

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
21 April 2015
(Also the agenda for the Mayoral Committee Meeting : 29 April 2015)**

**19.
ERF 4771, VOËLKLIP, HERMANUS : PIET SE BOS & GROTTO BEACH : BASIC
ASSESSMENT REPORT (BAR)**

**4771 HVK
H van der Stoep
26 January 2015**

(028) 313 8900

Hermanus Administration

1. Executive Summary

The Overstrand Municipality appointed EnviroAfrica to conduct a Basic Assessment Report (BAR) of the proposal to redevelop the Grotto Beach area. The proposal entailed the following uses e.g restaurant, amphitheatre and the rehabilitation of the wetland area at the picnic site.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town Planning

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

Executive Mayor

5. Legal Requirements

- National Environmental Management Plan (NEMA)

6. Background/Discussion/Evaluation/Conclusion

Background

The Overstrand Municipality appointed EnviroAfrica to conduct a Basic Assessment Report (BAR) for the upgrading and redevelopment of Grotto Beach picnic area. The proposal entailed the following uses : Amphitheatre, restaurant and the rehabilitation of the wetland at the picnic site and the erection of new braai facilities. During the initial public participation process various objections were received, which has lead to an open day to address the objections and subsequently an amended BAR.

The latter was distributed to all the interested and affected parties, which were given time to respond to the amended BAR. The responses received will be addressed in the documentation with the amended BAR to the Western Cape

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Government : Environmental Affairs and Development Planning for their consideration and finalization.

The initial Basic Assessment Report, dated August 2013 - the proposal for Erf 4771 consisted of the following:

- Rehabilitation of the wetland area
- Double storey restaurant
- Amphitheatre
- New Braai facilities.

Discussion

The BAR, dated August 2013, Comments and Responses Report deals with the objections in detail.

The objections (40) received can be summarized as follows:

- Property values and sea views - The proposed amphitheatre and a double storey restaurant will influence surrounding property values and block views. The amphitheatre will detract from the existing natural setting of the picnic area.
- Operational issues of the Amphitheatre –
The issues raised were as follows:
 - Was alternative locations considered;
 - Target market;
 - Maximum visitors;
 - Parking;
 - Services;
 - Crowd control etc.
- Noise issues.
- Parking and entry road relating to events.
- Restaurant - The double storey will impact on views, what will happen to Dutchies, funding of the restaurant, storm surges.
- Natural Habitat - Concerns that development will destroy the natural habitat.
- Blue Flag beach - A double storey structure so close to the beach will spoil the beauty.
- Rehabilitation of the wetland - Removal of rubble?

Due to the large number of objections received, it was decided to extent the public participation process so that the full extent of the public concerns could be understood and taken into account.

An open day and a public meeting was held on 18 January 2014 at the Auditorium Hermanus Overstrand Municipality. The meeting was chaired by Adv W Zybrands and attended by 90 participants.

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Following below is a summarized version of the event and a copy of the minutes is attached as reference (Annexures B and C).

The issues discussed at the meeting can be divided into four categories as follows:

1. The legality of the public participation process followed during the Basic Assessment Process (BAR)

The Grotto Action Group clearly indicated that the public participation process was flawed. The Group obtained legal advice on the matter and the opinion of their legal representative is that the process is flawed. One of the main issues was the fact that e-mails were not accepted by the Environmental Practitioner. During the discussion the Environmental Practitioner did indicate that he will accept e-mails with an attachment.

2. The proposed Amphitheatre

The public present made it clear that an amphitheatre in any format is not acceptable. People involved in the performing arts (music concerts), and owners of properties in close proximity to Kirstenbosch, indicated that noise pollution is a major problem.

3. Wetland rehabilitation

No objection was raised against the proposed rehabilitation. It was however suggested that trees be planted at the picnic area to provide shade for picnic sites and that the braai facilities be upgraded and moved to the area outside the proposed boardwalk. The trees to be planted must be endemic and done in collaboration with the Hermnus Botanical Society.

4. Restaurant

It was felt that the existing Dutchies Restaurant must be extended and upgraded to fulfil the function of a restaurant and that there is no need for a restaurant on the "Old Nautilus" site. The following concerns were raised regarding the site such as climate change, the 1:100 floodline and the setback line. The proposed building is excessive in bulk and height. It was suggested that the site be rehabilitated to a Milkwood forest.

It was mentioned that the Dutchies building does not comply with the existing Health and Safety Legislation and was built as a shop and uses that can be accommodated in the existing building are shop, storage and security personnel during high season.

During the meeting, the following proposals were made in terms of developing the area. The municipality should give consideration to make the existing one-

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way traffic to a dual traffic system up to the parking area adjacent the ablution facilities or close the road between Dutchies and the beach, but reroute it north of Dutchies over the picnic area. It was also proposed that the Old Nautilus site be rehabilitated and not be developed at all, but rather upgrade the Dutchies building in order to comply with the National Building Regulations and Health legislation.

It was brought to the attention of the meeting that, in terms of the Department of Environmental Affairs and Development Planning, the proposed restaurant does not need to go through a BAR process, since there was commencement before 1998.

The amended BAR, dated July 2014, proposed the following alternative:

The alternative option is to exclude the amphitheatre, scale down the proposed restaurant, but keep the initial location (the Old Nautilus site) and rehabilitate the wetland area.

Twenty six comment/objections were received on the amended BAR. They can be summarized as follows:

- The proposal for a restaurant on the Old Nautilus site is not acceptable due to climate change and can rather be rehabilitated.
- The existing Dutchies should rather be upgraded and make use of an existing amenity.
- The rehabilitation of the old Nautilus site will be in keeping with the prospect of including the Grotto Beach picnic area into the Fernkloof Nature Reserve.
- The site triggers environmental legislation that should have been addressed in the application, due to its locality within 100m of the sea.

Discussion

The initial BAR included an amphitheatre, in the subsequent amended BAR, the amphitheatre is excluded from the proposal. The rehabilitation of the wetlands has been accepted by the community.

The first aspect that needs to be addressed are the objectors' viewpoint that the BAR is flawed in terms of the legislative requirements. The legislative requirements of the NEMA Regulations is the mandate of the Western Cape Government : Environmental Affairs and Development Planning and thus the Overstrand Municipality cannot comment on the legality of the process. This aspect will have to be dealt with by the relevant authority.

The objectors objected to the inclusion of the original proposal in the Amended BAR. In terms of the NEMA process, an alternative may be added, but the

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original proposals must be retained and may not be removed as part of the documentation and options considered.

The proposed restaurant on the Old Nautilus site attracted different responses. Some objectors were against the double storey building, but do not object to the scaled down version of a single storey building, whilst others still objected to the proposed locality. The feeling at the open day was that the existing Dutchies be upgraded in order to comply with the National Building Regulations and Health Regulations.

Evaluation

The original proposal is still part of the amended BAR but the alternative was added following comments received by the community.

It should be noted that the proposed restaurant is in line with what was on the site before.

The proposed amphitheatre is not desirable and is therefore removed from the proposed development. The rehabilitation of the wetland and creation of a boardwalk is still part of the application. The braai and picnic area is still part of the application

The restaurant has been scaled down to the following development parameters:

- Height: Single storey (6,170m)
- Seating: 108 people
- The building is elevated to accommodate storm surges.

As background, the development parameters of previous buildings on the same site and footprint were as follows:

- The Driftwood Den according to the 1986 building plan:
 - Height: Single storey
 - Seating: 101 people
- The Nautilus according to the 1997 approved building plan
 - Height: 7,4m (2 storeys)
 - Seating: 198 people

The first approved building plan was in 1981 for minor amendments to an existing tea room. Aerial Photographs indicate the restaurant in existence since 1987. The proposed restaurant will have less of an impact than previous buildings and is located on the area where previous restaurants were built.

