impacted on, the probability of an impact occurring and the consequence of such an impact occurring before and after implementation of proposed mitigation measures.

(a) **Extent (spatial scale):**

Ranking criteria		
L	M	H
Impact is localized within site boundary	Widespread impact beyond site boundary; Local	Impact widespread far beyond site boundary; Regional/national

Take into consideration:

- Access to resources; amenity
- Threats to lifestyles, traditions and values
- Cumulative impacts, including possible changes to land uses at and around the site.

(b) **Duration:**

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Appendix-R-_-Applicant-letter.pdf 1 / 1 88%

FE 5 Boschendal Wine Estate
R310 Pniel road
Franschhoek
7960

14 December 2021

To Whom It May Concern,

Please be advised that in my capacity as the current sole director of Boschendal Founders Estate 5 (Pty) Ltd, I hereby confirm that I was not involved in the planning and construction of the Tented Camp in 2019. I have only been the director of the company as of July 2021.

My understanding is that the developer at the time mistakenly considered the tents to be temporary structures which would not need approval from the relevant authorities. I however cannot speak on behalf of parties whom are no longer associated with the company.

It is my intention to regularise the development in order to operate the business legally.

Yours sincerely,

Amelia Ruth Kropman