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The present Dutchies (restaurant) was never designed as a restaurant and does not have proper facilities associated with a restaurant. The building was designed as a shop and would revert back to its original design and land use or be used as storage or for an area where Law Enforcement officials can be accommodated.

The upgrading of the Grotto Beach area is essential to enhance and ensure continued Blue Flag status and to preserve the wetland area within an urbanized setting.

The most viable option available is to develop the Old Nautilus site to a single storey restaurant, elevated to accommodate possible storm surges. Progressive environmental and town planning are to mitigate existing situations in a given situation and working with nature and not against it. The building will be lower than the original Nautilus Restaurant and should not affect view lines more than the previous restaurant. The site is seen as "commenced" since it has been used as a restaurant since 1981. This gives effect to Circular 1 of 2013, issued by the Department of Environmental Affairs and Development Planning on 2 April 2013. The NEMA process makes provision for an application within the 100m of the high water mark. It clearly stipulates that *"development within the 100 meters of the high water mark is not allowed without environmental authorization"*. Thus it does not restrict all development within the 100m high water mark and in view that the activity is seen as "commenced", it is exempted from a Basic Assessment Study as long as the footprint and locality remains the same.

In terms of financial viability, the locality is ideally situated in terms of views, transformed area, engineering services availability and can generate the necessary income to finance the rehabilitation of the wetland area, upgrade the picnic area and create a boardwalk to link with the existing coastal paths. The Grotto Beach area is a blue flag beach and will be incorporated into Fernkloof Nature Reserve to link the coastal protection zone with the mountainous area of Fernkloof. The proper development of Grotto will contribute and enhance the viability of a community based node for the Fernkloof Nature Reserve and stimulate economic activity at Grotto for locals and tourists visiting the beach and the extension towards the Kleinriver Lagoon. The latter is becoming a hive of water sport activities with no proper infrastructure or amenities and must be addressed. It is preferable to cluster activities in an area which has developed footprint as to establish and create amenities unnecessary.

The proposal that the road be rerouted north of Dutchies is not considered viable as it will dissect the picnic area and the rehabilitated Milkwood area. There is also existing sewerage infrastructure and a sewage pump station in the area between Dutchies and the Milkwood forest. The rerouting of the road and moving of existing infrastructure may trigger additional environmental processes.

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The request that Dutchies be upgraded is not possible. The building was never designed for the present use. It does not conform to National Building Regulations, Health Regulations pertaining to the kitchen facilities, toilet facilities and access for disabled users. It can however revert back to its use as a shop and generate additional funds for the Municipality and provide additional amenities for the public.

The proposed restaurant is a single storey building on the exact footprint of the previous restaurant and no extensions will be considered in future. It should be noted that sufficient engineering services are available for the proposed development.

The stormwater pipe on Grotto Beach must be upgraded since it is an eyesore for a Blue Flag Beach.

The one aspect that needs to be investigated is the possibility of dual traffic from the western entrance of Grotto Beach to the parking area adjacent to the ablution facilities. However it has no bearing on the application at present, but a suggestion from the public.

The two options on the table are as follows:

Option 1

Develop the Old Nautilus site to a single storey restaurant, elevated to accommodate possible storm surges. The building will be lower than the original Nautilus Restaurant and should not affect view lines more than the previous restaurant did. The site is seen as "commenced" since it has been used as a restaurant since 1981. In terms of financial viability, the locality is ideally situated in terms of views, transformed area and can generate the necessary income to finance the rehabilitation of the wetland area, upgrade the picnic area and create a board walk to link with the existing coastal paths.

It should however be taken into consideration that the site has not been used as a restaurant actively and the rehabilitation thereof would be more in line with the prospect of incorporation into Fernkloof Nature Reserve. The other aspect is that climate change has had a definite influence on the coastline, especially now that the Kleinriver Estuary is not manually breach once a year. The mouth is migrating towards the west and has caused major damages to the picnic and parking area towards the east at Piet se Bos.

These aspects can be mitigated and landscaping of the restaurant can lead to an integrated development.

Option 2

The other option is to redevelop the existing Dutchies to a full scale restaurant.

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This will not really limit the risk of possible storm surges. Although the building is a few meters further away from the sea, the height of the building above sea level is similar to that of the preferred location.

This option will not generate the financial benefit that a beachfront restaurant will create. Should Dutchies be upgraded and redeveloped, the Municipality loses possible income in terms of leasing the building for uses associated with beach activities.

The redevelopment of Dutchies (the possible demolition of the building to erect a restaurant with all the associated amenities) will trigger additional environmental processes.

Conclusion

That the amended BAR proposal excluding the amphitheatre be recommended for approval.

That Option 1 indicating the restaurant on the Old Nautilus Site be recommended for approval.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

- Annexure A: Original Basic Assessment Report (BAR) dated August 2013
- Annexure B: Summarized Minutes of the Open Day held on 18 January 2014
- Annexure C: Verbatim Minutes of the Open Day held on 18 January 2014
- Annexure D: Amended BAR dated July 2014
- Annexure E: Objections against the Amended BAR
- Annexure F: Municipal Engineering Services comments

Note:

Due to the volume of the annexures, the annexures will be distributed on a CD under separate cover.

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RECOMMENDATION:

1. that the amended Basic Assessment Report (excluding the amphitheatre) be **recommended for approval** to the Western Cape Government : Environmental Affairs and Development Planning; and
2. that Option 1, indicating the restaurant on the Old Nautilus Site, be **recommended for approval**.

RESPONSIBLE OFFICIAL :	H VAN DER STOEP
TARGET DATE FOR IMPLEMENTATION :	13 MAY 2015
TARGET DATE TO INFORM APPLICANT :	13 MAY 2015
TARGET DATE TO INFORM OBJECTOR :	13 MAY 2015

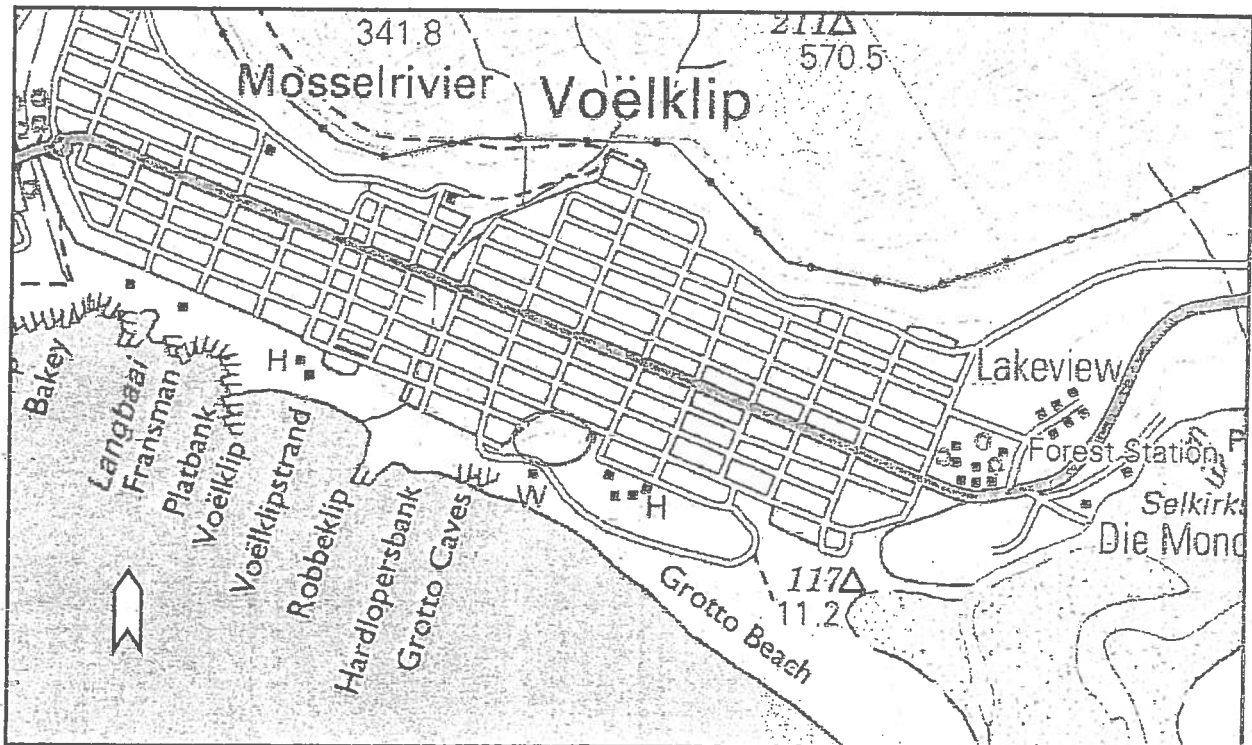
EnviroAfrica

Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

PIET SE BOS/GROTTO BEACH UPGRADE

ERF 4771, HERMANUS

PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA, ERF 4771, HERMANUS.



Basic Assessment Report

AUGUST 2013

PIET SE BOS/GROTTO BEACH UPGRADE

ERF 4771, HERMANUS

BASIC ASSESSMENT REPORT SUBMITTED IN TERMS OF REGULATIONS PROMULGATED IN TERMS OF SECTION 24(5) AND 24M, READ WITH SECTION 44 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 1998 (ACT No.107 OF 1998) AS AMENDED

PROPOSED UPGRADE OF THE PIET SE BOS AND GROTTO BEACH AREA, ERF 4771, HERMANUS.

COMPILED FOR:

OVERSTRAND MUNICIPALITY
P O Box 20
HERMANUS
7200

Tel: (028) 313 8906
Fax: (028) 313 2093

COMPILED BY:

EnviroAfrica
P O Box 4
ONRUS RIVER
7201

Tel: 028-316 2888
Fax: 086 513 2141
Cell: 082 376 5544

PROJECT No: 12/11/302



Basic Assessment Report in terms of the NEMA Environmental Impact Assessment Regulations, 2010
AUGUST 2010

Kindly note that:

1. This **Basic Assessment Report** is the standard report required by DEA&DP in terms of the EIA Regulations, 2010 and must be completed for all Basic Assessment applications.
2. This report must be used in all instances for Basic Assessment applications for an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as amended, and the Environmental Impact Assessment Regulations, 2010, and/or a waste management licence in terms of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM: WA), and/or an atmospheric emission licence in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEM: AQA).
3. This report is current as of 2 August 2010. It is the responsibility of the Applicant / EAP to ascertain whether subsequent versions of the report have been published or produced by the competent authority.
4. The required information must be typed within the spaces provided in the report. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. It is in the form of a table that will expand as each space is filled with typing.
5. Incomplete reports will be rejected. A rejected report may be amended and resubmitted.
6. The use of "not applicable" in the report must be done with circumspection. Where it is used in respect of material information that is required by the Department for assessing the application, this may result in the rejection of the report as provided for in the regulations.
7. **While the different sections of the report only provide space for provision of information related to one alternative, if more than one feasible and reasonable alternative is considered, the relevant section must be copied and completed for each alternative.**
8. Unless protected by law all information contained in, and attached to this report, will become public information on receipt by the competent authority. If information is not submitted with this report due to such information being protected by law, the applicant and/or EAP must declare such non-disclosure and provide the reasons for the belief that the information is protected.
9. This report must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department. No faxed or e-mailed reports will be accepted. **Please note that for waste management licence applications, this report must be submitted for the attention of the Department's Waste Management Directorate (tel: 021-483-2756 and fax: 021-483-4425) at the same postal address as the Cape Town Office Region A.**
10. Unless indicated otherwise, two electronic copies (CD/DVD) and three hard copies of this report must be submitted to the Department.

DEPARTMENTAL DETAILS

CAPE TOWN OFFICE REGION A (Cape Winelands, City of Cape Town: Tygerberg and Oostenberg Administrations)	CAPE TOWN OFFICE REGION B (West Coast, Overberg, City of Cape Town: Helderberg, South Peninsula, Cape Town and Blaauwberg Administrations)	GEORGE OFFICE (Eden and Central Karoo)
Department of Environmental Affairs and Development Planning Attention: Directorate: Integrated Environmental Management (Region A2) Private Bag X 9086 Cape Town, 8000 Registry Office 1 st Floor Utilitas Building 1 Dorp Street, Cape Town Queries should be directed to the Directorate: Integrated Environmental Management (Region A2) at: Tel: (021) 483-4793 Fax: (021) 483-3633	Department of Environmental Affairs and Development Planning Attention: Directorate: Integrated Environmental Management (Region B) Private Bag X 9086 Cape Town, 8000 Registry Office 1 st Floor Utilitas Building 1 Dorp Street, Cape Town Queries should be directed to the Directorate: Integrated Environmental Management (Region B) at: Tel: (021) 483-4094 Fax: (021) 483-4372	Department of Environmental Affairs and Development Planning Attention: Directorate: Integrated Environmental Management (Region A1) Private Bag X 6509 George, 6530 Registry Office 4 th Floor, York Park Building 93 York Street George Queries should be directed to the Directorate: Integrated Environmental Management (Region A1) at: Tel: (044) 805 8600 Fax: (044) 874-2423

View the Department's website at <http://www.capegateway.gov.za/eada> for the latest version of this document.

DEPARTMENTAL REFERENCE NUMBER(S)

File reference number (EIA):	
File reference number (Waste):	
File reference number (Other):	

PROJECT TITLE

PIET SE BOS AND GROTTO BEACH AREA UPGRADE DEVELOPMENT, HERMANUS

DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

Environmental Assessment Practitioner (EAP):	EnviroAfrica Environmental Planning and Impact Assessment Consultants		
Contact person:	Charel Bruwer		
Postal address:	P O Box 4		
	ONRUS	Postal code:	7201
Telephone:	(028)316 2888	Cell:	082 8050 190
E-mail:	charel@enviroafrica.co.za	Fax:	086 513 2141
EAP Qualifications	M.Sc Nature Conservation(Cum Laude) (Stellenbosch), EIA-Short Course(UCT), Short Course in Negotiation Skills(Institute for Advanced Training-Dept of Education), Short Course on Conflict Management and Dispute Resolution(CDR Associates), Short Course on Public Participation(Praxis-Canada), Training Course for trainers in Social Impact Assessment(IAIA). Attendance of a number of National and Provincial EIA Training Workshops		
EAP Registrations/Associations	South African Council for Natural Scientific Professions registration as Environmental Scientist. Reg No 401506/83		

Details of the EAP's expertise to carry out Basic Assessment procedures

The EAP has 42 years experience in the environmental impact assessment and management field of which 8 years was with the Cape Town City Council, 22 years with the national Dept of Water Affairs and Forestry and 13 years as a principal in a private consultancy. The EAP has conducted numerous environmental impact assessments, ran large public participation programmes and managed numerous Environmental Task Groups for large scale water resource developments at the national and provincial level. During the last four years the EAP has completed and obtained environmental authorisations for ~17 Basic Assessment Reports and 12 Environmental Impact Reports on studies conducted. During this period the EAP has also compiled ~30 Environmental Management Plans and acted as Environmental Control Officer on ~15 occasions.

SECTION A: ACTIVITY INFORMATION

1. PROJECT DESCRIPTION

(a) Is the project a new development?	YES	NOX
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(b) Provide a detailed description of the development project and associated infrastructure.

The project consists of the proposed upgrade of the present open picnic area at Grotto Beach, Hermanus and the area where the old Nautilus restaurant used to be. The present picnic area used to be an impenetrable wetland with an unpaved path through the surrounding milkwood forest. The wetland was filled in many years ago with all sorts of extraneous material consisting of sand, gravel and even building rubble. The old Nautilus restaurant was broken down to the extent that only parts of the concrete slab base still remains today. There are a number of braai areas dotted around the filled in area. Vehicular access was allowed onto the filled in area in the past but nowadays access is controlled by a boom. The area is well compacted. At the time of filling in the wetland, a sealed and covered drainage canal was also installed around the whole western, northern and eastern perimeter of the wetland in order to drain seepage water, stormwater and rainfall runoff around the filled in area to discharge via an existing covered channel and headwall onto Grotto Beach. There are a number of springs and seepage water that feed into this drainage canal continuously. The existing developments on the beach also consists of a lifeguard house and ablution facilities, a parking lot and other paved areas.

The proposed upgrade of the area will consist of re-instating a portion of the wetland all around the perimeter of the infilled area by removal of the fill material. This fill material will all be used to create the sloped amphitheatre and stage with raised sloped seating. Between the amphitheatre and the edge of the portion of reinstated wetland there will be a fringe of re-established fynbos that has a raised boardwalk that will allow pedestrians access near the wetland and surrounding milkwood forest. There will also be a viewing platform with seating and information board to get to within viewing distance of the "grotto" that are formed by rocky overhangs with dripping seepage water and associated wet-cliff vegetation.

On the footprint of the area to the south of the road where the old Nautilus restaurant used to be the intention is to construct a wooden double storey building that can be rented out to a restaurateur. The intention is for this building to have a ground level kiosk and bar area and an upper level more formal eating area.

The current covered drainage channel will be removed to allow the containment of the necessary quantity of seepage and stormwater runoff to the rehabilitated wetland area. The drain channel to the beach will be retained with a weir control to obtain the correct water level for the wetland, but that can allow the access runoff to overflow onto the beach as is presently the situation. The existing headwall on the beach will remain but will be clad with natural stone instead of the bland cement structure that is currently there, to give it a more natural appearance. The level of the grassed area lies at ~6.0 metres above mean sea level (m.a.m.s.l.) while the road level at 10th Street immediately above the rock bank flanking the grassed common is located at 27.0 m.a.m.s.l.

(c) List all the activities assessed during the Basic Assessment process:

Government Notice R544 Activity No(s):	Describe the relevant Basic Assessment Activity(ies) in writing as per Listing Notice 1 (GN No. R544)	Describe the portion of the development as per the project description that relates to the applicable listed activity
11	The construction of (i) canals, (ii) channels, (iii) bridges, (iv) dams, (v) weirs, (vi) bulk storm water outlet structures, (vii) marinas, (viii) jetties exceeding 50 square metres in size, (ix) slipways exceeding 50 square metres in size, (x) buildings exceeding 50 square metres in size, or (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of the watercourse, excluding where such construction will occur behind the development setback line	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls
14	The construction of structures in the coastal public property where the development footprint is bigger than 50 square metres, excluding (i) the construction of structures within existing ports or harbours that will not increase the development footprint	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as

	or throughput capacity of the port or harbour; (ii) the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies; (iii) the construction of temporary structures within the beach zone where such structures will be demolished or disassembled after a period not exceeding 6 weeks	connecting structures and outlet structures and headwalls
16	Construction or earth moving activities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, in respect of (i) fixed or floating jetties or slipways; (ii) tidal pools; (iii) embankments; (iv) rock revetments or stabilizing structures including stabilizing walls; (v) buildings of 50 square metres or more; or (vi) infrastructure covering 50 square metres or more- but excluding (a) if such construction or earthmoving activities will occur behind a development setback line; or (b) where such construction or earth moving activities will occur within existing ports or harbours and the construction or earth moving activities will not increase the development footprint or throughput capacity of the port or harbour; (c) where such construction or earth moving activities is undertaken for purposes of maintenance of the facilities mentioned in (i)-(vi) above; or (d) where such construction or earth moving activities is related to the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls
17	The planting of vegetation or placing of any material on dunes and exposed sand surfaces, within the littoral active zone for the purpose of preventing the free movement of sand, erosion or accretion, excluding where the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation or where such planting of vegetation or placing of material will occur behind a development setback line	Possible rehabilitation around the proposed restaurant (freehold) area.
18	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from (i) a watercourse; (ii) the sea; (iii) the seashore; (iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater.	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls
24	The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, at the time of coming into effect of this Schedule such land was zoned open space, conservation or had an equivalent zoning.	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls
37	The expansion of facilities or infrastructure for the bulk transportation of water, sewage or storm water where: (a) the facility or infrastructure is expanded by more than 1000 metres in length; or (b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more- excluding where such expansion: (i) relates to transportation of water, sewage or storm water within a road reserve; or (ii) where such expansion will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.	Possibly with the alteration to the end section of the existing discharge canal to regulate the water level in the rehabilitation of a portion of the old wetland.
39	The expansion of (i) canals; (ii) channels; (iii) bridges; (iv) weirs; (v) bulk storm water outlet structures; (vi) marinas; within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, where such expansion will result in an increased development footprint but excluding where such expansion will occur behind the development setback line.	Possibly with the alteration to the end section of the existing discharge canal to regulate the water level in the rehabilitation of a portion of the old wetland.
40	The expansion of (i) jetties by more than 50 square metres; (ii) slipways by more than 50 square metres; or (iii) buildings by more than 50 square metres; (iv) infrastructure by more than 50 square metres within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, but excluding where such expansion will occur behind the development setback line.	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls
43	The expansion of structures in the coastal public property where the development footprint will be increased by more than 50 square metres, excluding such expansions within existing ports or harbours where there would be no increase in the development or footprint or throughput capacity of the port or harbour	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls

45	The expansion of facilities in the sea, an estuary, or within the Littoral active zone or a distance of 100 metres inland of the high tide mark of the sea or estuary whichever is the greater, for (i) fixed or floating jetties and slipways; (ii) tidal pools; (iii) embankments; (iv) rock revetments or stabilizing structures including stabilizing walls (v) buildings by more than 50 square metres; (vi) infrastructure by more than 50 square metres (vii) facilities associated with the arrival and departure of vessels and the handling of cargo; (viii) piers (ix) inter and sub-tidal structures for the entrapment of sand; (x) breakwater structures; (xi) coastal marinas; (xii) coastal harbours or ports (xiii) structures for draining parts of the sea or estuary; (xiv) tunnels; or (xv) underwater channels where such expansion will result in an increase in the development footprint of such facilities, but excluding where such expansion occurs: (a) behind a development setback line; or (b) within existing ports or harbours where there will be no increase in the development footprint or throughput capacity of the port or harbour	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls
Government Notice R545 Activity No(s):	Describe the relevant Scoping and EIA Activity(ies) in writing as per Listing Notice 2 (GN No. R545)	Describe the portion of the development as per the project description that relates to the applicable listed activity
Government Notice R546 Activity No(s):	Describe the relevant Basic Assessment Activity(ies) in writing as per Listing Notice 3 (GN No. R546)	Describe the portion of the development as per the project description that relates to the applicable listed activity
4	The construction of a road wider than 4 metres with a reserve less than 13,5 metres (d) In Western Cape: (i) in an estuary (ii) all areas outside urban areas; (iii) in urban areas: (aa) areas zoned for use as public open space within urban areas; (bb) areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.	Construction/maintenance to road infrastructure required for improvement to the recreational area.
12	The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; (b) Within critical biodiversity areas identified in bioregional plans; (c) Within the littoral active zone or 100 metres inland from high-water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas.	Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls

16	<p>The construction of: (i) jetties exceeding 10 square metres in size; (ii) slipways exceeding 10 square metres in size; (iii) buildings with a footprint exceeding 10 square metres in size; or (iv) infrastructure covering 10 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line. (d) In Western Cape: (i) in an estuary; (ii) outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; (ii) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined. (iii) Inside urban areas: (aa) Areas zoned for use as public open space; (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; (cc) Areas seawards of the development setback line or within 100 metres of the high water mark where no setback line is determined.</p>	<p>Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls</p>
19	<p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. d) In Western Cape: (i) in an estuary; (ii) all urban areas outside urban areas; (iii) in urban areas: (aa) Areas zoned for use as public open space within urban areas; (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.</p>	<p>Improvement/maintenance to road infrastructure required for the upgrade of the recreational area.</p>
24	<p>The expansion of (a) jetties where the jetty will be expanded by 10 square metres in size or more; (b) slipways where the slipway will be expanded by 10 square metres or more; (c) buildings where the buildings will be expanded by 10 square metres in size; or (d) infrastructure where the infrastructure will be expanded by 10 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line. (d) In Western Cape: (i) in an estuary; (ii) outside urban areas, in: (aa) a protected area identified in terms of NEMPAA. Excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (dd) sites or areas identified in terms of an international Convention; (ee) critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) core areas in biosphere reserves; (gg) areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; (hh) areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined. (iii) inside urban areas: (aa) areas zoned for use as public open space; (bb) areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p>	<p>Construction of amphitheatre and rehabilitation of portion of the wetland, fynbos area, restaurant area and infra-structure such as connecting structures and outlet structures and headwalls</p>

If the application is also for activities as per Listing Notice 2 and permission was granted to subject the application to Basic Assessment, also indicate the applicable Listing Notice 2 activities:

GN No. R. 545 Activity No(s):	If permission was granted in terms of Regulation 20, describe the relevant Scoping and EIA Activity(ies) in writing as per Listing Notice 2 (GN No. R. 545)	Describe the portion of the development as per the project description that relates to the applicable listed activity.

Waste management activities in terms of the NEM: WA (Government Gazette No. 32368):

GN No. 718 - Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity in writing.

Please note: If any waste management activities are applicable, the Listed Waste Management Activities Additional Information Annexure must be completed and attached to this Basic Assessment Report as Appendix I.

If the application is also for waste management activities as per Category B and permission was granted to subject the application to Basic Assessment, also indicate the applicable Category B activities:

GN No. 718 - Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity in writing.

Atmospheric emission activities in terms of the NEM: AQA (Government Gazette No. 33064):

GN No. 248 Activity No(s):	Describe the relevant atmospheric emission activity in writing.

(d) Please provide details of all components of the proposed project and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).

Buildings	YESX	NO
Provide brief description:		
An amphitheatre in a semi-circle with raised seating and an elevated picnic promenade and vantage points that face onto a circular stage for events presentation, as well as kiosks will be constructed on the existing open area that is located to the north of the existing access road. To the south of the existing access road adjacent to the beach above the high water mark, a single or double storey wooden building is proposed on the site where a previous restaurant used to be that burn down some years ago. The intention is to rent this as a leasehold area to a restaurateur in future.		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NOX
Provide brief description:		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NOX
Provide brief description:		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)	YES	NOX
Provide brief description		
Storage and treatment facilities for solid waste and effluent generated by the project	YES	NOX
Provide brief description		
There is existing solid waste treatment and effluent management facilities.		
Other activities (e.g. water abstraction activities, crop planting activities)	YES	NOX

Provide brief description

2. PHYSICAL SIZE OF THE ACTIVITY

	Size of the property:
(a) Indicate the size of the property (cadastral unit) on which the activity is to be undertaken. Amphitheatre area ~6400m ² and restaurant area ~600m ²	~7000m ²
	Size of the facility:
(b) Indicate the size of the facility (development area) on which the activity is to be undertaken.	~7000m ²
	Size of the activity:
(c) Indicate the physical size (footprint) of the activity together with its associated infrastructure:	~7000m ²
(d) Indicate the physical size (footprint) of the activity:	~7000m ²
(e) Indicate the physical size (footprint) of the associated infrastructure:	0m ²

and, for linear activities:

	Length of the activity:
(f) Indicate the length of the activity:	m

3. SITE ACCESS

(a) Is there an existing access road?	YESX	NO
(b) If no, what is the distance over which a new access road will be built?		M

(c) Describe the type of access road planned:

Please Note: indicate the position of the proposed access road on the site plan.**4. DESCRIPTION OF THE PROPERTY ON WHICH THE ACTIVITY IS TO BE UNDERTAKEN AND THE LOCATION OF THE ACTIVITY ON THE PROPERTY**

(a) Provide a description of the property on which the activity is to be undertaken and the location of the activity on the property.

All municipal land in the Voëlklip area of Hermanus is designated Erf 4771. The existing open area north of the access road used to be an impenetrable wetland with a rough footpath around it that was used by visitors to view the two dripping cliff overhangs or "grottos". The wetland was filled in many years ago with all sorts of extraneous material consisting of sands, gravels and building rubble, whereafter it was compacted. Until some years ago, vehicles were allowed to drive on this open area to access braai structures, but vehicle access onto the open area was terminated some years ago. A covered drainage channel was also constructed around the filled-in wetland to divert seepage, spring and stormwater away from the area to a discharge point on the beach to the sea. The location of the amphitheatre venue structures and the rehabilitation of a section of wetland area and re-instatement of fynbos and drainage control structures will entail the whole of the existing ~6400m² area that was previously disturbed. With regard to the freehold area to the south of the existing access road, this used to be a succession of restaurants since the 1950's that have been re-built, improved, etc until the last one burnt down some years ago. The intention is to re-develop the existing footprint of ~600m² of this site with a restaurant that consists of a double storey wooden building with a kiosk type service area at the bottom and a more upmarket dining area at the top.

(b) Please provide a location map (see below) as Appendix A to this report which shows the location of the property and the location of the activity on the property; as well as a site map (see below) as Appendix B to this report; and if applicable all alternative properties and locations.

Locality map:	<p>The scale of the locality map must be at least 1:50 000. For linear activities 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"> • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction (during November to April and during May to October); and • GPS co-ordinates (Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection).
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Site Plan:	<p>Detailed site plan(s) must be prepared for each alternative site or alternative activity. The site plan must contain or conform to the following:</p> <ul style="list-style-type: none"> • The detailed site plan must be at a scale preferably at a scale of 1:500 or at an appropriate scale. The scale must be indicated on the plan. • The property boundaries and numbers of all the properties within 50m of the site must be indicated on the site plan. • The current land use (not zoning) as well as the land use zoning of each of the adjoining properties must be indicated on the site plan. • The position of each element of the application as well as any other structures on the site must be indicated on the site plan. • Services, including electricity supply cables (indicate above or underground), water supply pipelines, boreholes, sewage pipelines, storm water infrastructure and access roads that will form part of the development must be indicated on the site plan. • Servitudes indicating the purpose of the servitude must be indicated on the site plan. • Sensitive environmental elements within 100m of the site must be included on the site plan, including (but not limited to): <ul style="list-style-type: none"> ○ Rivers. ○ Flood lines (i.e. 1:10, 1:50, year and 32 meter set back line from the banks of a river/stream). ○ Ridges. ○ Cultural and historical features. ○ Areas with indigenous vegetation (even if it is degraded or infested with alien species). • Whenever the slope of the site exceeds 1:10, then a contour map of the site must be submitted.
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(c) For a linear activity, please also provide a description of the route.

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<p>Indicate the position of the activity using the latitude and longitude of the centre point of the site. The co-ordinates must be in degrees, minutes and seconds. The minutes should be given to at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection.</p>	Latitude (S):			Longitude (E):		
	34°	24'	45.81"	19°	17'	16.81"

(d) or:

For linear activities:	Latitude (S):			Longitude (E):		
• Starting point of the activity	○		"	○		"
• Middle point of the activity	○		"	○		"
• End point of the activity	○		"	○		"

Please Note: For linear activities that are longer than 500m, please provide an addendum with co-ordinates taken every 100 meters along the route.

Colour photographs of the site and its surroundings (taken of the site and from the site) with a description of each photograph. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide a recent aerial photograph. Photographs must be attached as **Appendix C** to this report. It 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.

SECTION B: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section B and indicate the area which is covered by each copy No. on the Site Plan.

1. GRADIENT OF THE SITE

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

Flat	Flatter than 1:10	1:10 – 1:4	Steeper than 1:4
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2. LOCATION IN LANDSCAPE

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

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front
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(b) Please provide a description of the location in the landscape.

The site is located at the bottom of a steep semi-circular ridge that is covered in natural vegetation and old milkwood trees. On the western end of the semi-circular ridge a strip of large milkwood trees have been removed sometime prior to 2002 to create a view of the beach for some erven on top of the ridge. It is also immediately adjacent to Grotto Beach, which is a Blue Flag beach in Hermanus. The site is located at the bottom where a number of other typical beach side developments are present such as the buildings for life savers, bathhouses, showers and ablution blocks as well as restaurant and picnic areas under the milkwood trees.

3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

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

Shallow water table (less than 1.5m deep)	YESX	NO	UNSURE
Seasonally wet soils (often close to water bodies)	YESX	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NOX	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NOX	UNSURE
Soils with high clay content	YES	NOX	UNSURE
Any other unstable soil or geological feature	YES	NOX	UNSURE
An area sensitive to erosion	YES	NOX	UNSURE
An area adjacent to or above an aquifer.	YES	NOX	UNSURE
An area within 100m of the source of surface water	YESX	NO	UNSURE

(b) If any of the answers to the above are "YES" or "unsure", specialist input may be requested by the Department.

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

(c) Please indicate the type of geological formation underlying the site.

Granite	Shale	Sandstone	Quartzite	Dolomite	Dolorite	Other (describe)
Please provide a description.						
The underlying geological formation consists of Peninsula Formation Sandstone of the Table Mountain Group						

4. SURFACE WATER

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

Perennial River	YES	NOX	UNSURE
Non-Perennial River	YES	NOX	UNSURE
Permanent Wetland	YESX	NO	UNSURE
Seasonal Wetland	YESX	NO	UNSURE
Artificial Wetland	YES	NOX	UNSURE
Estuarine / Lagoonal wetland	YES	NOX	UNSURE

(b) Please provide a description.

The present picnic area used to be an impenetrable permanent wetland with an unpaved path through the surrounding milkwood forest. The wetland was filled in many years ago with all sorts of extraneous material consisting of sand, gravel and building rubble. There are a number of braai areas dotted around the filled in area. Vehicular access was allowed onto the filled in area in the past but nowadays access is controlled by a boom. The area is well compacted. At the time of filling in the wetland, a sealed and covered drainage canal was also installed around the whole western, northern and eastern perimeter of the wetland in order to drain seepage water, stormwater and rainfall runoff around the filled in area to discharge via an existing covered channel and headwall onto Grotto Beach. There are a number of springs and seepage water that feed into this drainage canal continuously at present from the steep cliffside that fringe the open area.

5. BIODIVERSITY

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

(a) Highlight the applicable biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category.

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	No CBA or ESA could be determined for this area

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	

Near Natural (includes areas with low to moderate level of alien invasive plants)	0%	
Degraded (includes areas heavily invaded by alien plants)	0%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	100%	The area has been completely transformed by past infilling, drainage and compaction of wetland area and beach area.

(c) Complete the table to indicate:

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

Terrestrial Ecosystems		Aquatic Ecosystems						
Ecosystem threat status as per the National Environmental Management: Biodiversity Act (Act No. 10 of 2004)	Critical	Wetland (including rivers, depressions, channelled and unchannelled wetlands, flats, seeps pans, and artificial wetlands)			Estuary		Coastline	
	Endangered							
	Vulnerable							
	Least Threatened							
		YESX	NO	UNSURE	YES	NOX	YESX	NO

(d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

The vegetation types that used to occur on site according to the SA National Vegetation Map was Cape Seashore vegetation where the restaurant will be positioned and Overberg Dune Strandveld where the wetland upgrade and amphitheatre is proposed. Both these vegetation types carry a conservation status of least threatened and none is listed under section 52 of the NEM: Biodiversity Act. The present picnic area used to be an impenetrable permanent wetland with an unpaved path through the surrounding milkwood forest. The wetland was filled in many years ago with all sorts of extraneous material consisting of sand, gravel and building rubble. There are a number of braai areas dotted around the filled in area. Vehicular access was allowed onto the filled in area in the past but nowadays access is controlled by a boom. The area is well compacted. At the time of filling in the wetland, a sealed and covered drainage canal was also installed around the whole western, northern and eastern perimeter of the wetland in order to drain seepage water, stormwater and rainfall runoff around the filled in area to discharge via an existing covered channel and headwall onto Grotto Beach. There are a number of springs and seepage water that feed into this drainage canal continuously at present from the steep cliffside that fringe the open area. The area surrounding the existing picnic area consists of milkwood forest with raised boardwalks that give access through the area. The east of the area proposed to be upgraded is a very large portion of the extension of Piet se Bos that is fenced off and is left in a natural state. The intention of the Overstrand Municipality is to incorporate the commonage of the Piet se Bos area ultimately into the Fernkloof Nature Reserve.

6. LAND USE OF THE SITE

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

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical center	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature-conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archeological site
Other land uses (describe):	Filled in wetland developed as a picnic and restaurant area			

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(a) Please provide a description.

The present picnic area used to be an impenetrable permanent wetland with an unpaved path through the surrounding milkwood forest. The wetland was filled in many years ago with all sorts of extraneous material consisting of sand, gravel and building rubble. There are a number of braai areas dotted around the filled in area. Vehicular access was allowed onto the filled in area in the past but nowadays access is controlled by a boom. The area is well compacted. At the time of filling in the wetland, a sealed and covered drainage canal was also installed around the whole western, northern and eastern perimeter of the wetland in order to drain seepage water, stormwater and rainfall runoff around the filled in area to discharge via an existing covered channel and headwall onto Grotto Beach. There are a number of springs and seepage water that feed into this drainage canal continuously at present from the steep Cliffside that fringe the open area. The area surrounding the existing picnic area consists of milkwood forest with raised boardwalks that give access through the area.

7. LAND USE CHARACTER OF SURROUNDING AREA

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

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

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical center	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archeological site
Other land uses (describe):				

(b) Please provide a description, including the distance and direction to the nearest residential area and industrial area.

The nearest residential area is located immediately above the picnic area and one or two rooftops of houses are visible from the existing picnic area. The houses are occupied by mainly retired residents and expensive and exclusive holiday residences. The nearest industrial area is ~7 km to the west as the crow flies. The area immediately surrounding the site and to the east consists of a dense milkwood forest in good condition and this area is at present in the process of being incorporated into the Fernkloof Nature Reserve by the Overstrand Municipality.

8. SOCIO-ECONOMIC ASPECTS

Describe the existing social and economic characteristics of the community in order to provide baseline information.

The communities surrounding the site consist of higher income group retired persons that live there permanently or people that have holiday houses in the area. The houses consist of older large architecturally designed houses as well as very large modern houses that have been constructed after the old house has been knocked down. The Grotto Beach area is very popular public recreational area for both local residents and visitors and a major attraction for tourists who use this extensively as a recreational area. The Overstrand Municipality also indicated that there is an increase in the growth of tourism in Hermanus as well as a younger population who requires amenities and activities according to their needs.

9. HISTORICAL AND CULTURAL ASPECTS

- (a) Please be advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your proposed development, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows: "38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-
- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
 - (b) the construction of a bridge or similar structure exceeding 50m in length;
 - (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years;
 - or
 - (d) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - (e) the re-zoning of a site exceeding 10 000 m² in extent; or
 - (f) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.
- must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."
- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—
- (a) places, buildings, structures and equipment of cultural significance;
 - (b) places to which oral traditions are attached or which are associated with living heritage;
 - (c) historical settlements and townscapes;
 - (d) landscapes and natural features of cultural significance;
 - (e) geological sites of scientific or cultural importance;
 - (f) archaeological and paleontological sites;
 - (g) graves and burial grounds, including—
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the Gazette;
 - (v) historical graves and cemeteries; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
 - (h) sites of significance relating to the history of slavery in South Africa;
 - (i) movable objects, including—
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and paleontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;
 - (v) objects of decorative or fine art;
 - (vi) objects of scientific or technological interest; and
 - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YESX	NO
		UNCERTAIN	
If YES, explain:	The rehabilitation of the wetland and fynbos area with the creation of the amphitheatre and stage will exceed 5000m ² . This will all take place in the already previously disturbed area.		
Will the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NOX
		UNCERTAIN	
If YES, explain:			
Will any building or structure older than 60 years be affected in any way?	YES	NOX	UNCERTAIN

Please Note: If uncertain, the Department may request that specialist input be provided.

10. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

(a) Please list all legislation, policies and/or guidelines that have been considered in the preparation of this Basic Assessment Report.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment / relevant consideration (e.g. rezoning or consent use, building plan approval)	DATE (if already obtained):
Overstrand Municipality SDF	Overstrand Municipality		
National Env Management Act	DEA&DP		
SA Heritage Resources Act	Heritage Western Cape		
National Water Act	DWA		

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Guideline on Alternatives	DEA&DP
Guideline for Environmental Management Plans	DEA&DP
Guideline on Need and Desirability	DEA&DP
Waste Minimisation Guidelines for Environmental Impact Assessment Review	DEA&DP
Guideline on Public Participation	DEA&DP
Guideline on Exemption Applications	DEA&DP

(b) Please describe how the legislation, policies and/or guidelines were taken into account in the preparation of this Basic Assessment Report.

LEGISLATION / POLICY / GUIDELINE	DESCRIBE HOW THE LEGISLATION / POLICY / GUIDELINE WERE TAKEN INTO ACCOUNT (e.g. describe the extent to which it was adhered to, or deviated from, etc).
Overstrand Municipality SDF	The SDF does not address this activity specifically, but the area is zoned for public open space (adhered to fully).
National Env Management Act	Relevant regulations govern content and process of EIA (adhered to fully)
Guideline on Alternatives	Used to determine reasonable and feasible alternatives and also the mandatory assessment of the no – go alternative (adhered to fully)
Guideline for Environmental Management Plans	Definition of management actions to avoid , eliminating, offsetting, or reducing adverse environmental impacts during construction and operational phases and enhancing positive impacts (adhered to in high extent)
Guideline on Need and Desirability	Used to answer is this the right time and is it the right place for locating the type of land-use/activity being proposed? In other words, is this development considered wise use of land – i.e. the question of whether the development could be considered as sustainable use of land, keeping in mind the triple bottom line (fully adhered to)
Waste Minimisation Guidelines for Environmental Impact Assessment Review	Used to determine the limitation of generation of waste and the re-use thereof to limit negative environmental impacts and to maximize the re-use of waste resources (fully adhered to)
Guideline on Public Participation	Guideline used to determine extent of public participation required and based on three variables of : <ul style="list-style-type: none"> o the scale of anticipated impacts of the proposed project; o the sensitivity and the degree of controversy of the project; and o the characteristics of the potentially affected parties. Adhered to fully.
Guideline on Exemption Applications	Guideline used to determine requirements for exemption from Regulation 10(2)(d), if applicable and based on rationale of guideline to integrate the public participation processes required for exemption applications with the public participation requirements as part of the Basic Assessment process (adhered to fully).

Please note: Copies of any permit(s) or licences received from any other organ of state must be attached this report as Appendix E.

SECTION C: PUBLIC PARTICIPATION

The public participation process must fulfil the requirements outlined in NEMA, the EIA Regulations, and if applicable the NEM: WA and/or the NEM: AQA. This Department's *Guideline on Public Participation* (August 2010) and *Guideline on Exemption Applications* (August 2010), both of which are available on the Department's website (<http://www.capegateway.gov.za/eadp>), must also be taken into account.

Please highlight the appropriate box to indicate whether the specific requirement was undertaken or whether there was a deviation that was agreed to by the Department.

1. Were all potential interested and affected parties notified of the application by –			
(a) fixing a notice board at a place conspicuous to the public at the boundary or on the fence of –			
(i) the site where the activity to which the application relates is to be undertaken; and	YESX	DEVIATED	
(ii) any alternative site mentioned in the application;	YESX	DEVIATED	
(b) giving written notice to –			
(i) the owner or person in control of that land if the applicant is not the owner or person in control of the land;	YESX	N/A	
(ii) the occupiers of the site where the activity is to be undertaken and to any alternative site where the activity is to be undertaken;	YESX	DEVIATED	
(iii) owners and occupiers of land adjacent to the site where the activity is to be undertaken and to any alternative site where the activity is to be undertaken;	YESX	DEVIATED	
(iv) the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area;	YESX	DEVIATED	
(v) the municipality which has jurisdiction in the area;	YESX	DEVIATED	
(vi) any organ of state having jurisdiction in respect of any aspect of the activity; and	YESX	DEVIATED	
(vii) any other party as required by the competent authority;	YESX	DEVIATED	
Placing an advertisement in –			
(i) one* local newspaper; and	YESX	DEVIATED	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATED	N/A
(d) placing an advertisement in at least one* provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken.	YES	DEVIATED	N/A

* Please note: In terms of the NEM: WA and NEM: AQA a notice must be placed in at least two newspapers circulating in the area in which the activity applied for is to be carried out.

2. Provide a list of all the state departments that were consulted:
DEA&DP
Dept of Water Affairs
Heritage Western Cape
Cape Nature

3. Please provide an overall summary of the Public Participation Process that was followed. (The detailed outcomes of this process must be included in a comments and response report to be attached to the final Basic Assessment Report (see note below) as **Appendix F**).

The public participation process to be followed in the abovementioned instance was designed from the NEMA Regulations by the DEA&DP NEMA EIA Guideline on Public Participation and was initiated by the following series of events, which occurred more or less simultaneously:

- o social profiling as described by O'Connor (1977) was employed to determine the key characteristics of potential Interested and Affected Parties as well as the organs of state that have an interest in the proposed upgrade of the Piet se Bos and Grotto Beach development area as mentioned elsewhere in the report, as starting point for identifying potential stakeholders;
- o brainstorming sessions were held with some authorities to further identify key stakeholders who may have an interest in or be affected by the proposal;
- o the proposed upgrade was advertised in the "Hermanus Times " of 14 March 2013, giving details of how to engage in the process, as well as the deadline for comment, etc;
- o at the same time an on-site advert was fixed at a conspicuous place of the site mentioned in the application;
- o a Background Information Document (BID) was compiled that contained enough detail that could be made available to potential I&APs, either by direct posting or upon request in response to advertisements, etc., to allow them access to information to make informed inputs to the environmental impact assessment process;
- o the site advert, the advertisement in the newspaper and BID gave details of the application, which is subjected to public participation as well as stated:
 - that the application had been submitted to the competent authority in terms of the NEMA Regulations;
 - that Basic Assessment procedures were being applied to the application for environmental authorisation;
 - stating the nature and location of the activity to which the application relates;
 - where further information on the application and proposed activity could be obtained;
 - and the manner in which, as well as the person, to whom representations in respect of the application could be made, giving contact details;
 - informing potential Interested and Affected Parties about the process requirements for formal registration as I&AP who will be further involved in the assessment process;
 - as well as the deadline for registration and comment.
- o the documents were sent to the municipal councillor of the ward in which the site is situated;
- o the documents were sent to the municipality which has jurisdiction in the area;
- o the documents were sent to organs of state having jurisdiction in respect of any aspect of the activity;
- o municipalities and other organs of state were notified and given an opportunity to comment in writing;
- o a register of I&APs was opened and all correspondence received was responded to;
- o a draft Basic Assessment Report was made available in the Hermanus Library and upon request to all I&APs who requested it, the availability of which was advertised in the newspaper advert, as well as to organs of state which has jurisdiction in respect of any aspect of the activity, after it was made available to DEA&DP;
- o a final copy of the BAR was made available to all registered I&APs.

Please note:

Should any of the responses be "No" and no deviation or exemption from that requirement was requested and agreed to /granted by the Department, the Basic Assessment Report will be rejected.

A list of all the potential interested and affected parties, including the organs of State, notified and a list of all the register of interested and affected parties, must be submitted with the final Basic Assessment Report. The list of registered interested and affected parties must be opened, maintained and made available to any person requesting access to the register in writing.

The draft Basic Assessment Report must be submitted to the Department before it is made available to interested and affected parties, including the relevant organs of State and State departments which have jurisdiction with regard to any aspect of the activity, for a 40-day commenting period. With regard to State departments, the 40-day period commences the day after the date on which the Department as the competent/licensing authority requests such State department in writing to submit comment. The applicant/EAP is therefore required to inform this Department in writing when the draft Basic Assessment Report will be made available to the relevant State departments for comment. Upon receipt of the Draft Basic Assessment Report and this confirmation, this Department will in accordance with Section 24O(2) and (3) of the NEMA request the relevant State departments to comment on the draft report within 40 days.

All comments of interested and affected parties on the draft Basic Assessment Report must be recorded, responded to and included in the Comments and Responses Report included as Appendix F to the final Basic Assessment Report. If necessary, any amendments in response to comments received must be effected in the Basic Assessment Report itself. The Comments and Responses Report must also include a description of the public participation process followed.

The final Basic Assessment Report must be made available to registered interested and affected parties for comment before submitting it to the Department for consideration. Unless otherwise indicated by the Department, a final Basic Assessment Report must be made available to the registered interested and affected parties for comment for a minimum of 21-days. Comments on the final Basic Assessment Report does not have to be responded to, but the comments must be attached to the final Basic Assessment Report.

The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the final Basic Assessment Report as Appendix F.

Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the draft Basic Assessment Report and final Basic Assessment Report must be submitted as part of the public participation information to be attached to the final Basic Assessment Report as Appendix F.

SECTION D: NEED AND DESIRABILITY

Please Note: Before completing this section, first consult this Department's *Guideline on Need and Desirability* (August 2010) available on the Department's website (<http://www.capegateway.gov.za/eaddp>).

1. Is the activity permitted in terms of the property's existing land use rights?	YESX	NO	Please explain
The land portion is zoned public open space.			
2. Will the activity be in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YESX	NO	Please explain
The PSDF does not address this activity at this level			
(b) Urban edge / Edge of Built environment for the area	YESX	NO	Please explain
The land portion is inside the urban edge			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF?)	YESX	NO	Please explain
(d) Approved Structure Plan of the Municipality	YESX	NO	Please explain
The Structure Plan shows the public open space			
(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application compromise the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain
n/a			
(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain
n/a			
3. Is the land use (associated with the activity being applied for) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. is the proposed development in line with the projects and programmes identified as priorities within the credible IDP)?	YESX	NO	Please explain
This is an existing public open space area indicated as such in the SDF			
4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) occur here at this point in time?	YESX	NO	Please explain
This is an essential upgrade of the existing public open space that is an important in enhancing the use of the open space..			
5. Does the community/area need the activity and the associated land use concerned (is it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YESX	NO	Please explain
The upgrade will largely enhance the use to the community to which the public open space can be put			
6. Are the necessary services with adequate capacity currently available (at the time of application), or must additional capacity be created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the final Basic Assessment Report as Appendix E.)	YESX	NO	Please explain
The services are all existing in the area and are supplied by the municipality.			
7. Is this development provided for in the infrastructure planning of the municipality, and if not what will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard, must be attached to the final Basic Assessment Report as Appendix E.)	YES	NO	Please explain
There will be no impact on municipal infrastructure.			
8. Is this project part of a national programme to address an issue of national concern or importance?	YES	NOX	Please explain

9. Do location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the proposed land use on this site within its broader context.)	YESX	NO	Please explain
The existing location of the public open space dictates the area of the upgrade..			
10. How will the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO	Please explain
An area of very disturbed wetland will be re-instated and the public open space upgraded for enhanced public use.			
11. How will the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc)?	YES	NO	Please explain
This is a public recreational area and the purpose of the municipality is to make the area more accessible to a wider variety of the community. There will be noise that is associated with the type of event that will be hosted at the amphitheatre, but the type and duration of the events will be managed by the Overstrand Municipality and will conform to the municipal noise regulations for such events. The municipality has been successful in managing noise levels at the area in the past. The visual character will be altered in that where there is an open grass area at the moment with the milkwood thicket as backdrop, the erection of the amphitheatre will form a visual entity against the backdrop of the milkwood thicket. A reasonable area of the wetland will also be restored and cumulatively there will be visual impacts that differ from what there is at present, but in the consensus of the municipality, as well as a number of respondents, this will constitute a visual improvement and offer an enhanced utilisation of the public recreational area. This is a public recreation area and with the changing socio-political and economical situation of local communities as well as visitors to the area it can be expected that there has to be a change in the sense of place as the changing recreational requirements in a public area changes over time. This is a process which will also continue in future and has occurred in virtually all seaside holiday destinations over time in South Africa.			
12. Will the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NOX	Please explain
13. What will the cumulative impacts (positive and negative) of the proposed land use associated with the activity applied for, be?	YES	NO	Please explain
The cumulative positive impact will be the rehabilitation of part of the old wetland as well as enhancing the use of the public open space area and extending the public use opportunities to meet the changing tourism and recreational use requirements of the area. The cumulative negative impact is that there will be more noise associated with this enhanced use that will be negatively perceived by those immediate residents that expect peace and quiet at all times.			
14. Is the development the best practicable environmental option for this land/site?	YESX	NO	Please explain
Upgrading the existing public open space area.			
15. What will the benefits be to society in general and to the local communities?			Please explain
The cumulative positive impact will be the rehabilitation of part of the old wetland as well as enhancing the use of the public open space area and extending the public use opportunities. Local residents will experience any noise associated with the enhanced use of the public area as negative.			
16. Any other need and desirability considerations related to the proposed activity?			Please explain
The current wetland system is dysfunctional and does not ensure proper filtering of the wetland drainage-water discharged over the beach. The upgrade will improve the ecological functioning of the system. The amphitheatre will meet requirements of increasing growth in tourism and a younger population who requires amenities and activities to their needs.			

(17) Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA have been taken into account:

"The purpose of Chapter 5 of NEMA is to promote the application of appropriate environmental management tools in order to ensure the integrated environmental management of activities. The general objective of integrated environmental management is to :

- promote the integration of the principles of environmental management set out in section 2 into the making of all decisions which may have a significant effect on the environment; (See next table box numbered 18 below)
- identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences (Section F of the BAR and especially point 6) and alternatives (Section E of the BAR) and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management set out in section 2;
- ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them; (the entire BAR process followed under NEMA for this application)
- ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment; (refer Section C of the BAR)
- ensure the consideration of environmental attributes in management and decision making which may have a significant effect on the environment; (Section F of the BAR) and
- identify and employ the modes of environmental management best suited to ensuring that a particular activity is pursued in accordance with the principles of environmental management set out in section 2. (Section F of the BAR and the EMP)